

**UNIVERSITY COMMITTEE ON RULES AND JURISDICTION (UCRJ)
ANNUAL REPORT 2022-23**

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 to the Senate bylaws and regulations, both substantive and editorial
- 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 about numbering, headings, cross-references, organizational titles, details of style, and similar items

Pursuant to Senate Bylaw 206, UCRJ responds 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. In academic year 2022-23, UCRJ conducted most of its business over email. Its major actions are reported below.

LEGISLATIVE RULINGS

Legislative Ruling on Virtual Privilege and Tenure Hearings

UCRJ issued Legislative Ruling 11.22 in response to a request from the chair of the UCLA Committee on Rules and Jurisdiction for a ruling regarding whether virtual participation in a Privilege and Tenure disciplinary hearing would preserve due process rights for both the grievant and the accused pursuant to Senate [Bylaw 335.D.3](#) and [Bylaw 336.F.3](#). UCRJ issued the ruling after conferring with the Academic Council per [Senate Bylaw 206.A](#):

“Virtual participation is an accepted way for individual participants in a Privilege and Tenure hearing to be “present” at a hearing pursuant to Senate Bylaw 335 and 336. “Presence” is understood to include the possibility of a fully remote hearing (all participants joining using videoconferencing technology) or a hybrid hearing (some participants joining with videoconferencing technology and some in-person), in addition to a fully in-person hearing. Senate divisions are not precluded from promoting and maintaining a stricter definition of “presence” in their division.”

ADVICE TO ACADEMIC SENATE CHAIR

Use of Chat in Virtual Academic Senate Meetings

Chair Cochran asked UCRJ for advice about how virtual (Zoom) Senate committee meetings should be run in accordance with parliamentary procedures, and specifically how to treat Zoom chat conversations within the normative meeting rules and parliamentary procedures. UCRJ responded with a set of best practice recommendations around the use of chat in virtual meetings of Senate committees. The Academic Council [endorsed](#) the recommendations and circulated them to the Senate divisions.

Bylaw 128.B

Chair Cochran asked UCRJ to clarify whether Senate Bylaw 128.B makes UCSF faculty ineligible to serve as the chair or vice chair of BOARS or another systemwide committee with no divisional UCSF counterpart. UCRJ responded that Senate members of the UCSF division are ineligible to serve as the BOARS chair or vice chair except if the member has history of service on a corresponding divisional committee in another division. Moreover, no provision exists for granting an exception to this rule.

Authority of Academic Council

Chair Cochran asked UCRJ to provide advice about the authority of the Academic Council to overturn a committee decision. UCRJ noted that the Council lacks the jurisdiction to overturn a committee decision and its authority and duties relate almost entirely to its executive function within the Assembly. In contrast, the authority of the Assembly is comprehensive. The Assembly has authority to take up any systemwide committee recommendation, amend it, or set it aside. The Council does not possess the executive power to act as a substitute for the Assembly. Instead, the Council should focus on assisting the Assembly in their deliberations, allowing for a more efficient and effective decision-making process.

ADVICE TO DIVISIONS AND COMMITTEES

Advice to UCSD on Senate Regulation 780

UCRJ responded to a request from the UCSD Senate division to clarify if the systemwide grading option deadline described in [Senate Regulation 780](#) could be changed by individual Senate divisions without systemwide approval. UCRJ opined that no clarifying amendment to Regulation 780 was needed and that Senate Regulations 778.A and 778.B grant broad authority to divisions to determine how letter grades and Pass/No Pass grades are applied on their campus. The systemwide regulations establish foundational language about grading policy and leave many details about policies to divisional decisions. If a provision is not specifically addressed in the systemwide regulation, it is assumed to be devolved to the division.

Parliamentary Authority

In response to a question from the UCLA R&J chair, UCRJ recommended that the Assembly revise its 2004 policy adopting the 2004 edition of the *Standard Code of Parliamentary Procedures* (Sturgis) for all rules of order in matters that are not covered by Senate legislation except the Division of a Question, to account for the 2012 version of the *American Institute of Parliamentarians Standard Code of Parliamentary Procedure* (AIPSC), an update to Sturgis, which remains the latest edition.

UCRJ also recommended that the Assembly eliminate the carve-out for the Division of a Question and adopt the AIPSC rules to maintain consistency with other parts of the AIPSC that vest authority in the chair and to reduce the number of votes on the technical details of running the meeting. The Assembly approved these changes at its April meeting.

Advice to UCSC R&J Chair

UCRJ advised the chair of the UCSC Committee on Rules and Jurisdiction about a potential conflict of interest in a disciplinary hearing.

Advice to UCAP

UCRJ advised the University Committee on Academic Personnel about the language of a proposed revision to Senate Bylaw 55 the committee was proposing that would grant Lecturers with Security of Employment LSOEs full departmental voting rights and change the systemwide series title to “Teaching Professor.”

Advice to UCOPE

UCRJ advised the University Committee on Preparatory Education (UCOPE) about a set of proposed revisions to Senate Bylaw 192 governing the charge of that committee.

EVALUATION OF PROPOSED CHANGES TO SENATE BYLAWS AND REGULATIONS

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

- Amendments to Senate Regulations 479 (Cal-GETC)
- Amendments to Senate Bylaw 182 (International Education)
- Amendments to Senate Regulations 419, 428, 440, 450, 452, 464, 465 and new 467 (Undergraduate Admission)
- Amendments to Senate Regulation 636 (Entry Level Writing Requirement)
- Revisions to Senate Bylaw 120.D.6 (Parliamentary Authority)
- Revisions to Senate Regulation 610 and 630 New Senate Regulation 479 (Cal-GETC)

SYSTEMWIDE REVIEWS

- UCRJ submitted comments advising about potentially ambiguous language in a proposed revision to APM 210 adding language concerning the consideration of mentoring in the criteria for appointment, promotion, and appraisal for several academic employment series.
- UCRJ submitted comments about the proposed UC Presidential Policy on Anti-Discrimination.

VARIANCES

None

Respectfully submitted,

Mijung Park, Chair (UCSF)
Jason Nielsen, Member At Large (UCSC)
Karen Messer, Member At Large (UCSD)
J. Keith Gilles, Ex Officio, Divisional R&J Chair (UCB)
Katie Ford, Ex Officio, Divisional R&J Chair (UCR)

UCRJ Staff: Michael LaBriola, Assistant Director