

Proposed LAUC Bylaw Changes – June 2014

Understanding this document: Language recommended for removal is struck through (~~struck through~~) new language is underlined, and rationales are shown in *italicized text* (the rationales are also in red, if you are printing or viewing in color). All of the LAUC bylaws are copied here in order to understand the context of the proposed of some changes.

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Article I. Name and Authority

The Librarians Association of the University of California (LAUC) is recognized as an official unit of the University as stated in the Presidential Statement on the Status of the Librarians Association of the University of California, APM 360, Appendix B.

Article II. Duties and Responsibilities

Section 1. LAUC is authorized to serve in an advisory capacity to the University on professional and governance matters of concern to all librarians.

Section 2. LAUC shall advise the Office of the President*, the campus administration, and the library administration on the operations and policies of the libraries.

Section 3. LAUC shall advise the Office of the President, the campus administration, and the library administration on professional standards, rights, privileges, and obligations of members of the librarian series of the University.

Section 4. LAUC shall advise the Office of the President, the campus administration, and the library administration on the planning, evaluation, and implementation of programs, services, or technological changes in the libraries of the University.

Section 5. LAUC shall not advise the Office of the President, the campus administration, or the library administration with respect to matters which are covered by a Memorandum of Understanding or are otherwise subject to negotiation with an exclusive bargaining agent.

* Note: The term "President," except as used in Office of the President or President of the University, refers to the LAUC President.

Article III. Membership

Section 1. Membership in LAUC shall consist of all persons in the University holding appointments half time or more in the librarian series, or in any one of the following titles: University Librarian, Deputy University Librarian, Associate University Librarian, Assistant University Librarian, Law Librarian, Associate Law Librarian, Assistant Law Librarian, or in the same series or titles in an acting capacity.

Section 2. LAUC has Divisions corresponding to each University of California campus. Each Division includes those members whose duties lie primarily on the campus it represents, even if such members report administratively to another campus. Members who work at locations remote from one of the campuses shall belong to the Division of the campus to which they report administratively. Members with Universitywide appointments shall belong to the Division of the campus nearest their office.

Section 3. All members shall be eligible to vote in Universitywide elections, to hold Universitywide office, to serve on Universitywide committees, and to serve as representatives to the Assembly.

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Section 4. Persons employed as librarians in the University on less than half-time appointments and retired LAUC members shall have affiliate membership. Affiliate members may participate in ~~general meetings of~~ the Assembly, but may not make motions, nominate candidates, become officers, serve on committees, be eligible for research and professional development funds, or vote.

[Rationale: Removing "general meetings of" brings the language of this section into agreement with that of Article VII, Section 3(d), which makes no reference to "general meetings".]

Article IV. Officers.

Section 1. The officers of LAUC shall be President, Vice President (President-Elect), Secretary, and Past President.

Section 2. The terms of office shall be one year, commencing 1 September.

Section 3. Each officer shall be from a different Division. The Past President is exempted from this requirement.

Section 4. In the event of a vacancy in the office of the President, the Vice President (President-Elect) shall serve as President for the remainder of the term under the following provisions:

- a. If the vacancy in the office of the President occurs on or before 30 November, the Vice President (President-Elect) shall fill the presidential office until the expiration of the term on 31 August. For the next term commencing 1 September, special or regular elections shall be held for the positions of President, Vice President (President-Elect), and Secretary.
- b. If the vacancy in the office of the President occurs on or after 1 December, the Vice President (President-Elect) shall fill the presidential office for the remainder of the term and shall succeed himself/herself for the next term commencing 1 September. Regular elections under these circumstances shall be held for the positions of Vice President (President-Elect) and Secretary only.
- c. Regardless of when a vacancy occurs in the office of the President, a Vice President pro tem shall be appointed for the remainder of the term by the new President from the membership of LAUC. (See Article IV, Sections 3 and 6.)

Section 5. In the event of a vacancy in the office of Vice President (President-Elect) or Secretary, a Vice President pro tem or Secretary pro tem shall be appointed for the remainder of the term by the President from the membership of LAUC. (See Article IV, Sections 3 and 6.)

