

**PART I. MERCED DIVISION**

**Title I. AUTHORITY AND FUNCTIONS**

1. The Merced Division is a committee of the University of California Academic Senate. It has authority to:
  - A. Select its own officers and committees and adopt rules for the conduct of its business;
  - B. Receive and consider reports and recommendations from the Faculties of colleges and schools located wholly or partly on the Merced Campus, from its Divisional committees, from local administrative officers, and from other Divisions;
  - C. Originate and take final action on legislation substantially affecting only the Division;
  - D. Establish Faculties in schools and colleges located wholly on the Merced Campus;
  - E. Report directly to the President resolutions on matters of University concern, and copy the Assembly of the Academic Senate;
  - F. Initiate Memorials to the Regents; and
  - G. Submit reports and recommendations concerning changes in Senate legislation and other related matters to the Senate or to the Assembly.
  
2. The Merced Division authorizes and supervises all courses of instruction in the colleges and schools on the Merced campus, except when otherwise specified in the Bylaws of the University Academic Senate or in the Standing Orders of The Regents. The Division recommends to the President of the University all candidates for degrees who complete requirements for those degrees in a school, college, or graduate division subject to the jurisdiction of the Division.
  
3. All Merced Division business will be transacted by the Divisional Assembly of the Division except when specified otherwise in these bylaws.

**Title II. MEMBERSHIP**

1. Members of the Division are:
  - A. The President of the University;
  - B. The Chancellor, Vice Chancellors, Provosts, Deans, Directors of academic programs, the chief admissions officer, Registrar, and University Librarian at Merced;
  - C. All members of the Academic Senate of the University of California whose duties lie primarily on the Merced campus;
  - D. Academic Senate members holding statewide appointments only, and not enrolled in another Division, who choose to enroll in this Division by informing the Secretary of the Division.
  
2. Membership does not lapse because of leave of absence or transfer to emeritus status.

3. The Committee on Rules and Elections determines whether a person meets the requirements for membership.

### **Title III. OFFICERS OF THE DIVISION**

#### 1. Chair

A. Term: The Chair of the Division is appointed by the Committee on Committees to serve a one-year term beginning the first day of the Fall semester. The Chair ordinarily succeeds to this office and to Chair of the Divisional Council after serving as Vice Chair of the Division and of the Council in the previous year.

#### B. Duties

1. Serves as Chair of the Division and of the Divisional Council.
2. Serves as an *ex officio* voting member of the Assembly of the Academic Senate and of the Academic Council, and as Chair of the Divisional Committee on Assembly Representation.
3. Sits, by invitation or at one's own discretion, without vote, in deliberations of any committee of the Division except the Committee on Academic Personnel when personnel cases are discussed and the Committee on Privilege and Tenure when individual grievance or discipline cases are discussed.
4. Refers matters to the officers or agencies of the Division and of the Administration, as appropriate.

#### 1. Vice Chair

A. Term: The Vice Chair of the Division and of the Divisional Council is appointed by the Committee on Committees to serve a one-year term that starts on the first day of the Fall semester.

#### B. Duties

1. Serves as Vice Chair of both the Division and the Divisional Council.
2. Serves as Chair when the Chair is unable to serve.
3. Presides at meetings of the Divisional Assembly when the Chair is unable to attend.
4. Serves as Acting Chair until a replacement chair is appointed by the Committee on Committees in the event of death, resignation, or prolonged incapacity of a Chair.
5. Performs duties as assigned by the Chair of the Division.
6. Sits, by invitation or at one's own discretion, without voting rights, in deliberations of any Division committee except for Committee on Committees and Committee on Academic Personnel when personnel cases are discussed, and the Committee on Privilege and Tenure when individual grievance or discipline cases are discussed.

2. Secretary/Parliamentarian

A. Term: The Secretary is appointed by the Committee on Committees to serve a two-year term, subject to reappointment, beginning on the first day of the Fall semester.

B. Duties

1. Prepares the Call and Minutes for each meeting of the Division in accordance with Senate Bylaws.
2. Assumes the duties of Chair in the absence of both the Chair and Vice Chair.
3. Performs such duties as assigned by the Chair of the Division.
4. Maintains a complete file of the Senate of minutes, reports, and agendas of all Divisional committees and other Senate agencies.
5. Serves as Parliamentarian for all meetings of the Division.
6. Issues notices for all meetings of the Representative Assembly to all members of the Division, keeps and distributes the minutes of all such meetings to all members of the Division, and keeps a permanent file of all calls and notices of meetings of the Assembly of the Academic Senate along with any appended material.
7. Sends a copy of the Bylaws of the Merced Division that relate to the work of the committee in question to each committee chair at the beginning of the academic year.
8. Conducts all elections in the Merced Division that require a ballot under the supervision of the Committee on Rules and Elections.
9. Maintains Merced Division archives, including all policies adopted by any Divisional committee.

4. Executive Office

A. The Executive Office of the Division is under the general supervision of the Chair. It includes such analytical, administrative, and clerical employees as are made available to the Division and its committees.

B. Duties

1. Be the depository of all records of the Division.
2. Assist in the preparation and distribution of calls and minutes for meetings of the Division, reports of committees, questionnaires, and other materials required in the work of the Division and its committees.
3. Maintain current files of all minutes, agendas, calls, and reports of standing and special committees submitted to the Division.
4. Establish and maintain files showing the current membership in the Division, the Senate and Divisional committee service of each Division member, and the current membership of all standing and special committees of the Division.
5. Generally assist the officers of the Division in the discharge of their duties as officers.

