

# UNIVERSITY OF CALIFORNIA, MERCED

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SANTA BARBARA • SANTA CRUZ

ACADEMIC SENATE, MERCED DIVISION  
UNDERGRADUATE COUNCIL (UGC)  
JAY SHARPING, CHAIR  
[jsharping@ucmerced.edu](mailto:jsharping@ucmerced.edu)

UNIVERSITY OF CALIFORNIA, MERCED  
5200 NORTH LAKE ROAD  
MERCED, CA 95344  
(209) 228-7930; fax (209) 228-7955

**October 9, 2013**

**To: Rick Dale, Chair, Committee on Rules and Elections**

**Re: UGC Recusal Policy**

As suggested by the Committee on Rules and Elections in a memo dated August 29, 2013, the Undergraduate Council discussed and unanimously approved the appended recusal policy.

Sincerely,

A handwritten signature in black ink, appearing to read "Jay Sharping".

Jay Sharping  
Chair, Undergraduate Council

Cc: UGC Members  
Division Council Members  
CRE Members  
Senate Office

Encl. (2)

## **Undergraduate Council Recusal Policy**

In the university, the term “conflict of interest” refers to financial or other personal considerations that may compromise a faculty member’s professional judgment in administration, management, instruction, research, or other professional activities. Conflicts of interest have the potential to bias, directly or indirectly, important aspects of the Council’s work, including their recommendations about academic degree programs, courses and other areas of shared governance.

### **Recusal Policy**

If a member of the Undergraduate Council has a personal affiliation with a School or a program or an individual bringing business before the Council, this should be brought to the attention of the Council. The Undergraduate Council at that time will vote (1) to allow or disallow the member from participating in the discussion of the item of business in question or (2) to allow or disallow the member from voting on a motion(s) related to the item of business in question. Undergraduate Council members must recuse themselves in the following circumstances:

1. The member has, or has had, a family relationship with another member of the Council.
2. The Council member has a personal interest in the outcome of an action item.
3. The Council member believes that his/her recusal is necessary to preserve the integrity of the review process.

Upon joining the Council, each member will be informed of this recusal policy and will be expected to abide by it.

### **Grey Areas**

In “grey areas” where a UGC member is uncertain regarding recusal, the member may disclose the potential grounds for recusal to the UGC Chair. The Chair may then determine whether the member should recuse himself or herself, or the Chair may seek the advice of other Council members in making this determination. The Chair or members may suggest that a member abstain from voting when a conflict of interest exists. The Chair should consult the whole Council regarding potential grounds for his/her own recusal. In making its determination regarding recusal in grey areas, the Council will take into account the fact that, by design, each member brings valuable and unique expertise to the Council as a whole.

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ACADEMIC SENATE, MERCED DIVISION  
COMMITTEE ON RULES & ELECTIONS (CRE)  
Rick Dale, CHAIR

UNIVERSITY OF CALIFORNIA,  
5200 NORTH LAKE ROAD  
MERCED, CA 95343  
(209) 228-6312

**Date:** August 29, 2013  
**To:** Ignacio López-Calvo, Chair, Academic Senate; Divisional Council  
Jian-Qiao Sun, Vice Chair, Academic Senate; Divisional Council  
Chairs of All Standing Committees  
**From:** Rick Dale, Chair, Committee on Rules & Elections (CRE)  
**Re:** Advising Standing Committees on Conflict of Interest (COI) Statements

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In spring 2013, in response to COI issues which elicited some discussion on DivCo and other committees, CRE conducted a study of how other UC Divisions handle these issues. A detailed memo reporting our findings and some basic models for COI policies can be found here (also found under "Resources" in the CRE page on the Senate site):

[http://senate.ucmerced.edu/sites/senate/files/public/COI\\_memo\\_FORMATTED.pdf](http://senate.ucmerced.edu/sites/senate/files/public/COI_memo_FORMATTED.pdf)

Former Senate Chair Peggy O'Day AY 2012-13 suggested that CRE make a basic recommendation for fall 2013 to initiate COI discussions. CRE suggested using the UC Riverside model. At UCR, each Standing Committee separately develops a COI policy that is agreed upon at the start of each year's Senate business. Examples of UCR's COI documents are linked from UC Merced's senate website here:

<http://senate.ucmerced.edu/node/307>

Note that these **COI statements are, in most cases, very short**. While our own CoC and CAP committees have fairly detailed statements, those of the other standing committees can be considerably shorter. Once these COI statements are created, each subsequent year, a committee could simply approve it as a consent item at the start of each year.

**Recommendation: CRE recommends that chairs could briefly raise these issues with the members of their committee and develop a COI statement similar to the corresponding committee at UCR. This COI statement can then be made available on UC Merced's senate site.**

As a final note, CRE also suggested that committees should be aware of multiple memberships by faculty on other committees. The primary concern is that faculty may have opportunities to vote multiple times on, or multiply influence, various senate measures, such as the approval of a program or policy change. Though this seems inevitable at a small campus, there should be an awareness of this influence if it exists (e.g., a member of a School's Curriculum Committee voting on a CRF and then voting on it again in UGC).

CC: Committee on Rules and Elections