Section 6. The appointment of a Vice President pro tem or a Secretary pro tem becomes effective as soon as it has been confirmed by a ~~minimum of two thirds~~ simple majority of the Executive Board and the new officers have been notified.

[Rationale: More than a simple majority is an unnecessarily high bar for a change of appointment.]

Section 7. The duties of the President shall be as follows:

- a. Represent LAUC in its relationship with the Office of the President and other organizations.
- b. Determine the will of the membership and act in accordance with that will.
- c. Expedite LAUC business in a manner consistent with the best interest of the membership.
- d. Bring to the attention of the Assembly, the Executive Board, and the Divisions any matters which require a LAUC response or which may be of concern to LAUC.
- e. Report to the membership regularly.
- f. Preside over meetings of the Assembly, the Executive Board, and the general membership.
- g. Appoint the Parliamentarian and the editor of any regular LAUC publication or communication mechanism.

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- h. Appoint committees in accordance with the Bylaws, direct charges to these committees, and ensure that their work is referred to the Assembly, Executive Board and/or Divisions for consideration and action.
- i. Appoint or recommend for appointment LAUC representatives to University Librarians Advisory Structure groups and other Universitywide groups.
- j. Transfer to the LAUC Archives appropriate records. (See Article XIII.)

Section 8. The duties of the Vice President (President-Elect) shall be as follows:

- a. Assume the duties of the President in the President's absence or incapacity.
- b. Serve as a member of the Executive Board.
- c. Serve as Chair, in a non-voting capacity except in cases of ties, of the Research and Professional Development Committee.
- d. Perform such other duties as are assigned by the President.

Section 9. The duties of the Secretary shall be as follows:

- a. Record and distribute minutes for meetings of the Executive Board, the Assembly, and the general membership. (See Standing Rules.)
- b. Compile and distribute the roster of Executive Board members, Committee chairs and Division chairs.
- c. Conduct the election of officers, as specified in Article IX; conduct referenda, as specified in Article VII, Section 6.
- d. Perform traditional duties of the Secretary and other duties as assigned by the President.

Section 10. The duties of the Past President shall be as follows:

- a. Serve as a member of the Executive Board.
- b. Serve as chair of the Nominating Committee (See Article IX, Section 2).
- c. Serve in such other ways as may be requested by the LAUC President.

Section 11. An officer may be removed from office for valid cause (see the current edition of ~~Sturgis~~ Standard Code of Parliamentary Procedure) by means of the following procedure:

[Rationale: References to Sturgis are removed throughout since the publication changed its name to Standard Code of Parliamentary Procedure.]

- a. A petition requesting removal of an officer, which is signed by at least 10 percent of the members of LAUC, shall be directed to a member of the Executive Board. The petition must specify the cause(s) justifying removal, and copies of the text must be distributed to all members of the Executive Board, including the officer in question.
- b. The member of the Executive Board addressed in the petition shall call a meeting of the Executive Board within 45 days, at which the complainants and the accused officer are both given the opportunity to present their cases. This hearing shall be announced to the general membership and shall be open to any member who wishes to observe. Quorum for the hearing shall consist of two-thirds of the voting members of the Executive Board. The accused officer shall not be counted among the voting Board members present for purposes of making quorum.

[Rationale: This clarifies what constitutes a quorum in the event of a petition for removal. Prior language did not seem sufficiently precise.]

- c. A two-thirds vote of the Executive Board (~~less the officer in question~~) shall be required in order to remove an officer. The vote shall be by secret ~~written~~ ballot of those members of the Executive Board present at the hearing.

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[Rationale: It is not necessary to specify "less the officer in question", because conflict of interest would compel that the officer in question abstain. As long as the ballot remains secret, there is no need for a written ballot.]

- d. The vote shall be completed and announced to the general membership no later than two weeks following the hearing.

[Rationale: This text was added to include a requirement to report out the results of a hearing and provide a fixed deadline – neither is present in the 2007 bylaws.]