6. All records of the Executive Office except those concerning matters not to be reported directly to the Division and for good cause held confidential, are open for inspection by any member of the Division.
5. Divisional Representatives
  - A. The Merced Division will be represented in the Assembly of the Academic Senate by the Chair of the Division *ex officio* and by the number of Divisional Representatives authorized by the University Academic Senate.
  - B. 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.
  - C. As many Divisional Representatives as there are terms to be filled will be elected each year, and elected Representatives will serve for terms of two years. The Committee on Committees of the Merced Division will appoint Divisional Representatives as necessary to complete any unfulfilled term or terms. No member of the Senate will serve as a Divisional Representative for more than two consecutive terms, but he or she will become eligible to serve again after the lapse of two or more years following conclusion of his or her second consecutive term.
  - D. First, second and third alternate Divisional Representatives to serve in the absence or disability of any regular Representative of the Assembly will be selected by the Committee on Committees immediately following the election of the regular Divisional Representatives. Each alternate Divisional Representative will serve a two-year term.
6. Removal from Office
  - A. Any officer, Divisional Representative to the Assembly of the Academic Senate, committee or council chair, or member of a committee of the Merced Division may be dismissed for good cause by a two-thirds vote of the Divisional Assembly on the recommendation of the Committee on Committees. Good cause includes the failure to perform the duties of the office or other actions that undermine the effectiveness of a committee or the Division. No one will be dismissed without the opportunity to lay evidence before the Committee on Committees and to answer any charges before the Divisional Assembly.

#### **Title IV. DIVISIONAL COUNCIL**

1. Composition

The Divisional Council will be composed of up to 15 members, including:

  - A. The Chair and the Vice Chair of the Division, who are also Chair and Vice Chair of the Divisional Council, and Chairs of the following Committees:

1. Academic Personnel
  2. Academic Planning and Resource Allocation
  3. Committees
  4. Faculty Welfare and Academic Freedom
  5. Diversity and Equity
  6. Graduate Council
  7. Research
  8. Undergraduate Council
- B. At-Large members elected by the Division. There will be one at-large member per hundred Senate members or fraction thereof, up to a maximum of nine at-large members.
- C. The Secretary of the Division serves as non-voting secretary to the Council.
2. Terms
- A. The Chair and Vice Chair will serve the same terms as their tenure as Chair and Vice Chair of the Division.
  - B. Committee Chairs normally will serve during the term of their tenure as committee chair. A committee chair may designate the Vice Chair of that committee to serve in his or her stead on the Divisional Council with approval of the Committee on Committees for one year.
  - C. At-Large members will serve two-year terms. Half of these members will be elected each year.
  - D. At-Large members will be elected in the same manner and at the same time as members of the Committee on Committees. When candidates are to be elected for both one- and two-year terms, those with larger numbers of votes shall receive two-year terms.
  - E. Terms begin on the first day of the Fall semester, unless otherwise designated in Divisional legislation.
  - F. A partial term counts as a full term.
  - G. Any vacancy between regular elections is filled by the Committee on Committees.
3. Duties
- The Divisional Council has the following responsibilities and authority:
- A. Proposes legislation to the Division as it deems necessary.
  - B. Acts on behalf of the Division on matters other than legislative matters retained by the Division.
  - C. Advises the Division and its officers and representatives on matters of policy.
  - D. With the advice of the Committee on Academic Planning and Resource Allocation, the Graduate Council, and the Undergraduate Council, makes recommendations to the Chancellor on the establishment and disestablishment of academic units on the Merced campus, including colleges, schools, and departments.

- E. With the advice of the Committee on Research, makes recommendations to the Chancellor on the establishment or disestablishment of Organized Research Units, centers, institutes, bureaus, and the like.
- F. Receives and distributes to the appropriate agencies reports from Standing and Special Committees of the Division and from academic program and Organized Research Unit review committees. Forwards the formal advice of Standing Committees to the Chancellor.
- G. Coordinates activities of Divisional Standing and Special Committees.
- H. Facilitates and expedites consultations between Administration and appropriate committees of the Division; establishes special committees to study and report to the Divisional Assembly on concerns that are not within the jurisdiction of existing committees; is available for consultation with the Chancellor or Chancellor's designee concerning the establishment of Administrative task forces; communicates with appropriate Divisional committees relative to the establishment of task forces by the campus Administration.
- I. Advises the Chancellor or Chancellor's designee on the performance of principal administrative officers, such as vice chancellors, deans, and associate deans.
- J. Places routine items on a Consent Calendar to be submitted to a meeting of the Division.
- K. Informs members of the Division of its agenda and actions through regularly circulated reports, public forums, Divisional newsletter, or other channels.
- L. Orders a ballot by mail, if a quorum was not achieved at a Divisional meeting on any matter, including legislation that was presented in the Notice for that meeting.
- M. With the advice of the Committee on Faculty Welfare, and Academic Freedom, reports to the Division on matters of University and Faculty welfare, including administrative practices.
- N. Studies and reports conditions that may affect the academic freedom of the University or of individual faculty members.
- O. Sets the size of committees not otherwise specified in these bylaws.
- P. Approves or denies student petitions that diverge from Divisional regulations. This authority may be delegated to the appropriate committees of any college, school or the Graduate Council. If the authority is delegated, each committee must submit a report to the Divisional Council at the end of the academic year summarizing the disposition of the petitions brought to it.
- Q. Acts on behalf of the Merced Division in recommending to the President of the University candidates for degrees and honors in a school, college or graduate division subject to the jurisdiction of the Merced Division. At its discretion, the Divisional Council may recommend candidates under suspension of Divisional and Senate Regulations, provided that each petition submitted by a candidate has been approved by the appropriate faculty or the Graduate Council. Such petitions may include those for the awarding of posthumous degrees. The committee, after forwarding its recommendations to the President, maintains in the Academic Senate

Office a record of its actions, including separate lists of the names of candidates recommended under suspension of the Regulations.

