January 11, 2013

To: Bronwyn Leebaw (Political Science), Vice Chair  
Piotr Gorecki (History), Secretary/Parliamentarian  
Richard Luben (Biomed), Senior Assembly Representative  
Bahram Mobasher (Physics & Astronomy), Junior Assembly Representative  
Byron Adams (Music), Diversity & Equal Opportunity (CODEO)  
Bahman Anvari (Bioengineering), BCOE Executive Committee  
James Baldwin (Nematology), Physical Resources Planning (PRP)  
Gregory Beran (Chemistry), Academic Computing & Information Technology  
Ward Beyermann (Physics & Astronomy), Educational Policy (CEP)  
Jan Blacher (Graduate School of Education), Planning and Budget (P&B)  
Sarjeet Gill (Cell Biology & Neuroscience), Academic Personnel (CAP)  
David Glidden (Philosophy), Preparatory Education  
Irving Hendrick (GSOE), Faculty Welfare (FW)  
Jennifer Hughes (Religious Studies), CHASS Executive Committee  
Mariam Lam (Comparative Literature & Foreign Languages), Committees (COC)  
Mindy Marks (Economics), Undergraduate Admissions  
Connie Nugent (Cell Biology & Neuroscience), Graduate Council  
Leonard Nunney (Biology), Research (CoR)  
Melanie Sperling (Graduate School of Education), GSOE Executive Committee  
Ameae Walker (School of Medicine), School of Medicine Executive Committee  
Gillian Wilson (Physics & Astronomy), CNAS Executive Committee  
Rami Zwick (SoBA), SoBA Executive Committee

Fr: Jose Wudka, Chair  
Riverside Division

RE: Executive Council Agenda ~ January 14, 2013

This is to confirm the meeting of the Executive Council on Monday, January 14, 2013 at 1:00 p.m. to 3:00 p.m. in Room 220 2nd Floor, University Office Building.
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EXECUTIVE COUNCIL MEETING
MINUTES
NOVEMBER 26, 2012

Present:
Bahman Anvari, BCOE Exec Committee    Ken Barish, Planning & Budget Representative
James Baldwin, PRP     Ward Beyermann, Educational Policy
Monica Carson, SoM Executive Committee Rep Piotr Gorecki, Secretary/Parliamentarian
Sarjeet Gill, Academic Personnel David Glidden, Preparatory Education
Irving Hendrick, Faculty Welfare Jennifer Hughes, CHASS Exec Committee
Mariam Lam, Committees Richard Luben, Sr Assembly Representative
Mindy Marks, Undergraduate Admissions Connie Nugent, Graduate Council
Leonard Nunney, Research Rami Zwick, SoBA Executive Committee
Jose Wudka, Division Chair

Absent:
Byron Adams, CoDEO Gregory Beran, Academic Computing
Jan Blacher, Planning & Budget Bronwyn Leebaw, Division Vice-Chair
Bahram Mobasher, Jr Assembly Melanie Sperling, GSOE Exec Committee
Ameae Walker, SoM Executive Committee Gillian Wilson, CNAS Executive Committee

STANDING COMMITTEE CONFLICT OF INTEREST STATEMENTS:
Conflict of Interest Statements were noted as received from the Committee on Academic Freedom, the Committee on International Education, the Committee on University Extension and the College of Engineering Executive Committee.

APPROVAL OF EXECUTIVE COUNCIL AGENDA & MINUTES FROM OCT 8 MEETING:
The agenda for November 26 and the minutes from October 22 were approved as written.

ANNOUNCEMENTS BY THE CHAIR:
Campus visit by the Director of the UC Online Education Project
Chair Wudka announced that Keith Williams, the Director of the UC Online Project, will be on campus to participate in a colloquium organized by the History Department. While here, Director Williams has indicated a willingness to meet with faculty to discuss the Online Education Project. Director Williams will not talk about the courses being selected but will discuss the project itself and related issues. The forum will take place on December 5 if there is enough interest to organize it.

In a related discussion, after the last Regents meeting, the Governor met with the Chair and Vice Chair of the UC Senate to talk about UC’s online education. The Chair and Vice Chair have requested information from each campus about its online education efforts, whether those efforts are formalized at the college/department/campus level, or more informal individual efforts. To that end, Executive Council members were asked to send Chair Wudka any information he/she
may have about either a personal effort towards Online Education or those of a colleague. The intent is for the Senate to communicate to the Governor the expense and level of effort required for an Online Education Program.

**Appointment of an Interim Chancellor**

The Interim Chancellor is Jane Close Conoley, most recently the Dean of the School of Education at Santa Barbara. Interim Chancellor Conoley seems to be enthusiastic about coming to UCR and indicated a desire to learn about the campus before invoking any sweeping changes. Chair Wudka will meet Chancellor Conoley in the next week and asks that Executive Council members send him any issues or concerns which should be addressed, especially as they relate to shared governance and the mission of the Senate. It was expressed that there is a hope that this appointment will keep us on track with our medical school endeavors.

**Composite Benefits**

The Senate reacted forcefully to the originally proposed plan, and was especially unhappy with the lack of consultation by the administration. One way or another, it is almost inevitable that composite benefits are in our future, but we can at least try to make the options workable for the different groups on campus. The administration did listen to the concerns of the Senate and will come to the table with an enhanced proposal. The timing of presentation of proposed options and implementation of the composite benefit process is still unclear.

**Priority Registration**

Registrar Bracken Dailey has been approached by 3 groups who are requesting priority registration. Currently there are several groups on campus who receive priority registration (the list includes Veterans, Foster Youth, Chancellor’s & Regents Scholars, Disabled Students, Honors Program Students and Athletes). The current request came from the student leadership association, students who manage grants and the cheerleaders. There is uncertainty on our campus about who owns the right to grant priority registration. Our preference is that this responsibility be retained in the Senate, and if so, the duty of managing priority registration will be assigned to one of our standing committees.

**COMMITTEE ON RESEARCH BYLAW CHANGE:**

(this item was moved up on the agenda). The CoR bylaw change is being proposed to add the Vice Chancellor for Research as a non-voting ex-officio member (Vice Chancellor Pazzani has been included as a guest), and to increase the number of members on the committee. The bylaw change is noted as received by the Executive Council and will be forwarded to the Division for ratification.

**REVIEW OF APM 430 – COMMITTEE RESPONSES:**

APM 430 is being proposed to develop a new category of visiting scholar appointment, intended for graduate student and similar visitors. Several committee responses were received with the bulk of them indicating approval of the proposal albeit with some concerns. Graduate Council while generally supportive did question if housing systems would be allowed, CoR was concerned with the requirement that
the graduate student be affiliated with a recognized institution and gave examples where this might not be the case, CAP suggested that the authority approval be delegated to the Deans and CEP was concerned with the type of facilities the visiting scholar would have such as id cards, library access etc. Additional concerns were that the appointment time limits were too short and that there be a provision for renewal and that the campus culpability with VISA commitments was ambiguous.

REVIEW OF APM 700 – COMMITTEE RESPONSES:
This is a new presumptive resignation policy intended to address resignation from an appointment due to absence from duty; it does not address dismissal procedures nor does it apply when it is established that an academic appointee is absent due to illness, injury, or disability. It also does not address disciplinary or academic competency matters. After considerable discussion by the Executive Council it was decided that the campus response will rely on the suggestions offered by the Committee on Rules and Jurisdiction.

REVIEW OF REBENCHING REPORT – COMMITTEE RESPONSES:
Chair Wudka explained that the plan that OP has created to try for stable funding for the UC system is a stool that rests on 3 legs, the first of which has already been implemented (funding streams), the second is currently before the committee (the rebenching proposal), the third which is under construction, is enrollment management. When (and if) these three programs are in place, it is believed that the University will have stable funding prospects and can plan ahead with some sense of security. In the funding streams proposal the manner which all funds (other than state general funds) are distributed is specified and for the most part, what you make is what you get. The rebenching proposal addresses the state general funds, with the premise that most of those funds are used to pay for students. Unfortunately there is a large discrepancy between the per student allotments made to each campus. At Riverside, we over-enroll a large number of students who are therefore unfunded. The Office of the President is committed to slowly raise the amount per student each campus is allocated so that it is equitable ($6413 per student). The policy does not specify how that will happen. There were many concerns stated by our standing committees with many supporting the idea as a first step but noting that there are no implementation details nor is there a clear timeline.

REVIEW OF PILOT OF NEGOTIATED SALARY PLAN – COMMITTEE RESPONSES:
The plan is a response to the failed proposal for APM 668 and is the product of a task force who recommended implementation of a trial program. The Senate’s role in approving the negotiated salary plans for individual faculty is limited to CAP involvement. San Diego, Irvine and UCLA were invited to participate in the pilot program but Irvine declined, UCLA is still considering it and San Diego has agreed. The responding committees reiterated the concerns associated with those of the proposed APM 668
UPDATES FROM SENATE COMMITTEE CHAIRS:

CAP – Sarjeet Gill
CAP has been meeting with the college Deans and for the first time will also hold open meetings with Department Chairs. The focus for these meetings will be to answer specific process questions and to explain the CAP role and expectations.

Faculty Welfare – Irving Hendrick
Chair Hendrick informed the Executive Council that the benefit counseling positions on campus has shifted from central funding to campus funding. The specific positions are called Health Care Facilitators and it is these staff who provide assistance with health care issues (insurance claims), with retirement planning and with disability coordination. It is not yet clear if individual campuses will continue to fund these positions. Faculty Welfare will be meeting with Chuck Rowley and Marilyn Voce to discern the intentions of the Riverside campus.

SoBA Executive Committee – Rami Zwick
The School of Business is working on the maintenance of its accreditation with the first report due in 3 days from today. It is expected that there will be a campus visit at the end of January.

BCOE Executive Committee – Bahman Anvari
The Engineering Executive Committee has rescinded its proposed bylaw change and is trying to solve the issues non legislatively.

The meeting was adjourned at 2:55 pm.

