



Davis Division Academic Senate

Request for Consultation Responses

Proposed Revisions to Senate Bylaw 336 (Round 2)

May 5, 2017

Distributed for a second Senate review are proposed revisions to Senate Bylaw 336, addressing procedures and timelines for Privilege and Tenure proceedings in discipline cases. The amendments are intended to align Bylaw 336 with the [revisions to APMs 015 and 016 approved by the Regents earlier this month](#), and to implement policy revisions recommended by the Administration-Senate Joint Committee on Investigation and Adjudication Processes for Sexual Harassment and Sexual Violence cases involving faculty, in the Joint Committee's [Report](#) of April 4, 2016.

The Senate first [reviewed proposed amendments to SB 336 in Fall 2016](#), alongside the revisions to APMs 015 and 016. The original proposed amendments have been revised to accommodate comments generated in that review. Please note that certain elements of Bylaw 336 must mirror the new language in APMs 015 and 016 and are not subject to further revision. Explanatory notes appear in the margin of the document. The document also shows how the text differs relative to the version the Senate reviewed in the fall, and relative to the current text. Proposed revisions from Fall 2016 appear in RED and the current set appear in BLUE.

The Davis Division's previous response can be found [here](#), and committee responses can be found [here](#).

CAP Oversight Committee

April 28, 2017 8:28 AM

No response at this time.

Faculty Welfare

May 5, 2017 3:09 PM

Response continued on next page.

May 5, 2017

RFC: Proposed Revisions to Senate Bylaw 336 (Round 2)

The committee on Faculty Welfare reviewed the proposed revisions to Senate bylaw 336. While the committee is in agreement with the content of the document, we have a suggestion in terms of word usage that comes from the committee members' experience in developing and reviewing legal writings. The committee suggests changing all words indicating requirement, such as "must" and "will", be changed to the single clear word "shall." Shall is a more commanding word, to be used when action is required. For advisory situations, the word "should" applies, and should be used consistently.

FEC: School of Medicine

April 10, 2017 2:19 PM

No response at this time.

P&T Hearings

April 28, 2017 4:53 PM

Response continued on next 3 pages.

Committee on Privilege and Tenure – Hearings Subcommittee
Request for Consultation Response: Proposed Revisions to Academic Senate Bylaw 336
(Round 2)

The Privilege and Tenure (P&T) – Hearings Subcommittee has reviewed the proposed revisions of Academic Senate Bylaw 336 and has no additional comments to make.

The Subcommittee appreciates the opportunity to review and provide feedback on these proposed revisions.

P&T Investigative

May 11, 2017 11:25 AM

Response continued on next page.

Committee on Privilege and Tenure – Investigative Subcommittee
Request for Consultation Response: Proposed Revisions to Academic Senate Bylaw 336
(Round 2)

The Privilege and Tenure (P&T) – Investigative Subcommittee has reviewed the proposed revisions of Academic Senate Bylaw 336 and would like to make the following comment:

Under Academic Senate Bylaw 336.C.1.C, in the event of negotiated resolution, it should be specified that the Chancellor or Chancellor’s designee must consult with the chair of the Committee on Privilege and Tenure prior to finalizing the settlement and must inform the Privilege and Tenure Committee if the matter is resolved.

The Subcommittee appreciates the opportunity to review and provide feedback on these proposed revisions.