**Title V. DIVISIONAL ASSEMBLY**

1. Membership
  - A. The Divisional Assembly will include all members of the Division as defined in Bylaw Part I. Title II.
2. Responsibilities and Functions
  - A. The Divisional Assembly is empowered to act on behalf of the Merced Division in the transaction of all business not specifically delegated to other committees of the Division, except as limited below. The Divisional Assembly retains the authority, by a majority vote, to review any policy statement of a Divisional committee and to call up for discussion and determination any policy question pending before a Divisional committee.
  - B. Except by the consent of two-thirds of the members present, no action of the Divisional Assembly will become effective until forty-one (41) days after the date of the meeting at which the action was taken.
3. Meetings
  - A. Regular: The Division holds two regular meetings each academic year, one in the Fall term and the other in the Spring term when the Divisional Council presents its State of the Campus Message.
    1. The Chair and Secretary schedule regular meetings.
    2. The call to a Regular Meeting must be sent to all members of the Division at least fourteen (14) calendar days prior to the meeting.
  - B. Special
    1. A Special Meeting of the Division may be called by the Chair. Upon written request of seven voting members, a Special Meeting must be called by the Chair or, in the event of absence or disability, by the Vice Chair.
    2. The call to a Special Meeting must be sent to all members of the Division at least five (5) calendar days prior to the meeting.
  - C. Emergency
    1. An Emergency Meeting may be called by the Chair or, in the event of absence or disability, by the Vice Chair, with the concurrence of a majority of the Divisional Council.
    2. The call to an Emergency Meeting must be sent to all members of the Division at least 48 hours prior to the meeting.
    3. The order of business shall be that for a Special Meeting. Legislation cannot be enacted nor modified at an Emergency Meeting.
4. Quorum
  - A. The lesser of forty percent or fifty voting members of the Division are required for a quorum.

## PART II. COMMITTEES

### Title I. APPOINTMENT AND TERM

1. Appointment
  - A. The Committee on Committees appoints the Chair, Vice Chair, and Secretary/Parliamentarian of the Division. The appointments shall be reported for confirmation by the Division at the regular spring meeting of the Division. Unless objection is made and an election called for by a majority vote of those present, the appointments shall stand.
  - B. Unless these Bylaws specify otherwise, the Committee on Committees appoints all committees and councils of the Division and designates their Chairs and Vice Chairs, members of special committees as the Division may direct, nominees for appointment to administrative committees when called upon by the Chancellor, and members of the Merced Division to serve on the standing committees of the University Academic Senate. All appointments by the Committee on Committees will be reported to the Divisional Council and to the Division.
  - C. No member of the Division holding an administrative title of Chancellor, Vice Chancellor, Provost, Vice Provost, Dean, Associate Dean, or titles with equivalent levels of administrative responsibility, may serve as a member of a Divisional committee or council (with the exception of membership in the Divisional Assembly), or as a Senate representative of the Merced Division to any taskforce, committee, or agency (except in a non-voting, *ex officio* capacity as provided in these Bylaws). Chairs of academic departments or programs, or persons with titles with equivalent levels of administrative responsibility, may serve on Divisional committees or councils, or as a representative of the Merced Division, with the exception of membership on the Committee on Academic Personnel and the Committee on Privilege and Tenure. (Am 1 June 15)
2. Term
  - A. Committees are appointed annually to serve for a term of one year, beginning with the first day of the Fall semester, unless otherwise specified. To assist committees with continuity of expertise, reappointment of individuals for a second year will be given strong consideration by the Committee on Committees.
  - B. The Vice Chair of each committee will normally succeed to the position of Chair in the following year. The Committee on Committees will normally appoint a new Vice Chair for each committee each year.

### Title II. GENERAL FUNCTIONS AND RESPONSIBILITIES; COMPOSITION

1. Classification of Committees (Am 12 Dec 08)

Standing Committees of the Merced Division of the Academic Senate form two categories:

  - A. Committees on Faculty and Senate Affairs, without student members;
  - B. Committees on Educational Affairs, with student members.



2. General Functions and Responsibilities (Am 12 Dec 08)
  - A. Committees may conduct studies and make recommendations as they deem appropriate, consistent with their charge.
  - B. Members of the Division have the right to be heard by appropriate Divisional Committees.
  - C. Each Committee is responsible to the Division and is obligated to report its actions to the Division, but it also has the right to report concurrently to the Assembly of the Academic Senate.
  - D. Committees may make recommendations and render service to the President, the Chancellor, other administrative officers, and individual members of the Division, reporting their recommendations to the Division when such reporting is consistent with the original charge to the committee and are in the best interest of the University.
  - E. Committees may adopt rules for the conduct of their business consistent with the Bylaws and Regulations of the Division.
  - F. Standing Committees or Councils may appoint committees from within their membership and may delegate any part of their responsibility to such committees. The Chair, in consultation with the membership, may appoint any number of individuals or ad hoc committees in response to Senate needs. In so doing, the Chair may consult with the Committee on Committees. However, any Senate member may appeal a decision of such a committee to the Committee that created it.
  
3. Composition of Committees
  - A. Committees on Faculty and Senate Affairs
    1. Membership: These Committees will be composed solely of Senate members
      - a. Assembly Representation
      - b. Academic Personnel
      - c. Committees
      - d. Privilege and Tenure
      - e. Faculty Welfare and Academic Freedom
      - f. Diversity and Equity
      - g. Divisional Council
      - h. Rules and Elections
      - i. Research
  - B. Committees on Educational Affairs
    1. Membership: These Committees will be composed of Senate members appointed by the Committee on Committees, unless otherwise provided for in these Bylaws, and will include student members:
      - a. Academic Planning and Resource Allocation
      - b. Undergraduate Council
      - c. Graduate Council
      - d. Library and Scholarly Communication
    2. Student Selection, Appointment, and Participation (Am 21 Mar 07)

