

**Proposed Motion and Davis Division Bylaw
Establishing the College of Biological Sciences**

A new Bylaw 153 of the Davis Division is hereby proposed for adoption.

In addition, the Divisional Committee on Committees shall be empowered to appoint, as soon as practicable, an Interim Chair of the College of Biological Sciences (CBS) for the sole purpose of proposing Bylaws. It shall also appoint the initial membership of a CBS Committee on Nominations, Elections and Rules to (a) conduct a vote of the CBS faculty (as constituted under Divisional Bylaw 153) to adopt Bylaws for the faculty and (b) nominate a chair and vice chair/secretary of the faculty to serve as specified in the proposed CBS Bylaws. The Interim Chair may appoint other Senate members holding appointments in CBS to assist in this task, and the Divisional Committee on Elections, Rules and Jurisdiction shall review the proposed Bylaws to ensure conformity with the format and content of the Code of the Academic Senate.

The Bylaws and Regulations initially proposed by CBS shall be reviewed by the Undergraduate Council. If there are “sharp differences” over undergraduate educational policy, the Undergraduate Council may bring the matter before the Representative Assembly which may leave the CBS proposals unchanged or may, by motion, resolve the differences in the proposed College legislation prior to a vote by the CBS faculty.

The vote by the CBS Faculty on the new College Bylaws shall be by mail ballot in an election conducted by the Division, with a majority of those voting being required for adoption.

This resolution, and the Bylaw it proposes, shall become effective immediately upon adoption by the Representative Assembly.

153. Faculty of the College of Biological Sciences

- a. The Faculty of the College of Biological Sciences shall consist of (1) the President of the University; (2) the Chief Campus Officer; (3) the Dean of the College of Biological Sciences; (4) all members of the Academic Senate who hold appointments in the College of Biological Sciences; and (5) all members of the Academic Senate who gained emeritus status as members of the former Division of Biological Sciences.
- b. For purposes of the Bylaws of the College and of the Academic Senate, a section of the College shall be treated as a department.

Rationale

Bylaw establishing the CBS Faculty: Academic Senate Bylaw 45 provides that “the membership of each Faculty is defined by the bylaws of the Division to which it is responsible.” Therefore, this enabling Bylaw is required before the CBS Faculty may conduct business. Academic Senate Bylaw 45 further specifies that membership in the Faculty shall include the President of the University, the Chancellor, the Dean of the College, and all Senate members who are members of departments (sections) assigned to that college, including emeritus faculty. The wording of this proposed Bylaw is similar to the wording of the Bylaws establishing the other Colleges and Schools of the Division (Davis Division Bylaws 141-152).

Role of the Undergraduate Council: The Representative Assembly and Academic Council endorsements of the reconstitution of the Division of Biological Sciences as the College of Biological Sciences were subject to the following condition (as summarized by the Academic Council on March 15, 2005):

The Council notes that approval of the College by the Davis Divisional Senate is conditional on a review of proposed College Faculty bylaws and regulations by the Divisional Undergraduate Council with the requirement that, if there are “sharp differences” over undergraduate educational policy, those differences shall be brought before the Davis Divisional Representative Assembly.

Robert’s Rules of Order, which governs Divisional parliamentary procedure, specifies that such conditions on the establishment of an entity are to be included in the motion to adopt the Bylaws of that entity, and the provided language does so.

Role of the Divisional Committee on Committees: The College is a new entity, and authority must be provided for the proposal of its Bylaws. Because the College is a committee of the Davis Division, the Divisional Committee on Committees can be vested with authority to start this process. After the adoption of the Bylaws, CBS business shall be conducted in accordance with the terms of its Bylaws.

Effective Date: Legislative changes are normally effective on the first day of September following enactment, unless the Representative Assembly specifies otherwise. This motion specifies that the change is effective immediately so that the new College can organize itself in fall 2005.