

# LAUC Committee on Committees, Rules, and Jurisdiction

## Fall 2005 Report

September 30, 2005 version

### Background

When he took office, then President Terry Huwe requested CCRJ to review the LAUC Bylaws, as provided for in the Bylaws. More specifically, he asked us to "conduct a comprehensive review of the LAUC Bylaws". We distributed a report on our work to the Assembly in May, and I gave an oral report at the June Assembly meeting. He asked us to deliver our final report by September 15.

The highest parliamentary authority for an organization consists of the various laws that apply to that organization. The next highest is a charter, the document from a government or a parent organization that establishes the organization. For LAUC, that is the *Presidential Statement on the Status of the Librarians Association of the University of California*, which appears as APM 360 Appendix B. Our next level governing document is our Bylaws. Article XII, Section 6 of our Bylaws states that "these Bylaws and all amendments thereto shall be subject to the approval of the President of the University, to assure that they are in accord with the Standing Orders of The Regents and with the rules and regulations of the University" (which is the case whether so stated in our Bylaws or not). Therefore after LAUC approval of amendments to our Bylaws, the UC President (or designee--we are under no illusion that they actually go up that far) still needs to approve them before we can implement them.

After I became LAUC's Parliamentarian in 2002, I read our Bylaws, and since then have been interpreting them for LAUC leaders and groups. It became clear pretty quickly that our Bylaws needed an overhaul. There are some sections that are outmoded, contradictory, confusing, etc. When Terry talked with me about his considering me for chair of CCRJ for this year, I quickly developed a rough draft of new Bylaws and Standing Rules as a way for me to show him what my thinking was before he decided whether to appoint me as chair.

Sturgis (LAUC's parliamentary authority) describes the purpose of bylaws as establishing the fundamental framework of an organization, the outline of its structure. It states that bylaws should be concise, and that "many organizations keep their bylaws simple and brief by including only essential provisions and supplementing them with adopted procedures [aka standing rules]." Our goal for the proposed revision to the LAUC Bylaws and the establishment of Standing Rules is to:

- achieve that conciseness,
- provide an easily understandable and rational infrastructure that will enhance LAUC's ability to focus on its core purposes, and
- uphold the parliamentary values of:
  - effective and efficient transaction of business,
  - equity across the membership as to rights, privileges, and obligations,
  - majority decision,
  - protection of the rights of minorities,
  - open discussion, and
  - fairness and good faith.

### Recommendations

We recommend that LAUC:

1. Replace Article II in the current Bylaws with the Article II in the attached Bylaws document.
2. Replace the rest of the current Bylaws with the rest of the attached Bylaws document.

### 3. Adopt the attached Standing Rules of LAUC.

We also informally suggest that the Council and the Executive Board consider adopting Standing Rules such as those attached.

## Changes

To help the LAUC membership determine the impacts of our recommendations, we have developed the following three sections. CCRJ members are available if you have questions.

### Changes to Bylaws/Standing Rules and current practice

#### Assembly

- restrict the term to the event
- rename the body the "Council"
- composed of a Council meeting and a optional program
- simplify the section on meetings

#### associate membership

- change name from "affiliate members" to "associate members" to avoid confusion with "affiliated librarians"
- include contractors
- expand role

#### Bylaws amendments

- streamline process
- modify the size requirement for a group of LAUC members to propose amendments via a petition, from 50 members to 5% of the membership
- change the requirement for the UC President to approve all amendments to a requirement that all amendments must comply with the Standing Orders of The Regents and other rules and regulations of the University (this allows us to implement amendments right away, but still gives the UC President the full right to nullify any amendment by declaring that it is against UC policies)

#### candidate restrictions

- in order to ameliorate problems we've had in recruiting members to run for LAUC office:
  - loosen campus restrictions (while still disallowing more than two officers to be from the same campus)
  - allow a current first-term Secretary to run for a second term

#### committees

- give enabling language in the Bylaws, with the actual list (other than the Nominating Committee) in the Standing Rules (as many of our professional organizations do)
- restrict membership to two consecutive terms (except for VP chairing R&PD)
- require that written reports be timely rather than annual
- meetings (other than confidential portions) are open to any LAUC member, after notifying the chair of planned attendance

#### Council

- rename the body from "Assembly"
- purpose = determines official LAUC advice to UCOP and the ULs and policies that govern LAUC and its membership
- simplify and rationalize delegate allocation (trying to balance the advantages of both the U.S. Senate and the House of Representatives approaches) = 1 additional delegate per 50 members
- make the Parliamentarian an ex officio, non-voting member
- have a standing agenda item something like "Issues from members", which would be a time for any LAUC member to raise an issue from the floor
- meetings (other than confidential portions) are open to any LAUC member, after notifying the President of planned attendance

#### Divisions

- report to the Executive Board Division actions, including advice to its campus and library administrations, as a way for the Board to monitor trends, etc.

