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Chair of the Assembly of the Academic Senate
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December 21, 2017

**CHAIRS OF ACADEMIC SENATE DIVISIONS
CHAIRS OF SYSTEMWIDE SENATE SCOMMITTEES**

Re: Senate Review of Proposed Amendment to Senate Bylaw 128

Dear Colleagues:

At its December 13 meeting, the Academic Council approved distribution of the proposed amendment to [Senate Bylaw 128](#) for systemwide Senate review (attached). A new section, J, governs conflicts of interest (COI) on Senate committees, subcommittees, and task forces.

Due to the multifaceted roles of faculty members in the University's complex research, teaching and service missions, it is inevitable that conflicts of interest will sometimes exist with respect to the conduct of Senate governance. Therefore, Academic Council has proposed a bylaws amendment following advice from the Committee on Rules and Jurisdiction (UCR&J). This amendment would replace Senate reliance on vague language in Sturgis' Standard Code of Parliamentary Procedure with standard procedure.

The proposed bylaw addition outlines a multi-layer process for addressing a COI. The first layer is at the level of a committee member who may recognize a potential COI of their own or of another; the second is at the level of arbitration by a committee chair; and the third is at the level of the chair of the Academic Council as the final arbiter in cases of disagreement about self-recusal between the member and the committee chair. The bylaw also specifies that any committee member may raise a concern about a potential COI.

The Senate review is intended to engage the Academic Senate in discussion of any issues that may need to be resolved before this proposal is submitted to the Assembly. I ask that you distribute these materials for review and that you submit responses to SenateReview@ucop.edu by **Wednesday, March 14, 2018**. The Academic Council will discuss the responses at its meeting on March 21. As always, committee chairs who determine that the subject is not in the purview of their committee need not reply.

Sincerely,

A handwritten signature in black ink, appearing to read "Shane N. White".

Shane N. White, Chair
Academic Council

Encl

Cc: Senate Executive Directors

Proposed Amendment to Senate Bylaw 128
December 13, 2017

<http://senate.universityofcalifornia.edu/bylaws-regulations/bylaws/blpart2.html#b1128>

128.J. Conflict of Interest: Members of Assembly committees, sub-committees and task forces must be aware that professional judgments made in committee work may be compromised or appear to be compromised by a conflict of interest. Any member of a committee who thinks they have a conflict of interest must inform the Chair (or the Vice-Chair if there is a potential conflict of interest on the part of the Chair) thereof. Any member of a committee who thinks another member has a conflict of interest should inform the Chair (or the Vice-Chair if there is a potential conflict of interest on the part of the Chair) thereof. The member with the potential conflict may choose to limit their participation up to and including full recusal. Any party may consult the Chair of the Academic Council for advice (or the Vice-Chair if there is a potential conflict of interest on the part of the Chair). In the absence of agreement between the member and the Chair (or Vice-Chair) of the committee on the appropriate actions, the Chair (or Vice-Chair) of the committee shall inform the Chair (or Vice-Chair) of the Academic Council, who shall make the final determination as to what actions are appropriate.