

MEETING CALL
 REGULAR MEETING OF THE REPRESENTATIVE ASSEMBLY
 OF THE DAVIS DIVISION OF THE ACADEMIC SENATE

MONDAY, FEBRUARY 28, 2005

2:10 – 4:00 p.m.

MU II, Memorial Union

	<u>Pages</u>
1. Minutes of the October 28, 2004 meeting (2:10)	3-4
2. Announcements by the President – None	
3. Announcements by the Vice Presidents – None	
4. Announcements by the Chief Campus Officer – Larry Vanderhoef	
5. Announcements by Deans, Directors, or other Executive Officers – None	
6. Special orders (2:10-2:30)	
A. State of the Campus – Chancellor Vanderhoef	Oral
B. Remarks by the Chair of the Davis Division of the Academic Senate, Daniel L. Simmons	Oral
I. Review of the report of the Special Committee on Shared Governance	
II. Senate advice on the campus budget	
III. Chair’s joint Senate/Administration working groups	
C. Restrictions of Research Funding-AC Resolution (2:30 to 3:00)	5-14

The attached resolution was adopted by the Academic Council in 2003-2004 but was in conflict with resolutions adopted on other campuses and within some academic units that restricted accepting research funding from tobacco companies. The current Academic Council resubmitted the resolution for full Senate review. Divisional responses regarding the resolution are due to the Chair of the Academic Council by March 14, 2005.

Given the importance of this item, the Executive Council asks the Representative Assembly to endorse or reject the resolution as the Davis Division position. The Academic Council will undoubtedly debate the specific language of the resolution. Thus, it is not productive for the Divisional Representative Assembly to consider proposals for specific language. However, the Chair can be instructed to communicate the views of the Representative Assembly to the Academic Council. Analysis of the resolution by the Committees on Academic Freedom and Responsibility and on Planning and Budget Review are attached.

The Executive Council endorses the resolution but believes that additional steps are required to assure that interested funding sources are not permitted to interfere with publication of results that are not in their interests. However, the Executive Council did not adopt the language recommended by Committee on Academic Freedom and Responsibility but requested that the Committee refine its proposal for future consideration by the Divisional Senate.

7. Reports of special committees - None

8. Reports of standing committees (3:00-3:15)
 - A. Graduate Council—Proposed Revision to Davis Division Bylaw 80* 15-19
This has been reviewed and endorsed by the Executive Council
 - B. Graduate Council—PhD. Plan C* 20-24
This has been reviewed and endorsed by the Executive Council
9. Petitions of students – Howard Zochlinski (Scheduled to begin at 3:15 PM) 25-39
Mr. Zochlinski is petitioning the Representative Assembly for reinstatement as a graduate student in genetics. Mr. Zochlinski’s original petition is attached. In response to the petition the Executive Council appointed a special committee to report on the petition. Two reports from the special committee are attached. Mr. Zochlinski has been invited to submit an additional response, which will be forwarded to members of the Assembly when received. Finally, the Chair has prepared a list of applicable Senate regulations and letters from the Committee on Elections Rules and Jurisdiction.

The Representative Assembly will be asked to debate and vote on the following motion that will be placed before the Assembly at the beginning of the debate.

The petition of Howard Zochlinski for reinstatement as a graduate student advanced to candidacy is granted with full credit for past work. The Administrative Committee of the Graduate Council shall appoint a committee that will establish requirements for completing the degree, including additional course work that it may require, and establish a reasonable time for completion of the degree requirements under Regulations of the Graduate Division .

The chair will call the question on this motion at 3:50 pm, unless debate concludes earlier.

10. Unfinished business – None
11. University and faculty welfare – None
12. New business

Vicki Smith, Secretary
Representative Assembly of the
Davis Division of the Academic Senate

*Consent Calendar. Items will be removed from the Consent Calendar on the request of any member of the Representative Assembly.

All voting members of the Academic Senate (and others on the ruling of the Chair) shall have the privilege of attendance and the privilege of the floor at meetings of the Representative Assembly, but only members of the Representative Assembly may make or second motions or vote.

Transcript
REGULAR MEETING OF THE REPRESENTATIVE ASSEMBLY
OF THE DAVIS DIVISION OF THE ACADEMIC SENATE

THURSDAY, OCTOBER 28, 2004

2:10 – 4:00 p.m.

MU II, Memorial Union

Attachment

1. Minutes of the June 3, 2004 meeting

Minutes approved.

2. Announcements by the President – None

3. Announcements by the Vice Presidents – None

A. Announcements by the Chief Campus Officer – Larry Vanderhoef

The Chancellor addressed shared governance and the comprehensive gift campaign. The Chancellor stated that shared governance is a partnerships that separates authority over all facets of the “student experience” (course, curriculum, graduation requirements, admissions) to the faculty and authority over resources (distribution of financial resources equitably) to the administration, which is delegated, thereby obligating consultation (not all authority is invested in a single body). Some, which is delegated, aspects of shared governance work well, such as the personnel review system. The absence of frequent disagreement at the end of reviews is an indication that the system works well.

