

**COMMITTEE ON RULES AND ELECTIONS (CRE)****MEETING MINUTES****Wednesday, October 23, 2024****1:15pm – 2:45pm**

Pursuant to call, the Committee on Rules and Elections met at 1:15pm on October 23, 2024. Chair Jeff Yoshimi presiding.

**I. Consent Calendar**

- A. Today's agenda
- B. [September 25 Meeting Minutes](#)

**Actions:**

- The Consent Calendar was approved as presented.

**II. Chair's Report – Jeff Yoshimi**

- A. Updates from [Divisional Council](#) Meetings (October 7 and 21)  
EVC/Provost Dumont reported that enrollment is flat, however the campus hopes that the new majors that were approved last year will help increase enrollment. She also informed Divisional Council members of Capital Project updates including the medical education building, Promise Housing, and COB 3.

Protest Oversight Group (POG) liaison Jay Sharping provided an update regarding the planned events for the anniversary of the surge in violence in the Middle East.

Divisional Council members unanimously approved renaming University Extension to the Division of Professional and Continuing Education (PACE) which was in line with CRE's recommendation.

Interim VCSA O'Bruba gave a presentation on the Campus Outdoor Activation Project. Themes that are being prioritized for outdoor spaces include shade, more furniture options, nighttime lighting, and a sense of place, belonging, and community.

VPAP Hansford informed Divisional Council members that two new laws were implemented, SB 791 and AB 810. The new laws were passed with the goal of preventing institutions of higher education in California from hiring individuals who have misconduct findings in their current or previous institutions of the past seven years. He noted that one of the challenges will be to implement the requirement with graduate students.

EDI Chair Nobile presented two proposals from EDI, one regarding hate speech and bias in student evaluations and another regarding the Faculty Equity Advisor (FEA) Program.

CAPRA Vice Chair and TAS Senate Representative Beman provided an update on the TAS Principles to Divisional Council members. He explained that the TAS Work Group is discussing how to implement these Principles and is reviewing the past processes of other UC campuses.

- B. Upcoming event: Senate and Administration Governance Retreat (October 29 and 30, 2024)

### III. Campus and Systemwide Review Items

#### A. [Proposed Revisions to Senate Regulation 479 \(Cal-GETC\)](#) (Systemwide)

The proposed revisions to Senate Regulation 479 address the California General Education Transfer Curriculum (Cal-GETC). The revisions are provided in tracked changes on page 7 of the document, hyperlinked in the title above.

*CRE is a lead reviewer.*

Comments are due to the Senate Chair by **Friday, October 25, 2024**.

At the September 25, 2024 CRE meeting, Vice Chair Petra agreed to serve as lead reviewer.

Vice Chair Petra summarized the review item and noted that the updates to Senate Regulation 479 appeared reasonable. Members discussed the proposed revisions and agreed with Vice Chair Petra's comments. Executive Director Paul recommended that a sentence be added to the memo noting that CRE endorses the regulation amendments. CRE members agreed to this addition to the memo.

#### **Actions:**

- Members unanimously approved the draft memo with the suggested edit from Executive Director Paul.
- The CRE Analyst revised the memo accordingly and sent it to the Senate Chair.

#### B. [Proposed New Senate Regulation 627 \(Posthumous Awarding of Degrees\)](#) (Systemwide)

The proposed new Senate Regulation 627 (Posthumous Awarding of Degrees) governs the awarding of undergraduate and graduate degrees to students who pass away before their completion of the degree. Please refer to the memo, hyperlinked in the title above, for background information.

*CRE is a lead reviewer.*

At the September 25, 2024 CRE meeting, Member Chandra agreed to serve as lead reviewer.

Comments are due to the Senate Chair by **Friday, October 25, 2024**.

Member Chandra summarized the review item and her proposed comments. The suggestions provided in her draft memo requested clarification regarding what “on track to fulfillment of degree” means, what would happen in the event of a non-family member requesting the degree when the family does not approve, and which Senate committee is in charge of the approval process? Members agreed with Member Chandra's observations and did not provide any further comments to add to the draft memo.

#### **Actions:**

- Members unanimously approved the draft memo.
- The CRE Analyst sent the finalized memo to the Senate Chair.

#### C. [Proposed Revisions to MAPP Sections 2013, 2014, 2053 and 2054](#) (Campus Wide)

A [Cover memo from VPAP Hansford](#) includes a brief summary of the proposed revisions.

