

Committee on Rules and Elections (CRE)

Meeting Minutes
Wednesday, October 30, 2019
3:00-4:00pm
Documents Available on CRE's Box Site

I. Chair's Report – Christopher Viney

A. CRE Chair Viney reported on the October 16 and 30 Divisional Council (DivCo) meetings.

i. Bylaws of the Committee for the Library and Scholarly Communication (LASC)

On October 16, DivCo members endorsed the proposed revisions to Senate Bylaw II.IV.4, addressing the membership and duties of the Committee for the Library and Scholarly Communication (LASC). The revisions consist of the following:

- A committee membership of “at least four” rather than “at least five” as proposed by LASC
- The specification of a vice chair in the membership of the committee
- A conformational reduction in the total number of Senate members holding non-leadership positions on the committee from four to two
- Minor editorial corrections

ii. Proposed Permanent Bylaws for the General Education Program

Members of DivCo met with GE Program Chair Valerie Leppert to discuss the proposed permanent Bylaws for the General Education Program. The proposed Bylaws have been circulated for campus review, with CRE, UGC, and the School Executive Committees as lead review committees. The proposed permanent Bylaws will be put for a faculty vote in early November. Salient points from the proposal, as presented by Chair Leppert were the following:

- Removal of outdated information (e.g. references to GESB which is now dissolved)
- Clarification of the description of the roles of the GE Executive Committee members
- Revised voting requirement for the GE program. The interim Bylaws (under which the program is currently operating) specify a super majority of two-thirds and the proposed permanent Bylaws propose a super majority of 60%.

CRE, UGC and the SNS Executive Committee (SNS EC) have submitted their comments on the proposed Bylaws. The main themes that emerged from the comments were the following (further elaboration on some of these points is included under item IV below):

- Suggestions were made to assign one vote to each to the Non-Senate Faculty representatives instead of two Non-Senate Faculty sharing one vote.
- Ensuring Non-Senate Faculty representatives are from different Schools.
- The voting threshold for making changes to the GE program: The main points were related to the super majority and the various levels of super majority. Both

sides of that argument were made and heard. A super majority might be viewed by some as a remedy to avoid narrow margins; however, it is important to note that it sets a higher bar, and that the current GE program was approved by a very narrow margin. SNS EC proposed a 50% vote threshold within each School thus ensuring that GE revisions will have support from the entire campus rather than support from just one School. DivCo members noted that, in practice, this gives the faculty in smaller Schools a disproportionate influence over the vote, which was of some concern given that the GE program is owned by the entire faculty body.

CRE hopes the faculty understand that the vote is about *governance*, not about the academic components of the current GE program.

iii. Committee on Academic Personnel

Currently, the Provost attends the Committee on Academic Personnel (CAP) meetings after he has disagreed with a CAP recommendation in order to share with the committee the rationale for his decisions. CAP has requested that the Provost attend a CAP meeting before he makes a decision if he feels he is going to disagree with CAP's recommendation so that CAP can offer additional clarification if necessary. If this process is implemented, it will require a revision to the MAPP and it is expected that CRE will be invited to opine.

II. Consent Calendar

- A. Today's agenda was approved as presented
- B. The September 25 Meeting Minutes were approved as presented.

III. Review of the UCM Bylaws related to the Senate Elections

Background:

Last academic year, the initial Call for Nominations for the Senate Election was issued on January 28, 2019 with a deadline of February 7. The Call had to be extended twice (extended to February 19 and subsequently, to March 1). Despite these extensions, CRE had not received a sufficient number of nominees and could not fill the minimum number of nominations to have a complete ballot. As a result, the Committee on Committees was invited to fill the vacant seats on the ballot, per Bylaw I.III.5.B which provides:

“Before February 1 each year, the Secretary will initiate the election of the Divisional Representatives. Election of Divisional Representatives will be by ballot in accordance with Bylaw Part II. Title III. 3. C. **If the total number of nominations received is not equal to at least twice the number of positions to be filled, the Committee on Committees will make nominations, if any, up to at least the number of positions to be filled.”**

CoC was partially successful in filling the vacant seats.

In a memo dated April 3, 2019 DivCo asked CRE to revisit the Bylaws related to the annual Senate Elections.

A few weeks ago, in preparation for today's meeting, Chair Viney asked Fatima Paul to find out what the timeline would be to enable a revision of the Bylaws so that the amendments could be applied to the Spring 2020 Election cycle. It was revealed that the timeline would be tight and would require CRE to finalize the Bylaw changes by Monday, November 4 in order to be considered at the December 12 Meeting of the Division, for implementation in Spring 2020.

