

**UPDATED MEETING CALL as of April 21, 2005**  
Regular Meeting of the Representative Assembly  
of the Davis Division of the Academic Senate

Monday, April 25, 2005  
 3:10 – 5:00 p.m.  
 Moot Courtroom, King Hall

|  | <u>Page No.</u> |
|--|-----------------|
| 1) Approval of Transcript – 02/28/05 (Attendance Roster will be provided via paper copy)   | 1               |
| 2) Announcements by the President – None   |                 |
| 3) Announcements by the Vice Presidents – None   |                 |
| 4) Announcements by the Chief Campus Officer – None  |                 |
| 5) Announcements by the Deans, Directors, or other Executive Officers – None   |                 |
| 6) Special orders  |                 |
| a) Remarks by the Chair of the Davis Division of the Academic Senate   |                 |
| b) Remarks by the Chair of the UC Davis Staff Assembly, Michael Buck   |                 |
| 7) Reports of special committees   |                 |
| a) Executive Council Special Committee on Shared Governance – Proposed amendments to Davis Division Bylaws 29G, 30H, and 34, 35, 160   | 2-8             |
| 8) Reports of standing committees  |                 |
| a) Undergraduate Council & Special Committee on Academic Probation, Disqualification, Dismissal and Minimum Progress:<br>Proposed amendments to Davis Division Regulation A552 | 9-14            |
| b) Distinguished Teaching Award Committee – Proposed amendments to Davis Division Bylaw 60   | 15-16           |
| c) Committee on Library – Proposed Resolution on Scholarly Communication   | 17-18           |
| d) Report from the Parking and Transportation Committee – Chair, Judith Stern  |                 |
| e) Public Service Committee – announcement:<br>Distinguished Public Service Award Recipients   | 19-20           |
| <b>f) Committee on Committees: Approval of proposed appointment to Privilege and Tenure-Hearings Chair: Professor Bill Hing, School of Law</b>                                 |                 |
| 9) Petitions from Students – None  |                 |
| 10) Unfinished business – None   |                 |
| 11) University and faculty welfare – None  |                 |
| 12) New business – Mikal Saltveit, Chair Conflict of Interest Committee  | Handout         |
| Professor Saltveit will update the Assembly concerning this Campus committee in preparation for future Academic Senate review of associated issues.                            |                 |

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

Note: 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

MONDAY, FEBRUARY 28, 2005

2:10 – 4:00 p.m.

MU II, Memorial Union

1. Minutes of the October 28, 2004 meeting (2:10)

**Action:** Approved

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
  - B. Remarks by the Chair of the Davis Division of the Academic Senate, Daniel L. Simmons
    - 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)

**Action:** Endorsed

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\*
  - B. Graduate Council—PhD. Plan C\*

**Action:** Approved

9. Petitions of students – Howard Zochlinski (Scheduled to begin at 3:15 PM)

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.

**Action:** Motion approved.

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

PROPOSED AMENDMENTS TO DAVIS DIVISION BYLAWS 29.G. AND 30 H.  
Deletions are shown by ~~striketrough~~. Additions are in **bold** type.

Bylaw 29

G. Unless as otherwise noted elsewhere in these Bylaws, the annual reports of the regular standing committees of the Davis Division **shall be submitted to the Secretary by August 31<sup>st</sup> and** shall constitute a special order for the **first** regular meeting of the Representative Assembly in the ~~spring~~**fall** term of each academic year. (Am. 10/19/71, effective 12/21/71; Renum. 4/21/80; Am. 1/27/81; 4/26/82)

Bylaw 30

H. The annual reports of the joint standing committees of the Davis Division, except personnel committees, **shall be submitted to the Secretary by August 31<sup>st</sup>** and shall constitute a special order for the **first** regular meeting of the Representative Assembly in the ~~spring~~**fall** term of each academic year.

JUSTIFICATION

These amendments move the due date for annual reports from standing committees and joint committees to August 31 from the current due date in the Spring quarter. Under the current structure the committees are required to report to the Representative Assembly prior to the completion of their work for the year. Requiring annual reports to be prepared over the summer will help the committees to prepare a document that will serve to assist the incoming committee members (who take office on September 1 each year) create their agenda. Presenting the reports to the Assembly at its first meeting of the year will also assist the Representative Assembly in crafting its own agenda for the coming year by giving that body an assessment of the work of the Senate in the preceding year.

These amendments are recommended by the Special Committee on Shared Governance. The Assembly will be asked to make this amendment effective immediately.

## PROPOSED AMENDMENTS TO DAVIS DIVISION BYLAWS 34 AND 35

Deletions are shown by ~~striketrough~~. Additions are in **bold type**.

### JUSTIFICATION

These amendments are recommended by the Special Committee on Shared Governance and endorsed by the Executive Council.