The budget process may be improved through more consultation although complexity makes it difficult to develop a mechanism to allow informed exchange when consultants (faculty) are not working on the budget full time (administrators). The Chancellor and Academic Senate Chair are working on a mechanism in an attempt to improve shared governance related to the budget.

The Comprehensive Campaign is focused on raising 900 million dollars over 6 to 7 years. This type of campaign is not uncommon for institutional members of the AAU. UC Davis is a young but highly progressive institution that has come a long way in a short period of time. Vice Chancellor Celeste Rose will be working with the Academic Senate in the next few weeks to involve the Senate in all aspects of the campaign. The campaign will impact faculty work, goals, priorities and campus accomplishments. The campaign will incur costs but it is a good investment.

The Chancellor was asked if the Comprehensive Campaign included proposals for new classroom space. The Chancellor agreed that the current campus position is not good. However, there are projects including classroom space in the pipeline. Additionally, campaign proposals do currently include classroom space; however, it is not known if those proposals will survive when campaign advisors begin to review proposals and provide feedback concerning the viability of raising funds.

The Chancellor was asked if he would return to the Representative Assembly after the Shared Governance Report is issued to discuss the issues and recommendations outlined in the report expected to be released in spring 2005. The Chancellor is willing to return based on an invitation from the Academic Senate Chair.

4. Announcements by Deans, Directors, or other Executive Officers – None

A. Special orders

B. Remarks by the Chair of the Graduate Student Association, Jonathan Karpel---

GSA Chair Karpel announced a new office manager and a Graduate Student Association web site <http://www.gsa.ucdavis.edu> The GSA is now in its second year of enjoying an increased budget. The increased budget has brought more responsibility in that GSA is now tasked with dispersing to Graduate Students funds to attend conferences, graduate student research activities, and graduate student clubs and organizations. The GSA has a long term goal of holding financial planning meetings to guide the disbursement of funds as well as champion the proposal for a Graduate Student Resource Center, (envisioned to be a one stop shop for graduate student services) to assist in making the proposal a reality. There is a call for GSA funding proposals in May/June and January/February. Questions may be addressed to Karpel at gsachair@ucdavis.edu.

C. Remarks by the President of ASUCD, Kalen Gallagher---unable to attend

D. Remarks by the Chair of the Davis Division of the Academic Senate,

Daniel L. Simmons

Executive Council appointed a Special Committee on Shared Governance. The committee's report will be issued soon. The budget process is under review. We are working with Chancellor and Provost to facilitate collaboration between the Deans and College Executive Committees. The Executive Committee Chairs will provide input to CAPBR. CAPBR will determine the Senate's priorities based on the input from the Executive Committee Chairs. This effort is time consuming and difficult to establish, but it will grow over time. It is critical to move the Academic Senate forward as an organization developing an understanding of budgetary allocations in order to provide meaningful input into campus budgetary allocation and influence over the institution.

5. Reports of standing committees

A. *Annual Report of the Academic Personnel Oversight Committee

B. *Annual Report of the Academic Personnel Appellate Committee

C. *Annual Reports of the Committee on Elections, Rules and Jurisdiction

D. *Annual Report of the Graduate Council

E. *Annual Report of the Joint Senate/Federation Personnel Committee

(Will be a meeting handout)

F. *Annual Report of the College of Letters and Science

Action: There were no motions to remove items from the consent calendar.

8. Petitions of students –

There is a student petition that remains under review by the 2003-04 Executive Council. An Executive Council finding is expected. If the issue must come to the Representative Assembly for a vote, the chair is committed to assuring there was ample time for discussion.

9. Unfinished business – None

10. University and faculty welfare – None

11. New business

A. Proposed Change to the Davis Undergraduate Admissions Formula

The assembly discussed the proposal.

Motion: Accept the recommendation of the Committee on Admissions and Enrollment

Action: Approved

B. Proposal to Implement Davis Division Regulation 544

Following assembly discussion of the proposal there was an amendment proposed.

Motion: Amendment proposed by the assembly to change the wording of implementation guideline "5" to read "It is the student's responsibility to seek information about financial aid implications..." rather than "the student shall be informed about the financial aid implications..."

Action: Amended proposal approved.



Office of the Chair
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Assembly of the Academic Senate, Academic Council
University of California
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200

November 17, 2004

DIVISIONAL CHAIRS
SENATE-WIDE COMMITTEE CHAIRS

Re: Academic Council Resolution on Restrictions on Research Funding Sources

Dear Colleagues:

At its October 20 meeting, the Academic Council unanimously agreed that the Academic Council Resolution on Restrictions on Research Funding Sources, which was adopted by the Council on July 21, 2004, should be sent out for general review by the systemwide Senate Standing Committees and the Divisions. The Council felt that concerns expressed by some faculty members subsequent to the Council's July endorsement regarding both the content of the resolution and the need for members of the Senate to have their views heard warrants a full and open discussion of the resolution before any final action is taken.

