

Executive Board

(Systemwide Senate Review) Proposed Amendment to Senate Bylaw 128, Conflicts of Interest

Table of Contents

Exec Divisional Response - Proposed Amendment to Senate Bylaw 128_Conflicts of Interest_Graham to White_3_13_18	1
---Shane White	1
---Sandra Graham	1
Exec Senate-Review-SB-128-December-2017	2
---Shane N. White Chair of the Assembly of the Academic Senate	2
---Telephone: (510) 987-9303 Faculty Representative to the Regents	2
---Fax: (510) 763-0309 University of California	2
---Email: shane.white@ucop.edu 1111 Franklin Street, 12th Floor	2
CPB Final Response	4
COR Final Response	5
CCCE Final Response	6
CDITP Final Response	7
COLASC Final Response	8
FWC Final Response	9
CAP Final Response	10
---Academic Senate Executive Office	10
CODEI Final Response	11
GC Final Response	12
L&S Final Response	13

November 20, 2017

Shane White
Chair, Academic Council

RE: Systemwide Senate Review: Proposed Amendment to Senate Bylaw 128, Conflicts of Interest

Dear Shane,

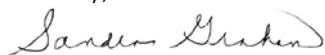
The Executive Board of the UCLA Academic Senate discussed the proposed amendment to Senate Bylaw 128, Conflicts of Interest, at its meeting on March 8, 2018. The Executive Board solicited comments from standing committees of the Senate, as well as the Faculty Executive Committees, to maximize faculty feedback; the individual responses from our various committees follow.

Committee members reported that Senate Bylaw 128 and the amendment are straightforward and agreed with the proposed amendment. However, during Executive Board discussion, there were a few members who indicated otherwise, stating that there are different kinds of conflict of interest and that the bylaw may be too vague as currently written. Some members were unclear as to what constitutes a conflict of interest. Because there are so many different types of conflict (e.g., financial, personal, work related), members suggested adding language “including but not limited to...” and providing examples when one might need to recuse oneself.

Though not addressed in the bylaw, one board member did raise the question of what, if any, recourse there is for instances when a conflict of interest is made known only after votes have been reported and a decision has been made.

The Executive Board appreciates the opportunity to opine. Please feel free to contact me should have any questions.

Sincerely,



Sandra Graham
Chair, UCLA Academic Senate

cc: Hilary Baxter, Executive Director, Systemwide Academic Senate
Susan Cochran, Immediate Past Chair, UCLA Academic Senate
Joe Bristow, Vice Chair/Chair-Elect, UCLA Academic Senate
Michael LaBriola, Principal Policy Analyst, Systemwide Academic Senate
Linda Mohr, Chief Administrative Officer, UCLA Academic Senate



Shane N. White
Telephone: (510) 987-9303
Fax: (510) 763-0309
Email: shane.white@ucop.edu

Chair of the Assembly of the Academic Senate
Faculty Representative to the Regents
University of California
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200

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 blue 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#bl128>

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.

February 28, 2018

Sandra Graham
Chair, UCLA Academic Senate

Re: Systemwide Senate Review: Proposed Amendment to Senate Bylaw 128

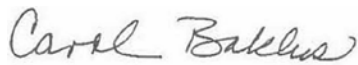
Dear Professor Graham,

At its February 26, 2018 meeting, the Council on Planning and Budget (CPB) reviewed the Proposed Amendment to Bylaw 128 about Conflicts of Interest.

No issues were identified with the proposal and therefore, the Council unanimously voted to endorse the amendment to Bylaw 128.

Thank you for the opportunity to review. If you have any questions for us, please do not hesitate to contact me at cbakhos@humnet.ucla.edu or via the Council's analyst, Elizabeth Feller, at efeller@senate.ucla.edu or x62470.

Sincerely,



Carol Bakhos, Chair
Council on Planning and Budget

Cc: Joseph Bristow, Vice Chair, Academic Senate
Susan Cochran, Past Chair, Academic Senate
Elizabeth Feller, Committee Analyst, Council on Planning and Budget
Linda Mohr, CAO, Academic Senate
Members of the Council on Planning and Budget

February 28, 2018

Sandra Graham
Chair, UCLA Academic Senate

Re: Systemwide Senate Review: Proposed Amendment to Senate Bylaw 128, Conflicts of Interest

Dear Professor Graham,

Thank you for providing the Council on Research (COR) with an opportunity to comment on the Proposed Amendment to Bylaw 128 about Conflicts of Interest.

Members agree with the proposed amendments. A few members, however, expressed uncertainty over what would constitute a potential conflict of interest. Is there a process to resolve issues at the level of the individual committee chair? A process in place for addressing such issues would be useful.

Thank you for the opportunity to review the proposed amendment. If you have any questions for us, please do not hesitate to contact me at lhavton@mednet.ucla.edu or via the Council's analyst, Elizabeth Feller, at efeller@senate.ucla.edu or x62470.

Sincerely,



Leif Havton, Chair
Council on Research

cc: Joseph Bristow, Vice Chair, Academic Senate
Susan Cochran, Past Chair, Academic Senate
Elizabeth Feller, Analyst, Council on Research
Linda Mohr, Chief Administrative Officer, Academic Senate
Members of the Council on Research

February 28, 2018

To: Sandra Graham, Chair
Academic Senate

From: Jorge Torres, Chair
Committee on Continuing and Community Education

Re: Proposed Amendment to Senate Bylaw 128, Conflicts of Interest

The Committee on Continuing and Community Education during its meeting on February 14, 2018, reviewed and discussed the proposed amendment to Senate Bylaw 128, Conflicts of Interest. Members agreed with the policy as stated. Thus, members unanimously endorsed the proposed amendment to the Senate Bylaw 128.

