

**UNIVERSITY COMMITTEE ON RULES AND JURISDICTION (UCRJ)
ANNUAL REPORT 2021-22**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

Pursuant to [Senate Bylaw 205](#), the University Committee on Rules and Jurisdiction (UCRJ) is responsible for:

- examining and supervising all changes and additions, both substantive and editorial, in the Senate Bylaws and Regulations;
- examining all Divisional legislation that affects the systemwide Bylaws and Regulations;
- preparing and reporting to the Assembly or to any of the Divisions such changes and additions to the Bylaws and Regulations as may seem to it advisable; and
- making editorial and conforming non-substantive changes in the Bylaws and Regulations with regard to numbering, headings, cross-references, organizational titles, details of style, and similar items.

Pursuant to Senate Bylaw 206, UCR&J shall respond to informal requests from Senate members for information concerning the *Code of the Academic Senate*, and shall file with the Secretary/Parliamentarian of the Senate, and summarize in its annual committee report, all correspondence containing committee response to such requests. UCRJ conducted business over email in academic year 2021-22, and its major actions are reported below.

Advice to Divisions and Committees

Advice to UCOC

UCRJ provided advice to UCOC concerning the interpretation of Senate Bylaw 128.H. UCRJ advised that the prohibition articulated in the Bylaw – “Members holding an administrative position higher than department chair may not serve as members of Assembly committees” – should apply in the case of a Senate member who holds a part-time appointment as an Associate Dean. UCRJ noted that an Associate Dean is expressly recognized in APM 241-4 as an administrative position, and the position is understood to be “higher than department chair.”

Advice to UCSF Rules and Jurisdiction

UCRJ provided advice to the UCSF Committee on Rules and Jurisdiction in response to its question about whether a faculty member can hold Academic Senate membership in two separate divisions concurrently. UCRJ advised that Senate membership is set down in Standing Order 105.1 of the Board of Regents. The Standing Order does not explicitly exclude concurrent membership, and implicitly sanction concurrent membership.

Advice on UCB School of Public Health Bylaws & Senate Bylaw 55

The chair of the UC Berkeley School of Public Health (SPH) requested advice regarding a potential change to the SPH bylaws related to non-Senate participation in new Senate faculty appointment cases. UCRJ advised that Bylaw 55.B restricts voting on such appointments to active Senate members, but does not prohibit the solicitation and collection of non-Senate advisory votes as long

as the mechanism is approved by the Senate members of the unit and the opinions are tabulated and submitted to the Committee on Academic Personnel separately from the Senate member vote.

UCR Requests for Informal and Formal Opinion

The Vice Provost for Administrative Resolution at UCR requested an informal opinion (May 2022) and then a formal ruling (July 2020) about the appropriate approach to dealing with an alleged violation of the Faculty Code of Conduct by an individual who retired with Emeritus status at another UC campus who was recalled to active service at UCR. UCRJ advised that a Legislative Ruling on the issue was not needed, but that the administration of the campus where the alleged misconduct took place would be the appropriate one to investigate the offense. UCRJ noted that the accused Senate member should usually be expected to have the right of a hearing by the Divisional Committee on Privilege and Tenure of the campus where the misconduct is alleged to have taken place, and where they are currently employed.

Advice to UCAP

Chair Dickson met with the University Committee on Academic Personnel (UCAP) to discuss UCAP's questions about the role of Teaching Professors/Lecturers with Security of Employment on divisional CAPs.

Evaluation of Proposed Bylaw and Regulation Changes

UCRJ confirmed the following Bylaw and Regulation changes put before the Assembly, as consistent with the Code of the Academic Senate:

- UCRJ reviewed a revision to Senate Regulation 478.B proposed by BOARS and advised about potentially ambiguous language in the proposed regulation.

Legislative Ruling

None

Variance

None

Respectfully submitted,

Andrew Dickson, Chair (UCSD)
James Steintrager, Member At Large (UCI)\
Mijung Park, Member At Large (UCSF)
J. Keith Gillless, Ex Officio, Divisional R&J Chair (UCB)
Katie Ford, Ex Officio, Divisional R&J Chair (UCR)
UCRJ Staff: Michael LaBriola, Principal Analyst