- MAPP 2013–Appointment for the Professor Series
  - [Clean version](#)

- [Tracked changes version](#)
- MAPP 2014–Merit, Promotion, Appraisal Review for the Professor Series
  - [Clean version](#)
  - [Tracked changes version](#)
- [MAPP 2053-Appointment for the Teaching Professor Series](#) (The entire document has been revised, making a tracked-changes version unnecessary).
- [MAPP 2054-Merit, Promotion and Appraisal Reviews for the Teaching Professor Series](#) (The entire document has been revised, making a tracked-changes version unnecessary).

***CRE is a lead reviewer.***

Comments are due to the Senate Chair by **Monday, October 28, 2024**.

At the September 25, 2024 CRE meeting, Member Beman agreed to serve as lead reviewer.

Member Beman summarized the review item and his proposed comments. Chair Yoshimi requested clarification regrading Member Beman’s comments on split FTEs in MAPP 2013, Section III.G.b: Other Appointments – Academic Personnel Review Procedures for Joint Appointments – For 100/0 Percent Appointments Only. Member Beman clarified that the termination procedure indicates that a partial FTE could remain with the department after being vacated by a faculty member, necessitating a future joint appointment to fill it. This may create complications as partial FTEs effectively start to replicate. Chair Yoshimi then asked members if CRE should provide a suggestion on how to avoid this. Members decided to recommend more specificity, but not to provide a solution.

Members reviewed MAPP 2014, Section III.A.3: Unfavorable Outcomes – Non-Reappointment of Assistant Professors, where it notes that final decisions regarding the decision on tenure were made by the Chancellor. Members took issue with this addition and agreed that the Chancellor’s decision should be open to appeal under the principles of shared governance.

Members discussed MAPP 2024, Section I.C: Eligibility for Review and Review Periods – Acceleration. Members wondered how “exceptional” should be defined and also discussed the difference between accelerations in the Professor series and Teaching Professor series. A list of items is provided within the section to highlight what is exceptional for an acceleration in the Teaching Professor series, however members noted that each discipline has their own set of guidelines in the field for what constitutes exceptional. This is particularly true for more creative fields.

**Action:** The CRE Analyst will draft a memo based on the committee’s comments and circulate it to members for their review and approval via email.

D. [UC Merced Interim Policy on Expressive Activities and Assembly: Protests, Demonstrations, Non-University Speakers and Signage on Campus and in University Facilities](#) (Campus Wide)

Updates align with mandatory directives issued by the UC Office of the President and include:

- Mandatory revisions required by [California State Senate Bill 108, SEC. 219, 34](#) implemented under [UC Merced’s Campus Climate Initiative](#).
- Technical updates to owner, contact information, and resources.
- Clarifications around disruptions of a university activity, proximity of activities, signage, unauthorized structures, and consequences.
- Moved Protest Oversight Group (POG) membership/roles & responsibilities to Appendix.

At the September 25, 2024 CRE meeting, Chair Yoshimi agreed to serve as lead reviewer.

Comments are due to the Senate Chair by **Monday, November 18, 2024**.

Chair Yoshimi provided background information pertaining to the policy and then summarized his comments for members. Members reviewed Section V.E. Advanced Arrangements for Planned Activities and discussed the role of the Office of Student Involvement (OSI). Members noted that a lot of the material in this section could be replaced with a pointer to OSI and its policies and procedures. Since OSI's policies and procedures may change, the document could simply refer to the most current version of these policies. Alternatively, the information pertaining to OSI could be provided and elaborated on in the beginning of the policy to provide more clarity on OSI's role.

Members discussed Section IV.D.2. Anonymous Signage Posting. They noted that the current language states, "Accordingly, the university will not decline to allow posting on the basis of the content or viewpoint expressed, except where the content violates University policies, or state or federal law, including but not limited to direct threats and materials inciting imminent violence." Members wondered how "materials inciting imminent violence" were defined and agreed that further specificity regarding this would be valuable as interpretations may be different depending on one's personal viewpoints.

Members considered the contradiction of the policy addressing freedom of assembly and freedom of speech, but then setting limitations on them.

**Action:** The CRE Analyst will draft a memo based on the committee's comments and circulate it to members for their review and approval via email.

