

UNIVERSITY COMMITTEE ON RULES AND JURISDICTION
Annual Report, 1999-2000

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

During the 1999-2000 academic year, the University Committee on Rules & Jurisdiction (UCR&J) continued to work via e-mail, an efficient method for conducting the majority of the business brought before this committee.

The 1999-2000 UCR&J received and responded to the following requests:

Legislative Ruling 10.99. The UCSF R&J Chair requested that UCR&J review issues surrounding a challenge to the election rules for the Faculty Representative to the UCSF Stanford Health Care Board of Director. In accordance with SB 206.A, UCR&J's interpretation of the Senate Code in response to UCSF's formal request was issued in the form of a Legislative Ruling: It is permissible for either the Assembly or a Division to exclude some Senate members from serving in some Senate offices by virtue of their holding certain administrative appointments. Any such exclusion must be set forth in the bylaw that establishes the office. On October 6, 1999, the Academic Council concurred with UCR&J's proposed ruling.

Legislative Ruling 11.99. Council Chair Coleman requested a legislative ruling from UCR&J regarding SR 424.B.2.b. Although last year's Academic Assembly approved a number of modifications to SR 424 dealing with undergraduate eligibility and admissions standards, the Regents approved all the changes in the modified SR 424, with the exception of the changes in the language on honor courses. Therefore, the revised SR 424.B.2.b., which sets forth the amount of grade-point credit that UC will grant for honors level courses, could not be put into effect.

UCR&J issued the following ruling. Legislation enacted by the Assembly that is subject to Regental approval shall take effect and be incorporated into the Manual of the Academic Senate as of the date of the action by the Assembly or approval by the Regents, whichever comes later, provided however that any later date contained within the legislation for implementation of any or all of its provisions shall remain in effect. If the Regents fail to approve any such legislative action by the Assembly or adopt policy at variance in whole or in part with any legislative action of the Assembly, that legislation, including all provisions adopted by the same vote, shall be considered of no effect, and any previous legislation shall remain in force, until such time as the Assembly has taken further legislative action on the matters in question.

Given this, the Academic Council voted to resubmit to the Assembly the changes to SR 424 approved by the Assembly last year that do not touch on SR 424.B.2.b.

Amendment to SBL 55.E. The UCSD Chair of the Divisional R&J Committee recommended that SBL 55.E. be amended because a proposed administrative

reorganization on campus was found to be inconsistent with the present language of SBL 55. Upon discussion, however, the majority of UCR&J found that the proposed reorganization would be permitted under SBL 55.E, as “administrative officers” refers to the Chancellor or the Officer to whom the Chancellor may have delegated authority for academic personnel actions in accordance with the provisions of SOR 104.c and 100.6.a.

Amended Language to SB 116.B. In September 1999, the Academic Senate Task Force on UC Merced asked UCR&J if the Assembly of the Academic Senate was authorized, in the absence of a Division of the Academic Senate, to approve courses and curricular offerings for credit. UCR&J ruled that the Senate Task force on UC Merced is capable of taking on the responsibility of approving courses and curricula for the new UC campus before the establishment of the Merced Division. But, before the Task Force can be granted this authority, the Universitywide Assembly needed to take two actions. The first item required Assembly approval of a two-part change to Senate Bylaw 116.B. The first part of the change would make explicit the authority the Assembly already has with respect to developing campuses such as UCM. The second part of the change would empower the Assembly to delegate its authority in this area to Special Committees (such as the Task force on UC Merced). The Academic Assembly at its meeting of October 20, 1999 unanimously approved the amended language to SB 116.B proposed by UCR&J, and a report forwarded to the Assembly.

[Is SBL 116 in its entirety meant to be “protected” in same way as SBL 115, subject to ratification by mail ballot for any proposed amendment? UCRJ believes that the provision of SBL 116.E, which defines “protection,” should itself be protected. This issue continues to be under consideration, and UCRJ will report to the Council Chair at a later time.]

