Committee on Rules, Jurisdiction and Elections
Annual Report 2018-19

To the Faculty Legislature, Santa Barbara Division:

The Committee on Rules, Jurisdiction and Elections (RJE) provides clarification and interpretation of Senate legislation and Divisional procedures. It also exercises formal supervision over Senate elections and proposed modifications to the Senate manual, prior to action by the Faculty Legislature. Business is generally conducted via email. The committee and Senate Faculty staff processed the following proposals during 2018-19.

Proposed Revision of Presidential Policy on Sexual Violence and Sexual Harassment
RJE reviewed proposed revisions to the Presidential Policy on Sexual Violence and Sexual Harassment. RJE sent forward comments that questioned if body parts contacted must always be “intimate” in order to be in violation, and that referenced issues of “academic merit or academic freedom” and “appropriate academic officer” seemed vague.

Graduate Student Association Representation on Senate Councils and Committees
RJE was asked to consider whether Graduate Student Association representatives should be allowed to serve on more than one Senate council, committee or subcommittee, as the current GSA Bylaws state. Academic Senate practice is to not allow faculty to serve on more than one council or committee at a given time.

After several rounds of discussion, RJE recommended that the GSA should be allowed to continue with its practice of having a GSA officer be a representative on more than one council or committee. RJE also recommended that the GSA Bylaws be revised to accurately reflect all council and committee representation requirements as stated in the Senate Guidelines for Student Representation on Academic Senate Councils and Committees. RJE did indicate that the GSA should consider broader student representation.

Systemwide Review of Proposed Revisions to Bylaw 336
RJE was asked to review proposed revisions to Senate Bylaw 336, pertaining to Privilege and Tenure disciplinary cases. RJE sent forward a concern that the shortened timelines will cause fewer cases to go to mediation and push more to the full disciplinary process.

Revision of Divisional Regulation 25 in response to concerns raised by the Office for Civil Rights
RJE reviewed the revision of SB Regulation 25 and Appendix V, pertaining to student grade appeals. RJE supported the proposed changes, but noted an ambiguity in Section C regarding what “unavailing” means. RJE suggested that when Appendix V undergoes further clarification, “unavailing” is better defined. The Faculty Legislature approved the proposed changes to Appendix V at its meeting of March 21, 2019.

Proposed Revision of SB Regulation 125H3
RJE reviewed proposed revisions to Santa Barbara Regulation 125H3, as well as corresponding revisions to SB Regulation 115E, regarding calculation of major GPA. After consideration of the proposal, RJE noted ambiguities around which major program GPA the revisions were actually referring to, and how electives factor into the major GPA. RJE sent these concerns and some sample revised language back to the initiators for clarification.
RJE received a response from the initiators explaining, in more detail, how major GPA calculation works. In its final response, RJE still noted that there was not clear language regarding what courses constitute which GPAs. While supportive of the revisions, RJE recommended further discussions. The Faculty Legislature approved the proposal changes to SB Regulation 125H3 and SB Regulation 115E at its meeting of April 18, 2019.

**Proposal to Establish a Committee on Information Technology within CRIR**

RJE reviewed a proposal from the Chair of the Academic Senate Council on Research and Instructional Resources (CRIR) to establish a Committee on Information Technology, to be a standing committee of CRIR that would focus on computing, cyber security, and information technology issues. RJE supported the creation of the Committee. The Faculty Legislature approved the establishment of the Committee on Information Technology at its meeting of March 21, 2019.

**Proposed Revisions to Systemwide Regulation 636.E – UC Entry Level Writing Requirement**

RJE was asked to review revisions to Senate Regulation 636.E, governing the UC Entry Level Writing Requirement (ELWR). The revision would change how a student already enrolled at a UC campus could subsequently complete the ELWR if they left that campus. RJE approved of the language, and sent forward a comment that the phrase “by petition” be added to the Regulation changes, to indicate the process by which students could have credit granted.