- a. Student members will be eligible to serve on all standing sub-committees of those Committees listed in Bylaw Part II. Title IV.
  - b. Student representatives are nominated for one-year terms by their undergraduate and graduate student associations to sit with Academic Senate committees. Their seating is subject to ratification by the Committee on Committees, which, by right, may also withdraw the privilege from student representatives who violate the rules of conduct, or, in flagrant instances, debar any student representatives from the committee in question for a specific period of time. Failure of the student organizations to provide appointee(s) will not interfere with the ongoing function of the Merced Divisional committees.
  - c. Student representatives have the privilege of the floor at committee meetings. They may ask for their positions to be recorded in the minutes (if any), but will not vote or enjoy the other rights reserved for voting members.
  - d. Student representatives will not be present during discussions of confidential matters, nor have access to documents pertinent to such discussions. Normally, confidential matters are defined as those pertaining to any individual member of the academic community, but when warranted, a committee Chair may declare any other matter confidential.
  - e. Student representatives may report to their constituencies on committee transactions, but, both as a courtesy and to confirm the accuracy in reporting are recommended showing a copy of any report to the Chair of the committee in question prior to its dissemination.
  - f. Student representatives on committees have the right to participate in committee deliberations but do not have voting privileges. On all formal votes in such committees, the student opinions will be recorded and reported separately.
4. Correspondence with Standing Committees of the Academic Senate (see Senate Bylaw [325](#))
- A. Academic Personnel, Committees, Library and Scholarly Communication, and Privilege and Tenure correspond to the Assembly committees of the same names.
  - B. Faculty Welfare and Academic Freedom corresponds to the Assembly committees on Faculty Welfare and Academic Freedom.
  - C. Diversity and Equity corresponds to the Assembly committee on Affirmative Action and Diversity.
  - D. Rules and Elections corresponds to the Assembly committee on Rules and Jurisdiction.
  - E. Academic Planning and Resource Allocation corresponds to the Assembly committee on Planning and Budget.

- F. Undergraduate Council corresponds to the Assembly committees on Board on Admissions and Relations with Schools, Educational Policy, International Education, and Preparatory Education.
- G. Graduate Council corresponds to the Assembly Coordinating Committee on Graduate Affairs.
- H. Research corresponds to the Assembly committees on Research Policy, and Library and Scholarly Communication.
- I. Divisional Council corresponds to all other Standing Committees of the Assembly.

### **Title III. STANDING COMMITTEES ON FACULTY AND SENATE AFFAIRS: THEIR POWERS AND DUTIES**

These Committees are composed solely of Senate members.

- 1. Assembly Representation
  - A. Membership
    - 1. Chair of the Division, who serves as its Chair;
    - 2. Other members of the Division who are *ex officio* voting members of the Assembly of the Academic Senate; (Am 04 May 06)
    - 3. Appointed Divisional Representatives to the Assembly (as prescribed in Senate Bylaw 105.A.4) appointed for two-year terms, at least half of whom will be elected members of the Divisional Council; and
    - 4. Three alternate Divisional Representatives, designated by the Division Chair to serve in the absence of a regular Representative (Legislative Ruling 4.71).
  - 2. Academic Personnel
    - A. Membership: This Committee has seven or more members who may be members of other Divisions of the Senate.
    - B. Term: Subject to reappointment, members will ordinarily serve a three-year term beginning the first day of the Fall semester.
    - C. Duties
      - 1. Represents the Division in all matters and policies relating to appointments, promotions, and academic personnel matters.
      - 2. Makes recommendations to the Chancellor on appointments, promotions, salaries, and other matters related to faculty quality.
      - 3. Makes an annual report to the Division stating the extent to which its recommendations have been accepted by the University administration. This report shall be sufficiently detailed to inform the Division of the effectiveness of the committee as a liaison between the Division and the administration.
- 3. Committees
  - A. Membership, Election and term of office
    - 1. This Committee will consist of eight elected members of the Merced Division.
    - 2. Members are elected each year to serve for two years beginning the first day of the Fall semester.

3. No member may be elected for more than two consecutive terms.
4. The Committee is elected by mail ballot conducted in accordance with Senate Bylaws.
5. If, because of vacancies or other circumstances, the number of members that needs to be elected each year gets out of balance (e.g., 5 members due to be elected one year, 3 the next), the Committee may reduce one member's term by one year.
6. Notice of Election. The Secretary must mail each voting member of the Division a Notice of the Election no fewer than 21 calendar days prior to the election.

B. Nominating Petitions

1. Nominating Petitions must be filed with the Secretary within 14 calendar days after the Notice of Election are mailed.
2. Nominating Petitions must be signed by five voting members of the Division, and must state the school affiliation of the nominee and nominators.
3. The nominee must certify willingness to serve if elected.

C. Ballots

1. At least 7 calendar days before the Election, the Secretary must provide to each voter, either by mail or electronically, a list of all nominees, stating their nominators and school affiliation.
2. The list of nominees must be accompanied by a ballot listing the nominees alphabetically. In the case of mail ballots, each voter must receive a plain envelope in which to enclose the marked ballot, and an additional envelope addressed to the Secretary to be used for return of the sealed ballot. The envelope addressed to the Secretary must have a space for the signature of the voter. For electronic voting, the Secretary must use a system that verifies each voter's identity and maintains security. Each voter must be provided access to this system at least 7 calendar days before the Election.
3. The voter must be notified that:
  - a. Ballots must be returned to the Secretary before or on the day of election;
  - b. A ballot is invalid if more names are marked than there are vacancies to be filled, or if a mail ballot, it lacks the voter's signature on the return envelope;
  - c. A voter with a spoiled ballot may obtain another by tearing it in half and returning it to the Secretary.
4. In these Bylaws "mail ballot" denotes either a ballot distributed through postal or electronic mail.

D. Voting

1. Candidates receiving votes on at least 35% of the valid returned ballots will be declared elected.

2. If more candidates receive votes on at least 35% of the valid ballots cast than there are vacancies to be filled, those having the highest percentage will be declared elected.
3. If fewer candidates receive votes on at least 35% of the valid ballots cast than there are vacancies, a second mail ballot must be taken. It must list the nominees not elected but receiving the highest percentage on the first ballot, but not to exceed twice the number of remaining vacancies.
4. Those receiving the highest percentage on the second ballot are to be declared elected for such vacancies as exist. A tie for the last vacancy is broken by lot.