I therefore am enclosing the [Academic Council Resolution on Restrictions on Research Funding Sources](#) for review by your respective constituencies. After the divisions and statewide committees have commented, the Academic Council will decide whether the Resolution should stand as written and adopted, or should be amended and/or rescinded. The Council might also decide to forward this to the Academic Assembly for action. I would like to receive responses from Systemwide committees by **February 10, 2005** and from the Divisions of the Academic Senate by **March 14, 2005**.

I also refer you to the Academic Council's ["Report on Problematic Restrictive Clauses in Contracts, Grants and Gifts for Research,"](#) for the larger context in which the University Committee on Research Policy (UCORP) formulated this resolution. In what follows, I would like to provide a brief overview of the document's background and the debate associated with it.

Last July, the University Committee on Research Policy (UCORP) brought to the Academic Council the above report on "strings" attached to research awards. Attending that report, both as a separate document and incorporated into the report, was UCORP's Resolution on Restrictions on Research Funding Sources, which was developed as a response to faculty votes within individual units of the University to ban the acceptance of research funding from the companies associated with the tobacco industry. The Resolution is, however, not particular to that one source or issue. The Academic Council adopted both the report and the resolution, and they were subsequently sent to President Dynes with the request that they be distributed to the various campus administrations. The Resolution now out for review concludes that:

“The principles of academic freedom and the policies of the University of California require that individual faculty members be free to accept or refuse research support from any source, consistent with their individual judgment and conscience and with University policy. Therefore, no unit of the University should be directed (by faculty vote or administrative decision) to refuse to process, accept, or administer a research award based on the source of the funds; and no special encumbrances should be placed on a faculty member’s ability to solicit or accept awards based on the source of the funds.”

The Resolution was developed within the larger context of UCORP’s almost two-year-long engagement with the issue of restrictions on research awards. The committee had, in October 2002, identified tobacco industry funding as one of its key issues, and throughout the year discussed the UCSF vote on whether to accept tobacco funding and the University’s negotiations with the American Legacy Foundation (ALF) regarding a clause in its grants that prohibits the broad organization receiving ALF funding from also receiving funds from the tobacco industry. In July 2003, UCORP received a formal charge from Academic Council Chair Binion to review UC’s stance on the issue of banning tobacco funding at the University, along with the broader charge to review research funding policies at UC, the fulfillment of which was the July ‘04 report and its attendant Resolution on Restrictions on Research Funding Sources. In endorsing the Resolution, the Academic Council was expressing the belief that banning certain sources of funds, such as tobacco funding, by a majority vote of the faculty within a unit is a fundamental infringement of the academic freedom of the individual UC researcher who may wish to accept such funding and who is otherwise acting in compliance with UC policy. UC policy requires that scholarship be judged solely by professional standards, and the Resolution was aimed at showing that bans based upon judgments regarding the funding source or speculations about how the research might be used fundamentally interfere with a faculty member’s freedom to carry out a research program.

UCORP’s view of the academic freedom issues was based, in part, on the American Association of University Professors’ (AAUP’s) academic freedom position. The [2002-03 AAUP Committee A Report](#) states in part:

“A very different situation obtains, however, when a university objects to a funding agency because of its corporate behavior. As a practical matter, the distinction between degrees of corporate misdeeds is too uncertain to sustain a clear, consistent, and principled policy for determining which research funds to accept and which to reject. An institution which seeks to distinguish between and among different kinds of offensive corporate behavior presumes that it is competent to distinguish impermissible corporate wrongdoing from wrongful behavior that is acceptable. A university which starts down this path will find it difficult to resist demands that research bans should be imposed on other funding agencies that are seen as reckless or supportive of repellent programs. If the initiative in calling for these bans on the funding of faculty research comes from the faculty itself, our concerns about the restraints on academic freedom are not thereby lessened.”

Holding a contrary position, some faculty members believe that self-governance allows a unit of the faculty to restrict research awards based on the source of funds. For example, a group of faculty members active in opposing the acceptance of tobacco money have formally objected to the Resolution, and cite the Regents' 1970 resolution on research, which states that UC research "makes a vital contribution to [...] the health and well-being of all mankind" as the reason some faculty units have adopted no-tobacco money policies. They raise several procedural issues, one of which is that UCORP's initial consultative process was not broad enough and not held with "interested parties." It is the Academic Council's intention to address this particular criticism through discussions involving broad constituencies within Senate committees and the Divisions.

Key among the other objections raised by the group is the argument that the tobacco industry's history of systematically distorting scientific research is inconsistent with and undermines the University's fundamental academic mission. In support of this argument, it is pointed out that tobacco companies are now under federal RICO¹ indictment, and that the Council for Tobacco Research and the Center for Indoor Air Research were disbanded based on allegations of fraud by law enforcement officials. The current racketeering lawsuit alleges a criminal conspiracy by the tobacco industry to corrupt and misdirect university research, to preempt research results contrary to its interests, and to produce and disseminate disinformation under the guise of independent research. This group of faculty argues that in accepting research funding from the tobacco industry, the University is acting as an unintentional collaborator with the tobacco industry. Those with this point of view would draw a clear distinction between freedom of speech, which they agree is protected by academic freedom, and the acceptance of funding from a particular source. They also argue that this resolution inappropriately limits the grounds under which the University may refuse funding from a source.