Respectfully submitted,
Cindy Palmer
Executive Director,
Office of the Academic Senate
Admission by Exception (AxE) is an offer of admission reserved for applicants who meet the minimum academic requirements and:
1. Have a special talent, or
2. Have attained academic achievement despite major disadvantages compared to other students.

Effective Fall 2006, the Office of Undergraduate Admissions may admit the number of AxE applicants required to yield 6% of total freshman enrollment and 6% of total transfer enrollment.

Up to 1% of the AxE enrollments may be reserved for Special Talent applicants and the remaining 5% may be reserved for Disadvantaged applicants.

The following criteria have been developed and approved by the Undergraduate Admissions Committee of the UC Riverside Academic Senate.

I. Minimum Academic Requirements

Applicants who are ineligible will meet the following minimum academic criteria in order to be considered for AxE.

Freshman Applicant
1. GPA – 3.002.70 minimum in a-g subjects.
   a. SAT Reasoning - 420380 minimum score on the Math component AND a 420380 minimum score on EITHER of the two remaining components (Critical Reading and Writing). OR a minimum composite score of 850 on the Math component and the next highest score from the other two components (Critical Reading and Writing).
   b. Applicants who are unable to meet this requirement prior to high school graduation because either, 1) the exams are not offered in their home country and/or 2) they will participate in the UCR Extension Intensive English program prior to taking the exams, may be considered for admission by completing the exams post high school graduation.
   c. ACT Composite score of 176 composite (Sum of SAT Critical Reading and Math = 830ACT translation table = 400) AND a minimum ACT English/Writing score of 17 (SAT Writing = 420)
   d. Applicants who are unable to meet this requirement prior to high school graduation because either, 1) the exams are not offered in their home country and/or 2) they will participate in the UCR Extension Intensive English program prior to taking the exams, may be considered for admission by completing the exams post high school graduation.
2. a-g Course Omissions - 3 courses or less (no Math or English omissions/deficiencies are allowed).
3. Transferrable coursework taken after the summer following high school graduation – up to 30 units of transferrable coursework can be considered
for freshman admission for international students in the Admission Preparation Program and other circumstances as warranted.

4. **Gap Year** – freshman applicants that have a gap in their educational record of up to two years may be considered for freshman admission.

**Transfer Applicant**

1. GPA - 2.00 minimum allowed in transferable courses.
2. Units - A minimum of 24 transferable quarter units.
3. Subject Requirements – at least one transferable English Composition course; one transferable math course (has intermediate algebra as a prerequisite OR may use intermediate algebra); and one appropriate third course from the required 7 course pattern.

All applicants who meet the above academic criteria may compete equally for AxE consideration. Declining academic performance is a factor used to defer applicants even though they may meet the criteria described above. Exceptions to the above criteria are rare. Applicants who do not meet these criteria must demonstrate acceptable alternative academic achievement (see below: IV. Special Committee Review).

********************************************************************************************

II. **Definitions of Applicants that can be Considered for AxE**

1. **Special Talent Applicants (up to 1%)** – applicants satisfying the above stated minimum academic requirements may be considered for AxE if one or more of the following factors have been demonstrated at an exceptional level:
   - outstanding achievement in a specific subject area;
   - self-motivation and initiative;
   - leadership;
   - public or community service;
   - athletics;
   - completion of significant special projects;
   - special endorsement of academic promise from their school;
   - demonstration of academic promise by achievement in specific areas of study; and/or
   - marked improvement in academic performance as demonstrated by academic grade point average and/or enrollment in accelerated, challenging course work (e.g., honors, Advanced Placement, International Baccalaureate, and transferable college courses).

There is no specific breakdown of the 1% according to these factors. In particular, there is no assumption that there must be a balance of students admitted from the spectrum of factors. Thus, one or just a few factors may account for the majority of special talent admissions. At the same time, however, no one special talent factor should prevent other factors from being fully considered and accommodated.

2. **Disadvantaged Applicants (up to 5%)** - Students satisfying the above-stated minimum academic requirements may be considered for AxE if they have demonstrated academic achievement in the presence of major disadvantages compared to typical student applicants.
Disadvantages may include geographical, physical, psychological, financial, or personal and may include, but are not limited to:

- **Low Income**: Family income and household size will be used to determine if an applicant is financially disadvantaged. The family income cutoff will be directly linked to the size of the family. A scale is used to assign variable points. The actual income cutoffs would be based upon annually published federal standards. The University of California Office of the President will provide the Undergraduate Admissions office applicable standards on an annual basis.

- **First-Generation College Attendee**: Parents of applicant have not attended college or have just recently begun attending college.

- **Disability (Learning, Physical, Psychological)**: Applicant will require further review by Special Services for recommendation.

- **English as a Second Language**: Applicant’s native language is one other than English.

- **Veteran**: Applicant is veteran of U.S. military.

- **Re-entry**: Applicant is 24 years of age or older by term of entry and has been out of school for two years or more.

- **Unusual Life Circumstances/Personal Hardship Indicators**: Applicant is or has one or more of the following: ward of the court; recent or chronic illness/injury; lives in foster home; comes from single parent family; single parent; runaway; death in the immediate family (parent, guardian, sibling); homelessness; emancipated minor; incarcerated parent; a current/former inmate of a correctional facility; parolee; and/or a victim of physical/sexual abuse.

- **Location of Residence and/or Limited Educational Opportunity Indicators**: Applicant lives in or around one or more of the following: inner city dwelling/school; rural dwelling/school community with a high crime rate, high unemployment rate, low education level.

- **Applicant attends high school where the following occurs**: applicant is bussed to school (therefore, cannot participate in extra curricular/enriching activities); high school does not offer AP/Honors curriculum or high school does not send many applicants to UC; high school has low college-going rate, low high school graduation rate, and low high school test scores (mean average less than 500 on SAT I math and verbal).

- **Job**: Applicant is working during school year to supplement family income, save for college, or fulfill other basic needs.

- **Recent Immigrant Status**: Applicant has moved within last six years from non-English speaking country.

- **Applicant from another Country**: applicant attended high school or higher level education in another country and is unable to meet traditional UC admission requirements.

The mere presence of one or more of the above factors does not justify review for AxE, since such factors exist to some degree for many applicants. Review is justified only in
situations where the student’s achievement, despite harsh challenges, is truly astounding. Such situations are expected to be rare.

III. Review Process

Applicants who qualify for AxE may be identified by the Undergraduate Admissions office in their regular review of applications, by academic departments, or by the Athletics Department. Applicants identified through any of the aforementioned offices will be processed as follows:

1. **Undergraduate Admissions office**: Applicants identified by the Undergraduate Admissions office will be forwarded by the Admissions Counselor to the Assistant Director-Freshman Evaluations, the Assistant Director-Transfer Evaluations or the Assistant Director-International Evaluations as appropriate. Upon review and in consultation with the Director of Admissions, a decision will be made to determine if an AxE offer will be made.

2. **Academic Departments**: Academic departments, which independently identify applicants, will prepare a letter of endorsement and forward it to the Undergraduate Admissions office for a final decision. The application file will be reviewed by the Assistant Director-Freshman, Transfer or International Evaluations who will consult with the Director of Admissions to determine if an AxE offer will be made.

3. **Athletics Department**: The Athletics Department will prepare a letter of endorsement and forward it to the Undergraduate Admissions office for a final decision. Upon receipt of the Athletic Release Authorization Form and the Request for Admission by Exception Form, the Assistant Director-Freshman, Transfer or International Evaluations will process the AxE offer.

IV. Special Review Committee

Applicants who do not qualify for AxE yet request to be considered for AxE or are endorsed supported by either a UCR faculty, staff or departmentan Academic Department or the Athletics Department will **may** be reviewed by a Special Review Committee comprised of UCR faculty with staff from the appropriate UCR unit, staff from the Academic Resource Center Learning Center, the Director of Undergraduate Admissions and the Admissions Counselor coordinating Athletics review as Ex-Officio members. The Special Review Committee will determine the possibility of academic success at UCR based on:

1. Past academic history as reported on the Application for Undergraduate Admissions and Scholarships;
2. An academic evaluation by the Undergraduate Admissions Office of all requested official transcripts and completed test scores;
3. The Personal Statement; and other indicators;
4. Additional requested materials.

**As a condition of admission** the Special Review Committee may require the applicant to:

- Produce an additional writing sample;
- Meet specific goals at The Learning Center; and/or
- Meet specific goals from the Athletics Department’s required Study Table; and/or
3. Meet other conditions as deemed appropriate.

The Special Review Committee is comprised of three faculty members and three University staff members in Ex-Officio status. The current membership is as follows:

**Faculty Members:**
- Anthony Norman, *Distinguished Prof of Biochem & Biomedical Sci, Emeritus*
- J.W. Gary, Professor of Physics and Astronomy
- Vivian Nyitray, Department Chair, Religious Studies

**Alternate Faculty Member:**
- Mindy Marks, Assistant Professor of Economics

**Ex-Officio Staff Members:**
- Mr. Gabriel Mendoza, ACE Program Coordinator, The Learning Center
- Ms. Merlyn Campos, Director of Undergraduate Admissions
- Emily Engelschall, Acting Director Undergraduate Admissions
- Mr. Rudy Jimenez, Admissions Counselor

*Changes approved by the Undergraduate Admissions Committee on January 11, 2013*
December 7, 2012

To: Thomas Morton, Chair, Committee on Academic Freedom
    Sarjeet Gill, Chair, Committee on Academic Personnel
    Timothy Close, Chair, Committee on Charges
    Byron Adams, Chair, Committee on Diversity and Equal Opportunity
    Irving Hendrick, Chair, Committee on Faculty Welfare
    Helen Henry, Chair, Committee on Privilege and Tenure
    Ziv Ran, Chair, Committee on Rules and Jurisdiction

From: Jose Wudka, Chair
       Riverside Division

Re: Final Systemwide Review of Proposed Revisions to APM 015 – The Faculty Code of Conduct

Attached for your review are proposed revisions to APM 015 – The Faculty Code of Conduct. Please note that this stage of consult is intended to resolve prior discussions and to answer lingering questions. There is no expectation of substantive revisions.