E. Powers and Responsibilities

1. The Committee will elect its own chair and secretary, and make its own rules of procedure that are not inconsistent with the Bylaws and Regulations of the Senate and the Merced Division. The retiring Committee on Committees will delegate one of its holdover members to call the new Committee on Committees together for the first meeting.
2. The Committee will make appointments to fill vacancies in standing or special committees, or to replace officers of the Merced Division, because of resignation, prolonged illness or disability, or dismissal for cause. In making replacement selections, the Committee will consult in confidence with other committees, appointing bodies, and the Divisional Council. A person appointed to fill a vacancy will take office at once and serve for the full remaining term. The Committee will report such replacement appointments to the Division.
3. When a vacancy in its own membership occurs, the Committee may appoint a member of the Division to serve the unexpired part of the term. In filling a vacancy, the Committee is instructed to give consideration to nominees not elected but receiving the highest vote in the immediately preceding election.
4. The Committee will call for nominees and volunteers from the Faculty to fill positions on committees it appoints, but is not obligated to accept any such nominees and volunteers. No one will be appointed without his or her consent.
5. The Committee will solicit and ratify nominations of student members to Committees on Educational Affairs from the appropriate undergraduate and/or graduate student government organizations.
6. The Committee will consult in confidence with other committees and with the Divisional Council when making appointments, taking into consideration whether new committee assignments will be overly burdensome for any given faculty member.
7. Members of the Committee are eligible to serve as officers of the Division, and as members, chairs, or vice chairs of other Divisional committees.

4. Privilege and Tenure

A. Membership: This Committee has at least five members who may be members of any Division of the Academic Senate.

B. Duties

1. Takes cognizance of all matters affecting the privilege or tenure of officers of instruction of the Division.
2. The principles and procedures governing its conduct are set forth in Senate Bylaws [334](#), [335](#), [336](#), and [337](#).
3. Advises the Chancellor or Chancellor's designee, the Divisional Council, and Senate members on general policies involving academic privileges and tenure.
4. Maintains statistical records of grievance, disciplinary and early termination cases at the Merced Division.
5. At the conclusion of any grievance, disciplinary, and early termination case, the Committee will promptly report its findings of fact, conclusions, recommendation, and record of the proceedings to the Chancellor, the Chair of Divisional Council, the Chair of the Divisional Committee on Privilege and Tenure, and the Chair of the University Committee on Privilege and Tenure. The findings, conclusions, recommendations, and record of the proceedings shall be confidential to the extent allowed by law and UC policy.

5. Faculty Welfare and Academic Freedom

A. Membership: This Committee is composed of at least four members of the Merced Division, with at least one faculty member per School. The Vice Provost for Faculty serves as *ex officio*. At least two of the four members should be senior faculty to better serve the interest of the faculty at the systemwide level.

B. Duties

1. The Committee Chair or a designee (preferably a committee member) serves as the Division Representative to the Systemwide Committee on Faculty Welfare.
2. One committee member serves as the Division Representative to the Systemwide University Committee on Academic Freedom.
3. Reviews and discusses in a timely fashion matters concerned with the welfare of the Faculty including, but not limited to, salaries, benefits, insurance, retirement, housing, and conditions of employment.
4. Advises the Faculty on proposed changes or improvements.
5. Initiates appropriate studies and reports on faculty welfare and potential violations of ethics and/or academic conduct.
6. Reviews and makes recommendations with respect to any University-related issues that may affect the academic freedom of the University Community. It is understood that academic freedom includes, but is not necessarily limited to, free inquiry and exchange of ideas, the rights to present material relevant to a course of instruction, to publish or disseminate controversial material or

information and to perform research in academic areas. It is understood that academic freedom is to be conjoined with academic responsibility in accordance with APM 010.

7. As needed reviews, evaluates and proposes revisions to institutional policies and procedures as they relate to faculty welfare and academic freedom..
6. Diversity and Equity
  - A. Membership: This Committee is composed of at least four members of the Merced Division, preferably at least one faculty member from each School. The Vice Provost for Faculty serves as *ex-officio*.
  - B. Duties
    1. The Committee Chair or designed serves as the Division Representative to the Systemwide University Committee on Affirmative Action and Diversity.
    2. Initiates appropriate studies and reports on campus diversity and equity.
    3. Acts for the Division in all matters of equality and diversity in general and in particular in reference to underrepresented faculty populations.
    4. As needed reviews, evaluates and proposes revisions to institutional policies and procedures as they relate to equality and diversity.
    5. Reports to the Division on recruitment, promotion, and retention of faculty from underrepresented groups. The Committee provides advice to the Academic Senate on issues relating to diversity and equal opportunity in the University community.
    6. Reviews information on diversity and equity provided by campus and systemwide administration and advises the Division and the administration accordingly.
7. Rules and Elections
  - A. Membership: This Committee consists of at least three members who may be members of any Division of the Academic Senate. The Secretary of the Division will serve as chair of this committee.
  - B. Duties
    1. Prepares and reports for action by the Divisional Assembly such changes and additions to the Bylaws and Regulations as it may deem advisable; submits to any Faculty of the Merced Division such changes and additions to their Bylaws and Regulations as it may deem advisable. The committee is authorized to make editorial and conforming non-substantive changes in Bylaws and Regulations with regard to numbering, headings, cross-references, organizational titles, details of style, and similar items. It will report such changes to the organization directly concerned.
    2. Reviews all changes in Bylaws and Regulations submitted to the Divisional Assembly or to a Faculty of the Merced Division by other committees or by individuals to verify and ensure conformity of such proposed legislation with the format and content of the Code of the Academic Senate. The committee or individual responsible for legislation found that is not compatible with the

Code of the Academic Senate will be informed of the section(s) of the Code with which the proposed legislation is in conflict.

