



Committee on Rules and Jurisdiction

Annual Report 2004-2005

Joseph Wiemels, PhD
Chair

During the 2004-05 academic year, the Committee on Rules and Jurisdiction (R&J) met as a Committee on four occasions and augmented its work through the use of email communications as well. Jean Olson, Division Parliamentarian and Chair of the University Committee on Rules & Jurisdiction (UCRJ) reported on matters related to UCRJ.

The Committee reviewed several actions and requests for rulings during the 2004-2005 academic year:

1. Review of Proposed Document on Basic Parliamentary Procedures
2. Adoption of Proposed Appendix VIII to the Divisional Bylaws, Collates the Steps Required for Bylaw Amendments Stated in Various Sections of the Bylaws Into a Single Procedure; and Review of Proposed Changes to Divisional Bylaw 35 Inserting a Reference to the Proposed Appendix VIII.
3. Adoption of Proposed Changes to Divisional Bylaw 5(A) to Identify the Standard Code of Parliamentary Procedure to be Relied Upon by the Academic Senate.
4. Adoption of Proposed Changes to Divisional Bylaw 105, Intended to Clarify the Authority And Responsibility of the Committee on Committees Related to the Appointment and Removal of UCSF Faculty to Senate Committees.
5. Adoption of Proposed Changes to Divisional Bylaws 17 and 20, Making the Parliamentarian a Non-Voting Ex Officio Member Rather Than a Voting Member of the Committee on Rules and Jurisdiction.
6. Review of Proposed Changes to Divisional Bylaw 135(B), Removing the Requirement for Confirmation by the Division When Selecting Certain Lecturers and Aligning the Bylaws with Current Practice.
7. Review of Proposed Changes to Divisional Bylaw 112(A) Allowing Expansion of the Membership on Committee on Academic Planning and Budget.
8. Review of Proposed Changes to Divisional to Bylaw 110(A) Increasing the Membership of the Committee on Academic Personnel.
9. Review of School of Medicine Bylaw Amendments
10. Ruling on the Precedence of the UCSF Faculty Vote Regarding Acceptance of Funding From the Tobacco Industry (December 2002)
11. Ruling on the Possible Conflict of the Recommendations of the Academic Senate Task Force on Faculty Recruitment, Retention, and Promotion (December 2003) with the Academic Personnel Manual (Specifically Concerning the Waiver of Searches)

Review of Proposed Document on Basic Parliamentary Procedures

The Committee reviewed a document drafted by Chair Wiemels and Parliamentarian J. Olson which provided clarification of basic parliamentary procedures regularly used in Senate Committees to conduct business ([Appendix 1](#)). During the annual Academic Senate Leadership Retreat, participants discussed the benefit of drafting such a letter describing the basic rules of Sturgis parliamentary procedure (the authority adopted by the UCSF Academic Senate) and including such a document as part of the training provided to the Senate Leadership Core.

The letter produced by J. Wiemels and J. Olsen included clarifications of these basic parliamentary procedure regularly used in Senate Committees to conduct business: issues of quorum, voting by electronic mail, conflicts of interest, and the use of the Listserv e-mail system. The Committee on Rules and Jurisdiction reviewed approved the document unanimously September 21, 2004.

Adoption of Proposed Division Bylaw Appendix VIII Change to Divisional Bylaw 35

The Committee adopted the proposed Divisional Bylaw Appendix VIII which collate the required steps for amending bylaws described in various sections of the bylaws into a single procedure. Bylaw 35 was changed to include a reference to this Appendix. The bylaw changes were approved by the Division and sent to UCRJ for standard technical review. ([Appendix 2](#))

Adoption of Proposed Changes to Divisional Bylaw 5(A)

The Committee adopted the proposed changes to Divisional Bylaw 5(A) to formally identify Sturgis as the Standard Code of Parliamentary Procedure adopted by the UCSF Academic Senate. The bylaw changes were approved by the Division and sent to UCRJ for standard technical review. ([Appendix 2](#))

Adoption of Proposed Changes to Divisional Bylaw 105

The Committee adopted the proposed changes to Divisional Bylaw 105, intended to clarify the authority and responsibility of the Committee on Committees related to the appointment and removal of UCSF faculty to Senate committees. The bylaw changes were approved by the Division and sent to UCRJ for standard technical review. ([Appendix 2](#))

Adoption of Proposed Changes to Divisional Bylaw 17

The Committee adopted the proposed changes to Divisional Bylaw 17, making the Parliamentarian a non-voting ex officio member rather than a voting member of the Committee on Rules and Jurisdiction. This removes a potential conflict of interest in the event that the Parliamentarian has to render a decision on a matter that may be considered by R&J. The bylaw changes were approved by the Division and sent to UCRJ for standard technical review. ([Appendix 2](#))

Review of Proposed Changes to Divisional Bylaw 135(B)

The Committee reviewed the proposed changes to Divisional Bylaw 135(B) removing the requirement for confirmation by the Division when selecting certain lecturers. This amendment aligns the bylaws with current practice. The bylaw changes were approved by the Division and sent to UCRJ for standard technical review. ([Appendix 2](#))

Review of Proposed Changes to Divisional Bylaw 112(A)

The Committee on Rules and Jurisdiction reviewed the Committee on Academic Planning & Budget's (APB) proposed changes to UCSF Division Bylaw, Section 112(A) expanding the membership of APB. These bylaw changes were approved by the Division and sent to UCRJ for standard technical review. ([Appendix 2](#))

Review of Proposed Changes to Divisional Bylaw 110(A)

The Committee on Rules & Jurisdiction reviewed the Committee on Academic Personnel's (CAP) proposed changes to UCSF Division Bylaw, Section 110(A) which would increase membership in the Committee on Academic Personnel from seven to nine. These bylaw changes were approved by the Division and sent to UCRJ for standard technical review. ([Appendix 2](#)).