Please discuss with your committee and submit your response by Friday, January 7, 2013.

Enclosure
November 13, 2012

ACADEMIC COUNCIL CHAIR POWELL
COUNCIL OF VICE CHANCELLORS
LABORATORY DIRECTOR ALIVISATOS
ANR VICE PRESIDENT ALLEN-DIAZ

Re: Final Review of Proposed Revised APM – 015, The Faculty Code of Conduct

Dear Colleagues:

Enclosed for final review are proposed revisions to Academic Personnel Policy (APM) Section 015, The Faculty Code of Conduct.

Academic Personnel has been in consultation for two years with the President, the Provost, the Academic Senate, the Office of General Counsel and campus administration regarding proposed changes to APM – 010, Academic Freedom, APM – 015, The Faculty Code of Conduct and APM – 016, University Policy on Faculty Conduct and the Administration of Discipline.

Following distribution of proposed revised language amending these policies, Academic Personnel received a broad set of comments during both management consultation and systemwide review from campus administration and Senate committees. The attached Executive Summary provides a narrative describing the impetus for the original proposals, an analysis of the comments received during management consultation and systemwide review and a final recommendation to amend APM - 015. Proposed revisions to APM - 010 and APM - 016 are no longer under consideration.

Final review is intended to advise the results of the systemwide review and how language has been refined. We do not anticipate substantive revisions during final review. This stage of consultation is intended to resolve prior discussions and to answer remaining questions.

This letter and enclosures anticipate that you will submit comments no later than December 21, 2012. Please send comments on the proposed policy to ADV-VPCARLSON-SA@ucop.edu. Questions may be directed to Janet Lockwood at Janet.Lockwood@ucop.edu or (510) 987-9499.

Sincerely,

Susan L. Carlson
Vice Provost
Academic Personnel
Enclosure: Executive Summary

cc: President Yudof
    Chancellors
    Provost Dorr
    Senior Vice President Vacca
    Vice President and General Counsel Robinson
    Vice President Duckett
    Vice Provosts of Academic Personnel
    Academic Personnel Directors
    Executive Director Tanaka
    Executive Director Winnacker
    Executive Director Rodrigues
    Deputy General Counsel Birnbaum
    Director Chester
    Manager Lockwood
    Systemwide Policy Coordinator Capell
    Human Resources Analyst Bello
    Senior Administrative Analyst Rupert
Proposed Revisions to APM Sections 010, Academic Freedom, 015, The Faculty Code of Conduct and 016, University Policy on Faculty Conduct and the Administration of Discipline

Background

At its meeting on January 26, 2011, the Academic Council adopted a resolution proposed by the Committee on Academic Freedom and reviewed by Senate committees to recommend revising the language of Sections 010 and 015 of the APM to include within the protections of academic freedom the freedom to speak on matters of institutional policy or action, whether or not as a member of an agency of institutional governance. Concurrently, former Provost Pitts recommended proposed revisions to Section 016 to remedy the omission of a single, clear statement in the APM with the expectation that faculty will comply with University policy.

Following extensive consultation with the President, the Office of General Counsel (Charles Robinson and David Birnbaum), the Senate (former Academic Council Chairs Daniel Simmons and Robert Anderson) and Academic Affairs (Larry Pitts and Susan Carlson), proposed revisions to Sections 010, 015, and 016 were circulated for Management Consultation and Systemwide Review.

An analysis of comments received from Management Consultation and Systemwide Review follows, along with a recommended course of action.

Academic Senate Position

The revisions proposed by the Senate to Sections 010 and 015 were believed to be required to assure faculty rights to actively participate in the shared governance of the University by incorporating within academic freedom the right to freely express opinions regarding institutional policies. Insertion of language was deemed necessary because of ambiguities in the United States Supreme Court holding in Garcetti v. Ceballos, 547 U.S. 410 (2006) and because of the University’s advocacy in Hong v. Grant et. al, 2010 U.S. LEXIS 23504 (9th Cir. Unpublished opinion, 2010).

In Garcetti the Court stated that, “when public employees make statements pursuant to their official duties, the employees are not speaking as citizens for First Amendment purposes, and the Constitution does not insulate their communications from employer discipline.” (547 U.S. at 421). The Majority opinion in Garcetti also states that, “We need not, and for that reason do not, decide whether the analysis we conduct today would apply in the same manner to a case involving speech related to scholarship or teaching.” (547 U.S. at 425). In Hong, the University of California, citing Garcetti, asserted that a faculty member could not assert a claim under the First Amendment by alleging that his merit increase had been denied based on comments he made in a Departmental meeting (i.e., pursuant to his official duties). Ultimately, the 9th Circuit upheld a dismissal of the faculty member’s suit on Eleventh Amendment Immunity grounds without addressing the Garcetti issue. The position of General Counsel in Hong raised substantial concern among faculty, resulting in recommended revisions to APM - 010 and 015.
Office of General Counsel Review

Per President Yudof’s request, the Office of General Counsel reviewed the Senate’s proposal to revise APM - 010 and 015, specifically to add to the protections of academic freedom: “[the] freedom to address any matter of institutional policy or action whether or not as a member of an agency of institutional governance.”

The Senate’s proposal also added to the Faculty Code of Conduct, APM - 015, protection for “University service” in addition to teaching, learning, research, and public service, and a statement that the purpose of discipline is to preserve conditions hospitable to these protected pursuits, including the “freedom to address any institutional policy or action, whether or not as a member of an agency of institutional governance.”

Office of General Counsel asserted that participation in University activities is recognized as University service, something that is part of the role as faculty, and thus within the scope of shared governance and academic freedom. In that context, faculty may address a wide range of University policies and actions. Accordingly, the proposed changes appeared appropriate to the extent that they are limited to faculty acting within the course and scope of employment (i.e., as faculty members) and subject to “correlative duties of professional care,” as stated in APM - 010 and 015.

According to Office of General Counsel, the proposal that faculty be protected when they are addressing any matter of University policy or action when they are not acting as faculty members goes beyond “shared governance.” In effect, it encompasses the speech of faculty in their private capacity. When faculty are acting in their private capacity, they are protected by the First Amendment. The proposed amendments, to the extent that they insulate speech as an exercise of academic freedom beyond the protections of the First Amendment, are uncertain in terms of their impact, and not warranted by the Garcetti decision or other legal developments. The reasons for the amendments offered by the Senate do not require protection for speech outside the course and scope of employment. To the contrary, the Senate’s concerns are focused on faculty exercising their job responsibilities in the context of shared governance.

Office of General Counsel asserted that the proposed amendments can be justified if phrasing is amended to read: “freedom to address any matter of institutional policy or action when acting as a member of the faculty.” This language addresses faculty concerns and makes clear that when exercising such rights, faculty are subject to the “correlative duties of professional care” spelled out in the Faculty Code of Conduct.

Analysis of Management Consultation and Systemwide Review

Following distribution of proposed language as revised by the Office of General Counsel, and reviewed with former Academic Council Chairs Simmons and Anderson, Academic Personnel received a broad set of comments from campus administration and Senate committees during both management and systemwide reviews:

- Some reviewers cited recent court cases, including Garcetti, as the impetus for adding the proposed language.
• One reviewer, citing *Sweezy v. New Hampshire*, 354 U.S. 234 (1957), commented that the University should seek to strengthen APM - 010 with respect to the core of scholarship and teaching, rather than trying to develop an academic freedom notion of shared governance extending to all policy areas affecting the University.

• Other reviewers cited various publications, including Larry Spurgeon’s “A Transcendent Value: The Quest to Safeguard Academic Freedom”¹ and Frederick Schaffer’s “A Guide to Academic Freedom”² along with the American Association of University Professors principal founder Arthur Lovejoy's definition of Academic Freedom.³

• Some reviewers commented that the phrase “…when acting as a member of the faculty…” introduces ambiguity and should be clarified or dropped.

• Other reviewers would narrow the proposed expansions, believing that faculty have the freedom to address matters of institutional policy or action now within shared governance, and that expanding the definition of protected speech serves to *dilute* the core concept of academic freedom, and may even pose a threat to the legal status of academic freedom more broadly. These reviewers questioned the need for the revision, adding that the practical implications of the proposed new language were unclear.

• Other reviewers interpreted the language to mean that the University has a valid interest in controlling a faculty member’s speech when he or she is not acting as a member of the faculty but gives no guidance for determining when that is the case.

• Some believed that the term “institutional policy or action” is too vague and others were supportive of the language as written for APM - 015, but not for APM - 010.

• Lastly, one reviewer questioned the appropriateness of the clause “…whether or not as a member of an agency of institutional governance.”

When reviewing the 016 proposal amending language to read that “faculty members are subject to the general rules and regulations and policies of the University; these include, but are not limited to, those pertaining to parking, library privileges, health and safety and use of University facilities,” many reviewers commented that “policy” is an ambiguous term that is difficult to define. Some objected to the phrase “…these include, but are not limited to…” which they believed to be too broad. Most reviewers opposed the amendment, commenting that the revision was unnecessary. Some commented that the proposed revisions negatively impact academic freedom relative to faculty members’ research, teaching, and service activities.


17
Recommendation

**APM - 010 and 015.** With no consensus among reviewers, and particularly strong concerns voiced by the Academic Senate and UCSD and UCLA administrators that the language would serve to dilute the concepts of academic freedom and shared governance, Academic Personnel and Office of General Counsel met to discuss the feedback and a recommended resolution.

The University Committee on Academic Personnel (UCAP) and the University Committee on Privilege and Tenure (UCP&T) favor inclusion of the language in APM - 015 but thought it unnecessary in APM - 010, believing that academic freedom as currently delineated in APM - 010 extends to faculty speech on matters of institutional policy or action.

With the consent of the President and the Provost, the Office of General Counsel and Academic Personnel propose that we adopt the UCAP/UCP&T recommendation as the most clear resolution, i.e., that we include the proposed language in APM - 015 but leave APM - 010 as is.

