

**TRANSCRIPT**  
REGULAR MEETING OF THE REPRESENTATIVE ASSEMBLY  
OF THE DAVIS DIVISION OF THE ACADEMIC SENATE

*Thursday, October 15, 2009*

2:10 – 4:00 p.m.

Walter A. Buehler Alumni & Visitors Center, AGR Hall

(Updated 10/14/09)

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1. Transcript of the June 5, 2009 Meeting

**Action: Motion to approve 6/5/09 RA transcript and seconded. No further discussion.**

**Vote: Unanimously approved.**

**Motion passes.**

2. Announcements by the President – None
3. Announcements by the Vice Presidents – None
4. Announcements by the Chancellor – None
5. Announcements by the Deans, Directors or other Executive Officers – None
6. Special Orders
  - a. Remarks by the Divisional Chair – Robert Powell

**Chair Powell announced that Provost Pitts will be visiting UC Davis this fall. A date has not been set, but a faculty forum will be held during his visit. The Gould Commission will meet on November 30 in the AGR Room from 1:00 – 4:00 pm. Faculty will be given a one hour time slot at this meeting. The Gould Commission consists of five workgroups each chaired by a Senate member and an Administrator. The Davis Division Academic Senate has been asked to form its own commission/workgroup to look at the future of UCD. The Davis workgroup will be chaired by Bob Powell. This group should be in place by the end of October.**

**Chair Powell also discussed the following topics:**

- **The Academic Senate needs to be more connected with departments and organizations on campus. To accomplish this, the Department Chairs meetings will continue this year (1-2 per quarter).**
- **Online teaching evaluations - A task force was formed by Executive Council last year. The task force will be launched in the next month.**
- **Academic Personnel Task Force – The report will be reviewed by Executive Council in November and placed on the February RA agenda.**
- **Budget cuts – Discussions are occurring on campus regarding reducing the faculty size by 10%. What does this mean for admissions? Currently, it is a matter of budget by withdrawing faculty FTE through attrition (retirements and resignations).**

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- **A letter was written by Executive Council to President Yudof regarding furloughs and beyond. He responded on September 18. There are two things facing the campus: (1) faculty are 15-20% underpaid in comparison to other institutions, and (2) the retirement system is on “life support.” Employees will start contributing to retirement on April 15. Yudof says that retirement system is a top priority. However, there is no commitment or promise to pay health benefits to retirees.**

Annual Reports for Discussion:

- a. Annual Report of the Committee on Academic Personnel –
  - i. Oversight Committee

**Bill Casey presented the report. The committee had a total of 545 actions and met 44 times. CAP concerns: suspect appointments and searches. 11 cases were overturned by the VP.**

- ii. Appellate Committee

**Stuart Cohen presented the report. The committee had a total of 35 appeals and met 10 times. 11 appeals were approved and 24 were denied. 3 more appeals were granted by the Vice Provost that were not approved by CAPAC. CAPAC concern: need more definitive rules for multi-step acceleration actions.**

- b. Annual Report of the Committee on Elections, Rules and Jurisdiction

**G.J. Matthey presented the report. The committee reviewed 55 new business items and 6 items were deferred to 2009-2010. The committee met 14 times, proposed 9 bylaw amendments, and issued 6 pieces of formal advice. Editorial changes were also made to the bylaws regarding ex-officio members on committees.**

- c. Annual Report of the Undergraduate Council – General Education

**Chris Thaiss presented the report. The new GE program will go into effect Fall 2011. The committee worked with the GE Implementation Task Force in clarifying the language in the course approval descriptions. The GE Tracking System (GETS) was developed for submitting courses for the new GE3 requirements. All courses should**

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**be submitted by the end of fall quarter. Two GETS training sessions are scheduled during the week of October 19. All approvals should be in place by November 2010 in time for the new catalog and the new requirements in Fall 2011.**

