

# UNIVERSITY OF CALIFORNIA

BERKELEY • DAVIS • IRVINE • LOS ANGELES • MERCED • RIVERSIDE  
SAN DIEGO • SAN FRANCISCO • SANTA BARBARA • SANTA CRUZ



## NOTICE OF SPECIAL MEETING

### SPECIAL MEETING OF THE ASSEMBLY OF THE ACADEMIC SENATE

Monday, March 13, 2006  
10:00 am – 4:00 pm  
California State University, East Bay  
Oakland Professional Development & Conference Center  
1000 Broadway, Suite 109, Classroom 2 (OPDCC2)  
Oakland, CA 94607  
Tel. #: (510) 208-7001/987-9143

|             |   |          |
|-------------|---|----------|
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| <b>II.</b>  | <b>BUSINESS STATED IN THIS CALL</b>   | <b>2</b> |
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|             | 2. Proposed vote of “no confidence” in the current Chair of the Academic Assembly/Council to be communicated to the Regents of the University of California (discussion/action) | 5        |
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## **I. ROLL CALL**

### **2005-06 Assembly Roll Call March 13, 2006**

#### **President of the University:**

Robert C. Dynes

#### **Academic Council Members:**

Cliff Brunk, Chair

John Oakley, Vice Chair

Alice Agogino, Chair, UCB

Dan Simmons, Chair, UCD

Kenneth Janda, Chair, UCI

Andrienne Lavine, Chair, UCLA

Roland Winston, Chair UCM

Manuela Martins-Green, Chair, UCR

Jean-Bernard Minster, Chair, UCSD

Deborah Greenspan, Chair, UCSF

Walter Yuen, Chair, UCSB

Faye Crosby, Chair, UCSC

Michael Brown, Chair, BOARS

Duncan Lindsey, Chair, CCGA

Anthony Norman, Chair, UCAP

Denise Segura, Chair, UCEP

Raymond Russell, Chair, UCFW

George Sensabaugh, Chair, UCORP

Stan Glantz, Chair, UCPB

#### **Berkeley (6)**

Paula S. Fass

Judith E. Innes

Kyriakos Komvopoulos

Bernard Sadoulet

Herb Strauss

L. Ling-Chi Wang

#### **Davis (6)**

Andrea J. Fascetti

Robert Irwin

Lovell Tu Jarvis

Brian Morrissey

Terence Murphy

Judith Stern

#### **Irvine (4)**

Hoda Anton-Culver

James Earthman

Jodi Quas

Leslie Thompson

#### **Los Angeles (9)**

Philip Bonacich

Dalila Corry

Robert G. Frank, Jr.

Margaret Haberland

Kathleen Komar

Margaret Jacob

Vickie Mays

Jane Valentine

Jaime Villablanca

#### **Merced (1)**

Arnold D. Kim

#### **Riverside (2)**

Joseph W. Childers

Emory Elliot

#### **San Diego (4)**

Igor Grant

David Luft

Thomas O'Neil

Barbara Sawrey

#### **San Francisco (3)**

Dan Bikle

Barbara Gerbert

Lawrence Pitts

#### **Santa Barbara (3)**

Richard Church

Mary Hegarty

Ann M. Plane

#### **Santa Cruz (2)**

George Blumenthal

Quentin Williams

#### **Secretary/Parliamentarian**

Jean Olson

## **II. BUSINESS STATED IN THIS CALL**

### **1. Proposed new Senate Bylaw 110.A.4 (discussion/action)**

In accordance with [Senate Bylaw 116. Authority of the Assembly – Part II.E.](#) “The Assembly is authorized to approve modifications to the University Academic Senate legislation. Written notice of any proposed changes to the legislation shall be distributed as provided for by [Senate Bylaw 120.B.](#) The notice for each proposed change must include existing and proposed texts and a statement of the purpose and intended effect of the proposed change. (Please note that this does not apply to Bylaws marked “[Protected -- see Bylaw 116.E]”.) Modifications of Bylaws shall take effect immediately following approval unless a different date is specified or required.

### **PROPOSED AMENDMENT TO [ACADEMIC SENATE BYLAW 110](#) AS PROPOSED BY SIX (6) MEMBERS OF THE ASSEMBLY**

**The six (6) members of the Assembly as part of their motion “...wish to explicitly state that ‘the motion is privileged and shall be heard immediately upon being made.’ ”**

#### **Statement of Purposes of Bylaw 110.A.4:**

Occasions may arise where it becomes necessary for the Assembly to remove either the Chair or the Vice Chair from office in order to prevent them from functioning inappropriately as representatives of the Academic Senate. A question has been raised about the applicability of Bylaws 35.D.5 and 115.A as means for removal of the Assembly’s Chair or Vice Chair. In order that there be no ambiguity in our Bylaws regarding the authority of the Assembly to remove from office its highest elected officials, we propose this bylaw amendment. As a responsible organization with an important role in the governance of the University, the Academic Senate acting through the Assembly needs to be able to ensure proper checks and balances with respect to its leadership and to ensure itself and all constituencies that the positions and policies of the Senate are accurately conveyed to third parties and that the business of the Senate, including the functioning of the systemwide office, is stewarded in the proper manner.

