



Davis Division Academic Senate

Request for Consultation Responses

2nd Review - Proposal to Amend Senate Bylaw 55

April 21, 2014

A UC-wide review of this amendment occurred last fall. The San Diego Division has made revisions in its proposal in response. UC Academic Council considered this revised proposal at its February 2014 meeting and agreed to conduct a second review of two alternative versions before deciding whether or not put the amendment forward to the UC Assembly of the Academic Senate(Assembly) as legislation. Please note that Bylaw 110.3.c empowers the San Diego Division to place legislation directly on an Assembly agenda and that this consultation is intended to encourage broad discussion that might potentially lead to a consensus view. The Davis Divisional response is due by April 25, 2014; therefore each committee's response is due by April 21, 2014. Although this timeline is short, we hope that your previous consideration of the earlier version will facilitate a streamlined review of the revisions.

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

April 7, 2014 5:34 PM

At today's meeting of the L & S Executive Committee, we discussed this revised bylaw revision proposal and reached consensus. We do not support the proposed policy for all parts of the university, and because we view the Health Sciences version of the proposal as a likely foot in the door for the more general application of the policy, we do not support the policy even for the Health Sciences.

Elections, Rules & Jurisdiction

April 21, 2014 4:28 PM

Earlier this year, the Committee on Elections, Rules, and Jurisdiction of the Davis Division commented on a proposal to amend University of California Academic Senate Bylaw 55 to permit voting privileges on personnel matters to be extended to certain non-Academic Senate faculty. CERJ concluded that the change would not be advisable.

Senate committees are now asked to comment on two revised versions of the proposal. The two revised versions are identical except that one version would allow extension of voting privileges on personnel matters to non-Senate faculty in all departments and schools and the other would allow such an extension only in Health Sciences.

The revised proposals differ from the original proposal in that: (1) they explicitly state that a department could extend voting privileges only with the prior approval of a Division or its Legislative Assembly; (2) they state that only Senate faculty who have achieved the rank of Associate Professor or equivalent may vote to extend privileges; (3) they state that the extension of voting privileges to each class of non-Senate faculty should be considered separately, that voting privileges with regard to rank and step would apply equally to Senate and non-Senate faculty, and that in departments that have adopted voting privileges for personnel matters for non-Senate faculty, Senate and non-Senate faculty votes would be reported separately; (4) they provide that any Senate faculty member who has achieved the rank of Associate Professor or equivalent may call for reconsideration of the extension of voting privileges on personnel matters to non-Senate faculty, and that in this case the extension of such voting privileges will be renewed only on a two-thirds vote by a secret ballot of all Senate faculty who have achieved the rank of Associate Professor or equivalent.

For much the same reasons that CERJ recommended against the original proposal, CERJ does not believe that adopting the revised proposals would be advisable.

It appears that the revised proposals are 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 provision 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.

The revisions to the original proposal do not address these concerns. Davis Division Bylaw 28.E continues to express a preference for Senate faculty governance on important matters, and we remain concerned that departmental cultures may be affected by the proposed extension of voting rights. Our concerns are with the substance of the proposal, not with the procedures for extending voting rights. The revisions address the latter.

For these reasons, CERJ does not believe that adopting the revised proposals would be advisable.

Faculty Welfare

March 19, 2014 10:42 AM

The FWC voted unanimously for “yes” on version 1 (health sciences only) and “no” on version 2.

Graduate Council

March 4, 2014 11:45 AM

No response at this time.