Article V. Executive Board

Section 1. The Executive Board shall consist of the President, Vice President, Secretary, the immediate Past President, and the Chairs of the Divisions. LAUC representatives for Systemwide Library and Scholarly Information Advisory Committee (SLASIAC) and Systemwide Operations and Planning Advisory Group (SOPAG) representatives, Strategic Action Group 1 (SAG1): Scholarly Research & Communication; Strategic Action Group 2 (SAG2): Access, Discovery & Infrastructure; and Strategic Action Group 3 (SAG3): Collection Building & Management are ex officio non-voting members of the Executive Board. Chairs of standing and ad hoc committees may be invited by the President to attend an Executive Board meeting as nonvoting members.

[Rationale: These revisions update LAUC representation within the current organizational structure of the UC Libraries Advisory Structure (UCLAS) and are equivalent to past LAUC representation.]

Section 2. The Executive Board shall advise the President as to the will of the membership.

Section 3. The Executive Board shall perform the functions of the Assembly during the intervals between meetings of the Assembly. (See Article VII, Section 4.)

Section 4. Actions taken by the Executive Board shall be reported to the membership by the President as soon as possible, but no later than 30 days following the action. All actions of the Executive Board taken on behalf of the Assembly are subject to review at the meeting of the Assembly following the action.

[Rationale: The lack of reporting deadline has caused some confusion in past actions and CPG recommends 30 days.]

Section 5. The Executive Board may adopt Special and/or Standing Rules to govern its procedures.

Article VI. Divisions

Section 1. A Division shall be formed on each campus of the University. (See Article III, Section 2.)

Section 2. Each Division shall establish Bylaws governing the conduct of business and the nomination and election of representatives to the Assembly. Divisional Bylaws shall not violate statewide Bylaws. Divisional Bylaws shall be subject to review by the Committee on Professional Governance. (See Article VIII, Section [1.j.1].) All Divisions shall review their own Divisional Bylaws for any necessary changes following changes to LAUC statewide Bylaws.

Section 3. Divisional Officers and Committees

- a. The Divisional Chair shall represent the Division in all deliberations of the Executive Board and, together with other Divisional delegates, in deliberations of the Assembly; and report the deliberations of the Executive Board and the Assembly to the Division.
- b. The Divisional Secretary shall inform the Secretary of the results of Divisional elections and changes in officers or delegates during the year.
- c. Divisional committees concerned with matters of more than local interest shall send copies of all substantive reports to the Chair of the related LAUC committee and to the President.

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Article VII. Assembly.

Section 1. The officers of LAUC shall serve as officers of the Assembly. The officers of LAUC shall not be members of the Assembly, except that the presiding officer may vote to break a tie vote.

Section 2. Membership

- a. The Chair of each Division, or his/her alternate, as elected by the Division, is automatically a member of the Assembly.
- b. Additional members (i.e., Divisional representatives) shall be elected by each Division from its roster of voting members.
- c. The number of representatives for each Division is calculated based on each Division's LAUC membership on 1 September. Representatives from each Division shall be the Chair, or his/her alternate, plus the following:
 1. One delegate for each Division having up to and including thirty-five members of LAUC.
 2. Two delegates for each Division having thirty-six to eighty-five members of LAUC.
 3. Three delegates for each Division having eighty-six to one hundred and sixty members of LAUC.
 4. Four delegates for each Division having one hundred and sixty-one or more members of LAUC.

Section 3. Meetings

- a. There shall be at least one Assembly meetings per year:
 1. Special meetings of the Assembly may be called by request of a majority of the Assembly members or by two-thirds of the Executive Board.
 2. Under special circumstances a scheduled meeting of the Assembly may be cancelled by a two-thirds vote of the Assembly members or by a three-fourths vote of the Executive Board.
 3. Location of meetings shall be determined by the President in consultation with the Executive Board.
- b. A quorum of the Assembly shall be at least fifty-one percent of its elected members or their alternates.
- c. The President or Secretary shall ensure that Assembly Agendas are disseminated ~~sufficiently~~ at least two weeks in advance for delegate preparation.