Thank you for the opportunity to review and comment.

February 20, 2018

To: Sandra Graham, Chair
Academic Senate

From: Michael Shin, Chair
Committee on Instruction and Technology

Re: Proposed Amendment to Senate Bylaw 128, Conflicts of Interest

The Committee on Instruction and Technology during its meeting on February 12, 2018, reviewed and discussed the proposed amendment to Senate Bylaw 128, Conflicts of Interest. Members agreed with the policy as stated. Thus, members unanimously endorsed the proposed amendment to the Senate Bylaw 128.

Thank you for the opportunity to review and comment.

February 20, 2018

To: Sandra Graham, Chair
Academic Senate

From: Eric Sobel, Chair
Committee on Library and Scholarly Communication

Re: Proposed Amendment to Senate Bylaw 128, Conflicts of Interest

The Committee on Library and Scholarly Communication during its meeting on January 29, 2018, reviewed and discussed the proposed amendment to Senate Bylaw 128, Conflicts of Interest. Members agreed with the revisions made to the policy. As a result, members unanimously endorsed the proposed amendment to the Senate Bylaw 128.

Thank you for the opportunity to review and comment.

February 22, 2018

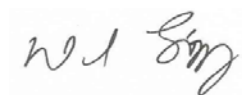
Professor Sandra Graham
Chair, UCLA Academic Senate

Re: Proposed Amendment to Senate Bylaw 128, Conflicts of Interest

Dear Professor Graham,

The committee reviewed and briefly discussed Senate Bylaw 128 at its February 6th meeting. Members found the proposed revisions to be straightforward and had no additional comments. Thank you for the opportunity to review and comment.

Sincerely,



David Lopez
Chair, Committee on Faculty Welfare

cc: Members of the Committee on Faculty Welfare
Linda Mohr, CAO, Academic Senate
Valeria Dimas, Executive Assistant
Annie Speights, Committee Analyst, Committee on Faculty Welfare

Academic Senate Executive Office
Los Angeles Division
3125 Murphy Hall
140801

February 13, 2018

To: Sandra Graham, Senate Chair, Academic Senate

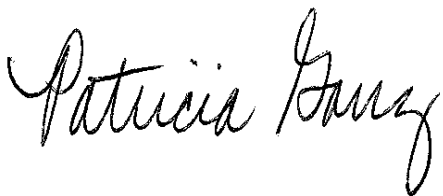
From: Patricia Ganz, Chair, Council on Academic Personnel

Re: **CAP Response to Amendment of Senate Bylaw 128 – Conflicts of Interest**

CAP reviewed and discussed the proposed amendment to Senate Bylaw 128, Conflicts of Interest. The consensus of CAP's members were in favor of the proposal and support the language as written in the amendment.

Thank you for the opportunity to review and provide comment.

Sincerely,

A handwritten signature in black ink that reads "Patricia Ganz". The signature is written in a cursive, flowing style.

Patricia Ganz, Chair 2017-18
Council on Academic Personnel

Cc: Joe Bristow, Senate Vice-Chair/Chair-Elect, Academic Senate
Susan Cochran, Senate Immediate Past Senate Chair, Academic Senate
Linda Mohr, Chief Administrative Officer, Academic Senate
Eric Malmquist, CAP Committee Analyst, Academic Senate

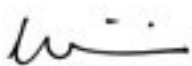
February 13, 2018

Professor Sandra Graham
Chair, UCLA Academic Senate

Re: Proposed Amendment to Senate Bylaw 128, Conflicts of Interest

The committee reviewed and briefly discussed Senate Bylaw 128 at its February 12th meeting. Members found the proposed revisions to be straightforward and had no additional comments. Thank you for the opportunity to review and comment.

Sincerely,



Catia Sternini,
Chair, Committee on Diversity, Equity and Inclusion

cc: Members of the Committee on Diversity, Equity, and Inclusion
Linda Mohr, CAO, Academic Senate
Valeria Dimas, Executive Assistant
Annie Speights, Committee Analyst, Committee on Diversity, Equity and Inclusion

February 6, 2018

To: Sandra Graham, Chair
Academic Senate

From: Julio Vergara, Chair
Graduate Council

Re: Proposed Amendment to Senate Bylaw 128, Conflicts of Interest

At its meeting on February 2, 2018, the Graduate Council reviewed and briefly discussed the proposed amendment to Senate Bylaw 128, Conflicts of Interest. Members found the proposed revisions to be straightforward and raised no objections. Accordingly, members unanimously endorsed the proposed amendment to Senate Bylaw 128.

Thank you for the opportunity to review and comment.

UCLA MEMORANDUM

FACULTY EXECUTIVE COMMITTEE
College of Letters and Science

A265 Murphy Hall
Box 951571
Los Angeles, California 90095

To: Sandra Graham, Chair, Academic Senate
Fr: Aaron Tornell, Chair, College Faculty Executive Committee
Date: February 20, 2018
Re: **College FEC response to Systemwide Review of Senate Bylaw 128**

The College FEC appreciates the opportunity to comment on the proposed amendments to Senate Bylaw 128. We reviewed the new section, J, at our meeting on February 16, 2018. The committee found no issues with the proposed text and endorse the Academic Council's amendments.

As always, our membership appreciates the consultative process and welcomes the opportunity to participate in the discussion of important matters like this. You are welcome to contact me at tornell@econ.ucla.edu with questions. Mitsue Yokota, Academic Administrator, is also available to assist you and she can be reached at (310) 794-5665 or myokota@college.ucla.edu.

cc: Lucy Blackmar, Assistant Vice Provost, Undergraduate Education Initiatives
Valeria Dimas, Executive Assistant, Academic Senate
Linda Mohr, Chief Administrative Officer, Academic Senate