**APM - 016.** Most reviewers were opposed to the introduction of additional language to APM - 016, voicing significant concerns with the introduction of overly broad and vague language. The Senate believes that with no definition of the term “policy,” language places determination of sanctions for faculty non-compliance with administrative policies beyond the procedural protections provided by the Faculty Code of Conduct and the oversight of their peers. Accordingly, no changes are now recommended for APM - 016.

Attachment: Proposed Draft Revisions to APM - 015

Additional policies regarding the scope and application of the Faculty Code of Conduct and the University’s policies on faculty conduct and the administration of discipline are set forth in APM - 016, the University Policy on Faculty Conduct and the Administration of Discipline.

The Faculty Code of Conduct as Approved by the Assembly of the Academic Senate

(Code of Professional Rights, Responsibilities, and Conduct of University Faculty, and University Disciplinary Procedures)

Part I – Professional Rights of Faculty

In support of the University’s central functions as an institution of higher learning, a major responsibility of the administration is to protect and encourage the faculty in its teaching, learning, research, and public service. The authority to discipline faculty members in appropriate cases derives from the shared recognition by the faculty and the administration that the purpose of discipline is to preserve conditions hospitable to these pursuits. Such conditions, as they relate to the faculty, include, for example:
1. free inquiry, and exchange of ideas;

2. the right to present controversial material relevant to a course of instruction;

3. enjoyment of constitutionally protected freedom of expression;

4. freedom to address any matter of institutional policy or action when acting as a member of the faculty whether or not as a member of an agency of institutional governance.

4.5 participation in the governance of the University, as provided in the Bylaws and Standing Orders of The Regents and the regulations of the University, including

   (a) approval of course content and manner of instruction,

   (b) establishment of requirements for matriculation and for degrees,

   (c) appointment and promotion of faculty,

   (d) selection of chairs of departments and certain academic administrators,

   (e) discipline of members of the faculty, and the formulation of rules and procedures for discipline of students,
(f) establishment of norms for teaching responsibilities and for evaluation of both faculty and student achievement, and

(g) determination of the forms of departmental governance;

5.6. the right to be judged by one’s colleagues, in accordance with fair procedures and due process, in matters of promotion, tenure, and discipline, solely on the basis of the faculty members’ professional qualifications and professional conduct.
January 7, 2013

TO: Jose Wudka, Chair
    Riverside Division Academic Senate

FR: Thomas Morton, Chair
    Committee on Academic Freedom

RE: APM015

UCR's CAF went over the wording this past academic year and, at that time, concurred with the position stated by UCAF in the November 25, 2011, memo from UCAF chair Rehm to Academic Council chair Anderson. There do not seem to be significant changes in the wording put forth in the present proposal. Given that the diversity of opinion has been noted and discussed, the inclination of the committee members that have contacted me is to consent to the proposed modification of APM 015. At this point, no purpose would be served by reiterating our dissent yet again.
December 17, 2012

To: Jose Wudka, Chair  
Riverside Division of the Academic Senate

From: Sarjeet Gill, Chair  
Committee on Academic Personnel

Re: Final Systemwide Review of Proposed Revisions to APM 015 – The Faculty Code of Conduct

On December 17, 2012, CAP voted unanimously to approve APM 015 – The Faculty Code of Conduct (+9-0-0). CAP concurs with the revisions and has no further suggestions.
COMMITTEE ON CHARGES

December 9, 2012

To: Jose Wudka, Chair
Riverside Division of the Academic Senate

From: Timothy Close, Chair
Committee on Charges

Re: Final Systemwide Review of Proposed Revisions to APM 015 – The Faculty Code of Conduct

The Committee on Charges has no objection to the revisions of APM 015.
January 4, 2013

TO: JOSE WUDKA, CHAIR
RIVERSIDE DIVISION

FROM: BYRON ADAMS, CHAIR
COMMITTEE ON DIVERSITY AND ECONOMIC OPPORTUNITY

RE: Formal Reply to the System-wide review of Academic Personnel Policy (APM) Section 015, The Faculty Code of Conduct

The consensus of CODEO can be stated simply and succinctly: The decision to leave APM-015 intact represents a reasonable compromise between the intentions of the UC President Yudof and the General Counsel and the concerns voiced by faculty members. We do believe, however, that this matter might well be revisited in the coming years if conditions change.
January 8, 2013

To: Jose Wudka  
Chair, Riverside Division Academic Senate

From: Irving G. Hendrick  
Chair, Committee on Faculty Welfare

Re: Committee on Faculty Welfare’s Additional Comments on Committee’s  
May 31st report regarding revision of APM Section 015.

Unfortunately, it has not been feasible for the Committee to meet in time to consider further  
the Faculty Code of Conduct. That said, and at the risk of being presumptuous, I will give  
you my personal impressions. Notwithstanding that faculty conduct is a most important  
topic, I believe, based on previous discussions with our Committee and with members of  
the University Committee on Faculty Welfare, that the issues presently under consideration  
in the latest draft are not worrisome.

Some refinements in language are still in the works. Indeed, in a couple respects the old  
language is preferable to the proposed new language, but nothing of high stakes comes to  
mind. Beyond our own campus discussion, I know that faculty elsewhere caught a few  
points, perhaps the most noteworthy being the reference under Category III, Outside  
Professional Activity, which included “developing scholarly or creative works.” With a  
rather broad smile, one colleague at Berkeley suggested that this was pretty much a direct  
example of a regular faculty activity. Chances are pretty good that it will be changed in the  
final version.
January 4, 2013

To: Jose Wudka
Chair, Riverside Division Academic Senate

From: Helen Henry
Chair, Committee on Privilege and Tenure

Re: Final Systemwide Review of Proposed Revisions to APM 015 – The Faculty Code of Conduct

P&T supports the proposed revision to APM 015.
January 3, 2013

To: Jose Wudka, Chair
   Riverside Division

Fr: Ziv Ran, Chair
    Committee on Rules and Jurisdiction

Re: Final Systemwide Review of Proposed Revisions to APM 015 – The Faculty Code of Conduct

The Committee on Rules and Jurisdiction discussed the proposed changes to APM 015 and finds the revisions to be an excellent addition. The committee strongly supports the changes and considers them fully in line with the existing APM and Senate Bylaws.
January 2, 2013

To: Jose Wudka, Chair
    Riverside Division

Fr: Ziv Ran, Chair
    Committee on Rules and Jurisdiction

Re: Committee on University Extension - Proposed Changes to Bylaw 8.25 – 8.25.2.5

The Committee on R&J approves the proposed changes and has no further suggestions.
COMMITTEE ON UNIVERSITY EXTENSION
REPORT TO THE RIVERSIDE DIVISION
FEBRUARY 19, 2013

To be adopted:

Proposed Changes to Bylaw 8.25 – 8.25.2.5

PRESENT:

8.25 University Extension
8.25.1 This committee consists of six members. (Am 9 Jan 73)(Am 20 Nov 85)(Am 28 May 98)
8.25.2 It is the duty of this committee to:
8.25.2.1 Advise the Chancellor and the director of University Extension on matters referred by them to the committee;
8.25.2.2 Initiate recommendations to the Chancellor and the director of University Extension concerning the function and the educational and related budgetary and personnel policies of University Extension;
8.25.2.3 Review the annual report of the director of University Extension and submit an annual report and such interim special reports as seem advisable to the Division;
8.25.2.4 Advise the director of University Extension and the departments, colleges, and Graduate Division with respect to:
8.25.2.4.1 Establishment, continuance, and discontinuance of Extension programs;
8.25.2.4.2 Criteria for appointment and retention of Extension teaching staff;
8.25.2.4.3 Policy concerning acceptance of financial support for Extension programs from sources outside the University;

PROPOSED

8.25 University Ext
No Change
No Change
No Change
No Change
8.25.2.2 Submit an annual report and such interim special reports as seem advisable to the Division;
8.25.2.3 Advise the director of University Extension and the departments, colleges, and Graduate Division with respect to:
8.25.2.3.1 Criteria for appointment and retention of Extension teaching staff;
8.25.2.3.2 Policy concerning acceptance of financial support for Extension programs from sources outside the University;
8.25.2.4.4 Establishment of requirements for admission to Extension courses yielding credit toward an academic degree;

8.25.2.3.3 Establishment of requirements for admission to Extension courses yielding credit toward an academic degree;

8.25.2.4.5 Coordination of the relations of University Extension with the Division;

8.25.2.3.4 Coordination of the relations of University Extension with the Division;

8.25.2.5 Recommend and supervise all University Extension courses in the Division yielding credit; in discharging this responsibility the Committee on University Extension presents its recommendations on all courses numbered below 300 to the Committee on Courses for review and approval (read Bylaw 8.10.2), but the committee is empowered to give final approval to all University Extension courses above the 200 series, provided that it reports all such action taken to the Division at least once each quarter.

8.25.2.4 Recommend and supervise all University Extension courses in the Division yielding credit; in discharging this responsibility the Committee on University Extension presents its recommendations on all courses numbered below 300 to the Committee on Courses for review and approval (read Bylaw 8.10.2), but the committee is empowered to give final approval to all University Extension courses above the 200 series, provided that it reports all such action taken to the Division at least once each quarter.

Justification:

The changes are necessary to more accurately reflect the actual duties of the committee. This committee has never had input in the function and the educational and related budgetary and personnel policies of University Extension. There is no such annual report of the director of University Extension to be reviewed. This committee has not been involved in the establishment, continuance, or discontinuance of programs except in the approval of courses, instructors, or certificate programs. Renumbering changes are necessary due to omission of 8.25.2.2. and 8.25.2.4.1.

Approved by the Committee on University Extension: 11/2/2012

The Committee on Rules and Jurisdiction finds the wording to be consistent with the code of the Academic Senate: 1/2/13

Received by the Executive Council:
Dear Cynthia:

Our EC approved the changes requested by the R&J. I have attached the revised proposal incorporating the changes.

The changes that were requested were:

- 2.1.2, 2.1.3 replace ‘committee’s’ by ‘committee'
- 3.1 Must specify who schedules regular (Friday) meetings.

