

Committee on Rules and Elections (CRE)

Meeting Minutes
September 25, 2019
3:00-4:30pm
KL 324

I. Chair's Report – Christopher Viney

- A. Chair Viney welcomed new and returning members.
- B. Chair Viney reported that the Senate and Administration Governance Retreat was held on August 25-26, 2019, in Lodi. The Academic Senate and the Administration are committed to collaborating on various campus priorities.
- C. Chair Viney will report on Divisional Council (DivCo) activities when DivCo discussion items are relevant to the responsibilities of CRE.
- D. CRE Priorities for academic year 2019-2020 include the following:
 - i. Adoption and implementation of a permanent governance structure for General Education (GE).
 - ii. Long-term resource allocation for GE and explicit inclusion of GE in hiring plans. The Senate will advocate alongside the Administration to ensure that a sustainable resource model is developed for executing the General Education program.

Professor Leppert, Chair of the GE Executive Committee, is meeting with various faculty groups to introduce – and glean support for - the proposed governance structure for GE. In order to pass, the Bylaws will require a super-majority. CRE's role will mainly be focused on:

- Reviewing the proposed Bylaws for the GE program
 - Assessing whether the Bylaws are consistent with precedents (e.g. College One).
 - Encouraging faculty to vote on the proposed Bylaws. The vote will be about the mechanism for governing the GE program, not the GE product.
 - Adoption of a sensible set of Bylaws.
 - Ensuring that the messengers are not blamed.
 - Implementing a structure that will help us, as an institution, to improve the GE program, as needed.
- iii. At all levels on campus, ensuring that all policies are supported by appropriate procedures.
 - iv. Review of the UCM Bylaws and Regulations, including the language of the Bylaws related to the Senate Elections, specifically, [Bylaw I.III.5.B](#), which states the following:

“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.**”

Last year, the number of nominations received did not meet the requirements of the aforementioned Bylaw. The deadline for submitting nominations was extended twice. CRE could not fill the minimum number of nominations to have a complete ballot. As a result, CoC was asked to fill the vacant seats.

E. Managing CRE's Work and Review Assignments

Members discussed whether they wish to review all items distributed by the Senate Chair this year, or allow the CRE analyst, on behalf of the CRE Chair, to only forward items relevant to CRE.

Action: Members unanimously agreed on the latter method, whereby CRE will only be invited to review items that are relevant to the Committee's duties.

II. Committee Resources

A. Chair Viney introduced the duties of the Committee:

The Committee on Rules and Elections (CRE) advises the Division on proposed legislation and on all matters of organization, jurisdiction, and interpretation of legislation. Upon formal request, CRE issues legislative rulings interpreting the Code of the Merced Division of the Academic Senate. CRE also reviews changes in Bylaws and Regulations submitted to the Divisional Assembly or to a Faculty of the Merced Division, and supervises all elections of the Division. The committee's Bylaws are available [here](#).

B. Membership

Voting Members:

- Christopher Viney, Chair, School of Engineering (returning member)
- Anna Song, Vice Chair, School of Social Sciences, Humanities, and Arts (returning member)
- Christine Isborn, School of Natural Sciences (returning member)
- Nathan W. Monroe, School of Social Sciences, Humanities, and Arts (new member)

The Chair and the Vice Chair of the Academic Senate serve as Ex-Officio, non-voting members of CRE and are welcome to attend any CRE meeting this academic year.

Staff support will be provided by Senate Associate Director Fatima Paul.

Chair Viney thanked AD Paul for her work supporting the Committee.

C. The Committee will convene once a month. The meeting schedule is posted on the Senate [website](#).

III. Consent Calendar

A. Today's agenda was approved as presented.

B. [CRE's Revised Conflict of Interest Policy](#) was approved as presented and [transmitted to DivCo on October 11, 2019](#). In its memo, CRE encouraged DivCo to consider the adoption of one conflict of interest policy that would serve the needs of all Senate Committees.

IV. Campus Review Items

A. Proposal for a Program of Graduate Studies in Cognitive and Information Sciences

- [Proposal](#)
- [CCGA Degree Program Format for Graduate Program Proposals](#)
- [CCGA Handbook](#)
- [Graduate Council Policy](#)

CRE is not a lead reviewer.

Action: CRE declined to opine. The CRE analyst notified the Senate Chair on September 27, 2019.

B. [Library and Scholarly Communications Bylaw Revisions](#)

The proposed revisions increase the faculty membership of the committee from four to five, and change the composition of the committee to being broadly representative of the schools (and populated by the Committee on Committees) from being composed of a representative each from the Committee on Academic Planning and Resource Allocation, the Committee on Research, Graduate Council and Undergraduate Council. Additionally, the Chief Information Officer (CIO) has been removed as an ex-officio member, at

the CIO's request. Finally, a small revision has been made to [bylaw II.IV.4.B.2](#) addressing the committee's role in the Library's budget.

While CRE was not assigned the review of this item, the proposal under review directly pertains to the duties of CRE. CRE would expect to be a lead reviewer.

A motion was proposed, seconded, and unanimously carried to endorse the proposed revisions to Bylaw II.IV.4.B.2 related to the membership and duties of the Library and Scholarly Communications Committee.