Amendment to SR 900. Submitted to UCR&J by Council Chair Coleman, on behalf of UCEP, UCR&J determined that the proposed amendment to SR 900 is consonant with the Code of the Senate (with the exception of a typographical error). The purpose of the amendment is to delegate to the Divisions the right to require students to complete units in a timely fashion. It is the responsibility of the divisions to provide such exception mechanisms as they see fit to permit less enrollment than is required by whatever regulations they should enact. The amendment is written to permit a regulation that will hold a student to 15 or fewer units per term calculated as an average over the terms of enrollment at UC. The method for counting summer session is left to the Divisions. The Assembly must approve divisional variances from this regulation.

Variance to SR 810.A. UCR&J was asked to consider, and did not object to the approval of, a request from UC Riverside that the Senate give approval to a divisional regulation in variance to SR 810.A. The proposal would allow Extension students utilizing XRC (concurrent enrollment) to enroll in regular session UCR courses to receive not only unit credit but also grade-point credit—should they continue/be admitted to regular student status.

Requests for Informal Rulings:

- ***Petition for Special Meeting.*** UCR&J provided an informal ruling at the request of the UCSC Divisional R&J Committee. UCR&J agrees with the Divisional Committee that Senate members can, by petition, call a special Meeting for any legitimate business of the Academic Senate.
- ***Implementing procedures for SR 772, governing final examinations.*** UCR&J reviewed UCB's Committee on Courses of Instruction's proposed procedures to honor final examination requirements, yet also provide flexibility for alternative examination methods. UCR&J found no problem with the Berkeley campus's proposed procedure.
- ***Senate election process.*** UCR&J reviewed a request about extending the nomination process in Senate elections. If there should be too few nominees for the number of openings in the election, should the nomination process be extended for all positions, or just for those with too few nominees? UCR&J stated that, in the absence of any bylaw specifically covering the matter, fairness dictates that the nominating period be extended for all positions.

Requests for Interpretation:

The Academic Council office received requests for changes to diploma notations, one for graduate degree programs ("Ph.D. in X with Emphasis in Y") and the other for undergraduate degree programs (recommended diploma notation: "Bachelor of Arts, with a Major in Art Studio, with a Minor in Accounting"), from two separate campuses. For the graduate degree program, UCR&J stated that whatever appears on the diploma is subject to approval by the "Assembly or its agent" (SR 730), which in this case turned out to first require CCGA approval because it is a graduate degree (SB 116.C and 180B.5) prior to approval by the President (SOR 110.1). For the undergraduate degree diploma notation, UCR&J stated that the Assembly, under SOR 110.3a and SR 730 should approve the request.

Requests for Informal Interpretation:

- To a request for an informal interpretation of the requirements of SR 510, UCR&J stated that a Masters degree can be considered to be "equivalent or better than" the undergraduate degree, for purposes of admission into a graduate degree program.
- Should the AB and BA diplomas be written in English? UCR&J informally responded that there does not currently appear to be any requirement that diplomas be written in English. Apparently at one time there was such a requirement, but it was repealed on 10/1/1953. Accordingly, it appears to be proper to refer to the Bachelor of Arts degree in Latin (AB) or in English (BA).
- Can invalid ballots be counted for informational purposes only? *Robert's Rules of Order (9th edition)* holds that illegal ballots submitted by legal voters are taken into account for purposes of computing the majority. Therefore, UCR&J concluded that invalid votes may be counted for informational purposes.
- Is a proposal allowing a divisional Committee on Committees to fill its own vacancies until the end of the term consonant with the Code of the Academic Senate? UCR&J believes that vacancies should be filled by special election. The proposal

could be made consonant with the Manual by including necessary changes in conflicting bylaws.

- A divisional mail ballot went out in a different form than it was voted on and passed at the Divisional Senate meeting. UCR&J concluded that the changes were substantive, and that the ballot should be voided and a new ballot sent together with an explanation.

Editorial Changes to SB 116.C and SB 180.B.5. Editorial changes to SB 116.C and SB 180.B.5 were proposed by UCR&J so as to conform to changes made to the Standing Orders of the Regents 110.1, which delegated authority of approval of new graduate degrees to the President. In accordance with SB 205.B.4, these changes were published in the May 24, 2000 Assembly Call.

The committee and especially the chair thank Jeannene Whalen for her exceptional support from the Academic Council Office.

Respectfully submitted,

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John Greenspan, UCSF
Alden Mosshammer, UCSD
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Kevin Hoover, UCD