**Motion: to accept all annual reports above.***Annual Reports on Consent Calendar*

- d. \*Annual Report of the Committee on Academic Freedom and Responsibility
- e. \*Annual Report of the Committee on Admissions and Enrollment
- f. \*Annual Report of the Committee on Affirmative Action and Diversity
- g. \*Annual Report of the Committee on Committees
- h. \*Annual Report of the Committee on Courses of Instruction
- i. \*Annual Report of the Committee on Distinguished Teaching Awards
- j. \*Annual Report of the Emeriti Committee
- k. \*Annual Report of the Executive Council
- l. \*Annual Report of the Faculty Privilege and Academic Personnel Advisors
- m. \*Annual Report of the Faculty Research Lecture Award Committee
- n. \*Annual Report of the Committee on Faculty Welfare
- o. \*Annual Report of the Grade Changes Committee
- p. \*Annual Report of the Graduate Council
- q. \*Annual Report of the Committee on International Studies and Exchanges
- r. \*Annual Report of the Joint Academic Federation/Senate Personnel
- s. \*Annual Report of the Library Committee
- t. \*Annual Report of the Committee on Planning and Budget
- u. \*Annual Report of the Committee on Privilege and Tenure
- v. \*Annual Report of the Committee on Public Service
- w. \*Annual Report of the Committee on Research
- x. \*Annual Report of the Committee on Student-Faculty Relationships
- y. \*Annual Report of the Committee on Transportation and Parking (not available)
- z. \*Annual Report of the Undergraduate Council
  - i. Annual Report of the Committee on Preparatory Education
  - ii. Annual Report of the Committee on Special Academic Programs
  - iii. Annual Report of the Committee on Undergraduate Instruction and Program Review

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- aa. \*Annual Report of the Committee on Undergraduate Scholarships, Honors and Prizes

**Motion: To approve all the Annual Reports**

**Action: Unanimously approved**

2. Reports of standing committees - **none**
3. Petitions of Students - **none**
4. Unfinished Business
  - a. Resolution on Hiring Practices and Faculty Searches

**Committee on Academic Personnel Chair Ahmet Palazoglu presented the reasons for the proposed resolution for hiring practices and faculty searches. The resolution is not intended to change the APM. If a search has been carried out for a candidate, the documentation should be provided to CAP.**

**The resolution was moved and seconded at the June 5, 2009 meeting. Motioned and seconded to view the amendments. No further discussion.**

**Vote: (48:0)**

**Motion passes.**

**Motioned to accept the resolution. Seconded. Opened for discussion.**

**Discussion ensued regarding certain titles in the School of Medicine. A School of Medicine faculty member wanted to clarify that only people that are appointed to the ladder rank series go through a full search and to make sure that other series (adjunct and health sciences) are not included. Further discussion of amended resolution: APM270 (Professor in Residence) - searches are not required but all documentation included in the search should be submitted to CAP.**

**Vote: (48:0)**

**Motion passes.**

5. University and Faculty Welfare - **none**
6. New Business
  - a. \*College/School Bylaw and Regulations Updates: School of Medicine

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- b. \*College/School Bylaw and Regulations Updates: College of Engineering

**Motion: To approve the School of Medicine and College of Engineering Bylaw amendments.**

**Action: Unanimously approved**

**Meeting adjourned.**

7. Informational Item

- a. CERJ advice on CAPAC and ability to appeal Appointments  
b. CAPOC advice on the title of “Distinguished Professor”

Don C. Price, Secretary  
Representative Assembly of the  
Davis Division of the Academic Senate

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## **Resolution on Hiring Practices and Faculty Searches**

*Whereas*, the University of California Academic Personnel Manual (APM) section 500-0 provides that, “The University recruiting program is directed toward obtaining the best qualified person for the position authorized.” And,

*Whereas*, the UC Davis Academic Personnel Manual (UCD) section 500 Academic Recruitment Guidelines, paragraph I. provides that, “The procedures outlined in this section are intended to help recruiting departments conduct an inclusive search that will identify an outstanding candidate with the promise for continued excellence. These procedures also facilitate consistent review of the recruitment process and systematic documentation of compliance with Universitywide and campus recruitment policies, and Federal equal employment opportunity regulations.” And,

*Whereas*, UCD section 500, paragraph IV. D, provides that, “A written search plan is required for all recruitments for faculty and other academic positions. . . . The search plan specifies the steps that will be taken by a department or an interdepartmental recruitment committee to ensure that the vacancy will attract the most qualified and diversified pool of applicants and that the selection process is impartial and fair to all applicants.” And,