We made these changes. For 3.1 the section now reads:

"SOBA3.1 Regular Meetings of the faculty are scheduled by the Chair of the faculty on a Friday during the first month of classes in the Fall term, on a Friday during the first month of classes in the Winter term, and on a Friday during the last month of classes during the Spring term. Under the above scheduling constraints, the meeting will be scheduled by the Chair of the faculty to accommodate as many faculty as possible."

Sincerely,

Rami Zwick
SoBA Chair of the Faculty
SOBA1 Membership

SOBA1.1 The Faculty of the School of Business Administration consists of (a) the President of the University; (b) the Chancellor; (c) the Executive Vice Chancellor; (d) the Dean of the School of Business Administration; (e) all members of the Academic Senate who are members of the department(s) assigned to the School of Business Administration; (f) designated Senate members from other colleges and schools, the number and departmental affiliation of such members to be specified by the Faculty of the School at a regular meeting in each case; (g) such other Senate members as may be specified by the bylaws of the Division.(Am Feb. 15 2011)

Justification: No need because we have only one dept.

SOBA2 Officers

SOBA2.1 The Officers of the Faculty consist of a Chair, vice chair and a secretary.(Am Feb. 15, 2011)

SOBA2.1.1 The Chair of the Faculty is elected for a two-year term and is not eligible to succeed himself/herself immediately. To assure orderly transition, the Chair of the...less
Faculty shall remain in office until the successor assumes office. The election is conducted in accordance with the procedure prescribed in these bylaws. If the Chair is unable to complete the term of office, the Secretary-Parliamentarian of the Division shall within one month conduct an election in accordance with the procedure prescribed in these bylaws for the unexpired term provided that the unexpired term is longer than six months. In the interim or in the event the vacated term is less than six months, the Vice Chair of the Faculty will serve as Chair. (Am Feb. 15, 2011)

**Justification:** To accommodate the case where the Chair was elected to serve the unexpired term of the previous chair.

<table>
<thead>
<tr>
<th>SOBA2.1.2 The Vice Chair of the Faculty is chosen by the Executive Committee from among its membership. The term of office expires at the end of committee membership. (En Feb. 15, 2011)</th>
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<td><strong>SOBA2.1.2</strong> The Vice Chair of the Faculty is chosen by the Executive Committee from among its membership. The term of office expires at the end of committee membership (En Feb. 15, 2011)</td>
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**Justification:** Language

<table>
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<th>SOBA2.1.3 The secretary of the Faculty is chosen by the Executive Committee from among its membership. The term of office expires at the end his or her term of committee membership. (Am Feb. 15, 2011)</th>
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**Justification:** Language

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SOBA3 Meetings

SOBA3.1 Meetings may be called by the Chair of the Faculty or by the Executive Committee. At the written request of five voting members of the Faculty, the Chair must call a meeting. Regular Meetings of the faculty are scheduled on the Friday of the second week of class in the fall term, the first Friday in February in the winter term, and on the Friday of the tenth week of class in the spring term. At least two weeks prior to each scheduled Regular Meeting, the Chair shall issue a solicitation of requests for agenda items to the faculty, which items, at the discretion of the chair, may be included in the meeting agenda. At least one week prior to a scheduled Regular Meeting, the Chair shall distribute the agenda for the meeting. The Dean of the School of Business Administration may schedule a Special Meeting. Special Meetings are intended for the purpose of addressing a limited agenda (normally one item) and require at least one week prior notice to the faculty.

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Regular Meetings of the faculty are scheduled on the Friday of the second week of class in the fall term, the first Friday in February in the winter term, and on the Friday of the tenth week of class in the spring term.

SOBA3.1.1 At least two weeks prior to each scheduled Regular Meeting, the Chair shall issue a solicitation of requests for agenda items to the faculty, which items, at the Chair has the final discretion of the chair, may be included in the meeting agenda. The Chair has no such authority if it is a Special meeting that was not called by the Chair.

SOBA3.1.2 At least one week prior to a scheduled Regular Meeting, the Chair shall distribute the agenda for the meeting. The Dean of the School of Business Administration may schedule a Special Meeting. Special Meetings are intended for the purpose of addressing a limited agenda (normally one item) and require at least one week prior notice to the faculty.

SOBA3.1.3 Special Meetings are intended

Justification:

1. First, we distinguish between “Regular Meeting” and a “Special Meeting” and specify below different “rules of engagements” for these meetings.

2. This only applies to Regular Meeting. The Chair has no such authority if it is a Special meeting that was not called by the Chair.

3. This is dealt with in 3.1.1 and 3.1.3

4. Since Special meetings are to discuss
| “urgent” matter (and typically only 1 item) we propose to shorten the required period of announcement and distributing relevant materials | for the purpose of addressing urgent agenda and require at least four business days prior notice to the faculty. At least three business days prior to a scheduled Special Meeting, the Chair shall distribute the agenda for the meeting together with all pertinent documents to each member of the Faculty. (Am Feb. 15, 2011) |
| SOBA3.1.1 A quorum consists of one-half of the members of the Faculty of the School of Business Administration who are members of the Academic Senate and not emeritus faculty. A quorum is necessary to conduct any official business at such meeting. (Am Feb. 15, 2011) | SOBA3.1.4 A quorum consists of one-half of the members of the Faculty of the School of Business Administration who are members of the Academic Senate and not emeritus faculty. A quorum is necessary to conduct any official business at such meeting. (Am Feb. 15, 2011) |
| SOBA3.1.2 A motion to submit a measure to mail ballot has precedence over a motion for a vote in a meeting. | SOBA3.1.25 A motion to submit a measure to mail ballot has precedence over a motion for a vote in a meeting. |
| SOBA3.1.3 The Chair must send, at least five business days before each meeting, copies of the call for a meeting together with all pertinent documents to each member of the Faculty. The Faculty shall not change curricular requirements or regulations of the school or its departments or change these bylaws at the meetings at which such proposals for change are first made or make any other main motion, unless notice is previously given to all members of the Faculty in a call to the meeting. Any main motion introduced by a member of the faculty at a meeting and not previously announced in the meeting agenda shall be either tabled until the next meeting or vote on the motion by mail ballot with balloting to close no sooner than one week after the meeting when the motion was introduced. (Am Feb. 15, 2011) | SOBA3.1.63 The Chair must send, at least five business days before each meeting, copies of the call for a meeting together with all pertinent documents to each member of the Faculty. The Faculty shall not vote on any main motion (e.g., change curricular requirements or, change regulations of the school or its departments or structure, change these bylaws) at the meetings at which such proposals for change are first made or make any other main motion, unless notice is previously given to all members of the Faculty in a call to the meeting. |
| SOBA3.1.4 These bylaws constitute primary rules of order for meetings of the Faculty and | SOBA3.1.7 Any main motion introduced by a member of the faculty at a meeting and not previously announced in the meeting agenda shall be either tabled until the next meeting or vote on the motion by mail ballot with balloting to close no sooner than one week after the meeting when the motion was introduced. (Am Feb. 15, 2011) |

Justification: This is dealt with in 3.1.2 for Regular Meeting and 3.1.3 for Special Meeting

SOBA3.1.8 These bylaws constitute primary rules of order for meetings of the Faculty and
### SOBA3.1.5

The minutes of every meeting of the Faculty, the Executive Committee and every School of Business Administration Standing Committee shall be sent to every member of the Faculty within ten business days after the meeting. (Am Feb. 15, 2011)

**Justification:** Language

### SOBA4 Committees

**SOBA4.1** There shall be an Executive Committee consisting of the Chair of the Faculty, the Dean of the School, and the elected members of the Faculty as provided in SOBA4.1.1, as voting members, and the associate Dean(s) of the School as ex officio members unless he/she is an elected member. An elected member is not eligible for immediate reelection unless he/she has completed a term of fewer than 18 months. Eligibility is reestablished after one year of non-service. The Chair, Vice Chair, and Secretary of the Faculty occupy corresponding offices in the Executive Committee. The Vice Chair and Secretary are elected by the Executive Committee from the existing elected Faculty members of the Executive Committee whenever a vacancy arises. (Am 25 Jan 79)(Am 27 May 93)(Am 30 May 06)(Am Feb. 15, 2011)

**Justification:** Note that by definition an “ex officio” member is a voting member (unless specify otherwise)

**SOBA4.1.1** The elected membership of the Committee of the Standing Committees of the School of Business Administration. The order of business is that prescribed in Chapter 4 of the bylaws of the Division. Questions of order not covered by these bylaws or those of the Division are covered by *The Standard Code of Parliamentary Procedure (4th Edition)* (Am Feb. 15, 2011)

**SOBA3.1.5** The minutes of every meeting of the Faculty, the Executive Committee and every School of Business Administration Standing Committee shall will be sent made available to every member of the Faculty within ten business days after the meeting. (Am Feb. 15, 2011)

**SOBA4 Committees**

**SOBA4.1** There shall be an Executive Committee consisting of the Chair of the Faculty, the Dean of the School, and the elected members of the Faculty as provided in SOBA4.1.1, as voting members, and the associate Dean(s) of the School as non-voting ex officio members unless he/she is an elected member. An elected member is not eligible for immediate reelection unless he/she has completed a term of fewer than 18 months. Eligibility is reestablished after one year of non-service. The Chair, Vice Chair, and Secretary of the Faculty occupy corresponding offices in the Executive Committee. The Vice Chair and Secretary are elected by the Executive Committee from the existing elected Faculty members of the Executive Committee whenever a vacancy arises. (Am 25 Jan 79)(Am 27 May 93)(Am 30 May 06)(Am Feb. 15, 2011)
committee shall include one member chosen from each designated academic area in the School. The five currently designated academic areas are Accounting and Information Systems, Finance, Management Science, Marketing, and Management. The election is conducted as provided in Chapter 7 of the bylaws of the Division. The first order of business of the Executive Committee, after the election of the Chair of the Faculty, will be to determine whether the representation formula needs change and to recommend appropriately to the Faculty. (Am 30 May 06)(Am Feb. 15, 2011)