The report of the Special Committee, *Mending the Wall*, contains the following explanation of the proposed amendments:

#### **3.6 The Representative Assembly**

The Representative Assembly is the largest and most influential committee of the Division. It is also widely regarded as dysfunctional. The Committee believes that substantial reform of the Representative Assembly is vitally important. The problems of the Representative Assembly begin with a failure to be representative. Representative Assembly members either represent departments or are elected at large. Departmental elections are often not contested, so that, in practice, "elected" members are effectively appointed by the department chair. In addition, appointments often go to the most junior members of the department. These practices would be less worrisome if appointments were made primarily with an eye to the quality of the service to the Senate, but too often they seem to be made with an eye to giving a department member (often a young assistant professor) an easy way to add a service line to the personnel dossier. At large elections are rarely contested. Lacking sufficient outside nominations, the Committee on Committees instead typically nominates enough candidates to fill the slate, but declines to exercise its right to nominate up to double the number to produce a contested election.

Over the past ten years problems of getting and maintaining a quorum at Representative Assembly meetings attest to a lack of commitment on the part of a significant number of representatives. There is virtually no good excuse for failure of quorum, as mechanisms exist for both departmental and at-large representatives to send alternates.

The Representative Assembly meetings themselves are widely regarded as stultifying. Form dominates substance. A rigid form for the meeting agenda typically isolates all of the engaging current business to the end of the meeting when time is short and interest and good will flagging. Most meetings are, in practice, dominated by pro forma speeches from the Chancellor or representatives of student organizations or by increasingly elaborate presentations of the nominations for various Senate awards (teaching, faculty-research lecture, etc.).

The latter present a difficult problem. Properly, such nominations, in the form of a report of the appropriate committee, are made to the Representative Assembly to be accepted or rejected. Typically, they are presented in a form, including gathering the candidates and his or her friends to accept the honor, that makes it impossible for the Representative Assembly without making a calculated insult to valued colleagues to exercise its right to make the actual election. Indeed, in many cases, a vote is never taken on the nomination, so that formally the candidates were never actually selected. While the Committee understands the importance of an appropriate mechanism to make Senate awards significant and honorable, it believes that the current practice is inappropriate and interferes with the work of the Representative Assembly.

Representatives are frequently uninformed about the business before the Assembly, often not having looked at thick meeting materials ahead of the meeting. The Committee believes that lack of conscientious application plays some part here. Yet, it believes that the problem could be meliorated by developing more focused meeting materials that highlight the main issues before the meeting. Typical members are ignorant of the rules of order and parliamentary practice. Slavish adherence to complex rules is not the object. Rules should be an instrument for advancing the business of the meeting in an efficient and fair manner.

In response to these issues, the Committee recommends:

2. Elimination of the current procedures for electing at-large representatives. In their place, each divisional committee should select a representative from its membership, who might, but not need to, be the chair of the committee. (The chairs of the Faculties of the

Schools and Colleges are already *ex officio* representatives.) The Committee believes that such representatives would provide a more engaged and more informed cohort of representatives and would help add expertise to the Representative Assembly relative to their own committees' business and would help to promote coordination and common purpose between the Representative Assembly and other divisional committees. Since the number of committees is nearly the same as the current number of at-large representatives, the size of the Representative Assembly would not change significantly. Rules to permit other committee members to serve as alternates should be developed. The recommendation requires amendment of divisional bylaws, including those governing attendance at Representative Assembly meetings by at-large representatives.

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5. The Representative Assembly, on nomination by the Committee on Committees, should appoint a parliamentarian who is not a voting member and who serves at the pleasure of the Representative Assembly.

## TITLE II. THE REPRESENTATIVE ASSEMBLY

### 34. Membership

- A. ~~This~~ Divisional Representative Assembly shall consist of the following members *ex officio*: The President of the University; the Chief Campus Officer at Davis; the Chairperson, Vice Chairperson, and Secretary of the Davis Division, each of whom shall serve in the same capacity as an officer of the Representative Assembly; ~~the chairperson of the Davis Division Elections Rules and Jurisdiction Committee;~~ the elected and first alternate members of the University Assembly; the ~~elected chairperson~~ of each Faculty of a college or school; ~~and one~~ Departmental Representative for each academic department (or equivalent administrative unit) composed of 13 or more voting members of the Davis Division; **and one Committee Representative of each standing committee of the Davis Division.** Whenever the elected chair of the Faculty of a college or school is temporarily unable to serve, the vice chairperson may serve in his or her stead. ~~Whenever the Chairperson of the Committee on Elections, Rules, and Jurisdiction is temporarily unable to serve, he or she may designate another member of that committee to serve in his or her stead. In addition, there shall be one At Large Representative for each 75 voting members of the Davis Division or major fraction thereof. Each election of at large representatives shall result in the election of at least five representatives who are assistant professors at the time of election. The next six in the voting after the selection of the At Large Representatives shall be elected as alternates, who may serve whenever an At Large Representative is temporarily unable to serve.~~
- B. Departments or other academic units with fewer than 13 voting members of the Davis Division may join for voting purposes at each election with any other department or departments willing to do so, provided the constituency so formed has more than 12 voting members of the Davis Division and provided that notification, including a list of Senate members

composing the constituency, is given to the Secretary of the Division. A member of the Davis Division holding an appointment in more than one department shall certify to the Davis Division Secretary the department in which he or she wishes to vote for Representatives, and he or she shall be counted for apportionment in that department.

The Divisional Committee on Elections, Rules and Jurisdiction shall group into constituencies those departments with 12 or fewer members of the Division which have not formed constituencies prior to a date specified in advance by the Secretary of the Division. The Committee on Elections, Rules and Jurisdiction shall add departments that have not formed constituencies to other combinations where necessary to the orderly arrangement of constituencies.

