

**Advice to Executive Director Anderson
Representative Assembly Meeting Call
December 16, 2008**

The Committee on Elections, Rules and Jurisdiction (CERJ) was asked by Executive Director Gina Anderson whether paper versions of the Meeting Calls of the Representative Assembly (RA) are required to meet satisfy the conditions laid down in Davis Division Bylaw (DDB) 19 for notification of RA meetings.

CERJ's advice is that paper versions are not necessary, and that it is sufficient that the Meeting Calls be distributed as attachments in electronic mail messages to the relevant parties.

This advice is contrary to the advice given by CERJ on November 11, 2005. The relevant portions of that advice are quoted, and an analysis is given, below.

“(2) Does DDB 19 require the continued paper distribution of the RA meeting calls?”

DDB 19 requires the paper distribution of RA Meeting Calls. Neither web posting nor sending as an email attachment suffices for "sending" paper documents to the people specified in DDB 19, since the distinction the Bylaw draws between distribution to RA members and to other Senate members would then make no sense.

(3) If a modification of DDB 19 is required for electronic distribution, what modification, if any, is recommended?

We feel that paper copies should still be distributed to RA members and most or all of the other individuals specified in the first sentence of DDB 19 because (a) people are not likely to read the relevant material online; (b) RA members really need to have paper copies for reference at the meeting itself; and (c) if they printed it themselves, this would largely represent a cost shifting from the Senate office to individual faculty rather than a true cost saving.”

The present CERJ notes that DDB 19 makes no mention of paper distribution. Therefore, if paper distribution is to be required, there must be a compelling argument in favor of that requirement. The previous CERJ advice contains four arguments. As will be seen, the present CERJ finds none of them compelling. Only the first one addresses the question of whether paper documents are required. The other three address only the question of whether distribution by paper documents is advisable.

(1) “Neither web posting nor sending as an email attachment suffices for "sending" paper documents to the people specified in DDB 19, since the distinction the Bylaw draws between distribution to RA members and to other Senate members would then make no sense.” The distinction specifically is between two different modes of distribution of the Meeting Calls, corresponding to two different groups of individuals. The agenda and all documents pertinent to it are to be distributed to all RA members and a number of other individuals. The agenda only is

to be distributed to all members of the Division. The issue is whether this distinction would be preserved without the use of paper documents. While CERJ agrees that distribution by Web posting alone would blur the distinction, sending by electronic mail attachment does not. Two different attachments would be sent to the two different groups.

(2) “People are not likely to read the relevant material online.” The culture of the campus at this time is such that nearly everyone is quite accustomed to reading documents attached to electronic mail messages.

(3) “RA members really need to have paper copies for reference at the meeting itself.” Paper copies are available at the door. The relevant documents are projected onto a screen for each agenda item, and anyone on the floor can request that any passage in any document be shown. Many members bring to the meeting laptop computers that can display the documents either as the attachment or on-line via a wireless Internet connection. Those receiving the Meeting Call by attachment can print those portions to which they think they need to make reference.

(4) “If they printed it themselves, this would largely represent a cost shifting from the Senate office to individual faculty rather than a true cost saving.” This is true, but as the rebuttal to (3) notes, it is not likely that a great deal of printing will be done, in which case the antecedent of the conditional would not hold. Also, the cost-shifting mentioned has become part of the culture of the campus.