[Rationale: These revisions provide a specific requirement to allow for adequate preparation for a given meeting. "Sufficiently" was perceived as overly vague.]

- d. LAUC members may attend meetings of the Assembly.
 1. Only members of the Assembly may present motions, second motions, and vote.
 2. Any member or affiliate member of LAUC may introduce topics for discussion and participate in the discussion.

[Rationale: changing to "affiliate member" makes it clear that this refers specifically to LAUC members as defined in membership under Article III, Section 4]

- e. A general membership meeting may be held after or in conjunction with an Assembly meeting. General membership meetings may be called by a majority of the Assembly or by two-thirds of the Executive Board.

Section 4. Functions

- a. The Assembly represents the will of the general membership.
- b. The Assembly serves as a forum for the discussion of issues consistent with the duties and responsibilities prescribed to LAUC.

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- c. The Assembly recommends specific actions, consistent with duties and responsibilities prescribed to LAUC, to the Office of the President and to appropriate groups within the University Librarians Advisory Structure.
- d. The Assembly adopts general positions on issues for the guidance of the officers, Executive Board, and Divisions.
- e. The Assembly directs the officers of LAUC to take specific actions on behalf of LAUC, including the establishment of committees.
- f. The Assembly may adopt Special and/or Standing Rules to govern its procedures.

Section 5. Authority and Jurisdiction

- a. The Assembly shall be concerned with matters of import to more than one Division, and with those issues which are best addressed by a Universitywide approach.
- b. Divisions shall have autonomy and freedom of action in local matters, consistent with the duties and responsibilities prescribed to LAUC.

Section 6. Petition for Reconsideration and Referendum

- a. Upon petition of ten members of LAUC or by a Division, the Assembly and/or Executive Board shall reconsider any specific action or decision. Such petitions must be submitted to the President not later than 30 days after the members have been notified of the action or decision.
- b. The Secretary shall conduct a referendum by ~~mail~~ ballot of the entire LAUC membership on any specific action of the Assembly, if such a referendum is requested 1) by a Division, or 2) following reconsideration and reaffirmation of an action upon petition under Article VII, Section 6.a. above, by a petition signed by 25 members of LAUC. The results of such a ~~mail~~ ballot referendum shall be deemed conclusive. The Assembly may not reconsider such action for a period of two years unless authorized to do so by a subsequent referendum on the same subject. Such a second referendum may be initiated by a Division or by petition of 25 members of LAUC. The same time interval shall apply for submitting requests or petitions for referenda as for requests or petitions for reconsideration. The Secretary shall circulate with the ~~mail~~ ballot a statement of the reasons for affirming the Assembly's action, to be furnished by the President, and a statement of the reasons for reversing the Assembly's action, to be furnished by the initiator of the petition or by the Chair of the Division requesting the referendum.

[Rationale: Removing "mail" allows for electronic forms of voting.]

- c. A referendum shall be considered carried if approved by: a majority of the valid votes cast.

Article VIII. Committees.

Section I. Standing Committees

- a. The Executive Board of each Division shall nominate one member of the Division to serve on each standing committee by dates specified in the Standing Rules.
- b. The President shall appoint members of each standing committee to serve two-year staggered terms, except for the Vice President (President-Elect) who serves as Chair of the Research and Professional Development Committee for a one-year term.
- c. The President, in consultation with the Vice President (President-Elect), shall appoint the Vice Chair (Chair Designate) of each committee. This appointee shall serve one year as Vice Chair and one year as Chair of the Committee. For the Research and Professional Development Committee, the Vice President (President-Elect) serves as Chair for one year only; there is no Vice Chair (Chair Designate).
- d. In the event of a vacancy on a Standing Committee, the Division that provided the original applicant shall submit a nominee to the President to serve the remainder of the term.

