

May 5, 2015

Andrè Knoesen, Chair
Davis Division of the Academic Senate

RE: Representation of Schools of Medicine and Veterinary Medicine on Library Committee if the Health Sciences Library Committee Is Dissolved

Dear Chair Knoesen,

Questions:

1. If the Health Sciences Library Committee is dissolved, would the current bylaws enable an Academic Senate member from the School of Medicine and School of Veterinary Medicine to be appointed to the Academic Senate Library Committee?

2. If appointment of School of Medicine and School of Veterinary Medicine members to the Library Committee require a “committee with responsibility for library matters” in each school, can this be a standing committee of the school (e.g., the educational policy committee or the research committee)?

Brief Answers:

1. Yes. Each of the School of Medicine and the School of Veterinary Medicine apparently is entitled to a representative on the Academic Senate Library Committee under the current bylaws.
2. Yes. The individual schools’ faculties may assign authority to library matters to a standing committee such as the educational policy committee or the research committee. We recommend that the schools ensure that the relevant bylaws clearly state what committee has responsibility for library matters.

Background

Davis Division Bylaw (DDB) 83, which governs the Davis Division Library Committee, provides that the faculty of each college or school is entitled to representation on the Committee:

This committee shall consist of at least ten members, including the following: one undergraduate student representative; one graduate student representative; one representative appointed by the Davis Academic Federation; the chair of the library committee of each college or school having a library committee on the Davis campus; a faculty member from each college or school on the Davis campus that does not have a library committee but does have a committee with

responsibility for library matters; and the University Librarian of the Davis campus ex-officio.¹

Following the practice on the Academic Senate website, we refer to the Davis Division Library Committee members appointed pursuant to the underlined text as “ex officio” faculty members of the Committee.²

We understand that the School of Medicine (SOM) and School of Veterinary Medicine (SVM) exercise joint authority over health sciences library through a Health Sciences Library Committee that has representatives from each school. Each of the SOM³ and the SVM⁴ has a bylaw addressing the Health Sciences Library Committee. The position of Chair of the Health Sciences Library Committee alternates between the two schools annually.⁵

We further understand that the SOM and SVM do not each send a representative to the Davis Division Library Committee; instead, the Chair of the Health Sciences Library Committee is the only ex officio faculty representative from either school. The SOM and SVM faculties collectively have one ex officio representative on the Davis Division Library Committee instead of two.

Response to Question #1

The underlined text of DDB 83 seems to suggest that each college or school is entitled to an ex officio representative on the Davis Division Library Committee. We see no reason that the fact that the SOM and SVM are not currently taking full advantage of their entitlement should act as a waiver of the entitlement or otherwise bar each school from being represented.

It might be argued that increasing the schools’ collective ex officio representation from one to two would increase their collective power on the Committee. But the Committee on Committees apparently appoints non-ex-officio members to the Davis Division Library Committee, and apparently there is no cap on the Committee’s size. These facts indicate that a rigid numerical balance of power among schools is not a goal of DDB 83. Moreover, we see no affirmative evidence of any intention to depart from the intuitive norm that each college or school gets a representative, and we are aware of nothing

¹ Davis Division Bylaw (DDB) 83(A) (emphasis added).

² We understand that the Committee on Committees appoints additional representatives to the Davis Division Library Committee; DDB 83 presumably authorizes this practice by providing that the Committee “shall consist of at least ten member, including the following” (emphasis added). The additional, non-ex-officio, representatives may be SOM and/or SVM faculty members (and indeed apparently one of them currently is an SOM faculty member). The practice of appointing faculty members who are not ex officio members does not change the analysis in the text.

³ SOM Bylaw 4.227.

⁴ SVM Bylaw 17.

⁵ SOM Bylaw 4.22715; SVM Bylaw 17.

indicating that anyone has relied on the fact that the SOM and SVM have had but one representative between the two of them.

It might also be argued that the SOM is not entitled to representation on this committee because it is not “on the Davis campus.” The hospital building is indeed in Sacramento. But the SOM has been and is represented on the Davis Division Library Committee, and the Bylaws seem to treat the SOM as a “school on the Davis campus.” For example, the Bylaws provide that the “Davis Division of the Academic Senate shall consist of the President of the University ex officio and all members of the Senate whose duties lie primarily on the Davis campus.”⁶ Given that SOM Senate faculty are members of the Davis Division, it seems that the bylaws include the medical school in the “Davis campus.”


Thus, it appears to us that each school would be entitled to its own ex officio representative on the Davis Division Library Committee if the Health Sciences Library Committee were dissolved.

Response to Question #2

We see no barrier to the SOM and/or SVM designating a standing committee such as the educational policy committee or research committee as the “committee with responsibility for library matters” under DDB 83(A).

In general, “[t]he government of each college and school is vested in its Faculty,”⁷ and “each Faculty may organize, select its officers and committees, and adopt rules consistent with the Code of the Academic Senate.”⁸ Designating a committee such as the educational policy committee or research committee as the “committee with responsibility for library matters” seems to fall well within the zone of college/school autonomy. We see nothing in the Bylaws indicating a contrary intention. Certainly, there seems to be no requirement of a separate library committee: Bylaw 83 provides for representation both of schools with library committees and schools without specially designated library committees.

Sincerely,



John Hunt, Chair
Committee on Elections, Rules and Jurisdiction

Cc: Gina Anderson, Executive Director, Davis Division of the Academic Senate

⁶ DDB Part II.A.

⁷ University of California Academic Senate Bylaw (ASB) 50(F).

⁸ ASB 50(G).