March 10, 2015

Gina Anderson, Executive Director
Davis Division of the Academic Senate

Re: CERJ Advice: Grading Based on Attendance and Participation

Dear Executive Director Anderson,

This memorandum responds to a request for material in the Code of the Academic Senate that relates to the use of attendance and participation in grading.

We have reviewed the Standing Orders of the Regents, the Bylaws and Regulations of the Academic Senate, the Davis Division Bylaws and Regulations, and the Bylaws and Regulations of the UC Davis Schools and Colleges that are posted on the UC Davis Academic Senate website. For background, we have also reviewed the Regents Policies and the University of California Academic Personnel Manual. We have not reviewed rules and regulations from other campuses, but could do so if warranted.

We found no provisions directly prohibiting use of attendance or participation in grading. The only provisions we found that directly address the question we were asked actually authorize or assume the use of attendance and participation. The School of Medicine makes attendance and participation part of “the academic standards of every course,” and the School of Law explicitly permits instructors to use “attendance, preparation, and participation” as grading criteria as long as they give notice to students that they are doing so. The School of Law also requires attendance and preparation and authorizes instructors to fail students who do not attend even if the instructor is not using attendance or participation as a grading criterion more generally. These provisions apparently treat “attendance” the same as “participation.”

Practices at professional schools may not be very relevant to other campus units in some respects, but the medical and law school rules suggest that there is not a blanket prohibition on use of attendance at California public higher education institutions.

One Davis Division Regulation addresses attendance but not the use of attendance or participation in grading. DDR 539 authorizes departments to require first-day attendance in impacted courses and mandates notice of required first-day attendance in the class schedule and registration guide.

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1 This includes: College of Biological Sciences (bylaws and regulations), College of Engineering (bylaws and regulations), College of Letters and Science (bylaws and regulations), Graduate School of Management (bylaws), School of Education (bylaws), School of Law (bylaws and regulations), School of Medicine (bylaws and regulations), School of Nursing (bylaws), and School of Veterinary Medicine (bylaws and regulations).
2 Indeed, we found little discussion of permissible grading criteria in any respect. The closest we found was Standing Order of the Regents 105.2(b), which provides that the Senate “shall authorize and supervise all courses and curricula” within a given scope.
3 Medical School Regulation 70(A) provides, “[T]he academic standards of every course, to the extent the course requires and can assess, shall include, but not be limited to: reliability in attendance and participation…”.
4 Law School Regulation 1.5(B) provides that if an instructor will consider “class attendance, preparation, and participation” in grading the course other than as specified in Regulation 1.5(A), the instructor “shall announce that fact in the first or second class meeting.” Law School Bylaw 4.3 states the same rule.
5 Law School Regulation 1.5(A) provides that “[s]tudents must prepare for and attend class regularly” and authorizes instructors to give a failing grade if a student continues to fail to attend class after receipt of written notice.
6 See, e.g., Standing Order of the Regents 105.2(b) (Senate has “no authority over courses … in professional schools offering work at the graduate level only”).

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Finally, the Academic Personnel Manual provides that “evaluation of student work by criteria not directly reflective of course performance” is a type of unacceptable faculty conduct, but does not address whether attendance or participation might reflect course performance.

In sum, our research did not uncover any written rule in the Code of the Academic Senate that flatly prohibits taking attendance and participation into account in grading. Although we express no opinion as a committee about the existence, scope, or advisability of unwritten norms on the campus relating to this matter, some committee members observed that the differences in rules from school to school suggest that the choice about use of attendance in grading is best left up to the school/college, department, or individual instructor.

Sincerely,

[Signature]

John Hunt, Chair
Committee on Elections, Rules and Jurisdiction

Cc: André Knoesen, Chair, Davis Division of the Academic Senate

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7 APM-015 (Part II); APM UCD-015.