In the same vein, the anti-tobacco money group argues that the UC Regents have divested their holdings in the tobacco industry, and therefore, it is inconsistent and questionable that the Regents (who as a body are the legal recipients of funding awards) should accept research sponsorship from the same source. On the other hand, it can be argued that investment choices (for monetary profit), which might provide financial support for repugnant behavior, may not be strictly analogous to accepting research funding that comes without strings and is in support of fundamental research.

Those opposing the resolution may also argue that each unit (eg. campus, college or department) should have the right to set its own policy by majority vote of the faculty. According to university policy, funding is approved by the head of a unit (a chair, dean, director) if the project is deemed an "appropriate university activity." They ask, then, if the majority of faculty members of a particular unit decide that accepting funding from a certain source is not an appropriate university activity, then "should the unit head be forced to host that activity?" However, UCORP has pointed out that policy is made at much higher levels and that a unit head, when approving a research grant or contract, is acting as an administrator, not as the head of a Senate unit; therefore that unit head must follow broader University policy.

¹ The Racketeer Influenced and Corrupt Organizations Act (" RICO"), 18 U.S.C. §§ 1961-1968, prohibits individuals or entities from engaging in racketeering activity associated with an "enterprise," which includes corporations, partnerships and other legal entities and associations. The RICO statute also makes it illegal for individuals or entities to profit from a pattern of racketeering activity, and allows for the confiscation and seizure of such ill-gotten gains.

I realize that in summarizing these arguments, I may not have done justice to all points of view within the University regarding this Resolution. I hope that discussions within committees and divisions will help to clarify the issues further. Clearly, the issues associated with the Resolution on Restrictions on Research Funding Sources have significant ramifications for research policy and for individual UC researchers. I look forward to hearing your responses.

Sincerely yours,

A handwritten signature in cursive script that reads "George".

George Blumenthal, Chair
Academic Council

Encl: 1

GB/bgf

Resolution of the Academic Council Restrictions on Research Funding Sources

**Submitted by the University Committee on Research Policy;
Adopted by the Academic Council July 21, 2004**

Whereas, Freedom of inquiry is a fundamental principle of the University of California; and

Whereas, The University of California faculty code of conduct requires that “[Professors] respect and defend the free inquiry of associates”; and

Whereas, The University of California policy on academic freedom requires that scholarship be judged solely by reference to professional standards, and that researchers “must form their point of view by applying professional standards of inquiry rather than by succumbing to external and illegitimate incentives such as monetary gain or political coercion”; and

Whereas, The University of California has existing policies that encourage the highest ethical standards in the conduct of research, require disclosure of conflicts of interest, guarantee the freedom of publication, and prevent misuse of the University's name; and

Whereas, Restrictions on accepting research funding from particular sources on the basis of moral or political judgments about the fund source or the propriety of the research, or because of speculations about how the research results might be used, interfere with an individual faculty member’s freedom to define and carry out a research program; and

Whereas, No Committee, Faculty, or Division of the Academic Senate of the University of California has the plenary authority either to set aside the principles of academic freedom or to establish policies on the acceptance of research funding; now, therefore, be it

Resolved, That the principles of academic freedom and the policies of the University of California require that individual faculty members be free to accept or refuse research support from any source, consistent with their individual judgment and conscience and with University policy. Therefore, no unit of the University should be directed (by faculty vote or administrative decision) to refuse to process, accept, or administer a research award based on the source of the funds; and no special encumbrances should be placed on a faculty member’s ability to solicit or accept awards based on the source of the funds.

December 13, 2004

Daniel Simmons, Chair
Davis Division of the Academic Senate

Subject: Academic Council Resolution on Restrictions on Research Funding
Sources

Dear Professor Simmons,

The Executive Committee of the College of Letters and Science spent considerable time at its most recent meeting discussing the issues associated with the "Academic Council Resolution on Restrictions on Research Funding Sources." The questions were mostly ethical and the committee found the matter extremely difficult to resolve.

Essentially, the committee agrees with the need to maintain academic freedom, but the UCSF faculty are convincing in expressing the egregious case doctrine and all the examples that go with it. In short, the Executive Committee supports the Council Resolution, but suggests that implementation **procedures** should be reexamined for debating and considering questionable funding sources. The committee is against making those decisions in close quarters, with, perhaps, administrative concerns prevailing over ethical concerns. The committee would also like to see more discussion of this topic by the Senate at large. Approval by the College Executive Committees does not necessarily mean that the issue has been adequately presented to the wider faculty.

This is a very thorny subject.