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[This makes the procedure for succession in the event of vacancy clearer and creates parallels between Standing Committees and LAUC Executive Board]

- e. A committee quorum shall consist of fifty-one percent of the members of the committee.
- f. Duties of the Standing Committees
 - 1. Committee on Professional Governance
 - a. Advise the President and the Executive Board on issues that affect librarians, peer review, and other professional governance issues.
 - b. Serve as a review body for Divisions who may request evaluation of local peer review procedures.
 - c. Serve as a Bylaws review committee for proposed changes to the LAUC Bylaws. Be available to review the Divisions' Bylaws for consistency with the LAUC Bylaws, and to consult with Divisions on request.
 - d. Address other subjects at the request of the President and consider and develop recommendations on matters of librarian professional governance.
 - 2. Research and Professional Development Committee
 - a. ~~Solicit and review research proposals submitted to the Universitywide Research Grants for Librarians Program by LAUC members and recommend funding of proposals to the Office of the President.~~ Solicit, review, and fund proposals submitted to the Universitywide Research Grants for Librarians Program by LAUC members.

[Rationale: This brings the Bylaws in harmony with current practices. The recent re-organization of funding procedures has changed how LAUC grants may be awarded.]

- b. Develop, monitor, and revise, as needed, procedures for carrying out the review of research proposals.
 - c. Develop guidelines for application to the Universitywide Research Grants for Librarians Program and recommend revisions as needed.
 - d. Advise the President and the Executive Board on issues related to research and professional development for librarians and address other subjects at the request of the President.
- 3. Committee on Diversity.
 - a. Advise the President and the Executive Board, and serve as a resource for other committees and LAUC Divisions on issues and initiatives concerning diversity, recruitment and retention in University libraries.
 - b. Consider and develop recommendations and implementation strategies on matters and initiatives of diversity, recruitment and retention in University libraries.
 - c. Address other subjects at the request of the President on matters and initiatives of diversity, recruitment and retention in University libraries.

Section 2. Ad Hoc Committees

- a. Ad hoc committees shall be established as determined by the President in consultation with the Executive Board or by the Assembly.
- b. The composition of each ad hoc committee shall be determined by the Executive Board or by the Assembly.
- c. In the case of ad hoc committees containing a member from each Division, ~~appointment procedures in Article VIII, Section 1. a. shall be followed.~~ the Executive Board of each Division shall nominate one member from said Division to serve on each ad hoc committee.

[Rationale: This removes a reference to Standing Committee procedures in Article VIII, Section 1, a. that reference specified dates in the standing rules, which may not apply to ad hoc committees.]

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- d. Each ad hoc committee and its Chair shall be appointed by the President.
- e. The charge to each ad hoc committee shall be drafted by the President, in consultation with the Executive Board, and contain a final reporting date.
- f. ~~Provisions of Article VIII, Section 1, d. shall apply to ad hoc committees.~~ In the event of a vacancy on an ad hoc committee, the President may (is not required to) direct that the Division that provided the original applicant submit a nominee to the President to serve the remainder of the term.

[Rationale: This somewhat parallels the change made to Standing Committee procedures in Article VIII, Section 1, d. However, since ad hoc committees may not require filling a position, discretion is left to the President to solicit Divisions for members.]

Section 3. University Librarians Advisory Structure Committees

- a. The President shall appoint or recommend LAUC representatives to Universitywide advisory groups and committees from nominees submitted by the membership.

Article IX. Elections

Section 1. Election of officers of LAUC shall be held annually in the Spring on days determined by the Secretary in consultation with the Executive Board.

- a. The election date shall be the one by which all ballots must be deposited with the Chairs of the Divisional Election Committees.
- b. The election date shall be during the month of June.
- c. Those officers elected shall take office 1 September.

Section 2. By October 1st, the President shall appoint a Nominating Committee of three members, each from a different Division. The Past President shall be appointed as one of the three members, and shall chair the Nominating Committee (See Article IV, Section 10). If the Past President is unable to serve, the President will designate one of the appointed members to be Chair.

Section 3. The Nominating Committee shall nominate candidates for Vice President (President-Elect) and Secretary.