3. Edits and publishes, at intervals as it may deem expedient, the Manual of the Academic Senate, Merced Division.
4. Advises the Chair of the Division as to whether proposed legislation is solely of Divisional concern.
5. Advises the Division, its officers, committees, faculties, and members in all matters of organization, jurisdiction and interpretation of legislation of the Academic Senate and its agencies.
6. Issues, upon a formal request from a member of the Division, legislative rulings interpreting the Code of the Merced Division of the Academic Senate.
  - a. Such rulings will remain in effect until modified by legislative or Regental action.
  - b. Such rulings are subject to review by the Division, either when the report is created or by petition signed by twenty-five voting members of the Division. The final date for filing such petition is 10 days after the minutes of the Division reporting the decision are placed in the mail.
  - c. If the Division disapproves the report of the Committee, the Committee must at once draft legislation that expresses the intent of the Division.
  - d. Rulings of the committee in these matters must be published in the Call for the first regular Division next meeting following the committee's decision. All rulings of the Committee on Rules and Elections not superseded by legislative or Regental action will appear in an appendix of the Divisional Manual.
7. Advises the Registrar regarding disposition of his or her responsibilities in administering the Regulations of the Academic Senate and its agencies.
8. Supervises all elections of the Division in accordance with rules determined by the Merced Division. The committee also oversees voting on propositions submitted to the Merced Division by ballot.

8. Research

A. Membership: This Committee consists of at least five members of the Merced Division. The Vice Chancellor of Research and Economic Development serves as *ex officio*.

B. Duties

1. Makes recommendations to the Division on the award of prizes to faculty for research.
2. Advises the Committee on Academic Planning and Resource Allocation, the Division, and the Chancellor on planning, management, and budgetary issues related to research.
3. Formulates a Senate position on all matters pertaining to research in the



Division and acts for the Division in oversight of the Office of Research and Economic Development; makes recommendations to the Chancellor concerning applications by members of the Division for research grants and for travel expenses to attend meetings of learned societies; advises the Chancellor or Chancellor's designee in matters relating to research policy; and determines policy pertaining to research funds allocated to the Committee.

4. Represents the Division in all matters relating to the review of Organized and Centralized Research Units, Core Facilities, Centers and Institutes, including proposals for and reviews of such units.
5. Acts for the Division in all matters of Research Safety policy and administration, and advises the Chancellor or Chancellor's designee and the Division accordingly.

#### **Title IV. STANDING COMMITTEES ON EDUCATIONAL AFFAIRS: THEIR POWERS AND DUTIES**

These committees include Senate and student members. Student members are appointed, and will serve, in accordance with provisions of Bylaw Part II. Title II.3.B.2.

1. Academic Planning and Resource Allocation
  - A. Membership: This committee consists of at least six members of the Merced Division and two student members: a Chair, a Vice Chair, the Vice Chair of the Division, one Senate member from each School, one graduate student representative, and one undergraduate student representative. Senate membership should include broad representation from schools and academic programs.
  - B. Duties
    1. Meets with the Chancellor or Chancellor's designee at the beginning of each academic year for a briefing on all sources of revenue for the Merced campus, the allocation of revenue to units of the campus, and budgetary planning for the succeeding academic year.
    2. Assesses budgetary proposals and requests, including requests for allocation of faculty positions (FTE) for succeeding academic years.
    3. Confers with and advises the Chancellor or Chancellor's designee and Divisional administrative agencies regarding policy on academic planning, budget and resource allocations.
    4. Reviews academic units and degree programs as they relate to academic planning, budget, and resource allocation, and reports thereon to the Chancellor or Chancellor's designee and/or to the Divisional Council and Divisional Assembly as appropriate.
    5. On matters relating to academic planning and budget, receives reports from, and maintain liaison with, the Undergraduate Council and the Graduate Council.

6. Reports regularly to the Divisional Council and the Divisional Assembly on matters under consideration.
  7. Receives reports from, and maintains liaison with, the University Committee on Planning and Budget.
2. Undergraduate Council
- A. Membership: This Committee consists of at least ten members of the Merced Division and one student member. Senate membership should include at least one representative from each school that delivers undergraduate programs. The Vice Chancellor of Student Affairs and the Vice Provost and Dean for Undergraduate Education will serve as *ex officio* members.
  - B. Duties
    1. Consistent with the rights of the Faculties under the Standing Orders of the Regents ([105.2.b](#)), establishes policy for undergraduate education on the Merced campus and advises the Chancellor or Chancellor's designee on all matters pertaining to undergraduate education.
    2. Considers matters involving undergraduate admission and enrollment at Merced.
    3. Reviews, coordinates, and takes final action on all matters relating to courses of undergraduate instruction, including approval of new courses and modification, withdrawal, conduct, credit valuation, and classification of existing courses.
    4. Consistent with the rights of the Faculties under the Standing Orders of the Regents (105.2.b), approves or declines to approve, in terms of academic merit, the establishment, discontinuation, or modification of undergraduate programs, majors, minors, and certificates; and reports its conclusions to the Divisional Council.
    5. Acts on behalf of the Division in reviewing recommendations from the Colleges and Schools concerning the award of undergraduate degrees, certificates, and honors (see Bylaw IV).<sup>1</sup>
    6. Defines the goals and establishes criteria for use in reviewing the quality and effectiveness of undergraduate teaching programs and/or majors and is responsible for undergraduate program review.

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<sup>1</sup> PART IV. DEGREES. **Title I. DEGREES, CERTIFICATES, HONORS**

1. The Division delegates to the Undergraduate Council its authority to recommend to the Chancellor at Merced, for transmittal to the President of the University, candidates for Undergraduate Degrees, Certificates, and Honors. The Division delegates to the Graduate Council its authority to recommend to the Chancellor at Merced, for transmittal to the President of the University, candidates for Graduate Degrees, Certificates, and Honors.
2. In reviewing doubtful cases, the Council will consult with the recommending officer.
3. After forwarding its recommendations, the Council will report such action to the Chair of the Divisional Council and at the next regular meeting of the Division.