#### Executive Board

meetings (other than confidential portions) are open to any LAUC member, after notifying the President of planned attendance

purpose = manages LAUC operations, plans professional development initiatives, implements Council actions, and performs other functions as directed by the Council

formal relationships

clarify that they representatives from LAUC to other groups report to the Executive Board

in addition to representation on SLASIAC, the Shared Library Facilities Board, and the UL Group's advisory structure, pursue representation on:

Academic Affairs' Standing Committee on Copyright

Academic Senate's University Committee on Library

allow for representatives from other UC units (such as CDL and Systemwide library Planning) to LAUC

allow for joint committees with other UC units

full membership

add "full" to "member" to be able to differentiate classes of membership in other parts of the Bylaws, and in other documents

membership oversight

new article in the Bylaws

purpose of LAUC

flesh out what we advise on

Standing Rules

we're moving many pieces of the Bylaws that we want to be able to change relatively easily, to Standing Rules

timeliness

use "in a timely manner" in the Bylaws

specify in the Standing Rules of LAUC that in general, draft agendas for meetings are distributed at least one week before a meeting, and draft minutes within two weeks after it

Vice President responsibilities

add a duty to plan Assembly programs

### **Changes to Bylaws/Standing Rules to match current reality**

Alternate Parliamentarian

make this position optional (the President appoints one if needed)

Assembly

make clear that Assembly programs are open to all

associate membership

clarify that retired ULs, etc., are associate members, even if they were not in the librarian series

committees

give Divisions the authority to appoint or not appoint a representative to each standing committee (Merced, for example, does not have representatives on every standing committee due to low staffing)

Divisions

while adhering to LAUC Bylaws and policies, they have the autonomy to advise their campus and library administrations and conduct their internal affairs as they see fit

Executive Board

allow a Division to send another member of its governing board as a temporary substitute for its Chair, when the Chair cannot attend or participate

meetings

they are in real time, but can be conducted in person, via a conference call, or via a videoconference

membership

added "Deputy University Librarian"

membership meetings

remove concept of general membership meeting, but retain the option to hold special membership meetings

Officers

make much briefer, as in ALA's Constitution

Parliamentarian

stays appointed until s/he is no longer a member of LAUC, or a President either appoints someone else or decides not to maintain the appointment

purpose of LAUC

expand from just advisory to also include communication/collaboration and peer review

make clear that the Divisions, as opposed to LAUC, advise campus and library administrations

Past President

clarifying that this is an Officer position

### **Changes we considered but discarded**

affiliate membership

expanding the category from less-than-half-time librarians and retired LAUC members to include CDL staff, other professionals working in our library systems (programmers, development staff, etc.), and/or Library Assistants

affiliated librarians (those outside a UL hierarchy)

mentioning them explicitly in the Bylaws

business year

changing to UC fiscal year

committee appointments

allowing non-members to be appointed to LAUC committees

committees

differentiating between committees, subcommittees, task forces, working groups, etc.

Council

dictating to Divisions what to do when ones of its Council members cannot attend or participate

finances

new Bylaws article

governing bodies

consolidating the duties of the Executive Board and the Council (currently called Assembly) into a single governing body

parliamentary defaults

including more default parliamentary procedure from Sturgis into our Bylaws (we plan instead to beef up the LAUC web page containing basic parliamentary procedure information)

Past President

including as duties assisting the Vice President with program planning, ensuring continuity, and mentoring the Vice President

purpose of LAUC

lessening the restriction that "matters which are covered by a Memorandum of Understanding or are otherwise subject to negotiation with an exclusive bargaining unit"

explicitly allowing the ability to communicate/interact with organizations beyond UC libraries and UCOP (such as CLA, ALA, or CSU librarians)

explicitly allowing LAUC to take stances on non-UC issues (such as the planned closure of the Salinas Public Library)

Secretary

changing selection process from election to appointment

### **Members**

B = Maryly Snow

D = Carol LaRussa

I = Susan Lessick

LA = Caroline Miller

M = Jim Dooley (starting in August)

R = Kuei Chiu

SB = Andrea Duda

SC = Karen Mokrzycki

SD = Paul J. Weiss, Chair

SF = David Owen (until early September)

Submitted by Paul J. Weiss, CCRJ Chair