- a. If a vacancy occurs in the office of the President earlier than 1 December, or if a vacancy occurs in the office of the Vice President (President-Elect), the Nominating Committee also shall nominate candidates for President. (See Articles IV and IX, Sections 5, 6, and 7.)

Section 4. The Chair of the Nominating Committee shall submit the slate of nominees to the Secretary. The election shall be conducted according to procedures specified in the Standing Rules, with the provision that additional nominees may be submitted by the membership.

Section 5. The election of an eligible nominee for any office shall be by a plurality of the valid votes cast for that office. In the case of a tie vote, those nominees must be presented on a second ballot. (See Article IX, Section 7.)

Section 6. If a vacancy in the office of the Vice President (President-Elect) occurs after the regular nominating and election sequence has begun, there shall be a special election for the office of President for the term commencing the next 1 September. (See Article IX, Section 7 and Article IV, Section 5.)

- a. This shall not preclude the appointment of a Vice President pro tem. (See Article IV, Section 4.)
- b. The procedure for carrying out the special election shall be the same as specified in Article IX, Section 4. Should the results of this special election not be known until after the new term commences (1 September), the newly elected Vice President (President-Elect) shall serve as

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President pro tem until the new President takes office. The new President takes office as soon as he or she is notified of his or her election.

Section 7. The dates for special or tie-breaking elections shall be determined by the President in consultation with the Executive Board, and shall be as soon as practicable following the event that necessitates such an election.

Article X. Parliamentary Authority.

The current edition of the ~~Sturgis~~ Standard Code of Parliamentary Procedure governs LAUC in all parliamentary situations that are not provided for in its Bylaws or adopted rules.

[Rationale: These revisions give the revised name of the authoritative documents currently in use within LAUC. These were changed throughout the Bylaws.]

Article XI. Parliamentarian, Alternate Parliamentarian

Section 1. Duties

- a. To advise the President, the Executive Board, standing and ad hoc committees and members on questions of parliamentary procedure.
- b. The Parliamentarian shall attend all LAUC Assemblies, and any other meetings as directed or requested.

Section 2. Appointment

- a. The Parliamentarian shall be appointed by the President from the LAUC membership.
- b. The appointment is subject to confirmation by the Assembly membership.
- c. Appointment shall be concurrent with the term of the Executive Board.
- d. The Parliamentarian shall not be a member of the Executive Board.

Section 3. Alternate Parliamentarian

An Alternate Parliamentarian may also be appointed in accordance with all of the aforesaid provisions, to serve in the absence of the Parliamentarian.

Article XII. Amendments.

Section 1. The Committee on Professional Governance shall review the Bylaws upon request of the President in order to provide advice on the appropriateness of proposed amendments. The Committee shall submit its recommendations to the Executive Board, and at the recommendation of the Executive Board, to the Assembly.

Section 2. Any member of the Assembly may propose amendments.

Section 3. If the Assembly passes a proposed amendment by a majority of those voting, the proposed amendment shall be submitted to a vote of the general membership on the annual ballot or on a special ~~mail~~ ballot.

Section 4. A petition signed by at least fifty members of LAUC shall be sufficient to place a proposed amendment either on the annual ballot or on a special ~~mail~~ ballot.

[Rationale: These revisions allow the use of any current or future technology to assist in the voting process.]

Article XIII. LAUC Archives.

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Section 1. The LAUC Archives shall be maintained at the University Archives in the Bancroft Library, Berkeley campus. Decisions regarding preservation and storage are the responsibility of that unit.

[Rationale: This is in accordance with standard archival practice.]

Section 2. Each Division shall make a provision for the maintenance of Divisional archives.

Section 3. LAUC materials, including but not limited to committee reports, reports from the President, committee charges and member rosters, agendas and minutes of the Executive Board, and agendas and minutes of Assemblies and membership meetings should be archived annually.

[Rationale: These revisions in Article XIII add details concerning LAUC archives that are consistent with practice. Section 3 provides guidance to limit the tasks of the organization and President, who is charged with depositing this material. Other divisions have found that this level of detail has proven useful in the administration of divisional LAUC records.]