Each departmental constituency shall elect its Departmental Representative by secret ballot, shall otherwise devise its own procedures for nomination and election of Representatives and for filling vacancies that occur, and shall make provision for rotation of the office among the departments combined into the constituency. One or more alternate Representatives (prescribing their order of priority) may be elected to serve whenever the regular Departmental Representative is temporarily unable to serve.

- C. Departmental Representatives shall be elected for two-year terms in the spring term of odd-numbered years and shall serve from September 1 following election. A special election shall be held to fill the balance of the term of any Departmental Representative or alternate Departmental Representative whose office falls vacant. The term of service of a replacement Departmental or alternate representative begins five days after the Secretary of the Division has been notified of the election. **No Departmental Representative may serve more than two consecutive terms or portions thereof. No Representative shall serve as both a Departmental Representative and a Committee Representative.**
- ~~D.~~ A Departmental Representative unable to attend a meeting of the Representative Assembly shall notify in advance *both* the Secretary of the Division and, if there is one, the first alternate Representative for that department. Any alternate representative unable to attend the meeting when requested should inform the Secretary *and*, if there is one, the alternate next in priority. The office of any Departmental Representative or alternate Representative who fails to attend two consecutive meetings without making the appropriate notifications shall be declared vacant. If the office of a Departmental Representative falls vacant in this way, the first alternate (if there is one) becomes the Representative and other alternates advance a step in priority. If the office of an alternate Representative falls vacant in this way, the next alternate, if there is one,

advances a step in priority. Whenever there is a vacancy, the departmental constituency shall elect a new alternate or a new Representative as appropriate to complete the balance of the term. (En. 5/6/02) ~~At-large Representatives shall be elected for two-year terms in the spring term of even-numbered years and shall serve from September 1 following election. Election shall be by postal ballot in accordance with Bylaw 16. The election shall be initiated by the Secretary not later than April 1 of each even-numbered year.~~

- ~~E.~~ In September of each academic year, each standing committee of the Davis Division shall appoint one of its members to serve as a Committee Representative to the Representative Assembly. The chair of the committee shall notify the Secretary of the appointment of the Committee Representative no later than October 1. In the absence of the appointment of a member of the committee to serve as the Committee Representative, the chair of the committee shall be the Committee Representative.
  
- F. ~~An At Large~~ Committee Representative who is unable to attend a meeting of the Representative Assembly shall notify the ~~Secretary~~ **chair of the committee in advance of the meeting. The chair of the committee shall name a substitute Committee Representative and notify the Secretary of the substitution not later than 24 hours in advance of the starting time for the meeting of the Representative Assembly.** ~~Secretary shall, if possible, temporarily replace the Representative with one of the six alternate At Large Representatives. The office of any At Large Representative who fails to attend two consecutive meetings of the Representative Assembly without making the appropriate notification shall be declared vacant until the Committee on Committees makes a new appointment to complete the balance of the term.~~
  
- G. The Representative Assembly shall include a non-voting Parliamentarian, appointed annually by the Committee on Committees, to advise the Chair of the Assembly on matters of Parliamentary procedure. An incumbent may be re-appointed without limit. The Parliamentarian may not otherwise be a member of the Representative Assembly.

~~D. At large Representatives shall be appointed by the Committee on Committees to fill any vacancy or vacancies of at large members that occur subsequent to the election by mail ballot.~~

~~E. No elected Representative may serve more than two consecutive terms or portions thereof. No elected Representative shall serve as both a departmental Representative and an at-large Representative. (En. 10/19/71, effective 12/21/71; Am. 4/27/76)~~

~~F. A Departmental Representative unable to attend a meeting of the Representative Assembly shall notify in advance both the Secretary of the Division and, if there is~~

~~one, the first alternate Representative for that department. Any alternate representative unable to attend the meeting when requested should inform the Secretary and, if there is one, the alternate next in priority. The office of any Departmental Representative or alternate Representative who fails to attend two consecutive meetings without making the appropriate notifications shall be declared vacant. If the office of a Departmental Representative falls vacant in this way, the first alternate (if there is one) becomes the Representative and other alternates advance a step in priority. If the office of an alternate Representative falls vacant in this way, the next alternate, if there is one, advances a step in priority. Whenever there is a vacancy, the departmental constituency shall elect a new alternate or a new Representative as appropriate to complete the balance of the term. (En. 5/6/02)~~

35. Responsibilities and Functions

~~This committee~~ **The Representative Assembly** shall have the duty and is hereby empowered to act on behalf of the Davis Division in the transaction of all business ~~not specifically delegated to other committees of the Division except as limited below.~~ **Divisional committees are subject to the authority of the Representative Assembly and of the Division on all matters of policy.** The Representative Assembly retains the authority, by a majority vote, ~~of to reviewing~~ any policy statement, **program approval, or program rejection** of a Divisional committee and ~~of calling to call~~ up for discussion and determination of any policy question pending before a Divisional committee. **The authority of the Representative Assembly and the Division shall not extend to individual personnel cases, including disciplinary cases or individual grievances, nor shall such authority be exercised in ways that would breach the confidentiality of individual personnel records guaranteed under law or University rules.**

- A. Except by the consent of two-thirds of the members present, no action of the Representative Assembly shall become effective until forty-one days after the date of the meeting at which the action was taken. (Am. 10/20/97)
- B. Upon petition by 50 voting members of the Division, submitted within forty days after the date of the meeting at which a specific action was taken by the Representative Assembly, a mail ballot of the Division members must be conducted to substantiate or refute the action in question. The mail ballot shall be in accordance with the procedures of Bylaws 16 and 17 (En. 10/19/71, effective 12/21/71; Am. 10/20/97)

PART VII. ORDER OF BUSINESS

158.