**Student Conduct-Degree Clearance Proposal**

RJE reviewed proposed revisions to various Senate Regulations, to add the language “the candidate shall be in compliance with Student Code of Conduct”, in order for conferral of a student’s degree. Overall, RJE supported this change. However, a subtle question arose regarding an example provided in which there was an allegation but no investigation - was the student technically in violation of the Student Code of Conduct? Would the recommended change apply here? RJE questioned whether the Student Code Violation text presumes innocence until proven guilty, or if an accusation or allegation before an investigation is sufficient to categorize a student as in violation of the Student Code, and thus trigger the withholding of graduation? If so, RJE thought there could be a more explicit statement in the proposed change reflecting those violations of student conduct code before graduation. If not, then the recommendation should refer to the Student Code of Conduct as to what is the minimum sufficient threshold of a violation.

RJE sent forward its comments, and indicated that once all reviewing agency comments were submitted, the proposal would need to be referred back for RJE review of the proposed Regulation changes.

**Proposed Changes to SB Regulation 235**

RJE reviewed proposed changes to Santa Barbara Regulation 235 pertaining to quarterly honors and the use of “Incomplete” grades. RJE found the revisions sound and offered its approval. The Faculty Legislature approved the proposed changes at its meeting of June 6, 2019.

**Fossil Fuel Memorial Vote**

In June, RJE certified the UCSB Division vote on the Fossil Fuels Memorial to the Regents. Senate members were asked to vote on whether “The U.C. Academic Senate petitions the Regents to divest the University’s endowment portfolio of all investments in the 200 publicly traded fossil fuel companies with the largest carbon reserves.” A memo was sent from RJE Chair Rice to Andrew Dickson, Secretary/Parliamentarian of the Assembly of the Academic Senate, reporting that the UCSB Division
voted, via electronic ballot, 284 in favor, 79 against (out of 1,302 eligible voters).

2018-19 Divisional Election
In consultation with RJE, the Academic Senate Office conducted its annual nomination process in an effort to seek candidates for the election of three Senate Assembly Representatives, and three members of the Committee on Committees.

Senate Assembly Representatives
A total of seven faculty members were nominated for the position of Senate Assembly Representative; three nominations were declined and one was not eligible to serve. As there were three open positions, a ballot was not conducted. Charles Akemann, of Mathematics; Claudio Fugu, of French and Italian; and Nuha Khoury, of History and Art and Architecture, received the requisite number of endorsements and were appointed to serve as Senate Assembly Representatives.

Committee on Committees
A total of ten faculty members were nominated to serve on the Committee on Committees; six candidates declined to accept. Four candidates were nominated, accepted the nomination, and received the requisite number of endorsements:

A total of three candidates were nominated for Area C: College of Letters and Science Humanities and Fine Arts Division and College of Creative Studies. As there were three nominees for one available position, a ballot was conducted, with the following results:

Silvia Bermudez (Spanish and Portuguese) – 16.67% (14 votes)
Constance Penley (Film and Media Studies) – 30.95% (26 votes)
Ann Plane (History) – 50.00% (42 votes)
Abstain – 2.38% (2 votes)
Total Votes – 84 (22.22%) of 378 eligible voters

Ann Plane received the most votes for Area C: College of Letters and Science Humanities and Fine Arts Division and College of Creative Studies.

The following candidate accepted nomination and received the requisite number of endorsements.

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<th>Lisa Hajjar, Sociology</th>
<th>Area B: College of Letters and Science Social Sciences Division and Gevirtz Graduate School of Education</th>
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As there were no faculty nominations for the position in Area A (College of Letters and Science Mathematical, Life and Physical Sciences Division, and Donald Bren School of Environmental Science and Management), this position was filled by an appointment by the Committee on Committees.
RJE Members, 2018 – 19
Ronald E. Rice, Chair                   Professor, Communication
Charles Akemann, Parliamentarian       Professor, Mathematics
Simonetta Falasca-Zamponi              Professor, Sociology
Gary Horowitz                         Professor, Physics
Paul M. Leonardi                      Professor, Technology Management Program
Ross Melnick                          Associate Professor, Film & Media Studies
Kelly Erland Rivera                  Advisor