

Repeal of Senate Bylaw 235 – Summary of Events and Actions

From the Assembly May 14, 2004 Minutes

"**Action:** A motion was introduced to approve the proposed bylaw changes listed on pages 41-70 of the May 12 Call, which would take effect immediately, with the following two exceptions: First, Bylaw 120.D.6, allowing the Assembly to choose its own rules of order, would take effect immediately following the next regular meeting of the Academic Assembly (October 13, 2004); and second, the amendment to Bylaw 50.A and the elimination of Bylaw 235 would become effective only when the UCB division chair certifies that the UCB Division has established a Berkeley Faculty for the School of Public Health. The motion passed unanimously."

The Berkeley Division established a Berkeley Faculty for the School of Public Health at its November 8, 2005 meeting (of the Division).

235. School of Public Health (Berkeley - San Francisco) (See [Bylaw 50.A](#))

- A. Membership. The Faculty of the School of Public Health (Berkeley - San Francisco) shall consist of:
1. The President of the University;
 2. The Chancellors at Berkeley and San Francisco;
 3. The Provost, Professional Schools and Colleges (Berkeley);
 4. All members of the Department of Biomedical and Environmental Health Sciences and the Department of Social and Administrative Health Sciences of the School of Public Health (Berkeley - San Francisco) who are members of the Academic Senate;
 5. Members of the Academic Senate selected from the Faculty concerned, as specified below:
 - a. Two representatives each from the College of Natural Resources (Berkeley), the College of Letters and Science (Berkeley), and the School of Medicine (San Francisco);
 - b. One representative each from the College of Chemistry (Berkeley), College of Engineering (Berkeley), College of Environmental Design (Berkeley), School of Business Administration (Berkeley), School of Dentistry (San Francisco), School of Education (Berkeley), School of Nursing (San Francisco), School of Pharmacy (San Francisco), School of Social Welfare (Berkeley), and School of Veterinary Medicine (Davis). (Am 21 Jan 74, 6 May 76; CC 11 Nov 74; EC 7 Dec 76)



December 12, 2005

DONALD POTTS, Chair
University Committee on Rules and Jurisdiction

Subject: Legislative changes approved by the Berkeley Division

At its meeting on November 8, 2005, the Berkeley Division of the Academic Senate approved the following legislative changes:

Amendment of Berkeley Division Bylaw 37.B, duties of Graduate Council

The Graduate Council (GC) is unique among the committees of the Berkeley Division in that it has bylaws that supplement its bylaw in the Berkeley Division Manual. These supplemental bylaws were originally adopted in 1961 and establish standing committees of the Graduate Council to carry out work related to graduate education. The members of these standing committees are mostly not GC members and do not report on any regular basis to the GC. Since these bylaws were last updated in 1995, the previous GC chair and Senate staff undertook a revision of these bylaws. The GC chair consulted with the Committee on Rules and Elections (R&E) regarding the revisions. R&E suggested an amendment to the GC's Divisional Bylaw to allow for the appointment of non-GC members to these standing committees. GC members unanimously endorsed the proposed amendment. Divisional Council approved it for the consent calendar.

37. GRADUATE COUNCIL

B. Duties

- The Council exercises administrative and coordinating functions in the Graduate Division at Berkeley in accordance with Senate By-Law 330.
- The Council may delegate its authority for the approval of graduate courses, numbered 200-299, to

the Divisional Committee on Courses of Instruction.
(EN 4.22.03)

- The Graduate Council may adopt bylaws setting out the membership and procedures for appointment of its standing committees.

Enactment of Berkeley Division Bylaw 91, School of Public Health

The Faculty Council of the School of Public Health (SPH) requested the withdrawal of Senate Bylaw (SB) 235, which establishes the SPH as a faculty directly subject to the jurisdiction of the Assembly of the Academic Senate. Given that the SPH is no longer jointly established with UC San Francisco, the SPH wished to disestablish itself as a faculty of the Assembly and establish itself as a faculty of the Berkeley Division. The bylaw, coupled with the withdrawal of Senate Bylaw 235 effectuates the change. It was reviewed by the Committee on Rules and Elections, and approved for the consent calendar by Divisional Council.

91. SCHOOL OF PUBLIC HEALTH

In addition to ex officio members, Bylaw 64, members of this Faculty are:

1. All members of the Division who are members of the School of Public Health.
2. The Chancellor at UC San Francisco.

Proposed withdrawal of Appendix II of the Manual of the Berkeley Division

Because the disciplinary procedures laid out in Appendix II of the Manual of the Berkeley Division have been entirely superseded by the current provisions of APM 015, (Faculty Code of Conduct), APM 016 (University Policy on Faculty Conduct and the Administration of Discipline), and the hearing procedures of the Divisional Committees on Privilege and Tenure (Senate Bylaw 336), the committee on Rules and Elections proposed removing all the now non-functional text of Appendix II, leaving only a small introduction to deal with cross-references. It was reviewed by the Committee on Privilege and Tenure, and approved for the consent calendar by Divisional Council.

APPENDIX II OF THE MANUAL OF THE BERKELEY DIVISION

PROFESSIONAL CONDUCT AND FACULTY DISCIPLINE

And DISCIPLINARY PROCEDURES FOR THE BERKELEY CAMPUS

Academic Senate By-law 336 and Appendix IV of the *Manual of the Academic Senate* ~~The following Codes, approved by the Berkeley Division of the Academic Senate on February 11, 1971,~~ are the statements of the Berkeley Division for the guidance of its members with respect to conduct and disciplinary procedures. ~~It should be noted that Regental and other University policies also affect the subject matter of these Codes.~~

[All text from this point forward is stricken.]

One item was removed from the Consent Calendar and referred back to the Divisional Council for further consideration.

If you have any questions, please contact our Division Executive Director Andrea Green Rush at (510) 642-7213 or by e-mail, agreenrush@berkeley.edu.

Sincerely,

Alice Agogino
Chair, Berkeley Division of the Academic Senate

Cc: Maria Bertero-Barcelo, Executive Director, Academic Senate