Sincerely,



Pablo V. Ortiz, Chair
Executive Committee
College of Letters and Science

cc: D. Trask, Assistant Dean

Gina Anderson

From: Academic Senate Chair
Sent: Monday, January 03, 2005 5:26 PM
To: Gina Anderson
Subject: FW: AC- Restrictions on Research Funding Sources

From: Dan Simmons[SMTP:DLSIMMONS@UCDAVIS.EDU]
Sent: Monday, January 03, 2005 5:25:26 PM
To: Academic Senate Chair
Subject: FW: AC- Restrictions on Research Funding Sources
Auto forwarded by a Rule

Daniel L. Simmons
Professor of Law
Chair, Davis Division
of the Academic Senate

Tel: 530 752-2757
530 752-4919
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From: Michael Delwiche [mailto:mjdelwiche@ucdavis.edu]
Sent: Monday, January 03, 2005 4:52 PM
To: dlsimmons@ucdavis.edu
Cc: saberg@ucdavis.edu
Subject: FW: AC- Restrictions on Research Funding Sources

Dan:

The CA&ES Executive Committee discussed and approved the Academic Council Resolution on Restrictions on Research Funding Sources at their meeting on December 20, 2004.

Mike

Priority: normal
Importance: normal
Subject: FW: AC- Restrictions on Research Funding Sources
Date: Wed, 17 Nov 2004 16:34:34 -0800
X-MS-Has-Attach:
X-MS-TNEF-Correlator:
Thread-Topic: AC- Restrictions on Research Funding Sources

PROF. STEVEN A. VELINSKY
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January 20, 2005

Daniel I. Simmons, Chair
Academic Senate
University of California, Davis
CAMPUS

Dear Dan,

The Committee on Research's Policy Subcommittee has carefully reviewed the numerous documents and materials related to restrictions on research. We decided that our most effective way to respond to this issue was to vote on the resolution of the University Committee on Research Policy's approved resolution of July 21, 2004, which I have attached. A vote was taken at our meeting of January 19, 2005 and the committee was unanimous in its support of the resolution. Consistent with the resolution, we see this issue as an academic freedom issue and we believe that the faculty code of conduct and other UC policies set the standards for the ethics associated with our research. I note that the resolution applies to all research funding sources including tobacco companies.

Respectfully submitted,

Steven A. Velinsky
Professor
Chair, Committee on Research



SCHOOL OF MEDICINE
DEPARTMENT OF MEDICAL MICROBIOLOGY AND IMMUNOLOGY

ONE SHIELDS AVENUE
DAVIS, CALIFORNIA 95616-8645
TELEPHONE (530) 752-9402 FAX (530) 752-8692

February 7, 2005

The UC Davis CAFR met on February 3, 2005 to discuss the Academic Councils resolution on restriction of research funding sources.

We agree that APM 010 would be severely compromised if restrictions on research funding sources were allowed based upon perceived moral, political or social issues of concern to segments of the faculty or administrative officers or if entire industries wanting to fund research were prohibited from doing so.

At the same time, however, the privilege of Academic Freedom, as set forth in APM 010, carries with it the responsibility of protecting the integrity of the Faculty as a collective body as well as the reputation of the University.

It seems to us that the threat to the integrity of the investigator, and by extension, the faculty and institution if, stems not from the source of the funds but rather from the contractual agreements written or implied that the investigator may be asked to accept in order to receive the research funds.

It is not, in our opinion, an infringement upon APM 010 to protect investigators from having their Academic Freedom co-opted by funding bodies as a result of such contractual stipulations. We therefore recommend that a final clause be added to the resolution as adopted by the Academic Council to read:

“Contractual agreements, whether written or implied, between the funding agency and the investigator may not require participation during any stage of the investigation by consultants, scientists, or officers of the funding agency, nor may pre-publication review of the results of the study be conducted by scientists, consultants, or officers of the funding agency.”

Sincerely

A handwritten signature in black ink, appearing to read "J.H. Theis".

J.H. Theis, DVM, PhD
Chair, CAFR

February 17, 2005

DANIEL L. SIMMONS, Chair
Davis Division Academic Senate

**RE: Academic Council Resolution on Restrictions on Research
Funding Sources**

Dear Dan:

At its meeting on February 15, CAPBR considered the resolution on restrictions on Research Funding Sources. After discussion, with two members absent, the committee voted 8-1 in support of the resolution. The person casting the negative vote believed that the resolution was not needed and that the status quo was acceptable.

Sincerely,

RANDOLPH M. SIVERSON, Chair
Committee on Academic Planning & Budget Review

ksv

REPORT OF THE GRADUATE COUNCIL

To: Representative Assembly of the Davis Division of the Academic Senate

Proposed Addition to Davis Division Bylaw 80

JUSTIFICATION: At its meeting of September 22, 2004, Graduate Council considered a proposal to amend Bylaw 80 of the Davis Division of the Academic Senate. Dean Jeffery Gibeling reported that the Committee on Elections, Rules & Jurisdiction recently pointed out that the bylaw did not include a mechanism to give Graduate Council the authority to delegate items to the Dean of Graduate Studies. The amendment is intended to address this issue. Graduate Council approved the following amendment to the bylaw