Review of School of Medicine Bylaw Amendments

The proposed amendments to the School of Medicine Bylaws were distributed to the members of R&J on September 21, 2004, and reviewed and discussed in detail in the November 16, 2004 meeting of the Committee. The Committee made suggestions for purposes of clarity and consistency. These suggestions were communicated back to the Chair of the School of Medicine Faculty Council January 5, 2005 ([Appendix 3](#)).

Ruling on the Precedence of the UCSF Faculty Vote Regarding Acceptance of Funding From the Tobacco Industry

The Committee on Rules and Jurisdiction was asked by a UCSF faculty member to make a ruling on the precedence of the December 10, 2002 vote of the faculty which was in favor of restricting funding from the tobacco industry versus the possible findings of the UCSF Task Force reviewing the University Committee on Research Planning (UCORP) Resolution regarding Restrictions on Research Funding Sources (July 21, 2004). The Committee recognized that the issue before the faculty during the 2002 vote is different from the opinion sought regarding the UCORP Resolution. It was the opinion of the Committee that should the Task Force Reviewing the UCORP Resolution Related to Restrictions on Research Funding Sources recommend to the Chair of the Academic Senate that the UCSF campus is in support of the Resolution, that recommendation would not be invalidated by the previous faculty vote in favor of funding restrictions in the case of tobacco.

The Committee drafted a communication to UCSF Academic Senate Chair Leonard Zegans clarifying that the Committee was NOT of the opinion that the findings of a task force may supersede a vote of the faculty rather that the report of the UCSF Task Force Reviewing the UCORP Resolution related to restrictions on research funding and the results of the 2002 faculty vote represent different findings of opinion on different, albeit related, matters. The Committee agreed to recommend that results from both the 2002 UCSF faculty vote on Tobacco Industry Funding and the recommendations of the Task Force reviewing the UCORP Resolution on Research Funding Sources should be presented to the Academic Council in the campus' response to the Resolution of the Academic Council Restrictions on Research Funding Sources ([Appendix 4](#)).

Ruling on the Possible Conflict of the Recommendations of the Academic Senate Task Force on Faculty Recruitment, Retention, and Promotion (December 2003) with the Academic Personnel Manual

On May 17, 2005, at the request of Division Chair Leonard Zegans, the Committee reviewed the Recommendations of the Academic Senate Task Force on Faculty Recruitment, Retention, and Promotion and the comments to this report from the School of Pharmacy Faculty Council. The Committee was asked to consider if the recommendation of a blanket waiver of a national search for change in series from the Adjunct or Clinical series (as per Task Force Recommendations section C.4., page 12) would violate or introduce inconsistencies with provisions in the Academic Personnel Manual (APM).

The Committee reviewed and discussed several sections of the APM, including 270-8, 270-16, and 275-8, and discussed various issues surrounding the implementation of such a waiver. The Committee members present reached consensus that such a waiver was not in conflict with the requirements or provisions of the APM and a summary of the discussion was circulated via e-mail along with a draft Communication to Chair Zegans from the Committee for comment and electronic approval by the entire Committee. The final version of this Communication was sent to UCSF Academic Senate Chair Zegans May 23, 2005 ([Appendix 5](#)).

Matters for Review/Consideration in 2005-06

1. Continued review of SOM bylaw revisions from the School of Medicine Faculty Council.
2. Respond to requests for clarification and interpretations on an as needed basis.
3. Propose and review bylaw amendments on an as needed basis.

Respectfully submitted,

Committee on Rules & Jurisdiction

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Jean Ann Seago, RN, PhD, Vice-Chair
Joe Guydish, Member
Karen Hauer, Member
Richard Jordan, Member
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APPENDICES

- [Appendix 1](#): Document on Basic Parliamentary Procedures (09/18/04)
- [Appendix 2](#): Proposed and Approved Divisional Bylaw Appendix VIII; Proposed and Approved Changes to Divisional Bylaws 35, 5(A), 105, 17 & 120, 135(B), 112(A), and 100(A)
- [Appendix 3](#): Communication from R&J to School of Medicine Faculty Council Regarding Proposed Changes to the School of Medicine Bylaws (01/05/05)
- [Appendix 4](#): Communication from R&J to Chair Zegans Regarding Requested Ruling on the Precedence of a Faculty Vote to the Findings of a Task Force (03/15/05)
- [Appendix 5](#): Recommendations of the Academic Senate Task Force on Faculty Recruitment, Retention, and Promotion; Comments to this report from the School of Pharmacy Faculty Council; Communication from R&J to Chair Zegans Regarding Ruling on the Possible Conflict of the Recommendations of the Academic Senate Task Force on Faculty Recruitment, Retention, and Promotion (December 2003) with the Academic Personnel Manual, Specifically Concerning the Waiver of Searches (05/23/05)
- [Appendix 5b](#) | [Appendix 5c](#)