#### **Statement of Intended Effect of Bylaw 110.A.4:**

Bylaw 110.A.4 will demonstrate to The Regents, the faculty, and all others who are part of the University or who are affected by the University, that the Academic Senate of the University of California has proper and effective accountability procedures for governing itself and its leaders. The proposed bylaw amendment will remove any concern about a possible gap in the Senate’s bylaws with respect to the power of the Assembly to remove its Chair or Vice Chair, should grounds arise to justify removal.

## CURRENT LANGUAGE:

### 110. Officers and Consultants of the Assembly

#### A. Chair and Vice Chair

1. Election. The Assembly elects a Vice Chair who is a Senate member from a Division other than that of the incoming Chair, to assume office the following September. The Academic Council submits a nomination. Further nominations may be made by the Assembly members from the floor, and on written petition by twenty-five Senate members. The Vice Chair also serves as Vice Chair of the Academic Council. The following year the Vice Chair becomes Chair of the Assembly and the Academic Council. Neither the Chair nor the Vice Chair may serve as a Divisional Representative. (Am 3 Dec 80; Am 28 May 2003; Am 12 May 2004)
2. Vacancies. If the office of Chair is vacant, the Vice Chair becomes Chair. If the office of Vice Chair is vacant, or if both offices are vacant, the Academic Council shall make *pro tempore* appointments until the corresponding offices are filled by election at the next Assembly meeting. Such elections shall be for the remainder of current terms.
3. Duties
  - a. The Chair, or in the absence or disability of the Chair, the Vice Chair, shall preside at meetings of the Assembly. The Chair may present to any Division or Senate committee any matter within its jurisdiction.
  - b. Prior to July first each year the Chair of the Assembly, in consultation with the President of the Senate and the Academic Council, shall schedule at least three regular meetings of the Assembly for the ensuing academic year. With majority approval by the Academic Council, the Chair may cancel a regular meeting, but there must be at least one regular meeting in each academic year.
  - c. Special meetings may be called by the President of the Senate or by the Chair of the Assembly. Such meetings must be called by the Chair, or where appropriate by the Vice Chair, on the written request of a Division, of twenty-five voting members of the Academic Senate, or of seven members of the Assembly. The Academic Council may cancel a special meeting requested by a Division if the Division so asks. (Am 12 May 2004)
  - d. With the concurrence of a majority of the Academic Council an emergency meeting of the Assembly may be called by the Chair of the Assembly, or in the Chair's absence or disability, by the Vice Chair.
  - e. The Chair, in consultation with the Academic Council, shall set the agenda for every Assembly meeting in accordance with the provisions of [Bylaw 120.C](#). On the written request of a Division, of fifteen voting members of the Academic Senate, or of four members of the Assembly, the Chair shall include in the agenda any item of business within the authority of the Assembly.
  - f. The Chair shall send Memorials to the President for transmission to the Regents, in accordance with the provisions of [Bylaw 90](#).

- g. The Chair and Vice Chair shall serve, respectively, *ex officio* as Chair and Vice Chair of the Academic Council [see [Bylaw 125.A](#)]. Both the Chair and the Vice Chair shall serve as *ex officio* members of the, the University Committee on Committees [see [Bylaw 150.A](#)], and as non-voting *ex officio* members of all committees of the Assembly except for the Committee on Rules and Jurisdiction [see [Bylaw 205.A](#)]. (Am 28 May 2003)
- h. The Chair receives petitions of students or other materials for presentation to the Assembly and may refer them to an appropriate committee. (En 12 May 2004)

## **PROPOSED LANGUAGE**

### **Senate Bylaw 110.A.4 Removal**

The Chair or Vice Chair may be impeached by actions of the Assembly or Academic Council. In any emergency, regular, or special meeting of the Assembly or Academic Council, any member may move to impeach the Chair or Vice Chair. The motion must include a list of reasons for removing the person from office. The officer who is not the subject of the impeachment motion shall preside during the discussion. The motion requires a majority vote to pass. If the motion carries, the impeached officer is immediately suspended from office and relieved from all Senate duties and responsibilities. The impeached officer is no longer empowered to represent the Senate in any way. At the next emergency, regular, or special meeting of the Assembly, any member may move to remove the impeached officer from office permanently. The impeached officer shall be given time for rebuttal arguments. The motion requires a two-thirds vote to pass. If no motion for removal is made or if it fails to pass, the suspension of the impeached officer will end and the person will return to office with all its duties and responsibilities.

**II. BUSINESS STATED IN THIS CALL (Continued)**

- 2. Proposed vote of “no confidence” in the current Chair of the Academic Assembly/Council to be communicated to the Regents of the University of California (discussion/action)**
- 3. Proposed removal of the Chair of Academic Assembly/Council (discussion/action)**

*Documents pertinent to items 2 and 3 are confidential personnel documents. These materials will be distributed in confidence and distribution will be limited to members and attending alternate members of the Assembly of the Academic Senate. The Assembly will decide whether to discuss and act on these items in closed session.*

**III. OTHER MATTERS AS AUTHORIZED BY UNANIMOUS CONSENT OF THE VOTING MEMBERS PRESENT**