Current Bylaw	Proposed Addition
<p><u>Current Wording</u></p> <p>80. <u>Graduate Council</u></p> <p>A. This council shall consist of thirteen Senate members (including a chair, a vice chair, and the Dean of Graduate Studies <i>ex officio</i>), four graduate student representatives (the Graduate Student Assistant to the Dean and Chancellor selected by Graduate Studies, the Graduate Student Association Chair, the GSA Vice Chair, a fourth graduate student selected by GSA) two postdoctoral scholar representatives (the Postdoctoral Scholar Association Chair and another postdoctoral scholar selected by the PSA) and two representatives appointed by the Davis Academic Federation. The Dean of Graduate Studies shall not be chair or vice chair. A chair and vice-chair of this council shall be named by the Committee on Committees. Any member from the Davis Division on the Coordinating Committee on Graduate Affairs who is not a regular member of the Graduate Council shall be an additional <u>ex officio</u> member of this council. The council shall be organized into subcommittees to facilitate the conduct of its business.</p>	<p>80. <u>Graduate Council</u></p> <p>A. No changes.</p>

REPORT OF THE GRADUATE COUNCIL

To: Representative Assembly of the Davis Division of the Academic Senate

Proposed Addition to Davis Division Bylaw 80

<p>Subcommittees of the Graduate Council shall be appointed by the Chair and shall serve from the first day of September each year. Deans of Graduate Studies may be appointed to subcommittees but shall not serve as chair of any subcommittee. The Chair of the Graduate Council shall appoint additional Academic Senate members to the subcommittees as deemed necessary. (Am. 6/4/79; 1/27/81; 4/26/82; 6/10/86; 11/25/96; 6/10/03)</p> <p>B. It shall be the duty of the Graduate Council with respect to the Davis campus:</p> <ol style="list-style-type: none">1. To grant certificates of admission to qualified applicants for graduate status; to admit qualified students to candidacy for degrees to be conferred on graduate students; to appoint committees in charge of candidates' studies, who shall certify for every candidate before recommendation for a higher degree that the candidate has fulfilled the requirements of the University pertaining to that degree. (Am. 11/25/96)2. To make final reports to the Executive Council concerning the conferring of graduate degrees.3. To advise the Chief Campus Officer concerning relations with educational and research foundations.4. To regulate the conduct of graduate work of the Division with a view to the promotion of research and learning. (Am. 4/26/82; 11/25/96)5. To supervise the conduct of public and other examinations for higher degrees.	<p>B. No changes.</p>
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REPORT OF THE GRADUATE COUNCIL

To: Representative Assembly of the Davis Division of the Academic Senate

Proposed Addition to Davis Division Bylaw 80

<ol style="list-style-type: none">6. To make recommendations to the Representative Assembly and to the statewide Coordinating Committee on Graduate Affairs concerning the establishment of new graduate degrees.7. To report and to make recommendations to the Representative Assembly on matters pertaining to graduate work.8. To coordinate the procedures of the various departments and schools on the campus insofar as they relate to the conferring of degrees higher than the Bachelor's degree.9. To recommend and supervise all new, changed, or deleted graduate courses of instruction in the Division. In discharging this responsibility, the Graduate Council presents its recommendations to and shall maintain liaison with the Committee on Courses. (Am. 11/25/96)10. To determine for the Division and to make recommendations to the statewide Coordinating Committee on Graduate Affairs concerning the qualifications of departments and graduate groups for initiating new programs and for making changes in established programs leading to existing graduate degrees. (Am. 11/25/96)11. To set policies and standards for admission to full- and part-time graduate status. (Am. 11/25/96)12. To make rules governing the form of presentation and the disposition of dissertations. (Am. 11/25/96)	
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REPORT OF THE GRADUATE COUNCIL

To: Representative Assembly of the Davis Division of the Academic Senate

Proposed Addition to Davis Division Bylaw 80

<p>13. To recommend the award of fellowships and graduate scholarships, including honorary travel fellowships, according to the terms of the various foundations. (Am. 11/25/96)</p> <p>14. To set policies and standards for appointment of graduate students to be Teaching Assistants, Teaching Fellows, Research Assistants, and recipients of University Fellowships. (Am. 11/25/96)</p> <p>15. To limit at its discretion the study lists of students who are employed.</p> <p>16. To set policies and standards for appointment of postdoctoral scholars or their academic equivalent and for their enrollment by the Graduate Division. (Am. 11/25/96)</p> <p>17. To conduct regular reviews of current graduate programs for their quality and appropriateness. (Am. 11/25/96)</p> <p>18. To establish policy on and exercise authority on academic disqualifications and/or dismissals as well as over all graduate academic transcript notations. (En. 6/5/02)</p> <p>C. The annual report of the Graduate Council will be presented at the first regular meeting of the Representative Assembly in the fall term. (En. 6/4/85)</p>	<p>C. No Changes</p> <p>D. At its discretion and consistent with Senate Bylaws 20 and 330(C), the Graduate Council may delegate to the Dean of Graduate Studies administrative decisions related to the academic regulations and policies of the</p>
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REPORT OF THE GRADUATE COUNCIL