Justification: Clarity of presentation
<table>
<thead>
<tr>
<th>Modification, and discontinuation of majors and minors within the school</th>
<th>the Executive Committee acts for the Faculty in the establishment, modification, and discontinuation of majors and minors within the school (Am Feb. 15, 2011)</th>
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<tr>
<td><strong>SOBA4.1.2.5</strong> The Executive Committee acts for the Faculty in making recommendations to the Division regarding courses.</td>
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<td><strong>SOBA4.1.2.6</strong> The Executive Committee reviews and makes recommendations to the Dean of the School of Business Administration on proposals for the establishment of new departments or modifications of existing departments and reviews the status of all interdisciplinary programs. (Am Feb. 15, 2011)</td>
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<td><strong>SOBA4.1.2.7</strong> The Executive Committee establishes and maintains liaison with the Executive Committees of the other colleges and schools in the Division.</td>
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<td><strong>SOBA4.1.2.8</strong> The Executive Committee assists the Dean on his/her request in matters relating to the administration of the School of Business Administration. (Am Feb. 15, 2011)</td>
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<td><strong>SOBA4.1.4</strong> Changes or revisions in the masters level graduate programs curriculum, including proposals for new courses or deletion of existing courses, must be approved by the Executive Committee. Changes or revisions in the undergraduate programs curriculum, including proposals for new courses or deletion of existing courses, must be approved by the Executive Committee. (En Feb. 15, 2011)</td>
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<td><strong>SOBA4.2</strong> The School of Business Administration academic programs shall be guided by two Standing Committees, one for masters’ level graduate programs and one for the undergraduate programs. The master’s level Programs Chair will be selected from the Faculty of the School of Business Administration. The undergraduate Academic Programs Chair will be selected from the Faculty of the School of Business Administration.</td>
<td><strong>SOBA4.2</strong> The School of Business Administration academic programs shall be guided by two Standing Committees: the Undergraduate and the Master level committees. The master’s level Programs Chair will be selected from the Faculty of the School of Business Administration. The undergraduate Academic Programs Chair will be selected from the Faculty of the School of Business Administration.</td>
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<td>Administration. The Dean of the School of Business Administration will be an ex officio member of the committees. (En 5 May 77)(Am Feb. 15, 2011)</td>
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<td><strong>SOBA4.2.1</strong> The members of the School of Business Administration academic programs committees will be appointed by the Executive Committee and shall have representation in all academic areas as defined in 4.1.1. (En 5 May 77)(Am Feb. 15, 2011)</td>
<td><strong>SOBA4.2.1</strong> The members of the School of Business Administration academic programs committees will be appointed by the Executive Committee and shall have representation in all academic areas as defined in 4.1.1. (En 5 May 77)(Am Feb. 15, 2011) The Dean of the School of Business Administration will be an ex officio member of the committees. (En 5 May 77)(Am Feb. 15, 2011)</td>
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<td><strong>SOBA4.2.2</strong> The chairs of the master’s level Academic Programs Committee and the Chair of the undergraduate Administration Academic Programs Committee will be appointed by the Dean of the School of Business Administration and approved by the Executive Committee. (Am 8 Jun 78)(Am Feb. 15, 2011)</td>
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<td><strong>SOBA4.2.2.1</strong> The term of office of the master’s level Academic Programs Committee is two years. The term of office undergraduate Academic Programs Committee is two years. (En 5 May 77)(Am Feb. 15, 2011)</td>
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**APPROVALS of proposed changes:**

Endorsed by the Executive Committee of SoBA on May 8, 2012
January 9, 2013

To: Jose Wudka, Chair
Riverside Division

Fr: Ziv Ran, Chair
Committee on Rules and Jurisdiction

Re: SoBA Executive Committee Bylaw Change

The Committee on Rules and Jurisdiction discussed the SoBA Executive Committee Bylaw change and finds the proposed changes to be in line with the senate bylaws, but suggest the following revisions:

- 2.1.2, 2.1.3 replace 'committee's' by 'committee'
- 3.1 Must specify who schedules regular (Friday) meetings.
December 7, 2012

To: Ziv Ran, Chair
   Committee on Rules and Jurisdiction

Fr: Jose Wudka, Chair
    Riverside Division

Re: SoBA Executive Committee Bylaw Change

Please see the attached proposal for a bylaw change by the Executive Committee of the School of Business Administration. I also attach for reference, the earlier submittal by SoBA and the previous R&J ruling.
Proposed revision to SoBA bylaws

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**Justification:** To accommodate the case where the Chair was elected to serve the unexpired term of the previous chair.

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### SOBA3 Meetings

**SOBA3.1** Meetings may be called by the Chair of the Faculty or by the Executive Committee. At the written request of five voting members of the Faculty, the Chair must call a meeting. Regular Meetings of the faculty are scheduled on the Friday of the second week of class in the fall term, the first Friday in February in the winter term, and on the Friday of the tenth week of class in the spring term. At least two weeks prior to each scheduled Regular Meeting, the Chair shall issue a solicitation of requests for agenda items to the faculty, which items, at the discretion of the chair, may be included in the meeting agenda. At least one week prior to a scheduled Regular Meeting, the Chair shall distribute the agenda for the meeting. The Dean of the School of Business Administration may schedule a Special Meeting. Special Meetings are intended for the purpose of addressing a limited agenda (normally one item) and require at least one week prior notice to the faculty.

**SOBA3.1.1** At least two weeks prior to each scheduled Regular Meeting, the Chair shall issue a solicitation of requests for agenda items to the faculty, which items, at the discretion of the chair, may be included in the meeting agenda. Special Meetings are intended for the purpose of addressing urgent agenda items. At least one week prior to a scheduled Special Meeting, the Chair shall distribute the agenda for the meeting.

### Justification:

1. **First,** we distinguish between “Regular Meeting” and a “Special Meeting” and specify below different “rules of engagements” for these meetings.

   Second, we soften the mandatory dates for the Regular Meetings.

2. **This only applies to Regular Meeting.** The Chair has no such authority if it is a Special meeting that was not called by the Chair.

3. **This is dealt with in 3.1.1 and 3.1.3**

4. **Since Special meetings are to discuss**
| “urgent” matter (and typically only 1 item) we propose to shorten the required period of announcement and distributing relevant materials | and require at least four business days prior notice to the faculty. At least three business days prior to a scheduled Special Meeting, the Chair shall distribute the agenda for the meeting together with all pertinent documents to each member of the Faculty. (Am Feb. 15, 2011) |
| SOBA3.1.1 A quorum consists of one-half of the members of the Faculty of the School of Business Administration who are members of the Academic Senate and not emeritus faculty. A quorum is necessary to conduct any official business at such meeting. (Am Feb. 15, 2011) | SOBA3.1.4 A quorum consists of one-half of the members of the Faculty of the School of Business Administration who are members of the Academic Senate and not emeritus faculty. A quorum is necessary to conduct any official business at such meeting. (Am Feb. 15, 2011) |
| SOBA3.1.2 A motion to submit a measure to mail ballot has precedence over a motion for a vote in a meeting. | SOBA3.1.25 A motion to submit a measure to mail ballot has precedence over a motion for a vote in a meeting. |
| SOBA3.1.3 The Chair must send, at least five business days before each meeting, copies of the call for a meeting together with all pertinent documents to each member of the Faculty. The Faculty shall not change curricular requirements or regulations of the school or its departments or change these bylaws at the meetings at which such proposals for change are first made or make any other main motion, unless notice is previously given to all members of the Faculty in a call to the meeting. Any main motion introduced by a member of the faculty at a meeting and not previously announced in the meeting agenda shall be either tabled until the next meeting or vote on the motion by mail ballot with balloting to close no sooner than one week after the meeting when the motion was introduced. (Am Feb. 15, 2011) | SOBA3.1.63 The Chair must send, at least five business days before each meeting, copies of the call for a meeting together with all pertinent documents to each member of the Faculty. The Faculty shall not vote on any main motion (e.g., change curricular requirements or change regulations of the school or its departments or structure, change these bylaws) at the meetings a meeting at which such proposals for change are first made or make any other main motion, unless notice is previously given to all members of the Faculty in a call to the meeting. |
| SOBA3.1.7 Any main motion introduced by a member of the faculty at a meeting and not previously announced in the meeting agenda shall be either tabled until the next meeting or vote on the motion by mail ballot with balloting to close no sooner than one week after the meeting when the motion was introduced. (Am Feb. 15, 2011) | |
| Justification: This is dealt with in 3.1.2 for Regular Meeting and 3.1.3 for Special Meeting | |
| SOBA3.1.4 These bylaws constitute primary rules of order for meetings of the Faculty and of the Standing Committees of the School of Business Administration. | SOBA3.1.8 These bylaws constitute primary rules of order for meetings of the Faculty and of the Standing Committees of the School of Business Administration. |
Business Administration. The order of business is that prescribed in Chapter 4 of the bylaws of the Division. Questions of order not covered by these bylaws or those of the Division are covered by *The Standard Code of Parliamentary Procedure (4th Edition)*.  

