

**COMMITTEE ON RULES AND ELECTIONS
ANNUAL REPORT
2016-2017**

TO THE MERCED DIVISION OF THE ACADEMIC SENATE

In academic year 2016-2017, the Committee on Rules and Elections (CRE) conducted business via teleconference, email, and in-person meetings in order to conduct business with respect to its duties as outlined in UCM Senate Bylaw [II. III. 7](#). The Divisional Council received regular updates on CRE activities from CRE Chair Lin Tian. Chair Tian also served on the following ad-hoc committees:

- General Education Bylaw Work Group (July – October, 2017)
- Committee on the Establishment or Revision of Academic Units (April 2017)
- Committee on Senate Rules Regarding Librarians and Non-Senate Faculty (April 2017)

The issues that CRE considered and acted on this year are described as follows:

GENERAL PROCEDURES

The Committee on Rules and Elections (CRE) issues formal Legislative Rulings to resolve disputes or clear up ambiguities regarding Senate authority, procedures, or jurisdiction. Legislative Rulings are binding unless modified by subsequent legislation or action from the Board of Regents. CRE also prepares and reports to the Division, or to any of its Faculties, such changes and additions to their Bylaws and Regulations proposed by other committees or by individuals; edits and publishes the Manual of the Merced Division at such intervals as it deems expedient; and determines whether a person meets the conditions for membership in the Division.

ELECTIONS

- The call for nominations for two positions on the Committee on Committees and one At-large member of the Divisional Council was distributed to the Senate membership on January 30, 2017. Nominating petitions required five signatures including the signature of the candidate showing willingness to serve. Complete forms were due to the Senate on February 10, 2017.
- Due to the number of Senate faculty, the Divisional Council membership required three At-Large Member positions. One was already filled by Patti LiWang (School of Natural Sciences), with two remaining positions left to be filled by election. At the time of writing, the Senate Office had received two nominations for At-Large Members, both from the School of Natural Sciences. To meet the requirement as listed in bylaw [I.III.5.B](#), on March 6, 2017 the CRE requested the assistance of the Committee on Committees) in identifying one additional CoC nominee, and two At-Large Member nominees, for inclusion in the ballot for the 2017 Senate Election, bringing the total number of nominees on the ballot to four. Additionally, to provide balanced representation for all faculty, CRE requested that nominees for the two At-Large Member positions be identified from outside of the School of Natural Sciences.

On March 16, 2017, CoC provided nominations for two DivCo at-large members and one CoC member.

- ***Online Voting System:*** CRE transitioned from the CIS system to Qualtrics.

FORMAL LEGISLATIVE RULINGS ISSUED

CRE was asked to address a question raised by a faculty member regarding the process by which the proposal for a UC Merced General Education Program is approved. Specifically, the faculty member asked if approval required a vote of the Senate faculty. Because the process by which the General Education program at UC Merced is approved is not addressed in either of the two campus policies governing the establishment of new academic programs, CRE sought to answer the following questions in addressing this request:

- 1) Is a vote of the faculty required?
- 2) If yes, what is the voting unit?
- 3) What vote is required to approve the program (majority or other)?
- 4) What level of faculty participation in the vote is required for approval?
- 5) At what point in the approval process should the vote take place?

In reaching its conclusions, CRE drew on existing Undergraduate Council and administrative policies related to the approval of new undergraduate programs, as well as Division Bylaws, the Bylaws of all three schools, and those of College One, to which all faculty belong, as per [Part III. Title II. 2.C](#) of the Division Bylaws, and which historically has been the home of General Education at UC Merced. CRE ruled as follows:

The approval of General Education curriculum will require the following:

- A vote of the Senate faculty of the Merced Division.
- Approval requires a majority of votes cast, not counting abstentions.
- The vote of the faculty must take place before UGC votes on the proposal, and in turn before Divisional Council votes to approve the proposal.

CRE also recommended that the Division revise the appropriate policies to address the process by which a campus-wide curriculum is approved.

REVIEW REQUEST ITEMS FROM DIVCO

CRE opined on the following items:

Campus Review Items

- Draft Definition of Student Success
- Guide to Senate Committee Membership & Executive Session
- Revised Report from the Task Force on University Honors
- Proposals for Five New Academic Units in the School of Engineering
- Amended Chair Terms – Thondapu Family Chair
- Proposed Revisions to SR related to Honors Programs

Systemwide Review Items

CRE endorsed the proposed revisions to SR 630.D

CRE commented on:

- The Presidential Policy on Establishing and Maintaining Presidential Policies
- Proposed Revisions to APM 015 and APM 016
- Proposed Revisions to Senate Bylaw 336
- Presidential Policy on Establishing and Maintaining Presidential Policies (systemwide Item)

REVIEW REQUEST ITEMS FROM THE SCHOOLS

- Review of the Writing Center Report
- HWC's request for clarification of Bylaw-55 regarding the right to express an opinion on a case for which a faculty member does not have voting rights.

CRE responded that units have the right to express opinions at the units' discretion. The units should follow proper procedure to implement the extension of the voting rights.

- Review of HWC Bylaws with particular consideration to the following questions:
 - a. Can untenured faculty comment on personnel cases of tenured faculty
 - b. If not, can that right be granted by full professors (for full cases) and full and associates (for associates) just as untenured faculty are granted the right to opine (and vote) on hiring cases.

CRE responded that units are welcome to provide untenured faculty the ability to comment on personnel, however CRE has historically recommended against granting rights to junior faculty members to vote on tenure cases and granting rights to associate professors to vote on promotion to full professors. CRE also recommended that all changes made to voting rights be properly documented and distributed among all faculty in the unit.

- CRE reviewed the proposed revisions to the SSHA Faculty Bylaws and had no questions or concerns with the proposed revisions.

REVIEW REQUEST ITEMS FROM STANDING COMMITTEES

- Request from Diversity & Equity (D&E) – DE requested that CRE review the requested modification to the Senate Bylaws for D&E to allow for an additional D&E committee member. The CRE membership agreed that this was a good idea, and having a representative from each school, possibly not just one but many if possible, would be important.

The following items will be revisited in AY 17-18

- a) Reserve CAP (RCAP) - CRE recommended establishing the RCAP as a standing committee of CAP in CAP Bylaw.
- b) CRE reference document on voting rights
- c) Conflict of Interest Policies
- d) As a member of the Academic Governance Cabinet, CRE Chair will keep CRE members apprised on planning activities

Respectfully submitted,

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