7. Establishes policy and exercises authority on academic disqualifications and/or dismissals as well as overall undergraduate academic transcript notations.
  8. Initiates, receives, and funds proposals for undergraduate instructional improvement and development.
  9. Considers and reports on matters referred to it by the Chancellor or Chancellor's Designee, the Chair of the Division, the Divisional Assembly or any other standing committee of the Merced Division, or by the Faculty of any college or school located wholly or in part on the Merced campus.
  10. Initiates appropriate studies and reports thereon to the Chancellor or the Chancellor's Designee and/or to the Divisional Assembly as it may deem appropriate upon local matters of a fundamental character involving questions of undergraduate educational policy.
  11. Exercises in the Division responsibilities regarding preparatory education that are assigned by the systemwide Senate Committee on Preparatory Education and by the Division.
  12. Recommends to the Chancellor policies related to the awarding of all undergraduate financial aid on the Merced campus.
  13. Provides guidance, advice, and supervision regarding all academic matters related to the Education Abroad Program, the University of California Washington, DC (UCDC) and UC Center Sacramento Programs, including student selection, selection of Study Center Directors, and reviews of Study Centers.
  14. Identifies candidates, normally one of its members, to be nominated by the Committee on Committees to serve as the Merced campus representative to the University Board of Admissions and Relations with Schools, to the University Committee on Educational Policy, to the University Committee on International Education, and to the University Committee on Preparatory Education.
  15. Nominates members of the Faculty to receive undergraduate Distinguished Teaching Awards and other awards as appropriate.
  16. Recommends to the President, through the Chancellor, awards of such undergraduate scholarships as are restricted to students on the Merced Campus.
  17. Advises on undergraduate matters of University Extension.
3. Graduate Council
- A. Membership: This Committee consists of at least nine members of the Merced Division and one graduate student representative. The Vice Provost and Dean of Graduate Education serves as *ex officio*.
  - B. Duties
    1. Makes policy for graduate education at UC Merced and discharges duties in accordance with the stipulations of [Senate Bylaw 330](#).

2. Grants certificates of admission to qualified applicants for graduate status; admits qualified students to candidacy for degrees to be conferred on graduate students; appoints committees in charge of candidates' studies, who will certify for every candidate before recommendation for a higher degree that the candidate has fulfilled the requirements of the University pertaining to that degree. The Graduate Council may delegate all or part of these authorities to the Vice Provost and Dean of Graduate Education.
3. Makes recommendations to the Senate Coordinating Committee on Graduate Affairs, subject to approval by the Merced Division, concerning new graduate programs leading to existing graduate degrees, the establishment of new graduate degrees and any substantial change to existing graduate programs.
4. Authorizes, supervises and regulates all graduate courses and graduate programs of instruction. The Graduate Council will coordinate with the Undergraduate Council in carrying out these duties for conjoined graduate courses.
5. Periodically reviews and evaluates all graduate programs of study in coordination with the Undergraduate Council and the Periodic Review Oversight Committee, as appropriate.
6. Acts on behalf of the Division in reviewing recommendations from the Graduate Division concerning the award of graduate degrees, certificates, and honors (see UCM Bylaw Part IV).
7. Advises the Vice Provost and Dean of Graduate Education on allocation of graduate student support funds and recommends the award of all fellowships and graduate scholarships and prizes. Annually, determines the Outstanding Teaching Assistant Award.
8. Sets policies and standards for appointment of graduate students to be Teaching Assistants, Teaching Fellows, Research Assistants, and recipients of University Fellowships.
9. Makes recommendations to the Division on the award of prizes to faculty for graduate teaching.
10. Considers any graduate student policy issue or relevant aspect of student affairs insofar as these have educational implications or may affect the academic quality of the institution; advises the Graduate Division, Provost and Executive Chancellor, and the Chancellor on any such issue. In carrying out this function, the Council will coordinate with the Undergraduate Council, as appropriate.
11. Consistent with Senate Bylaws [20](#) and [330C](#), the Graduate Council may delegate to the Vice Provost and Dean of Graduate Education routine administrative decisions related to the regulations and policies of the Graduate Council and other matters to its committees or executive officers. The Graduate Council will monitor and review these delegated decisions on an annual basis, and revise its delegation guidelines accordingly.

12. Advises the Committee on Academic Planning and Resource Allocation, the Division, Provost and Executive Chancellor, and the Chancellor on planning, management, and budgetary issues related to graduate education needs.
  13. Advises on graduate matters of University Extension.
4. Library and Scholarly Communication
- A. Membership: This Committee consists of at least four members of the Merced Division and two student members. Representation includes four individuals who are contemporarily members of the Committee on Research, Committee on Academic Planning and Resource Allocation, and Graduate Council, respectively. The Committee also includes one graduate student member and one undergraduate student member. The University Librarian and the Chief Information Officer serve as *ex-officio*.
  - B. Duties
    1. Advises the Chancellor or Chancellor's designee and the Division regarding the administration of the University Library, in accordance with the Standing Orders of the Regents.
    2. Makes recommendations to the Division on matters concerning the role of the University Library in the acquisition, storage, and provision of scholarly materials, as well as other resources for scholarly communication. These matters include, but are not restricted to, the formulation of University Library policies, the management of the University Library budget, the apportionment of related funds, and the allocation of associated space.
    3. Maintains liaison with the administration of the University Library on behalf of the Division.
    4. Prepares and submits to the Division an annual report on the status of the University Library, as well as related resources for scholarly communication.