(Am Feb. 15, 2011)

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<th>SOBA3.1.5</th>
<th>The minutes of every meeting of the Faculty, the Executive Committee and every School of Business Administration Standing Committee shall be sent to every member of the Faculty within ten business days after the meeting. (Am Feb. 15, 2011)</th>
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<td>SOBA3.1.59</td>
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**Justification:** Language

### SOBA4 Committees

| SOBA4.1 | There shall be an Executive Committee consisting of the Chair of the Faculty, the Dean of the School, and the elected members of the Faculty as provided in SOBA4.1.1, as voting members, and the associate Dean(s) of the School as ex officio members unless he/she is an elected member. An elected member is not eligible for immediate reelection unless he/she has completed a term of fewer than 18 months. Eligibility is reestablished after one year of non-service. The Chair, Vice Chair, and Secretary of the Faculty occupy corresponding offices in the Executive Committee. The Vice Chair and Secretary are elected by the Executive Committee from the existing elected Faculty members of the Executive Committee whenever a vacancy arises. (Am 25 Jan 79)(Am 27 May 93)(Am 30 May 06)(Am Feb. 15, 2011) |
| SOBA4 Committees | SOBA4.1 | There shall be an Executive Committee consisting of the Chair of the Faculty, the Dean of the School, and the elected members of the Faculty as provided in SOBA4.1.1, as voting members. In addition, the Dean of the School is an ex officio member and the associate Dean(s) of the School are non-voting ex officio members unless he/she is an elected member. An elected member is not eligible for immediate reelection unless he/she has completed a term of fewer than 18 months. Eligibility is reestablished after one year of non-service. The Chair, Vice Chair, and Secretary of the Faculty occupy corresponding offices in the Executive Committee. The Vice Chair and Secretary are elected by the Executive Committee from the existing elected Faculty members of the Executive Committee whenever a vacancy arises. (Am 25 Jan 79)(Am 27 May 93)(Am 30 May 06)(Am Feb. 15, 2011) |

**Justification:** Note that by definition an “ex officio” member is a voting member (unless specify otherwise)

| SOBA4.1.1 | The elected membership of the committee shall include one member chosen |
| SOBA4 Committees | SOBA4.1.1 | The elected membership of the committee shall |
from each designated academic area in the School. The five currently designated academic areas are Accounting and Information Systems, Finance, Management Science, Marketing, and Management. The election is conducted as provided in Chapter 7 of the bylaws of the Division. The first order of business of the Executive Committee, after the election of the Chair of the Faculty, will be to determine whether the representation formula needs change and to recommend appropriately to the Faculty. (Am 30 May 06)(Am Feb. 15, 2011)

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<th>SOBA4.1.1.1</th>
<th>The term of office of members of the Executive Committee is two years.</th>
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<td>SOBA4.1.2.3</td>
<td>The Executive Committee acts finally for the Faculty (a) in the awarding of all degrees to students of the school and (b) in the awarding of honors at graduation. The committee is likewise empowered to act on petitions of students for graduation under suspension of the regulations. The committee will report all degrees approved to the Division. (Am Feb. 15, 2011)</td>
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<td>SOBA4.1.23.4</td>
<td>Unless otherwise mandated by Senate bylaws, policies, and procedures, the Executive Committee acts for the Faculty</td>
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Justification: Clarity of presentation

The election for the Executive Committee is conducted as provided in Chapter 7 of the bylaws of the Division.
and minors within the school

Justification: This change has been requested by the Committee on Rules and Jurisdiction (November 29, 2010)

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<th>SOBA4.1.2.5</th>
<th>The Executive Committee acts for the Faculty in making recommendations to the Division regarding courses.</th>
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<td>SOBA4.1.2.6</td>
<td>The Executive Committee reviews and makes recommendations to the Dean of the School of Business Administration on proposals for the establishment of new departments or modifications of existing departments and reviews the status of all interdisciplinary programs. (Am Feb. 15, 2011)</td>
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<td>SOBA4.1.2.7</td>
<td>The Executive Committee establishes and maintains liaison with the Executive Committees of the other colleges and schools in the Division.</td>
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<td>SOBA4.1.2.8</td>
<td>The Executive Committee assists the Dean on his/her request in matters relating to the administration of the School of Business Administration. (Am Feb. 15, 2011)</td>
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Justification: moved from SOBA4.2.2.2 for a more logical order of topics

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<td>SOBA4.2</td>
<td>The School of Business Administration academic programs shall be guided by two Standing Committees, one for masters’ level graduate programs and one for the undergraduate programs. The master’s level Programs Chair will be selected from the Faculty of the School of Business Administration. The undergraduate Academic Programs Chair will be selected from the Faculty of the School of Business Administration. The Dean of the School of Business Administration.</td>
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Source: Am Feb. 15, 2011
<p>| Business Administration will be an ex officio member of the committees. (En 5 May 77)(Am Feb. 15, 2011) | Administration will be an ex officio member of the committees. (En 5 May 77)(Am Feb. 15, 2011) |
| Justification: Dealt with in 4.2.2 |
| SOBA4.2.1 The members of the School of Business Administration academic programs committees will be appointed by the Executive Committee and shall have representation in all academic areas as defined in 4.1.1. (En 5 May 77)(Am Feb. 15, 2011) | SOBA4.2.1 The members of the School of Business Administration academic programs committees will be appointed by the Executive Committee and shall have representation in all academic areas as defined in 4.1.1. (En 5 May 77)(Am Feb. 15, 2011) |
| SOBA4.2.2 The chairs of the master’s level Academic Programs Committee and the Chair of the undergraduate Administration Academic Programs Committee will be appointed by the Dean of the School of Business Administration and approved by the Executive Committee.(Am 8 Jun 78)(Am Feb. 15, 2011) | SOBA4.2.23 The chairs of the master’s level Academic Programs Committee and the Chair of the undergraduate Administration Academic Programs Committee will be appointed by the Dean of the School of Business Administration and approved by the Executive Committee.(Am 8 Jun 78)(Am Feb. 15, 2011) |
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**APPROVALS of proposed changes:**

Endorsed by the Executive Committee of SoBA on May 8, 2012
December 19, 2011

TO: KAMBIZ VAFAI, CHAIR
RULES AND JURISDICTION

FM: MARY GAUVAIN, CHAIR
RIVERSIDE DIVISION

RE: PROPOSED CHANGES TO SOBA BYLAWS

Attached for your review are the proposed changes to the SoBA Bylaws for your review.

Please submit your response to me by Friday, January 13, 2012.
## Proposed revision to SoBA bylaws

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**Justification:** No need because we have only one dept.

SOBA1.2 Only voting members of the Academic Senate are eligible to vote in the Faculty of the School of Business Administration. (Am Feb. 15, 2011)  
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| SOBA2.1.1 The Chair of the Faculty is elected for a two-year term and is not eligible to succeed himself/herself immediately. To assure orderly transition, the Chair of the Faculty shall remain in office until the successor assumes office. The election is conducted in accordance with the procedure prescribed in these bylaws. If the Chair is unable to complete the term of office, the Secretary-Parliamentarian of the Division shall within one month conduct an election in accordance with the procedure prescribed in these bylaws for the unexpired term | SOBA2.1.1 The Chair of the Faculty is elected for a two-year term and is not eligible to succeed himself/herself immediately, unless his/her previous term lasted for less than one year. To assure orderly transition, the Chair of the Faculty shall remain in office until the successor assumes office. The election is conducted in accordance with the procedure prescribed in these bylaws. If the Chair is unable to complete the term of office, the Secretary-Parliamentarian of the Division shall within one month conduct an election in accordance with the procedure prescribed in these bylaws. |
provided that the unexpired term is longer than six months. In the interim or in the event the vacated term is less than six months, the Vice Chair of the Faculty will serve as Chair. (Am Feb. 15, 2011)

Justification: To accommodate the case where the Chair was elected to serve the unexpired term of the previous chair.

| SOBA2.1.2 | The Vice Chair of the Faculty is chosen by the Executive Committee from among its membership. The term of office expires at the end of committee membership. (En Feb. 15, 2011) |
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Justification: Language

| SOBA2.1.3 | The secretary of the Faculty is chosen by the Executive Committee from among its membership. The term of office expires at the end of committee membership. (Am Feb. 15, 2011) |
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Justification: Language

| SOBA2.1.4 | The election of the Chair of the Faculty is conducted as provided in Chapter 7 of the bylaws of the Division. (Am Feb. 15, 2011) |
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| SOBA2.1.5 | The Chair assumes office on the first day of September following his/her election at a regular election, or immediately upon completion of the ballot count at a special election. The vice chair and secretary take office immediately upon appointment. (Am 20 Nov 07) (Am Feb. 15, 2011) |

| SOBA3 Meetings | SOBA3 Meetings |
| SOBA3.1 | Meetings may be called by the Chair of the Faculty or by the Executive Committee. At the written request of five voting members of the Faculty, the Chair must call a meeting. Regular Meetings of the faculty are scheduled on the Friday of the first month of classes in the Fall term, on a Friday during the first month of classes in the Winter term, and on a Friday during the last month of classes during the Spring term. |

Comment [RZ1]: See Justification 1
second week of class in the fall term, the first Friday in February in the winter term, and on the Friday of the tenth week of class in the spring term. At least two weeks prior to each scheduled Regular Meeting, the Chair shall issue a solicitation of requests for agenda items to the faculty, which items, at the discretion of the chair, may be included in the meeting agenda. At least one week prior to a scheduled Regular Meeting, the Chair shall distribute the agenda for the meeting. The Dean of the School of Business Administration may schedule a Special Meeting. Special Meetings are intended for the purpose of addressing a limited agenda (normally one item) and require at least one week prior notice to the faculty. (Am Feb. 15, 2011)

**Justification:**

1. First, we distinguish between “Regular Meeting” and a “Special Meeting” and specify below different “rules of engagements” for these meetings.

   Second, we soften the mandatory dates for the Regular Meetings.

2. This only applies to Regular Meeting. The Chair has no such authority if it is a Special meeting that was not called by the Chair.

3. This is dealt with in 3.1.1 and 3.1.3

4. Since Special meetings are to discuss “urgent” matter (and typically only 1 item) we propose to shorten the required period of announcement and distributing relevant materials

**SOBA3.1.1** A quorum consists of one-half of the members of the Faculty of the School of Business Administration who are members of the Academic Senate and not emeritus

**SOBA3.1.2** At least two weeks prior to each scheduled Regular Meeting, the Chair shall issue a solicitation of requests for agenda items to the faculty, which items, at the discretion of the chair, may be included in the meeting agenda. The Chair has the final discretion of the chair, may be included in the meeting to include or exclude any proposed agenda item from a Regular Meeting.

