




October 30, 2012

To: Bahman Anvari, Chair
BCOE Executive Committee

From: Jose Wudka, Chair
Riverside Division 

Re: Review of Bylaw Change

At its October 22 meeting the Executive Council reviewed the proposal from the Executive Committee of the Bourns College of Engineering to add EN4.1.1.6 to its bylaws. This would allow substitution of Executive Committee members with appointments by the chair, and justification presented is the need to reconcile travel activities with the Executive Committee meeting schedule so as to achieve quorum, and allow the Committee to transact business.

While Executive Council recognizes the difficulties the Executive Committee might face, there was general consensus that the proposed bylaw is not the appropriate mechanism for resolving participation issues, such as achieving quorum consistently. In fact, it is likely to promote lack of participation by providing members with a simple procedure for excusing themselves. In addition, allowing for a constantly caning membership would endanger any consistency in defining the trajectory of the College, while also creating the possibility that the voice of sections of the faculty would not be heard in the Committee's deliberations. None of the other schools and colleges in the campus has a similar bylaw.

The proposed bylaw also suffers from several additional problems:

- It allows the replacement of an elected member by an appointed one
- The number and frequency of substitutions is unlimited
- The activities of the substitutes (e.g. serving in subcommittees or as representatives of the Executive Committee) are unrestricted.
- A member will receive service credit for participating in the Executive Committee irrespective of the number of times (s)he is absent

For the above reasons Executive council did not approve bylaw EN4.1.1.6, and encourages to Executive Committee to search for non-legislative mechanisms to improve participation. The Senate would be happy to assist the College in pursuing this.