



Davis Division Academic Senate

Request for Consultation Responses

Proposal to Amend Senate Bylaw 55

January 8, 2014

Last spring, the San Diego Division submitted proposed amendments to Senate Bylaw 55 that would allow the extension of departmental voting rights on academic appointment and promotion actions to salaried non-Senate faculty in the Adjunct Professor or Health Sciences Clinical Professor series. The proposed revisions would permit Senate members in an academic unit to vote on whether to extend Bylaw 55 rights to non-Senate titles and would require that a decision to do so must be reconsidered annually. Former Council Chair Powell asked UCAP and UCFW to consider the proposal in systemwide context. In May, the Academic Council discussed the proposal and advice from UCAP and UCFW and voted to send the proposal, along with the comments from UCAP and UCFW, for systemwide review. Because it was too late in the academic year to begin such a review, Council voted to postpone the review until the fall.

CAP Oversight Committee

November 8, 2013 4:53 PM

Proposal to Amend Bylaw 55

The Committee on Academic Personnel (CAP) discussed the question of extending the proposed modification of Bylaw 55, initially written only for the UCSD medical school, to other units in the University of California. The major point made in favor of this proposal was that in the departments within the School of Medicine at UC Davis, the majority of the faculty are outside of the Academic Senate, but are an integral part of their departments, and are needed to administer programs and units in the medical school. Hence to better integrate non-Senate faculty into their administrative units, voting rights should be extended to the enumerated non-Senate faculty and the adjunct faculty.

Points made against the proposal were that extending voting rights to non-Senate faculty in the medical school might disadvantage faculty who do basic research, rather than clinical service or clinical research; that the role of Adjunct faculty outside of the medical schools is very different from the role of Adjunct faculty inside the medical school, so the extended proposal (to include Adjunct faculty) would have to be worded differently. It was further noted that other non-Senate faculty, such as faculty with cooperative extension appointments, might also be included. Hence, there was a general sense that the specific proposal, written for the UCSD medical school, was not currently appropriate for all UC units, and would need to be further modified.

Council of School & College Faculty Chairs (ENGINEERING)

December 12, 2013 10:54 AM

Our response is attached.

Response continued on next page.

Date: December 11, 2013

From: College of Engineering Faculty Executive Committee

Re: Review of Proposal to amend Senate Bylaw 55

Our committee does not support granting voting privileges to non-senate faculty (NSF) categories such as Cooperative Extension (CE) Specialists, Health Science Clinical Professors or Adjunct Professors with a 50% appointment. CE Specialists and Clinical Professors are not represented in the College of Engineering, but the College has several Adjunct Professors whose percentage of appointment is variable and a function of the research funding they attract, or of the teaching needs of the Departments. Their appointments are typically renewable every 2 or 3 years. Some of these Adjunct Professors have 50% appointments, but their breadth of experience and professional duties often fall well below those of regular senate faculty members (many 50% Adjuncts are supported on research grants secured by Senate faculty members). Accordingly our committee does not support extending voting rights to this category. Over the last two decades, academic institutions nationwide have increasingly replaced tenure track faculty by adjunct faculty members who typically enjoy fewer rights and are therefore less likely to express independent views. We hope that the University of California will be able to resist this trend. For NSF faculty members with strong credentials and achievements, our committee recommends using existing mechanisms, such as Appointment to the Professor in Residence series, to include them in the Academic Senate membership.

Council of School & College Faculty Chairs (LS: SOC SCI)

November 25, 2013 4:40 PM

The L&S Executive Committee discussed this proposal thoroughly and strongly disapproved of it.

Council of School & College Faculty Chairs (MEDICINE)

January 14, 2014 2:28 PM

The Faculty Executive Committee of the School of Medicine of the University of California, Davis, has reviewed your proposal to amend Senate Bylaw 55. The justifications for the changes have significant merit: Academic Federation faculty (our non-Senate faculty) have more limited roles in shared governance than Academic Senate faculty, and this has created considerable angst between the two groups of faculty. However, amending Bylaw 55 to allow health care-related departments that decide to participate to give full voting rights in recommendations made to the Administration regarding hiring, merits and promotions does not seem to be an appropriate way to fix this problem. First, it potentially gives voting rights to some Academic Federation faculty within a department, but not all. There will still be “haves” and “have nots” in many departments, and the angst and demoralization will remain. Second, it will develop new sets of “haves” and “have nots”: Federation faculty in some departments will have different rights than Federation faculty in other departments, and Federation faculty at some professional schools will have rights that Federation faculty can't have at other schools within a given Division.

