

COMMITTEE ON RULES AND ELECTIONS

ANNUAL REPORT 2019-2020

To the Merced Division of the Academic Senate:

In academic year 2019-2020, the Committee on Rules and Elections (CRE) conducted business via teleconference, email, and in-person meetings with respect to its duties as outlined in UCM [Senate Bylaw II.III.7](#).

The Committee on Rules and Elections (CRE) issues formal Legislative Rulings to resolve disputes or clear up ambiguities regarding Senate authority, procedures, or jurisdiction. Legislative Rulings are binding unless modified by subsequent legislation or action from the Board of Regents. CRE also prepares and reports to the Division, or to any of its Faculties, such changes and additions to their Bylaws and Regulations proposed by other committees or by individuals; edits and publishes the Manual of the Merced Division at such intervals as it deems expedient; and determines whether a person meets the conditions for membership in the Division.

The Divisional Council received regular updates on CRE activities from CRE Chair Christopher Viney. The Chair of CRE also serves as the [Division Secretary/Parliamentarian](#).

The issues that CRE considered and acted on during 2019/2020 are summarized below.

Elections

The first Call for Nominations for four positions on the Committee on Committees (CoC) and two At-Large members of the Divisional Council (DivCo) was distributed to Senate members on January 14, 2020.

Complete forms were due to the Senate Office on January 27, 2020. Having received an insufficient number of nominations, the Call was extended to February 10, 2020. Following the extension to the deadlines, the Senate Office received only one nomination. Per Division [Bylaw I.III.5.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.”

Subsequently, to meet the Bylaw requirement, Senate faculty were invited, on February 12, 2020, to consider self-nominating for the four (4) vacant positions on the [Committee on Committees](#) (CoC) and two (2) At-Large positions on the [Divisional Council](#) (DivCo). In response to this request, four faculty agreed to serve on CoC and one faculty member agreed to serve on DivCo, At-Large.

On May 5, 2020 DivCo endorsed the following course of action:

- i. Exempt the Senate Elections from Division Bylaw [Part I. Title III. 5. B.](#), which requires the total number of the nominations for open At Large positions be equal to at least twice the number of positions to be filled.
- ii. Proceed with the Elections with the existing nomination slate.

On May 7, CoC convened and endorsed one (1) additional nomination for CoC, and two (2) for the At-Large DivCo positions.

The Election ballots were distributed on May 13, 2020. The ballot closed Thursday, May 21, 2020.

The Bylaws state that: “Candidates receiving votes on at least 35% of the ballots cast are to be declared elected. 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 are to be declared elected. 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. 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.”

A tally of the results revealed that:

The five (5) CoC nominees did not receive votes on at least 35% of the ballots cast. Therefore, there were five (5) nominees and four (4) vacancies remaining for CoC.

With regard to the DivCo, At-Large seat, Professor Justin Yeakel received at least 35% of the ballots cast, therefore, he was declared elected.

There were two (2) nominees and one (1) vacancy remaining for the DivCo At-Large seat. As a result, second ballots were distributed on May 29, 2020, and closed on June 5, 2020. Results were announced on June 8:

Elected Members of the [Committee on Committees](#) for two-year terms:

- Professor Sarah Depaoli – SSHA
- Professor Alexandra Main – SSHA
- Professor Peggy O’Day – SNS
- Professor Mukesh Singhal – SOE

Elected [Divisional Council](#) At-Large Members:

- Professor Jessica Trounstine (one-year term) – SSHA
- Professor Justin Yeakel (two-year term) - SNS

Memorial to the UC Regents

A Memorial to the Regents may be initiated by either the Assembly or by a Division. If a Memorial is initiated and approved by a Division, then the Memorial is sent to the Chair of the Assembly and the Chairs of all other Divisions. If at least three Divisions representing at least thirty-five percent of the membership of the Academic Senate have notified the Chair of the Assembly that the Memorial has been approved by their Divisions, the proposed Memorial shall be voted upon by all voting members of the Senate.

The [Fossil Fuels Memorial](#) was proposed by the San Francisco Division of the Academic Senate. The Memorial petitioned the Regents to divest UC’s endowment portfolio of all investments in 200 publicly traded fossil fuel companies with the largest carbon reserves.

On April 17, members of the Merced Division of the Academic Senate were invited to vote on the Memorial. The vote closed on Wednesday, May 1. The Memorial was approved with 101 votes in favor, 10 opposed, and 6 abstentions. In accordance with [Senate Bylaws](#), the results were reported to systemwide Senate Chair May and all UC Senate members were invited to vote on the Memorial. UCM Senators were invited to vote on June 5, 2019. The voting period closed on June 20, 2019. A total of 89 ballots were returned with 83 in favor and 6 against. There were no invalid ballots. In keeping with Senate Bylaw 90, the outcome of the vote was reported to Andrew Dickson, Secretary/Parliamentarian on the Assembly of the Academic Senate, on June 25, 2019.

CRE COI Policy

CRE revised its [Conflict of Interest Policy](#), where the number of representative circumstances in which faculty might consider recusal was increased from seven to eight, and the list of such circumstances was reorganized into philosophical points and practical points.

CRE Proposals to Amend UCM Bylaws

During the Fall 2019 semester, CRE members discussed and approved amendments to Senate [Bylaw I.III.5](#) – Divisional Representatives. The need for these amendments was occasioned by circumstances that emerged during the last Election cycles (aforementioned in this report), and a difficulty experienced obtaining a sufficient number of nominations to develop a slate of candidates that met the requirements of UC Merced’s Senate Bylaw I.III.5.B. The proposed amendments were transmitted to DivCo on February 18, 2020.

On May 7, 2020, the Merced Division approved an amendment to Bylaw II.IV with the establishment of a new stand-alone Senate committee: the Admissions and Financial Aid Committee, or AFAC, which was formerly a subcommittee of the Undergraduate Council named the Admissions and Financial Aid Subcommittee. The relevant Bylaw is available [here](#) (Bylaw II.IV.2)

All CRE legislative actions and rulings can be accessed on the Committee’s webpage:

- <https://senate.ucmerced.edu/AppendixI>
- <https://senate.ucmerced.edu/AppendixII>

Items Reviewed by CRE

CRE opined on the following campus review items.

CRE endorsed the

- i. Proposed revisions to UCM’s [Bylaw II.IV.4.A](#) addressing the membership and duties of the Committee for Scholarly and Library Communication

CRE commented on the

- ii. Proposed revisions to the Bylaws of the Sociology Department
- iii. DivCo request to consider the merits of including representatives from the UCM Librarians Association and the Unit-18 Lecturer faculty
- iv. Proposed Permanent Bylaws for the General Education Program
- v. Resolution to Address Climate Action
- vi. UGC Proposal for a Stand-Alone Admissions and Financial Aid Committee
- vii. Proposed revisions to the APM 120-Emerita/Emeritus Titles
- viii. Proposed Amendment to UCM’s [Senate Regulation II.2.A](#) – Residency Requirement

The following items will be revisited in the future:

- i. Campus wide Conflict of Interest Policy
- ii. Revisions to Division Bylaws

Respectfully submitted,

Christopher Viney, Chair, Merced Division Secretary/Parliamentarian

Anna Song, Vice Chair

Christine Isborn, Member

Nathan Monroe, Member