### **PART III. FACULTIES**

#### **Title I. GENERAL FUNCTIONS AND POWERS**

1. The government and supervision of any college or school established by The Regents on the Merced campus is vested in the Faculty of that college or school, and such Faculty are directly responsible to the Merced Division as a committee of the Division. Nothing in Part III may have precedence over rules established by the Coordinating Committee on Graduate Affairs or the Graduate Council of the Merced Division regarding graduate study and higher degrees.
2. The membership of each Faculty is defined by Bylaws of the Merced Division in accordance with the provision of Academic Senate [Bylaw 45](#). Only voting members of the Academic Senate are eligible to vote in the Faculty or Faculties of which they are members.

3. Each Faculty is authorized to organize, to select its officers and committees, and to adopt any procedural rules and regulations consistent with Bylaws and legislation of the Academic Senate and the Merced Division. The dean of a college or school is an *ex officio* member of the executive committee of its Faculty. No member of the Division holding an administrative title of Chancellor, Vice Chancellor, Dean, Associate Dean or titles with equivalent levels of administrative responsibility may serve as Chair of the Faculty or of the Executive Committee. The chair of a Faculty and members of its executive committee are chosen by the faculty.
4. Each Faculty is authorized to establish requirements for graduation in addition to University requirements.
5. Each Faculty is authorized to present to the Divisional Assembly recommendations and proposed modifications of legislation of the Division or of the Academic Senate. At its discretion, a Faculty may delegate portions of its authority to its committees or executive officers. The Merced Division or the Assembly may from time to time impose specific duties on a Faculty.
6. A Faculty is not responsible for student discipline.

## **Title II. LIST OF FACULTIES AND THEIR MEMBERSHIP**

1. The Faculties of Merced are:
  - A. School of Engineering
  - B. School of Natural Sciences
  - C. School of Social Sciences, Humanities and Arts
  - D. College One
2. Faculty Membership:
  - A. The members of the Faculties of Engineering; Natural Sciences; and Social Sciences, Humanities and Arts are the members of the Merced Division who hold appointments in the corresponding Schools.
  - B. The following are *ex officio* non-voting members of the Faculty of each School: (Am 04 May 06)
    1. The President of the University
    2. The Chancellor at Merced
    3. The Provost and Executive Vice Chancellor
    4. The Dean of the School
  - C. The members of the Faculty of College One are all of the members of the Faculties of Engineering, Natural Sciences, and Social Sciences, Humanities and Arts.

## **PART IV. DEGREES**

### **Title I. DEGREES, CERTIFICATES, HONORS**

1. The Division delegates to the Undergraduate Council its authority to recommend to the Chancellor at Merced, for transmittal to the President of the University, candidates for Undergraduate Degrees, Certificates, and Honors. The Division delegates to the Graduate Council its authority to recommend to the Chancellor at Merced, for

transmittal to the President of the University, candidates for Graduate Degrees, Certificates, and Honors.

2. In reviewing doubtful cases, the Council will consult with the recommending officer.
3. After forwarding its recommendations, the Council will report such action to the Chair of the Divisional Council and at the next regular meeting of the Division.

## **PART V. LEGISLATIVE BUSINESS**

### **Title I. VOTING REQUIREMENTS**

1. Enactment, amendment or repeal of the Bylaws requires a two-thirds vote of those present and voting at a meeting of the Division or of those voting by mail ballot.
2. Modification of Regulations requires approval of a majority of those present and voting or of those voting by mail ballot.
3. All other business requires a majority of the votes cast.
4. Abstentions will not count in the calculation of the two-thirds vote required for approval of Bylaws or the majority necessary to pass Regulations, or modification of either.

### **Title II. MAIL BALLOT**

A mail ballot must be held on any issue if a majority of the voting members present at a meeting of the Division so orders. Mail ballots are held in accordance with Senate Bylaws 95 and 340.

### **Title III. PRIOR NOTICE**

1. Legislative Changes: The full text of proposed modification of Divisional or Senate legislation that is to be acted on at a meeting of the Division must be sent at least seven calendar days prior to the meeting.
2. Business Not Noticed
  - A. At a Regular Meeting, the Division may take up any other business, except legislation noted in Bylaw V.3. above, whether or not noticed in the call to meeting. But, if not so noticed, such business can be acted upon finally only after members present have consented so to act by two-thirds of the votes cast.
  - B. At a Special or Emergency Meeting, Business Not Noticed in the call to meeting can be taken up only after unanimous consent, and can be acted upon finally only after members present have consented so to act by two-thirds of the votes cast.

### **Title IV. PARLIAMENTARY AUTHORITY**

Questions of order not covered by legislation are governed by the "Sturgis Standard Code of Parliamentary Procedure" for all rules of order except that of *division of a Question* in matters that are not covered by Senate legislation. For the *division of a Question*, Robert's Rules of Order should apply.

**Title V. CONSENT CALENDAR**

1. The items of business deemed non-controversial by the Chair and the Vice Chair of the Division may be placed on a Consent Calendar printed in the Notice of Meeting under Special Orders.
2. Approval of all business on the Consent Calendar requires a single unanimous vote. Any objection to an item on the Consent Calendar is removed and becomes the subject of New Business.

**Title VI. DEFINITIONS (from the Bylaws of the Academic Senate)**

1. The term "modification of legislation" means enactment of new legislation and amendment or repeal of existing legislation.
2. The term "legislation" denotes only Bylaws and Regulations of Senate agencies.
3. The term "memorial" designates a declaration or petition addressed to the President for transmission to the Regents.
4. The term "resolution" designates a declaration or petition to the President not intended for transmission to the Regents.
5. The term "legislative agency" denotes only:
  - A. The Assembly of the Academic Senate;
  - B. A Division of the Academic Senate;
  - C. An Assembly of the Division.

Abbreviations used in reference to Senate legislation are:

A	Approved by the Assembly of the Academic Senate
Am	Amended
CC	Conforming Change
EC	Editorial Change
En	Enacted
Rp	Repealed