Action: CRE's comments and recommendations were sent to the Senate Chair on October 2, 2019.

C. Sociology Bylaw Revisions

The Sociology Department proposed revisions to its Bylaws. A rationale for this request and the revised bylaws are available [here](#).

Chair Viney encouraged members to review this proposal and share their comments via email.

Action: Associate Director Paul will reach out to the Sociology Department to inquire about the deadline for comments.

Action: Members reviewed this item via email. CRE's comments were sent to Sociology Department Chair on October 14, 2019.

D. Request for Non-Senate Faculty Representation of Senate Committees

i. Unit 18 Lecturing Faculty

Senate Committee Chairs were invited to consider whether adding a Unit-18 lecturing faculty representative to their respective committee would be valuable to the committee's execution of its duties as outlined in Senate bylaw.

- #### ii. Library Association of UCM would like to be able to bring the Library's perspective to Senate committee deliberations, particularly those focused on academic programs, research initiatives, and issues related to resource planning and allocation.

Members discussed the aforementioned two requests from Divisional Council and decide whether to respond.

Note: UGC is the only UCM Senate Committee that includes representation from both the Unit 18 Lecturers and the Library Association.

It was noted that CRE's main duties are to represent senate matters and to advise members of the Academic Senate on all matters of organization, jurisdiction and interpretation of Bylaws, Regulations, and policies. CRE does not represent members of the Unit 18 faculty or the Library; however, CRE would welcome participation from these constituencies to discuss specific agenda items, as relevant.

A motion was proposed, seconded and unanimously carried to decline adding these constituents to the CRE membership; however CRE welcomes their participation and feedback, as appropriate.

Action: CRE's comments were sent to DivCo on October 15, 2019.

V. Systemwide Review Item**A. [Proposed Revised Presidential Policy on Native American Cultural Affiliation and Repatriation](#)**

President Napolitano requested Provost Brown to convene a workgroup to substantively revise the existing Policy and Procedures on Curation and Repatriation of Human Remains and Cultural Items. The policy pertains to the treatment and repatriation of Native American and Native Hawaiian human remains and cultural items under the University's stewardship and the University's compliance with the federal Native American Graves Protection and Repatriation Act (NAGPRA).

This systemwide policy requires a certain level of technical expertise in anthropology and seems to be outside the scope of CRE's duties. Members agreed that the committee will decline to opine.

Action: Associate Director Paul notified the Senate Chair on September 27 that CRE declined to opine.

VI. Informational Item: Draft Policy for New Schools and Colleges

The policy will be included as an informational item on the October 2, 2019 DivCo agenda and has been distributed to Senate Committees as an informational item.

Background: In a November 7, 2018 memo, EVC/Provost Camfield requested Senate comments on the policy. Per his memo, the policy "establishes campus-level procedures for the development and review of proposals for new schools or colleges together with a standard proposal format. In doing so, it functions as a companion to the [Compendium](#), which outlines the policy and procedure at the system level."

The Senate responded with comments from CAPRA, CoR, CRE, D&E, GC, UGC, the SOE and SSHA Executive Committees. Materials are available [here](#) (CRE's comments are on page 6).

On September 16, 2019, a revised policy was circulated as an informational item. Supporting materials are available here:

- a) [Memo from EVC/Provost Camfield](#) (September 16, 2019)
- b) Revised policy
 - [Redline Copy](#)
 - [Clean Copy](#)

Action: Members were encouraged to review the draft policy and share their thoughts/concerns via email by the end of the week.

VII. Consultation with Prof. Valerie Leppert, Chair, General Education Executive Committee

Chair Leppert reported that the current General Education program is operating under an interim set of Bylaws adopted in 2018. The program is governed by the GE Executive Committee, analog to an academic department. The GE Executive Committee operates under College One. The VPDUE is the Dean of College One.

Chair Leppert was appointed as Chair of the GE program and Executive Committee in October, 2018. The GEEC did not convene until it had a full complement of members in the Spring. The interim Bylaws were agreed to as an interim structure by the School Executive Committees and several Senate Committees. The Bylaws will expire in December 2019. Following extensive consultation, the GEEC is proposing revisions to the interim Bylaws. The goal is to put forth these Bylaws for a faculty vote in early November. The proposed permanent Bylaws were distributed to senate and non-senate faculty with individual comments due by October 14, 2019. GEEC members will visit their own schools and departments to introduce the proposal. An AAC&U consultant has been engaged to advise on assessment and implementation of the program.

Chair Leppert noted that the Chair of the Merced Division recommended that the Bylaws be sent to the Senate Office to initiate a Senate review. GEEC is primarily consulting with CRE and UGC and the hope is to receive comments by October 31. Lastly, she reported that permanent Bylaws would provide a conduit for proposing changes to the GE program.

Additional background is provided in Chair Leppert's [memo](#).

Chair Viney thanked Chair Leppert for her report and noted that, given the significance and importance of these Bylaws, an electronic review needed to be initiated in the next few days. Members were encouraged to share their thoughts by early October.

Action: AD Paul will follow-up with an email to members.