*Whereas*, UCD section 500, paragraph IV.C. requires the department chair to recommend and the dean to appoint a recruitment committee “that represents a diverse cross-section of the faculty and includes members who will monitor the affirmative action efforts of the recruitment committee.” And,

*Whereas*, UCD section 500, Exhibit B. provides that, “A full search as described in this policy is required for each academic appointment that is full-time for one year or longer, and for part-time positions if there is intent to retain the appointee as a regular permanent employee,” but allows a waiver of the requirement for a full search in the event that one of six conditions are met, including among others:

- The appointment is of an individual whose experience and accomplishments make him or her uniquely qualified for a position.
- The appointment of a particular individual would alleviate a critical, ongoing need, particularly in the area of patient care.
- The appointment is of an individual meeting the criteria under the Partner Opportunity Program (POP).

And,

*Whereas*, UCD section 500, Exhibit B, requires that, “Approval to waive the search plan must be obtained in advance. And,

Whereas, Regents Standing Orders, section 105.2, paragraph (c) provides that, “The Academic Senate shall determine the membership of the several faculties and councils, ...” And,

Whereas, under Title IV of the bylaws of the Davis Division of the Academic Senate, the authority to review and advise the Academic Senate on academic personnel matters is delegated to the Committee on Academic Personnel - Oversight. And,

Whereas, Bylaw 42.B.7 of the of the Davis Division of the Academic Senate provides that the Committee on Academic Personnel - Oversight has the specific duty "[t]o receive and implement within the limits of Senate authority any policy regarding academic personnel adopted by a majority vote of the Representative Assembly or the Division by ballot." And,

Whereas, the Committee on Academic Personnel - Oversight has become alarmed about cases where fair searches have been undermined by including faculty in the search committee with direct and unstated conflicts of interest.

Whereas, the Committee on Academic Personnel – Oversight is further alarmed by the unjustified granting of Search Waivers to add ladder rank faculty by hiring personnel already within UC Davis and within the academic department, with no justification as required by UCD 500, Exhibit B. Such action undercuts the role of the Academic Senate in maintaining a quality faculty.

Now be it Resolved by the Representative Assembly of the Davis Division of the Academic Senate, that,

1. The authority of the Committee on Academic Personnel - Oversight its subcommittees, and all Faculty Personnel Committees to review academic appointments includes within the scope of that review a requirement that the Committee be satisfied that any proposed appointment is the result of a full and fair search as required by the policies of the University of California and the Davis campus, unless a search is waived pursuant to the specific requirements of UCD 500, Exhibit B;
2. That the review of the search process by the Committee on Academic Personnel – Oversight, its subcommittees and all Faculty Personnel Committees be based on information furnished by the department(s) and/or the lead dean that includes:
  - (i) whether a full and fair search was conducted according to the guidelines laid out in APM 500 and UCD 500;
  - (ii) the size of the applicant pool that responded to the search advertisement;
  - (iii) connections among faculty members of the search committee that might be interpreted as a conflict-of-interest (such as cooperation on grants or scholarly works, with any of the candidates interviewed);
  - (iv) copies of all relevant documents, including the approved position description, search plan, and interim and final recruitment reports.

3. That the Committee on Academic Personnel – Oversight, its subcommittees and all Faculty Personnel Committees strictly scrutinize the integrity of the search process in the case of any appointment to regular faculty ranks of a person who is employed at UC Davis at the time an appointment is recommended, or who is closely aligned with UC Davis scholars as a co-author, current or former student, post-doctoral researcher, or other significant relationship based on the information provided in item 2;
4. That paragraphs 2 and 3 of this resolution only apply to appointments into academic senate series at UCD.
5. That requests for Search Waivers be submitted to the Committee on Academic Personnel - Oversight when they are submitted to the Vice Provost – Academic Personnel, in order to permit the Committee to examine the request for consistency with the requirements of UCD 500, Exhibit B; and
6. That the Committee on Academic Personnel – Oversight, its subcommittees and all Faculty Personnel Committees are directed to only review cases where a full and fair search, or a Search Waiver, consistent with APM 500 guidelines has been fully documented.