The first item of business at each regular or special meeting of the Representative Assembly shall be a roll call of members. Members present and members absent shall be recorded in the Minutes of the meeting. A roll-call vote on any matter before the Representative Assembly must be recorded in the Minutes upon the request of any Representative Assembly member present. (En. 10/19/71)

160.

- A. The order of business at regular meetings of the Representative Assembly of the Davis Division subsequent to the roll call of members shall be as follows:
  - 1. Minutes
  - 2. Announcements by the President
  - 3. Announcements by the Vice Presidents
  - 4. Announcements by the Chief Campus Officer
  - 5. Announcements by Deans, Directors, or other executive officers
  - 6. Special orders
  - 7. Reports of special committees
  - 8. Reports of standing committees
  - 9. Petitions of students
  - 10. Unfinished business
  - 11. University and faculty welfare
  - 12. New business
  
- B. The ~~regular~~ order of business may be **reordered in the published agenda by the Chair in consultation with the Secretary, or** suspended at any meeting by a two-thirds vote of the voting members present.
  
- C. Items for a regular meeting of the Representative Assembly deemed non-controversial by the Chairperson, in consultation with the Secretary and the committee chairperson concerned, may be placed on the Consent Calendar and so identified in the agenda of the Call to the Meeting. At the request of any member of the Representative Assembly prior to or at the meeting, any such Consent Calendar item must be withdrawn and considered in its regular order on the agenda. (En. 10/19/71)

## PROPOSED AMENDMENTS TO DAVIS DIVISION REGULATION A552

Submitted by: Undergraduate Council and the Special Committee on Academic Probation, Disqualification and Dismissal

In response to the *Minimum Progress Resolution 1-amended* and *Minimum Progress Resolution 2* approved by the Representative Assembly during its June 3, 2004 meeting the committees have prepared the following proposed amendments to Regulation A552. Deletions are shown by ~~strike through~~. Additions are in **bold** type:

### EXPECTED AND MINIMUM PROGRESS

A552

(A) ~~Minimum Progress Defined.~~ **Expected Progress Defined.** A full-time regular undergraduate student (see Davis Division Regulation C561 for definition of a part-time student) shall be considered to make ~~normal~~ **expected** progress with an average of 15 units passed per quarter.

(B) **Minimum Progress Defined. A full-time, regular undergraduate student (see Davis Division Regulation C561 for definition of a part-time student) shall be required to maintain an average of at least 13 units passed over all quarters of enrollment.** Minimum progress shall be defined as an average of 13 units passed per quarter calculated at the end of every **spring** quarter for the preceding three quarters **(Fall, Winter, Spring) comprising an academic year. The average shall be calculated based on the number of quarters in which the student was enrolled full-time during that period.** ~~Any student who falls below minimum progress shall be "subject to academic disqualification."~~ (Am 6/7/83; App by Assembly 11/30/83; Am 6/8/99; Eff. 9/1/2000)

~~(1) Term of Enrollment. When a student is granted a variance from the minimum progress requirement, the exempt quarter(s) will not be counted as a "term of enrollment" for purposes of this regulation, and the units passed during the exempt quarter(s) shall not be counted toward satisfaction of the minimum progress requirement.~~

#### (21) Units Passed

(a) **For the purposes of calculating minimum progress, Remedial non-credit courses shall be evaluated according to the "Carnegie Unit" rule and counted as units passed, subject to prior approval of such courses for this purpose by the Davis Division Committee on Courses of Instruction. The unit values associated with such courses shall not be applied toward the satisfaction of any baccalaureate degree requirement.** (Am. 2/9/77)

(b) If a student receives a grade of D in a course and repeats the course, the course shall be counted as units passed each time ~~it~~ **the course is passed up to a maximum of 16 units.**

- (c) Units passed during a summer session at UCD or at another accredited school and transferred to UCD shall be counted as units passed during the **first full-time term-quarter of enrollment at UCD** immediately ~~preceeding~~ **following** the summer session.
- (d) Units passed by examination in accordance with policies established by the Davis Division Committee on Courses of Instruction (see SR 620) shall be counted as units passed during the term in which the examination was taken.
- (e) Units graded as IP (in progress) shall be counted as units passed.
- (f) Units graded I are not counted as units passed. When the grade I is replaced by a passing grade, the units shall be counted toward minimum progress for the quarter in which the I grade was awarded. (Am. 6/7/83; App. by Assembly 11/30/83)