#### IV. CRE Priorities AY 24-25

A preliminary list of priorities can be found [here](#).

Members reviewed the list of priorities and did not provide any additional items.

##### **Actions:**

- CRE members finalized their priorities for AY 24-25.
- The CRE Analyst sent CRE's list of priorities to the Senate Chair and Executive Director Paul.

#### V. [Senate Regulation II.3.A \(Academic Probation\)](#)

On June 21, 2024 the Assembly approved amendments to Senate Regulations 900 and 902. UC Merced's Regulations will need to be aligned with systemwide. The corresponding UCM Senate Regulation is [Section 3. A. "Academic Probation"](#). The term "probation" in UC Merced's Regulation should be replaced by "academic notice".

At the September 25, 2024 CRE meeting, members unanimously voted to approve the proposed amendments to [Senate Regulation II.3.A \(Academic Probation\)](#). A [CRE memo](#) noting CRE's endorsement was transmitted to the UGC Chair on October 4, 2024.

On October 16, 2024 UGC provided a response to CRE’s memo noting that UGC unanimously approved the proposed amendments to Senate Regulation II.3.A (Academic Probation).

Members reviewed UGC’s response memo and did not provide further comments.

**Actions:**

- Members unanimously approved sending a memo to the Senate Chair noting that the amendments to Senate Regulation II.3.A (Academic Probation) were approved by both CRE and UGC.
- The CRE Analyst will draft a memo to the Senate Chair (cc UGC Chair on the memo) noting that the amendments to Senate Regulation II.3.A (Academic Probation) were approved by both CRE and UGC.

**VI. Conflict of Interest (COI) Policy Revisions**

Senate Executive Director Paul sent a recommendation to Chair Yoshimi that all Senate committees’ Conflict of Interest (COI) policies include gender neutral language. Chair Yoshimi agreed with the recommendation, therefore some Senate committee COI policies were revised accordingly. Revisions can be found in tracked changes in the link above.

Members reviewed the revised COI policies and did not provide any additional comments.

**Actions:**

- Members reviewed the proposed revisions and unanimously endorsed the COI Policy revisions.
- The CRE Analyst notified Executive Director Paul.

**VII. Mechanical Engineering (ME) Voting Rights**

*Chair Yoshimi has recused himself from this item.*

The Mechanical Engineering (ME) Department is potentially interested in updating their voting rights and is seeking clarification on the following:

- There are two non-Senate carryover cases from the previous academic year. Per ME’s current, approved voting rights, both tenured and security of employment faculty are eligible to vote on these cases. When the cases were first brought before the department, one of the tenured faculty was on sabbatical and chose to abstain from voting, while another faculty member was in the process of obtaining security of employment. Now, in the new academic year, the first faculty member has returned from sabbatical and the second faculty member has successfully obtained security of employment. If the department were to change their voting rights now, would that apply to those cases that were carried over? Or, if the current rights remain should the two faculty members indicated above abstain or recuse themselves from these cases?
- [Bylaw 55](#) states the following:  
*"Any extensions of the voting privilege under this Article C must remain in effect for at least one calendar year (twelve months); thereafter, any faculty member entitled to a vote on the cases in question under the provisions of paragraphs 1 to 6 of Article B of this Bylaw may request reconsideration."*

Does the campus practice to revisit the voting rights each year and determine whether they will remain, conflict with the Bylaws if it has not been a full 12 months?

At the September 25, 2024 CRE meeting, Member Petersen agreed to serve as lead reviewer. Member Petersen provided background information pertaining to ME’s request and summarized his

comments for members. Members discussed the recommendations provided by Member Petersen. It was noted that it might be a good idea to add a suggestion for departments to hold off on approving new voting rights during the multi-day period of a standing vote.

Executive Director Paul sought clarification regarding one being “forced to abstain or recuse themselves from the carry-over cases”. Member Petersen clarified that a justification should be given for a recusal. Members agreed to add language in the recommendation to provide clarity on this point.

**Actions:**

- Members unanimously endorsed the lead reviewer’s recommendation with the additions suggested during the meeting.
- Member Petersen sent an updated recommendation to the Senate Office.
- Executive Director Paul notified the SOE staff regarding CRE’s response.

**VIII. Other Business**

There being no further business, the meeting was adjourned at 2:45pm.

Attest: Jeff Yoshimi, CRE Chair