To the Faculty Legislature, Santa Barbara Division:

During the past year, the Committee on Rules, Jurisdiction and Elections (RJ&E) conducted most of its business via email. A meeting was convened in May 2008 for the purpose of discussing a discrepancy between Divisional Bylaw 35 and Divisional Ruling D1.93A. The election process and this year’s results were also briefly discussed during that meeting.

Revision of Divisional Ruling D1.93A

On January 17, 2008, the Faculty Legislature approved proposed changes to the bylaws of the College of Engineering Executive Committee, with the provision that the Dean, as an _ex officio_ member of the committee, would be a non-voting member. This distinction was added in response to the discovery of a ruling passed in 1993 by a former Committee on Rules and Jurisdiction (R&J), which states that "the dean is a voting member." This statement is in contradiction to Divisional Bylaw 35, which states “Except as otherwise provided in these Bylaws, councils and committees may be constituted of any combination of ex officio, elected, or appointed members. Ex officio members may not vote but otherwise exercise the same powers as other members, unless limitations are imposed when the committee is established.” Since the bylaw clearly supersedes the ruling in question, the current RJ&E sought an explanation for the discrepancy by contacting the only two members of the former R&J who are still employed at UCSB. Of the two, one had no recall of the ruling, and the other suggested that the ruling may have been worded in error.

Given that college executive committees are currently in the practice of allowing ex-officio members to vote, RJ&E met in May 2008 to consider what action should be taken. The Committee agreed that the miscommunication of 1993 should be corrected and reaffirmed Bylaw 35 as a clear directive that _ex officio_ members of executive committees, such as college deans, are non-voting. A memo to that effect was sent to Senate Chair Michaelsen on May 22, 2008.

RJ&E notes that this ruling has general application to all executive committees of colleges and schools at UCSB. The Committee further notes that its role is to provide rulings on matters of interpretation of Academic Senate Bylaws and policies and not to recommend what ought to be included therein.

Academic Senate Elections

On January 23, RJ&E Chair Gayle Binion notified Senate Faculty regarding open positions within the Academic Senate and directed members to the website designated for nomination and endorsement of candidates. During the May 1 Faculty Legislature meeting, Chair Binion reported that the only nomination that was both accepted by the candidate and endorsed by the requisite number of Senate members was the nomination for Joel Michaelsen for Divisional Chair. A single ballot was therefore cast for this position, and Joel Michaelsen was elected to serve a second term.

Although fourteen nominations were submitted for open positions on the Committee on Committees (COC), none of these could be acted upon. Nominations were therefore requested from the floor. However, since none were put forward, the four open positions were to be filled by COC.

While preparing for the Legislature’s meeting, mild confusion arose regarding certain aspects of the election process. RJ&E later agreed that the existing language of Bylaw 195 should be examined during the coming year to determine whether the text might be revised to provide enhanced clarity.
Undergraduate Council Ruling

On July 1, 2008, the Undergraduate Council (UgC) submitted a request that the following text be added to the Senate Manual under Appendix III: Policy Rulings by the Undergraduate Council and the Former Committee on Undergraduate Courses.

All undergraduate upper-division courses must have one or more prerequisites. Prerequisites may include preparatory courses (with or without grade limitations), consent of instructor or department, class level restrictions, major limitations, or test scores, all of which can be enforced by the UCSB registration system (i.e., GOLD).

Some RJ&E members responded to this request with concern about the relative lack of rigor that had been proposed for defining a course as upper-division. UgC responded by clarifying that its aim was not to come up with a strict definition of upper-division, but to establish a minimum standard for courses designated as such. UgC’s standing Committee on Undergraduate Academic Programs and Policy (CUAPP), which has delegated authority over courses, considers several types of information, including the course description, methods of instruction, and number of contact hours, when evaluating whether a course appears to fall within the range it associates with the term “upper-division.” The ruling was written with the intention of extending wide latitude to departments for defining appropriate “bars” within their respective disciplines.

Although there has been no official policy, CUAPP has for several years been asking departments to provide some form of prerequisite or enrollment restriction for their upper-division courses. Via addition of its ruling to the Senate Manual, UgC wishes to make it a matter of policy that this requirement be enforced.

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