~~(B) Variance from Minimum Progress Requirement. The faculty of a college (or its authorized agent) may grant a variance from the minimum progress requirement for one or more quarters for students who are on academic probation, or for other acceptable reasons. Among these reasons are certification by a physician that the student's health may necessitate a variance, certification by an employer that the student is working at least 12 hours per week, serious personal problems, an accident, or a death in the immediate family.~~

~~(C) Waiver of the Minimum Progress Requirement.~~

~~—The faculty of a college (or its authorized agent) may waive or alter the minimum progress requirement for students with certified learning disabilities who have been determined to require such an adjustment by a campus Learning Disability Specialist. (Am 6/8/87; App. by Assembly 11/29/88)~~

~~(D) Failure to Make Minimum Progress. (Renum. 6/8/87)~~

- ~~(1) A student failing to make minimum progress shall remain "subject to academic disqualification: until the next progress check. During this period, enrollment in classes will require permission of the appropriate faculty. (Am. 6/7/83; App. by Assembly 11/30/83)~~

**A student who fails to make minimum progress may continue to take courses on a Passed or Not Passed basis (See Davis Division Regulation A545). In accordance with the provisions of Davis Division Regulation A552(B), at the end of every Spring quarter it shall be determined if each student enrolled full-time for any quarter during the preceding academic year has met the minimum progress requirement of an average of 13 units passed per quarter. A student whose average number of units passed is less than 13 but greater than or equal to 12 shall be placed on "academic probation for quantitative reasons." A student**

whose average number of units passed is less than 12 shall be “subject to academic disqualification for quantitative reasons.” An undergraduate student is in scholastic good standing if not on academic probation or subject to disqualification for either qualitative reasons as defined in Senate Regulation 900(A) or quantitative (progress) reasons as defined herein.

- (2) For every student failing to make minimum progress at the end of Spring quarter, a “degree progress average” shall be calculated at the close of the next full-time quarter of enrollment at UCD. The degree progress average is defined as the quotient of the number of units passed during full-time quarters from the initial quarter of matriculation at UCD divided by the number of full-time quarters completed at UCD.
- (3) A student whose degree progress average is less than 13 units shall be “subject to academic disqualification for quantitative reasons.” A student whose degree progress average is 13 or more units shall not be “subject to academic disqualification for quantitative reasons.”
- (4) For a student failing to make minimum progress at the end of Spring Quarter, the degree progress average shall be calculated each subsequent full-time quarter of enrollment as long as the student is “subject to academic disqualification for quantitative reasons.”
- (25) ~~It is the responsibility of each college to provide advising for students who do not make minimum progress. Continued registration of an undergraduate student subject to dismissal for failure to make minimum progress is at the discretion of the faculty concerned (or its authorized agent) and is subject to such conditions as the faculty may impose. A student “subject to disqualification for quantitative reasons” for two consecutive, full-time quarters shall be disqualified from the university. That action shall be taken by the College faculty (or its authorized agent) and is subject to such conditions as the faculty may impose. Exceptions to disqualification for quantitative reasons may be granted only for extraordinary circumstances.~~
- (6) An undergraduate student in scholastic good standing for qualitative reasons as defined in Senate Regulation 900(A) but who is subject to academic probation or disqualification for quantitative (progress) reasons as defined herein, may continue to opt to take courses on a Pass or Not Passed basis (See Davis Division Regulation A545(A)).
- (37) A notation on a full-time student's transcript that he or she either has not made minimum progress **or is on probation** or subject to ~~dismissal~~ **disqualification** for failure to make minimum progress shall be removed ~~when the student meets the next applicable minimum progress requirement, or when the student has satisfied all other requirements for graduation, or at the discretion of the faculty concerned (or its authorized agent).~~

**Except when a student has been disqualified from the university, All notations regarding failure to comply with the minimum progress requirement shall be covered over when copies of a student's transcript are prepared for outside persons or agencies, such as professional or graduate schools.**

~~(4) A student who fails to make minimum progress at the end of the spring term, but who satisfies the minimum progress requirement by attending a summer session at UCD or at another accredited school, shall be regarded as not having failed to make minimum progress. The notation on the student's transcript that he or she has not made minimum progress or is subject to dismissal for failure to make minimum progress shall be removed. (En. 1974; Am. 11/18/76 by mail ballot; Variance approved by Assembly 11/30/77)~~

## What Is the Most Important Business of the Academic Senate? (aka: Minimum Progress Resolution 1-amended)

Undergraduate teaching is the most important business of the Academic Senate; many times more important than either Division I athletics or the parking and transportation on campus. Yet, for many years, the Academic Senate has neglected the issue of Academic Probation, Disqualification, and Minimum Progress in spite of the fact that more than 30 percent of our students is involved in academic difficulties (this number is explained below).

Now that 3200 eligible freshmen have been rejected by UC and UC Davis has reduced its enrollment significantly, it is painfully clear that we have traded potentially good students for a substantial number of non-performing students. Students who fail Minimum Progress take longer than expected to graduate and contribute to crowding out the eligible freshmen. Between 10 and 20 percent of UCD students fail to make Minimum Progress on any given quarter. Seventy percent of these students are different from those who fail qualitative standards.

The Academic Senate, and only the Academic Senate, is in charge of defining the rules of Academic Probation, Disqualification, and Minimum Progress. In these matters the administration acts only as its delegated agent. If the agent does not perform according to the established rules, effective steps should be taken with urgency to correct such a non-performance.

