

# UNIVERSITY OF CALIFORNIA, MERCED

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SANTA BARBARA • SANTA CRUZ

ACADEMIC SENATE, MERCED DIVISION  
COMMITTEE ON RULES AND ELECTIONS (CRE)  
MERCED, CA 95343

UNIVERSITY OF CALIFORNIA, MERCED  
5200 NORTH LAKE ROAD  
(209) 228-7930

**May 9, 2019**

**To: Jay Sharping, Chair, Undergraduate Council**

**From: Christopher Viney, Chair, Committee on Rules and Elections**

**Re: Response to UGC's Request for Consideration of Possible COI Related to UGC and GEEC Memberships**

At their March 13 and April 30, 2019 meetings, members of the Committee on Rules and Elections discussed the UGC request for a ruling on potential conflicts of interest for members of the Undergraduate Council who also sit on the GE Executive Committee (GEEC). In early April, the CRE Chair consulted with the Chairs of the Undergraduate Council and the GE Executive Committee to discuss this request.

CRE recognizes that this is an important matter, as most faculty members sit on multiple committees in service to the campus community. CRE's assessment and ruling are summarized below.

## Assessment

1. The likelihood of faculty serving on multiple committees is high due to our small number of Senate faculty members relative to other campuses. Although this may be perceived as a hardship on faculty, it is also a strength in that members bring with them a wide-ranging perspective. Moreover, many Senate committees are populated in a manner that ensures representation from all the Schools.
2. Given the memberships' overlaps, it is foreseeable that there will therefore be concerns about possible conflicts of interest across various committees.
3. The creation of additional conflict of interest policies for faculty who serve on multiple committees would proliferate multiple iterations of a conflict of interest policy attempting to address all relationships with other committees. CRE is disinclined to set a precedent of creating ever-more specific policies per individual cases of cross-committee memberships.
4. CRE believes that a culture of openness and transparency should be cultivated by all committee members, with potential conflicts of interest made public before or during a

scheduled Senate committee meeting, in accordance with the committee's internal procedures. The process of recusal should be a part of membership duties and outlined in the committee's handbook and/or conflict of interest policy.

5. Members of Senate committees should be representing the specific constituency that they are serving during meetings of a particular committee, rather than broadly representing multiple committees, school(s), or departmental interests.
6. The GEEC is not a Senate committee; it is more analogous to an interdisciplinary academic program. The GEEC Chair confirmed that she would be willing to consider permanent Bylaws for the GEEC that include language specifically related to conflicts of interest.
7. CRE cannot constrain faculty's involvements in, and memberships on, committees.

### Ruling

In light of the aforementioned facts, CRE reiterates that it is incumbent on every faculty to be diligent, careful, and thoughtful in declaring any potential conflict of interest. In keeping with the UGC [conflict of interest policy](#), "In "grey areas" where a UGC member is uncertain regarding recusal, the member may disclose the potential grounds for recusal to the UGC Chair and the UGC Analyst. 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."

In the long-term, CRE's goal is to see a uniform campus-wide conflict of interest policy.

Members of CRE thank you for your request. If you have any questions, please contact Fatima Paul at [fpaul@ucmerced.edu](mailto:fpaul@ucmerced.edu)

Copy: CRE Members  
Associate Director Paul

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ACADEMIC SENATE, MERCED DIVISION  
UNDERGRADUATE COUNCIL (UGC)

UNIVERSITY OF CALIFORNIA, MERCED  
5200 NORTH LAKE ROAD  
MERCED, CA 95343  
(209) 228-7930

**March 1, 2019**

**To: Christopher Viney, Chair, Committee on Rules and Elections  
Fatima Paul, Associate Director, Academic Senate**

**From: Jay Sharping, Chair, Undergraduate Council**

**Re: Consideration of conflicts of interest related to UGC/GEEC**

I am writing to request assistance from the Committee on Rules and Elections (CRE) to consider conflict of interest guidelines for new committee structures for GE-related program activities including course approvals.

UGC members are strongly represented on the General Education Executive Committee (GEEC) and vice versa, and this adds another layer of potentially perceived conflicts of interest. There are members who serve on their school executive committee, UGC and GEEC. I am not aware that we have had any problems yet, which makes now the perfect time to get input.

Specifically, I am interested in having CRE's ruling on whether or not we should develop additional conflict of interest guidelines for members who serve on UGC and GEEC. If so, who should develop those guidelines, and what considerations should be included in them.

I am grateful to those members who serve their department, school, university and university system well beyond the call of duty. During our discussions it is convenient to have people who have been in the other rooms as a topic evolved. Unfortunately, we could lose some of the ability to do "checks and balances".

**Cc: UGC**