In light of all these developments, Chair Viney proposed a discussion at today's meeting and at the November 26 CRE meeting.

Considerations:

- Per Bylaw I.III.5.B, if CRE does not receive *twice* as many nominations as there are Divisional Representative positions to be filled, the Committee on Committees will solicit nominations to complete the ballot. For reasons that are not clear, this requirement of twice as many nominations as there are positions to be filled was also applied last year to the membership of CoC. In fact, this requirement applies only to the number of Divisional Representatives, not to CoC members.
- UC Merced is the only campus that operates under this requirement. Presumably, sister campuses are not bound by a similar regulation because they have a larger number of faculty.
- What is the remedy if CoC is not able to identify a sufficient number of nominees to complete the slate of candidates? CRE may consider addressing this potential circumstance with a Bylaw amendment.
- Candidates who are nominated and are not elected could be appointed to serve as alternates, for situations where elected candidates are unable to complete their term.

The next steps will include:

- Producing a CRE memo to DivCo alerting DivCo members to what the Bylaws actually state.
- Using the memo as a guidance for the future Bylaw amendments in the Spring.
- Proposing Bylaw amendments at the Spring 2020 Meeting of the Division.
- Implementation of the Bylaw amendments for next year's Election cycle.

IV. Consultation with Professor Valerie Leppert, Chair, General Education Executive Committee

On October 23, CRE offered comments on the proposed permanent GE Bylaws.

Chair Viney welcomed Chair Leppert and summarized the recent Senate comments and the recent DivCo discussion of the proposed permanent GE Bylaws. DivCo has received comments from CRE, UGC, and the SNS EC). Chair Viney presented a summary of those comments this morning, during the DivCo meeting. The major themes that emerged from Senate comments were the following:

- One-person, one-vote principle. The SNS EC and UGC felt strongly that the two Non-Senate Faculty who sit on the GEEC be given one vote each instead of sharing a vote.
- A suggestion was made that Non-Senate Faculty be from different Schools, which does not seem to conflict with any established Senate rule.
- There were a variety of comments on the pros and cons of the various voting thresholds (Article IV of the proposed Bylaws). Some members were in favor of the super majority; others preferred the two-thirds majority model. The GEEC proposal for a 60% threshold was also discussed but no consensus was reached among DivCo members on this particular aspect of the Bylaws. The SNS EC

Approved

noted that it supports a simple majority voting threshold within each School. This is viewed as a safeguard by some but could have unintended consequences.

- At DivCo, it was reiterated that this is a vote on the governance of GE, and not on the GE program.
- Members also discussed the need for continuity for the delivery of GE (i.e. a four-year cycle) to minimize the risks of disruption for students; to follow a cohort; and to allow the program to go through a full assessment period and implement changes in response to assessment.
- The GE program Chair's term of service and the limitation of service to no more than two consecutive terms was discussed. It was also noted that it is not clear how the proposal for staggered terms would work for the initial GEEC members (i.e. year one). CRE recommended that the proposal explicitly note that the initial terms of appointment be scaled to accommodate the steady-state staggering of terms.

Chair Leppert thanked Chair Viney for the summary and reported the following:

Members of the GEEC have visited Departments. The most recent visit was the Mechanical Engineering Department. Chair Leppert noted that the GEEC is working with a consultant to make some early adjustments to the GE program. She also reported that managing a program that was approved with a very narrow margin of support, under interim bylaws, has been very difficult.

CRE recommended to Chair Leppert the inclusion of a preamble in the request for vote that provides a statement about the importance of maintaining continuity and a stable governance structure. With regard to the Non-Senate voice on the GEEC, CRE noted that it might be useful to remind faculty that reverting to the College One structure would eliminate the Non-Senate Faculty representation.

Chair Leppert reported that some faculty are not opposed to the idea of having a GE program lead by a Dean instead of a Senate Faculty member. Should the proposed permanent Bylaws fail to be approved, it is anticipated that the GEEC will explore an extension of the interim Bylaws for another year. This course of action would have to be vetted the group that drafted the current interim Bylaws in the summer of 2018.

Chair Viney encouraged Chair Leppert to distribute the request for vote before Thanksgiving.

There being no further business, the meeting adjourned at 4:00pm.

Minutes prepared by Fatima Paul.

Attest:

Christopher Viney, Chair, Committee on Rules and Elections