The data presented in the Undergraduate Council report are incomplete in spite of the request made to the administration almost a year ago by the Chair of the Academic Senate, Bruce Madewell. For example, students on Academic Probation are not reported. Fortunately, the College of Engineering has published the following table:

| Quarter   | Enrollment | Academic Probation, AP | Probation Continued, PC | Subject to Disqualification, SD | Dismissed, D | Total AP,PC,SD,D | Total AP,PC,SD,D/Enrollment |
|-----------|------------|------------------------|-------------------------|---------------------------------|--------------|------------------|-----------------------------|
| Fall 2002 | 2919       | 210                    | 19                      | 303                             | 30           | 562              | 19.25%                      |
| Winter 03 | 2854       | 136                    | 38                      | 258                             | 28           | 460              | 16.12%                      |
| Spring 03 | 2722       | 147                    | 29                      | 246                             | 56           | 478              | 17.56%                      |

Hence, in order to have a better idea of the magnitude of the problem at the Campus level, the percentage figures in the SD/E column of the Undergraduate Council's report must be augmented by about 10 percent. The College of Engineering does not report the number of students who fail Minimum Progress, but from the data of the other colleges we can infer that between 25 and 35 percent of its students are in academic difficulty. The problem is staggering.

The recommendations of the Undergraduate Council should be revised and strengthened to meet the responsibility of the Academic Senate and the urgency of the matter. Hence, the following recommendations are offered as substitute motions:

**Recommendation 1.** The Undergraduate Council and the Executive Committees of the various colleges should join in establishing with urgency a single ~~permanent~~ committee for the purpose of developing improved uniform record keeping methods and reporting formats and for supervising the implementation of the Academic Senate rules on matters of Academic Probation, Disqualification, Dismissal, and Minimum Progress. In this committee the College Assistant Deans (CAD) will participate as ~~ex-officio~~ members.

The Academic Senate Bylaws call for an annual report from the various colleges to the faculty on the numbers of students in academic difficulties. But, given the long-term neglect, the importance of the issues involved, and the fact that colleges do compile data by quarters,

**Recommendation 2.** Using methods established following Recommendation 1, College Assistant Deans should produce a quarterly report to be submitted to each college executive committee, the Chair of the Davis Division of the Academic Senate, and to the ~~permanent~~ committee established in recommendation 1.

**Recommendation 3.** The ~~permanent~~ committee established in Recommendation 1 will report annually to the Representative Assembly.

## Minimum Progress (aka: Minimum Progress Resolution 2)

Davis Division Regulation A552.A defines minimum progress **"as an average of 13 units passed per quarter, calculated at the end of every quarter for the preceding three quarters. Any student who falls below minimum progress shall be subject to academic disqualification."** In 1997, during the semesters/quarters debate, then Provost Robert Grey made a big deal of the fact that UC Davis was losing State money because the number of reported student enrollment was low as compared to other campuses. Going to a semester system, in his mind, was also a way to recuperate some of the lost monies. The Davis Division of the Academic Senate opted to remain on a quarter system but, to take into account Provost Grey's concern, raised minimum progress from 12 to 13 units.

Shortly after that, the various college assistant deans (who should act as the delegated agents of the Academic Senate) decided on their own and without notifying the leadership of the Academic Senate not to implement the minimum progress regulation. Apparently, their justification is that the implementation of minimum progress requires manpower that is unavailable to them. This excuse is unacceptable. Over the past 10 years the executive branch of the administration has grown to a formidable body of associate and assistant Deans. We must remind them that undergraduate teaching and students are the main scope of the university.

The minimum progress rule was established to guarantee a reasonable time for graduation. Disregarding it amounts to behave as cost maximizers. From the available information it appears that between 10 and 20 percent of our students fail to make minimum progress. This means that between 2000 and 4000 students will take more than 4.67 years (180 units :13 MP units : 3 quarters) to graduate. Compare these figures with the 3200 eligible students that were turned away by UC this year: A substantial portion of these rejected eligible students could have been admitted at UC Davis alone.

Therefore,

The Representative Assembly of the Davis Division of the Academic Senate

### RESOLVES

That the Chair of the Davis Division should convey to the administration the extreme dissatisfaction of the Academic Senate for the unilateral decision of not enforcing Regulation A552 concerning minimum progress.

Furthermore, the Representative Assembly re-emphasizes that undergraduate teaching and student performance is entirely under its jurisdiction and that the administration acts only as its delegated agent. Hence, in the spirit of shared governance, the minimum progress rule as defined by Regulation A552 should be enforced beginning with Fall quarter 2004.

With the rejection of 3200 eligible students, the credibility of the UC system is at stake. UC Davis must find an equitable process for enforcing its own rules and demonstrate fairness to all eligible students.

## PROPOSAL TO AMEND DAVIS DIVISION BYLAW 60

Submitted by: Distinguished Teaching Award Committee

Deletions are shown by ~~strike through~~. Additions are in **bold** type.