**SOBA3.1.3** Special Meetings are intended for the purpose of addressing urgent agenda and require at least four business days prior notice to the faculty. At least three business days prior to a scheduled Special Meeting, the Chair shall distribute the agenda for the meeting together with all pertinent documents to each member of the Faculty. (Am Feb. 15, 2011)

**SOBA3.1.4** A quorum consists of one-half of the members of the Faculty of the School of Business Administration who are members of the Academic Senate and not emeritus

**SOBA3.1.5** At least one week prior to a scheduled Regular Meeting, the Chair shall distribute the agenda for the meeting. The Dean of the School of Business Administration may schedule a Special Meeting. Special Meetings are intended for the purpose of addressing a limited agenda (normally one item) and require at least one week prior notice to the faculty. (Am Feb. 15, 2011)
A quorum is necessary to conduct any official business at such meeting. (Am Feb. 15, 2011)

| SOBA3.1.2 | A motion to submit a measure to mail ballot has precedence over a motion for a vote in a meeting. |
| SOBA3.1.3 | The Chair must send, at least five business days before each meeting, copies of the call for a meeting together with all pertinent documents to each member of the Faculty. The Faculty shall not change curricular requirements or regulations of the school or its departments or change these bylaws at the meetings at which such proposals for change are first made or make any other main motion, unless notice is previously given to all members of the Faculty in a call to the meeting. Any main motion introduced by a member of the faculty at a meeting and not previously announced in the meeting agenda shall be either tabled until the next meeting or vote on the motion by mail ballot with balloting to close no sooner than one week after the meeting when the motion was introduced. (Am Feb. 15, 2011) |

Justification: This is dealt with in 3.1.2 for Regular Meeting and 3.1.3 for Special Meeting

| SOBA3.1.4 | These bylaws constitute primary rules of order for meetings of the Faculty and of the Standing Committees of the School of Business Administration. The order of business is that prescribed in Chapter 4 of the bylaws of the Division. Questions of order not covered by these bylaws or those of the Division are covered by The Standard Code of Parliamentary Procedure (4th Edition). (Am Feb. 15, 2011) |

| SOBA3.1.5 | The minutes of every meeting of the Faculty, the Executive Committee and every School of Business Administration Standing Committee shall be sent to every faculty. |

| SOBA3.1.6 | The Chair must send, at least five business days before each meeting, copies of the call for a meeting together with all pertinent documents to each member of the Faculty. The Faculty shall not vote on any main motion (e.g., change curricular requirements or change regulations of the school or its departments or structure, change these bylaws) at the meeting(s) meeting at which such proposals for change are first made or make any other main motion, unless notice is previously given to all members of the Faculty in a call to the meeting. Any main motion introduced by a member of the faculty at a meeting and not previously announced in the meeting agenda shall be either tabled until the next meeting or vote on the motion by mail ballot with balloting to close no sooner than one week after the meeting when the motion was introduced. (Am Feb. 15, 2011) |

| SOBA3.1.7 | Any main motion introduced by a member of the faculty at a meeting and not previously announced in the meeting agenda shall be either tabled until the next meeting or vote on the motion by mail ballot with balloting to close no sooner than one week after the meeting when the motion was introduced (Am Feb. 15, 2011) |

| SOBA3.1.8 | These bylaws constitute primary rules of order for meetings of the Faculty and of the Standing Committees of the School of Business Administration. The order of business is that prescribed in Chapter 4 of the bylaws of the Division. Questions of order not covered by these bylaws or those of the Division are covered by The Standard Code of Parliamentary Procedure (4th Edition) (Am Feb. 15, 2011) |

| SOBA3.1.9 | The minutes of every meeting of the Faculty, the Executive Committee and every School of Business Administration Standing Committee shall be sent to every faculty. |

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<table>
<thead>
<tr>
<th><strong>Justification:</strong> Language</th>
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<tr>
<td>member of the Faculty within ten business days after the meeting. (Am Feb. 15, 2011)</td>
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<td>available to every member of the Faculty within ten business days after the meeting (Am Feb. 15, 2011)</td>
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<td><strong>SOBA4 Committees</strong></td>
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<tr>
<td>SOBA4.1 There shall be an Executive Committee consisting of the Chair of the Faculty, the Dean of the School, and the elected members of the Faculty as provided in SOBA4.1.1, as voting members, and the associate Dean(s) of the School as ex officio members unless he/she is an elected member. An elected member is not eligible for immediate reelection unless he/she has completed a term of fewer than 18 months. Eligibility is reestablished after one year of non-service. The Chair, Vice Chair, and Secretary of the Faculty occupy corresponding offices in the Executive Committee. The Vice Chair and Secretary are elected by the Executive Committee from the existing elected Faculty members of the Executive Committee whenever a vacancy arises. (Am 25 Jan 79)(Am 27 May 93)(Am 30 May 06)(Am Feb. 15, 2011)</td>
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<td><strong>Note that by definition an “ex officio” member is a voting member (unless specify otherwise)</strong></td>
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<td>SOBA4.1.1 The elected membership of the committee shall include one member chosen from each designated academic area in the School. The five currently designated academic areas are Accounting and Information Systems, Finance, Management Science, Marketing, and Management. The election is conducted as provided in Chapter 7 of the bylaws of the Division. The first order of business of the Executive Committee, after the election of the Chair of the Faculty, will be to determine whether the representation formula needs change and to</td>
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<tr>
<td><strong>Comment [RZ5]: Move to 4.1.1.1</strong></td>
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<td>SOBA4.1.2.6</td>
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<tr>
<td>SOBA4.1.2.7 The Executive Committee establishes and maintains liaison with the Executive Committees of the other colleges and schools in the Division. (Am Feb. 15, 2011)</td>
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<tr>
<td>SOBA4.1.2.8 The Executive Committee assists the Dean on his/her request in matters relating to the administration of the School of Business Administration. (Am Feb. 15, 2011)</td>
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<tr>
<td>SOBA4.2 The School of Business Administration academic programs shall be guided by two Standing Committees, one for masters’ level graduate programs and one for the undergraduate programs. The master’s level Programs Chair will be selected from the Faculty of the School of Business Administration. The undergraduate Academic Programs Chair will be selected from the Faculty of the School of Business Administration. The Dean of the School of Business Administration will be an ex officio member of the committees. (En 5 May 77)(Am Feb. 15, 2011)</td>
</tr>
<tr>
<td>Justification: Dealt with in 4.2.1 and 4.2.2</td>
</tr>
<tr>
<td>SOBA4.2.1 The members of the School of Business Administration academic programs committees will be appointed by the Executive Committee and shall have representation in all academic areas as defined in 4.1.1. (En 5 May 77)(Am Feb. 15, 2011)</td>
</tr>
<tr>
<td>SOBA4.2.2 The chairs of the master’s level Academic Programs Committee and the Chair of the undergraduate Administration Academic Programs Committee will be appointed by the Dean of the School of</td>
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Business Administration and approved by the Executive Committee.(Am 8 Jun 78)(Am Feb. 15, 2011)

**SOBA4.2.2.1** The term of office of the master’s level Academic Programs Committee is two years. The term of office undergraduate Academic Programs Committee is two years. (En 5 May 77)(Am Feb. 15, 2011)

*Justification: Simplification*

**SOBA4.2.2.2** Changes or revisions in the masters level graduate programs curriculum, including proposals for new courses or deletion of existing courses, must be approved by the Executive Committee. Changes or revisions in the undergraduate programs curriculum, including proposals for new courses or deletion of existing courses, must be approved by the Executive Committee. (Suggestion was made that all new programs be approved by the faculty.) (En Feb. 15, 2011)

*Justification: Simplification*

**SOBA4.2.2.3** The term of office of the master’s level and undergraduate level Academic Programs Committees is two years. The term of office Academic Programs Committee is two years. (En 5 May 77)(Am Feb. 15, 2011)

**SOBA4.2.2.4** Changes or revisions in the masters level graduate programs curriculum, including proposals for new courses or deletion of existing courses, must be approved by the Executive Committee. Changes or revisions in the undergraduate level programs curriculum, including proposals for new courses or deletion of existing courses, must be approved by the Executive Committee. (Suggestion was made that all new programs be approved by the faculty of the School of Business Administration.) (En Feb. 15, 2011)

**SOBA4.3** The Executive Committee may appoint additional committees as needed. (En Feb. 15, 2011)

**SOBA5** Revisions and Amendments

**SOBA5.1** These bylaws and regulations can be amended or suspended only as provided in chapter 6 of the bylaws of the Division. (En 24 Apr 75)

**SOBA5.2** The Executive Committee may appoint additional committees as needed. (En Feb. 15, 2011)

**SOBA5.3** Revisions and Amendments

**SOBA5.4** These bylaws and regulations can be amended or suspended only as provided in chapter 6 of the bylaws of the Division. (En 24 Apr 75)

**APPROVALS of proposed changes:**

Endorsed by the Executive Committee of the School of Business Administration on 11/10/2011
To: Mary Gauvain, Chair
    Academic Senate

From: Kambiz Vafai, Chair
    Committee on Rules and Jurisdiction

Re: SoBA bylaw changes

The Committee on Rules and Jurisdiction has reviewed the revision submitted by the SoBA Executive Committee, and although the bulk of the bylaws are consistent with the code of the Academic Senate, we nonetheless remain concerned with what was previously section 4.1.2.4 and is now 4.1.3.4. In our memo of November 29, 2010, the Committee raised our objection, but the newly submitted document (including the published bylaw which shows an amendment date of February 15, 2011) does not seem responsive to that concern. R&J suggested specific language in the memo of November 29, 2010, a copy of which is attached here. If the School does not want to make this change, some rationale/explanation seems called for.
November 29, 2010

To: Mary Gauvain, Chair
    Academic Senate

From: Kambiz Vafai, Chair
      Committee on Rules and Jurisdiction

Re: SoBA bylaw changes

The Committee on Rules and Jurisdiction discussed the above referenced item and finds the proposed changes to be in line with the senate bylaws except for the following:

4.1.2.4 on the establishment, modification, and discontinuation of majors and minors, appears to be in conflict with senate bylaws and should be revised.

Regarding the above-mentioned point, it should be noted that there are Divisional and System-wide rules that govern the establishment, modification, and discontinuation of academic programs that under some circumstances may require consultation with the faculty involved with the program. A rewording like: "Unless otherwise mandated by Senate bylaws, policies, and procedures, the Executive Committee acts for the Faculty in the establishment, modification, and discontinuation of majors and minors within the school" would be sufficient.

In addition, we offer a point of clarification in reminding the SoBA that the term "ex officio" does not imply "non-voting" (as in SOBA 4.1).