Instead of this piecemeal approach to resolving the issue of demoralized Federation faculty, this committee recommends that all Academic Senate Executive Committees strive to encourage their Administrations to hire as many new faculty into Academic Senate series as possible, and to work with the Administrations to move qualified Federation faculty into Academic Senate series. Perhaps the best “fix” of all will be to have the Administrations abolish the Adjunct series and redefine the HSCP series so the Regents can include it in their definition of faculty belonging to the Academic Senate.

Finally, we should do our best to make sure that all job applicants for Federation series understand, before they are hired, that they will have different duties and responsibilities than their colleagues that belong to the Academic Senate.

Elections, Rules & Jurisdiction

January 15, 2014 2:35 PM

Senate committees were asked to comment on a proposal to amend Academic Senate Bylaw 55 to permit voting privileges on personnel matters in departments and schools in Health Sciences to be extended to career non-Academic Senate members upon two-thirds majority vote of the faculty entitled to vote on the cases in question.

The Committee on Elections, Rules, and Jurisdiction of the Davis Division has reviewed the proposal and has the following comments.

It appears that the proposal is in tension with the will of the Davis Division faculty as previously expressed in Davis Division Bylaw 28.E. Bylaw 28.E provides, “Only members of the Academic Senate may vote in divisional committees when those agencies or committees are taking final action on any matter for the Academic Senate, or giving advice to University officers or other non-Senate agencies in the name of the Davis Division.” Although this does not specifically refer to votes on personnel actions, it does reflect the concerns of the Davis Division Academic Senate to preserve the authority of the Senate on important matters.

The Committee also shares a concern raised by the University Committee on Faculty Welfare: The culture of departments may be changed by extending personnel voting rights to non-Senate faculty if these faculty members have different expectations and attitudes toward research, teaching, and service from Senate faculty.

For these reasons, CERJ does not believe that this change would be advisable.

Faculty Welfare

December 26, 2013 11:01 AM

Because individual departments can choose whether to extend voting privileges to career salaried faculty in the Adjunct and Health Sciences Clinical series, the committee is not opposed to these amendments. However, there is concern that these changes could create more tension between senate and non-senate faculty due to (1) the differences in their respective criteria for merits and promotions and (2) the threat by the senate faculty of revoking these voting privileges each year.

Graduate Council

January 8, 2014 9:49 AM

Response continued on next page.

January 6, 2014

RFC: Proposed Senate By-law 55 Changes

The Graduate Council accepted the recommendations of the Academic Planning and Development (APD) Committee at its December 6, 2013 meeting in consideration of the above-mentioned Academic Senate Request for Consultation (AS RFC).

The Graduate Council accepted the recommendations, as follows, from the APD Committee.

APD generally deemed the relevance to GC's purview was little and indirect. APD discussed the general benefits (more equity given to non-Senate faculty (NSF)) and potential drawbacks (opening the door to diminishing the criteria for faculty review, as one example).

The major part of the discussion, generally outside of APD's scope, centered around the issues of NSF acquiring voting rights for personnel actions; which NSF faculty would be considered for these rights; the logistics of how these NSF voting rights would be granted; and for which actions and issues the voting rights would be granted. Also discussed was whether once NSF were granted personnel action voting rights, whether this would open the door to expansion of NSF voting rights on other department and unit business, and whether various priorities including levels and types of academic rigor in personnel reviews would be significantly modified with the proposed NSF voting rights. Indirect effects regarding extramural funding leadership, graduate student mentorship, and graduate course teachings could occur. It was also pointed out that the unique Academic Federation structure at the Davis campus already resulted in a substantive voice for NSF similar to that which would result from the suggested by-law changes.

APD discussions also led to the suggestion that full Senate membership rights could be obtained on an individual basis by current NSF by partial appointment to the Senate ranks, given evidence of appropriate activities by the NSF equivalent to, or exceeding parallel Senate appointments. This would involve formal actions by the units and colleges involved to submit the partial appointments with search waivers through normal channels, without any by-law changes. Once again, this issue was considered more indirectly than directly under APD's charges.

The Graduate Council submits the APD committee's comments, as accepted by consensus, at our meeting as the Council's assessment of the "Proposed Senate By-Law 55 Changes" RFC.

Sincerely,



Rachael E. Goodhue, Chair
Graduate Council

/vm

C: Gina Anderson, Academic Senate Executive Director

Planning & Budget

January 15, 2014 2:36 PM

No response at this time.