### 60. Distinguished Teaching Award

- A. This committee shall consist of five members and three student representatives. ~~Two of the members shall be previous recipients of the Distinguished Teaching Award. At least one shall be a previous recipient of the Distinguished Teaching Award – for Undergraduate Teaching and one shall be a previous recipient of the Distinguished Teaching Award – for Graduate and Professional Teaching.~~ At least one shall be a previous recipient of the Distinguished Teaching Award – for Undergraduate Teaching and one shall be a previous recipient of the Distinguished Teaching Award – for Graduate and Professional Teaching. At least one graduate or professional student shall be among the student representatives.
- B. Each year the committee shall select a maximum of ~~four~~ six members of the faculty to receive ~~Distinguished Teaching Awards either a Distinguished Teaching Award – for Undergraduate Teaching or a Distinguished Teaching Award – for Graduate and Professional Teaching.~~ Distinguished Teaching Award – for Undergraduate Teaching or a Distinguished Teaching Award – for Graduate and Professional Teaching. The names of those selected shall be presented to the Representative Assembly for confirmation at its regular meeting in the spring term of each academic year. (Am. 6/4/85)
- C. The committee shall periodically review and revise the criteria for the Distinguished Teaching Award. (En. 6/3/80; Renum. 1/27/81)

### **Justification:**

**Proposal 1).** Modify second sentence of Paragraph A to read " At least one shall be a previous recipient of the Distinguished Teaching Award – for Undergraduate Teaching and one shall be a previous recipient of the Distinguished Teaching Award – for Graduate and Professional Teaching."

Rationale: We should endeavor to include committee representation from across the spectrum of awardees, past and future; the professional schools would want the possibility of having a representative if our proposed changes to Paragraph B are accepted.

**Proposal 2).** "Each year the committee shall select no more than six members of the faculty to receive either a Distinguished Teaching Award – for Undergraduate Teaching or a Distinguished Teaching Award – for Graduate and Professional Teaching."

Rationale: At present, we can award up to four DTAs, and one Distinguished Graduate Mentoring Award (DGMA), for a total of five awards that could be presented every year. (The actual number of awards presented has varied from year to year, depending on a given year's applicant pool.) We would like to continue to recognize Graduate/Professional teaching as well as Undergraduate teaching, and thus propose that

we give awards designated as "DTA for Undergraduate Teaching" and "DTA for Graduate/Professional Teaching." (The current bylaw only provides for the DTA, and the Committee has been awarding a DGMA under a provisional basis.) An increase of the pool to six awards affords the committee latitude to divide the prizes evenly between the two proposed award categories, should the applicant pool warrant it in any given year. This would be an important affirmation that the Distinguished Teaching Award – for Graduate and Professional Teaching is considered to be of equal importance to the Distinguished Teaching Award – for Undergraduate Teaching. Also, with over 30,000 students at UCD, and increased faculty involvement in all areas of teaching, we feel that the proposed increase of one award is not unreasonable, especially since the Distinguished Teaching Awards are among the few material recognitions of teaching excellence at UCD.

## RESOLUTION ON SCHOLARLY COMMUNICATION

### BACKGROUND

Over the past two decades, the electronic era has changed radically the situation of scholarly research and publication. This has had domino-effect consequences in several inter-related areas:

1. Libraries no longer are simply repositories of printed collections and resources. Ever increasingly a major responsibility is providing access to electronic data-bases, such as Melvyl and Harvest, and to electronic journals. These have become more and more expensive.
2. University presses have felt the consequences of a diminished share of libraries' acquisitions budgets. Scholarly monographs that once commanded a press run of 2,000 copies now get a few hundred. Presses have responded to dwindling sales by increasing prices and by either requiring publication subsidies or by shifting away from a primarily academic market. The Director of the UC Press has stated (April 2004) that now 50% of its sales are retail, 24% textbooks, and only 18% to libraries.
3. A concomitant phenomenon has been the increasing consolidation of journal publication through a few mega-vendors (Reed Elsevier, Blackwell, Wiley), who sell both print and e-journals to libraries in expensive "packages." These consolidations have resulted in fewer publishers for scholarship and higher prices for libraries. Their contracts are so large (e.g. in 2003 Elsevier received from UC alone 8 million for electronic access and 2 million for print subscriptions) that they are negotiated on a system-wide basis. Reed Elsevier reported a 43% increase in net profit for 2002. Such costs are no longer sustainable.

Although the inflated cost of journals has been most egregious in the sciences (a notorious example is the 2004 list price of *Brain Research* at \$10,844), social sciences and humanities have not been immune. The *Journal of Medieval History* has an institutional subscription rate of \$522 (\$1.45 per page), whereas *The Sixteenth Century Journal* charges libraries \$65 (or 5 cents per page). The first has a commercial publisher; the second is non-profit.

4. UC faculty now are in a paradoxical situation. Journal publishers and presses depend parasitically on their labors as authors, editors, and specialist reviewers, labors that receive only token compensation, if any. These tasks are undertaken because research, publication, and professional service are requirements for promotion and advancement and because scholars have a sense of responsibility to their disciplines. Effectively, scholars are subsidizing the commercial publishers.

At the same time, the present system of publication makes it more difficult, through the problems of cost and access, to disseminate research to its intended audience.

