

**COMMITTEE ON RULES AND ELECTIONS
ANNUAL REPORT
2009-2010**

TO THE MERCED DIVISION OF THE ACADEMIC SENATE:

I. 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 legislative or Regental action. CRE also prepares and reports to the Division, or to any of its Faculties, such changes and additions to their Bylaws and Regulations as it deems advisable; formally supervises all changes and additions to the 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.

In academic year 2009-2010, the CRE performed its business via teleconference and e-mail, which has proven to be an efficient method for conducting the business brought before this committee.

II. FORMAL LEGISLATIVE RULINGS ISSUED

None.

III. PROPOSED AMENDMENTS TO BYLAWS AND REGULATIONS

Background: UCM's Bylaws were written by the UCM task force in AY 2003-2004 prior to the arrival of most faculty; the adopted Bylaws were intentionally sparse in order to allow UCM faculty the opportunity to shape the character of their Academic Senate. Although a few amendments have been made to the Bylaws in the intervening years, there are major gaps in the descriptions of the powers, duties, responsibilities, and functions of Senate officers and standing committees. These gaps have resulted in confusion and conflicts regarding Senate authority over academic matters and ambiguity in procedures. Fuller descriptions of the powers, duties, and authority of Senate standing committees were needed to clarify committee responsibilities and jurisdiction over various Senate and Faculty matters. Several procedural issues required modification or clarification in order to comply with UC Academic Senate Bylaws. Language needed to be clarified, and enumeration and organization of Bylaw clauses needed improvement.

The CRE decided that wholesale review and revision of the Bylaws were warranted as the most expedient way to make a consistent set of comprehensive changes. During AY 2008-2009, the CRE solicited input from all Senate standing committees for potential changes to the Bylaws and comments on existing committee duties, powers, and functions. It also reviewed Bylaws from all other UC campuses to identify important differences and items missing from the UCM current Bylaws. Dan Simmons from UC Davis, CRE member during AY 2008-2009, drafted the first set of Bylaw revisions in August 2009. During fall 2009, CRE reviewed, discussed, and revised the

proposed changes, taking into account comments from the Senate standing committees and the Bylaws of the other campuses.

In December 2009, a first round of proposed revisions were distributed for comments to Senate standing committees. The CRE made further revisions based on committees' feedback. In March 2010, a second round of revisions were distributed to all Senate members for comments through Schools and a web site on UCMCROPS, together with supporting documentation on the revision process. In addition to soliciting general comments on proposed changes, CRE also conducted a short poll with specific questions on proposed major changes. A summary of all proposed changes, results of the poll, comments from Senate standing committees, and background material are posted on UCMCROPS.

After further revisions based on feedback from the Senate member poll, the proposed Bylaw revisions were placed on the Merced Division Meeting Agenda of April 22, 2010 as a discussion item. From feedback received at the meeting, final revisions were made on a few sections. The complete set of Bylaw changes were then placed on the spring Senate election ballot and voted on by all Senate members. The proposed revisions to the Bylaws were approved by a two-thirds majority of voting Senate members in May 2010.

Following standard procedure, the revised Bylaws were electronically submitted to the University Committee on Rules & Jurisdiction for approval. Once approved, they will be placed on the systemwide Academic Council agenda in fall 2010. Upon Council approval, the revised Bylaws will be implemented at UCM on January 1, 2011.

IV. OTHER BUSINESS

- A. Revision of the Academic Degree Programs Procedures
As a result of discussion by Divisional Council, CRE revised the flowchart and procedure for establishing or revising Academic Degree Programs. The UCM Divisional Council was continuing discussions with the Administration regarding revisions as of summer 2010. The CRE will continue to work on this task as requested in AY 2010-2011.

- B. School Bylaws and Regulations
Current UCM Division Regulations do not include General Education or School-specific Regulations. The CRE sent a memo to School curriculum committees soliciting input on current student policies and rules that may be appropriate to include in the UCM Regulations. The CRE received a response from one of the three Schools. The CRE will pursue this again in AY 2010-2011 by working with UGC and School curriculum committees to identify potential additions to Regulations.

V. NEXT YEAR'S BUSINESS

- A. Implementation of Revised Bylaws
Assuming approval by Academic Council in fall 2010, the revised Bylaws will take effect on January 1, 2011. According to the transitional provisions put forth by CRE:

-- All Senate appointments and standing Senate committees will remain as constituted during AY 2010-2011, with the regular transition to new members occurring on the first day of classes, fall 2011. Multiple-year committee appointments will stand until terms are completed as stated in the current Bylaws.

-- All other Bylaw changes will take effect on January 1, 2011, including:

a. Appointment of members to standing committees and Senate offices, including Chair, Vice Char, Secretary/Parliamentarian, and Chairs and Vice Chairs of standing committees, in spring 2011 for AY 2011-2012 will follow **Part II, Title 1** and **Part II, Title III** of the new proposed Bylaws.

b. Election of members to the Committee on Committees and At-large members of the Divisional Council in Spring 2011 for AY 2011-2012 will follow **Part II, Title 1** and **Part II, Title III** of the new proposed Bylaws.

The CRE should review the schedule for the spring Division meeting and Division elections to ensure that the timing of nominations, meetings, and ballots are in compliance with the new Bylaws. The CRE should work with the Committee on Committees to ensure that provisions under the new Bylaws are implemented.

B. College One Bylaws and General Education

All other UC campuses, schools, colleges, and other academic units have established Regulations that apply to students obtaining degrees within their unit. Likewise at all other campuses, general guidelines regarding General Education requirements are included in campus Regulations. The nature and scope of General Education and degree-specific requirements stated in Regulations differ among the different UC campuses, but all campuses include, at a minimum, the most important Regulations. Presently, school-specific student academic policies are listed in the UCM catalog or on a school's website, which can be problematic for student awareness and enforcement. Based on preliminary information collected during this AY, CRE should review student Regulations at the other campuses, and work with UGC and School curriculum committees to identify additional Regulations to be added. In its preliminary review, CRE noted that possible discrepancies between school-wide policies and program-specific policies may need to be resolved (e.g., minimum grade requirements for prerequisite courses and courses required for a major or minor).

C. Bylaw 55 Unit Formation

In spring 2010, the Senate received a proposal from the Psychological Sciences unit to establish itself as a Bylaw 55 unit. After examining the proposal, CRE noted a violation in the procedures (all SSHA Senate members, as the affected unit, did not vote; rather, a vote was conducted among SSHA's Executive Committee). At CRE's request, Divisional Council requested from the SSHA Dean a revised proposal with the appropriate vote. The CRE looks forward to receiving the revised proposal in AY 2010-2011. In general, CRE should work with the Administration, the School Deans and faculty representatives to further develop the process and guidelines for creating Bylaw 55 units. Given that the UC systemwide *Compendium* is undergoing revision, local procedures for establishment

of Bylaw 55 units, schools, colleges, and degree programs may need to be modified to comply with new modifications or recommendations of the *Compendium*.

Respectfully submitted,

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