

## PROPOSED REVISION OF DAVIS DIVISION BYLAW 28

### General Provisions

Submitted by the Committee on Elections, Rules and Jurisdiction

Endorsed by

This proposal would add a conflict of interest statement to the general committee provisions in Davis Division Bylaw 28.

#### Rationale.

The proposed language would require individual faculty members serving on divisional committees, task forces, and special committees to recuse themselves from participating in any decisions when serious conflicts of interest are present.

Proposed Revision: Davis Division Bylaw 28 shall be amended as follows. Deletions are indicated by ~~strikeout~~; additions are in **bold type**.

#### 28. General Provisions (Am. 6/1/2005)

- A. Committees of the Davis Division include the Representative Assembly, the Committee on Committees, regular standing committees (including the Committee on Academic Personnel, the Faculty Personnel Committees, and the Committee of Academic Personnel Advisers), joint standing committees, special committees, task-forces, and the Faculties of colleges and schools. (Am. 4/21/80; 1/27/81; 5/24/01; 06/09/05)
- B. All committees of the Davis Division shall report to the Representative Assembly of the Division and are subject to its jurisdiction on all matters of policy. All committees shall implement, within the limits of Senate authority, any policy or direction adopted by a majority vote of the Representative Assembly or the Division by ballot. (Am. 12/15/1967, 4/21/1980)
- C. No member of the Division holding an administrative title of Chancellor, Vice Chancellor, Provost, Vice Provost, Dean, Associate Dean or titles with equivalent levels of administrative responsibility may serve as a member of a divisional committee or as a representative of the Davis Division to any taskforce, committee, or agency (except in a non-voting, ex officio capacity.) These restrictions do not apply to chairs of academic departments or programs. (Am. 06/01/06)
- D. All written reports submitted by committees of the Davis Division to the Representative Assembly shall be posted on a World Wide Web site, the address of which is clearly indicated on the agenda for the meeting to which they are submitted and shall be simultaneously sent to Department Chairs of all academic units. (Am. 11/1/96; 10/20/97, 06/09/05)

- E. Only members of the Academic Senate may vote in divisional committees when those agencies or committees are taking final action on any matter for the Academic Senate, or giving advice to University officers or other non-Senate agencies in the name of the Davis Division. Persons other than Senate members may be given the right to vote on other questions, such as those that involve only recommendations to other Senate agencies, but only by explicit Bylaw provisions. Members of the Davis Division appointed or elected to represent the Division on joint committees, taskforces, or to other non-Senate agencies may not abridge the duties or powers of any standing committee or take a final action in the name of the Division unless by reference to, and with the advice and consent of, the relevant standing committee, the Representative Assembly, or the Division by ballot. (Am. 06/09/05;06/07/07)
- F. All legislation and other policy actions of committees shall be publicly archived in a manner prescribed by the Secretary with the advice and consent of the Executive Council. No legislation or policy shall become effective unless and until it is publicly archived. [See Davis Division Bylaw 200 for effective dates.] (Am. 06/09/05)
- G. All delegation of committee authority authorized by these Bylaws or by the Regulations of the Davis Division must be made in writing and is subject to review by the Division for consistency with the Code of The Senate. Such delegations shall be reviewed annually by the delegating committee. (En. 9/1/2012)
- H. Ex officio members of committees whose membership is based on their administrative titles may delegate their membership to a person who reports to that member. Such delegated membership confers a right to vote only if the delegated member is a member of the Academic Senate and is not prohibited from voting by paragraph C herein. A non-member of the Senate has a right to vote only as described in paragraph E herein. (En. 9/1/2012)
- I. Members of Academic Senate committees should always be cognizant of potential conflicts of interest that they may have, and in such cases as serious conflicts of interest are present should recuse themselves from participating in any decisions relating to the conflict of interest.**