To: Representative Assembly of the Davis Division of the Academic Senate

Proposed Addition to Davis Division Bylaw 80

	<p>Graduate Council. The Dean of Graduate Studies will report on and Graduate Council will review these delegated decisions annually.</p>
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REPORT OF THE GRADUATE COUNCIL

To: Representative Assembly of the Davis Division of the Academic Senate

**Proposed Amendment to Davis Division Regulation 520:
Additional and Modified Ph.D. Plans**

JUSTIFICATION:

At its meeting of November 22, 2004, Graduate Council voted to recommend changes to UC Davis Academic Senate Regulation 520. (C) (4) Dissertation and Final Examination. The first recommendation is for a new Plan C, which would allow graduate programs to require a final oral examination of the student with a three-faculty member committee. Over the years, Graduate Council has received several requests from graduate programs for such a mechanism. The Plan A option requires a final oral examination but has a committee of five instead of three faculty members.

Graduate Council’s second recommendation is to modify Plan B to allow graduate programs as well as individual committees to require a final exit seminar of the student. Currently, under Plan B, the student’s dissertation committee may require an exit seminar but there is no mechanism for the graduate program itself to do so and the requirement is not enforceable.

Furthermore, if approved, the Council seeks an effective date of : immediately for the following reasons: 1)The council members who recommended the change are probably the best to consider how it is working (the Dean's report). 2) Some of these administrative details that will be delegated like checking on appointments of QE and dissertation committee suggested members are clearly not done by the academic senate faculty; my name is on a rubber stamp for this paperwork. 3) We don't see how anyone will be negatively affected by early implementation.

Current Bylaw	Proposed Addition
<u>Current Wording</u>	<u>Proposed Wording in Bold Text</u>
520. <u>Doctor of Philosophy</u> Each department or group is permitted to adopt regulations for the degree of Doctor of Philosophy, provided that the regulations are compatible with the following sections and are approved by the Graduate Council. Each department or group must keep a current statement of such regulations filed with the Dean of Graduate Studies. (App. 1/26/71)	520. <u>Doctor of Philosophy</u> Each department or group is permitted to adopt regulations for the degree of Doctor of Philosophy, provided that the regulations are compatible with the following sections and are approved by the Graduate Council. Each department or group must keep a current statement of such regulations filed with the Dean of Graduate Studies. (App. 1/26/71)
(A) <u>Qualifying Examinations</u> . Before admission to candidacy, a student must have met any deficiencies in his or her training, must have maintained a minimum average of three grade points per unit in all course work undertaken except those courses	(A) <u>Qualifying Examinations</u> . Before admission to candidacy, a student must have met any deficiencies in his or her training, must have maintained a minimum average of three grade points per unit in all