### RESOLUTION

We urge that the UCD academic senate endorse and implement the following principles:

1. *Encourage faculty and administrative awareness* of the need to respond in a timely manner to the changed situation. The Vice-Chancellor for Research and the Deans of HARCS and Social Sciences have been commendably far-sighted in establishing a publication assistance program for monograph subsidies in those areas. Very possibly there needs to be recognition that publication costs may become a normal part of research support.

2. *Retain control of intellectual property* by modifying copyright agreements to permit use of scholarship in other venues, such as a course or personal website, or deposit in an electronic public archive—for example, UC’s eScholarship Repository—as well as electronic preprints and postprints.

3. *Support journals and presses that have responsible price structures* by submitting scholarship to them, and by lending editorial services. Consider submitting work to open access journals. Urge professional societies to select appropriate and responsible publishers for their journals and book series and to maintain oversight of such publications.

4. *Educate departments and review committees for promotion and advancement* to respond flexibly to changing publication conditions, while maintaining quality standards. This might include recognition that a coherent body of articles should be accepted as the equivalent of a monograph; that many open-access journal are governed by rigorous peer-review procedures; and that reasonable pricing should be part of the assessment of a journal’s or press’s appropriateness. UC faculty should be encouraged to act individually to promote a more viable system of publication.

5. *Support the Library* in its continuing rounds of contract negotiations with journal publishers. Collective faculty threats to withdraw editorial services have had a positive effect in recent negotiations. Acknowledge the possibility that some campus access to low-usage titles may be lost for a common good in reducing contract cost inflation.

## Distinguished Scholarly Public Service Award

Patricia Gandara. Professor of Education Patricia Gandara joined the UCD faculty in 1990. She has utilized her expertise in educational research to work toward improved policy and practice in the field of education with the goal of improving opportunity and outcome for students at all levels, from K-12 through the doctorate. Professor Gandara's service is diverse: she serves on numerous academic, governmental, and non-governmental bodies that are concerned with educational research, policy, and practice. Among these is the American Educational Research Association (AERA) for which she chairs the Scholars of Color in Education Committee and is a member of the Social Justice Committee. She is dedicated to increasing the racial and ethnic diversity of the educational professoriate. She has provided testimony to and works with committees of the state legislature on educational issues. She was importantly involved in the preparation of the Williams v. California class action case, presented on behalf of children from California's poor communities and intended to insure that the state meets its responsibility to provide an adequate education to all students. Professor Gandara recently received the Research of the Year Award from the California Association for Bilingual Education in recognition of the application of her expertise to the practical problems of the educational community.

Randi Hagerman. Professor Hagerman holds the Tsakopoulos – Vismara Chair as Professor of Pediatrics and is the Medical Director of the M.I.N.D. Institute. She joined the UCD faculty in 2000. She has long been an advocate, both nationally and internationally, for children and adults with neurodevelopmental disorders, particularly fragile X syndrome, autism, and fetal alcohol syndrome. She co-founded the National Fragile X Foundation (NFXF) and continues to serve on its committees, including the Board of Directors. She works closely with the Center for Disease Control (CDC) in Atlanta and with the NIH. She has given generous service and support to many non-profit groups including the Western Society for Pediatric Research, the Santa Clara Valley Task Force for Fetal Alcohol Syndrome Disorders, the XYY Foundation, and the Society for Developmental and Behavioral Pediatrics. Dr. Hagerman has traveled extensively around the world to encourage parent support groups, work with children and adults with fragile X syndrome, train professionals, and to help develop new fragile X research.

Jeffrey Mount. Professor Jeffrey Mount holds the Roy Shelmon Chair in Applied Geosciences in the Department of Geology. Beginning his career as a sedimentologist, Professor Mount is internationally known for his research on fluvial geomorphology and river geology. His work has been critical to the development of sound land use policy in the state. In this area his many public service activities include: membership on a National Research Council committee to evaluate endangered species in the Klamath River basin; membership on the first Independent Science Board for the California Bay-Delta

Authority (CALFED); membership on the State Board of Reclamation; chairing the North Delta Advisory Committee for CALFED; and serving on the National Environmental Advisory Committee, which advises and oversees the U.S. Army Corps of Engineers. Following the extensive and devastating floods of 1997, Professor Mount's outreach efforts included numerous public presentations, as well as print, radio, and television interviews. He testified before the U.S. Congress, the State Assembly, and served on several state and federal task forces, committees, and panels. Professor Mount is the Director of the UCD Center for Integrated Watershed Science and Management (CIWSM).

John R. Whitaker. In his nearly 40 years as a member of the UCD faculty, Professor Emeritus of Food Science and Technology John R. Whitaker has established an outstanding record of scholarly service to foreign students and universities through teaching, international outreach, and research which has greatly benefited the campus. Through his mentoring of international students and scholars, Professor Whitaker has been instrumental in the education of many leaders in agricultural science in developing nations. He established formal linkages between UCD and universities in China, Thailand, and Mexico. He served as the Director of the UC MEXUS Program during its inception. As a visiting professor and guest lecturer, he has lectured widely internationally in his specialty of food chemistry. Professor Whitaker has never requested payment for his international teaching or advising services, donating any honoraria toward the support of his students. He is an elected member of the *Academia Mexicana de Ciencias*, the National Academy of Sciences of Mexico.