

 UNIVERSITY OF CALIFORNIA | **Academic Senate**
UCRIVERSIDE
COMMITTEE ON RULES AND JURISDICTION

January 5, 2018

To: Dylan Rodríguez, Chair
Riverside Division

From: Kambiz Vafai 
Chair, Committee on Rules and Jurisdiction

Re: R&J Ruling: [Campus Review] Bylaw Review/Ruling: SOBA Bylaw 3.1.5

Inquiry received from SoBA:

Please provide interpretation of School of Business Administration Bylaw 3.1.5 (SOBA3.1.5): *A motion to submit a measure to mail ballot has precedence over a motion for a vote in a meeting.* SOBA members expressed two different views and seek a ruling. One interpretation is that this bylaw means “when one person moves to have an electronic ballot and another person seconds it, then we do not hold a vote at the meeting”. The other interpretation is “that if one person moves to have a mail ballot and another person seconds it, then we must vote in the meeting on the motion to have a mail ballot. If this motion passes, we conduct a mail ballot, otherwise, we vote on the original motion in the meeting”.

The Committee on Rules and Jurisdiction considered your inquiry and replies as follows:

The committee’s interpretation of SoBA Bylaw 3.1.5 is “that if one person moves to have a mail ballot and another person seconds it, then we must vote in the meeting on the motion to have a mail ballot. If this motion passes, we conduct a mail ballot, otherwise, we vote on the original motion in the meeting”.

The committee also recommends that SoBA rewrite the bylaw in question in a clear and unambiguous manner, while keeping in mind that voting rules favoring mail balloting may reduce the risk that a sparsely attended faculty meeting could make decisions not reflecting the wishes of the broad faculty.

The other thing that SOBA may want to consider is the spirit of Sturgis, which governs our Senate proceedings, is to ensure both that minority voices are heard and recognized and that the work of the Senate doesn’t get bogged down too much.