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<p>graded S or U, and must have passed a series of qualifying examinations (including any required tests of a reading knowledge of foreign languages) before a committee to be appointed by the Graduate Council for that purpose. The department or group primarily concerned with any examination will be asked to suggest to the Administrative Committee of the Graduate Council the names of persons to be included on such examining committees, but appointment shall be made by the Dean of Graduate Studies, who will advise all parties concerned. (Am. 1/26/71; 1/24/72; Renum. 12/80)</p> <p>(B) <u>Advancement to Candidacy.</u> Immediately following the successful completion of the qualifying examination, each student should apply on the form provided by the Dean of Graduate Studies for advancement to candidacy for the degree of Doctor of Philosophy. If the department or group so recommends, a student who has been officially advanced to candidacy may be awarded the degree, Candidate in Philosophy. (App. 1/26/71; Renum. 12/80)</p> <p>(C) <u>Dissertation and Final Examination.</u> (Renum. 12/80)</p> <p>(1) A dissertation on a subject chosen by the candidate, bearing on the principal subject of study and of such character as to show ability to prosecute independent investigation, must receive the</p>	<p>course work undertaken except those courses graded S or U, and must have passed a series of qualifying examinations (including any required tests of a reading knowledge of foreign languages) before a committee to be appointed by the Graduate Council for that purpose. The department or group primarily concerned with any examination will be asked to suggest to the Administrative Committee of the Graduate Council the names of persons to be included on such examining committees, but appointment shall be made by the Dean of Graduate Studies, who will advise all parties concerned. (Am. 1/26/71; 1/24/72; Renum. 12/80)</p> <p>(B) <u>Advancement to Candidacy.</u> Immediately following the successful completion of the qualifying examination, each student should apply on the form provided by the Dean of Graduate Studies for advancement to candidacy for the degree of Doctor of Philosophy. If the department or group so recommends, a student who has been officially advanced to candidacy may be awarded the degree, Candidate in Philosophy. (App. 1/26/71; Renum. 12/80)</p> <p>(C) <u>Dissertation and Final Examination.</u> (Renum. 12/80)</p> <p>(1) A dissertation on a subject chosen by the candidate, bearing on the principal subject of study and of such character as to show</p>
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<p>approval of the special committee in charge of the dissertation and of the Graduate Council before the degree is recommended. Special emphasis will be placed upon this requirement, and the degree will in no case be given merely for the faithful completion of a course of study, however extensive.</p> <p>(2) The dissertation must be in a form acceptable to the Graduate Council.</p> <p>(3) Not later than three weeks before the proposed date of the final examination under Plan A (see (4) below) or not later than three weeks before the end of the quarter in which the degree is to be conferred under Plan B, the candidate shall file with the Dean of Graduate Studies one copy of the dissertation (the original if typewritten) approved by the committee in charge. An abstract of the dissertation must be filed by the same date. The Administrative Committee of the Graduate Council may, in special cases under Plan A, authorize the taking of the final examination before the dissertation is completed.</p> <p>(4) The candidate shall be subject to the provisions of either Plan A or Plan B, as outlined below, depending upon the department or group primarily concerned with his or her field of study. Each</p>	<p>ability to prosecute independent investigation, must receive the approval of the special committee in charge of the dissertation and of the Graduate Council before the degree is recommended. Special emphasis will be placed upon this requirement, and the degree will in no case be given merely for the faithful completion of a course of study, however extensive.</p> <p>(2) The dissertation must be in a form acceptable to the Graduate Council.</p> <p>(3) Not later than three weeks before the proposed date of the final examination under Plan A (see (4) below) or not later than three weeks before the end of the quarter in which the degree is to be conferred under Plan B or Plan C, the candidate shall file with the Dean of Graduate Studies one copy of the dissertation (the original if typewritten) approved by the committee in charge. An abstract of the dissertation must be filed by the same date. The Administrative Committee of the Graduate Council may, in special cases under Plan A, authorize the taking of the final examination before the dissertation is completed.</p> <p>(4) The candidate shall be subject to the provisions of either Plan A or</p>
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<p>department or group is required to adopt one of the two plans.</p> <p><u>Plan A.</u> The Administrative Committee of the Graduate Council shall appoint a committee of five members, which shall determine whether the candidate has met the requirements for the degree, in accordance with the following procedure.</p> <p>(a) Three of the members of the committee shall be designated to guide the candidate in his or her research and to pass on the merits of the dissertation.</p> <p>(b) The entire committee shall conduct a final oral examination, which shall deal primarily with questions arising out of the relationship of the dissertation to the general field of study in which the subject of the dissertation lies.</p> <p>(c) Admission to the final examination may be restricted to members of the committee, members of the Academic Senate, and guests of equivalent rank at other institutions.</p> <p><u>Plan B.</u> The Administrative Committee of the Graduate Council shall appoint a committee of three members, which shall guide the candidate in his or her research and shall pass upon the merits of the dissertation. This committee shall arrange for such conferences with the candidate as may be necessary for the complete elucidation of the subject treated in the dissertation. After presentation of the dissertation, but before the final action has been taken on it, the candidate may, at the</p>	<p>Plan B, or Plan C as outlined below, depending upon the department or group primarily concerned with his or her field of study. Each department or group is required to adopt one of the two three plans.</p> <p><u>Plan A.</u> The Administrative Committee of the Graduate Council shall appoint a committee of five members, which shall determine whether the candidate has met the requirements for the degree, in accordance with the following procedure.</p> <p>(a) Three of the members of the committee shall be designated to guide the candidate in his or her research and to pass on the merits of the dissertation.</p> <p>(b) The entire committee shall conduct a final oral examination, which shall deal primarily with questions arising out of the relationship of the dissertation to the general field of study in which the subject of the dissertation lies.</p> <p>(c) Admission to the final examination may be restricted to members of the committee, members of the Academic Senate, and guests of equivalent rank at other institutions.</p> <p><u>Plan B.</u> The Administrative Committee of the Graduate Council shall appoint a committee of three members, which shall guide the candidate in his or her research and shall pass upon the merits of the dissertation. This committee shall arrange</p>
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<p>discretion of the committee, be required to defend it in a formal oral examination. (App. 1/26/71)</p>	<p>for such conferences with the candidate as may be necessary for the complete elucidation of the subject treated in the dissertation. After presentation of the dissertation, but before the final action has been taken on it, the candidate may, at the discretion of the committee, be required to defend it in a formal oral examination. (App. 1/26/71) Graduate program degree requirements may require an exit seminar of each student. Satisfaction of this requirement shall be verified by the chair of the dissertation committee.</p> <p><u>Plan C.</u> The Administrative Committee of the Graduate Council shall appoint a committee of three members, which shall guide the candidate in his or her research and shall pass upon the merits of the dissertation. This committee shall arrange for such conferences with the candidate as may be necessary for the complete elucidation of the subject treated in the dissertation. The entire committee shall conduct a final oral examination, which shall deal primarily with questions arising out of the relationship of the dissertation to the general field of study in which the subject of the dissertation lies. Admission to the final examination may be restricted to members of the committee, members of the Academic Senate, and guests of equivalent rank at other institutions.</p>
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**FOR MEMBERS OF THE
REPRESENTATIVE ASSEMBLY
ONLY...**

**STUDENT PETITION
MATERIALS ARE AVAILABLE
FROM THE
ACADEMIC SENATE OFFICE**