

May 16, 2019

Kristin Lagattuta, Chair
Davis Division of the Academic Senate

Re: CERJ Advice: Question regarding DDR 539 and First Day of Attendance

Dear Chair Lagattuta,

In response to an inquiry from the Chair of the Grade Changes Committee, the Davis Division Committee on Elections, Rules and Jurisdiction has determined the following:

This complements [CERJ Advice dated 5/15/2000](#) and provides an interpretation of [Davis Division Regulation 539](#) (DDR 539), enacted 6/3/2004.

DDR 539 deals with Mandatory First Day Attendance. Part (A) refers to impacted courses, while Part (B) refers to laboratory courses, impacted or not. In the absence of an explicit definition, CERJ interprets 'impacted course' as 'a course with a waiting list'.

For laboratory courses first-day attendance can be crucial to ensure safety and continuity of laboratory work. CERJ interprets DDR 539 (B) as stating that, for laboratory courses, impacted or not impacted, a student who is not present on the first day can be denied enrollment, irrespective of whether there are seats available and whether the student was registered, not registered or on the waiting list on the first day.

For all other courses, mandatory first-day attendance may serve to minimize the possibility that uninterested registered students crowd out interested wait-listed students. CERJ interprets DDR 539 (A) as stating that, for impacted non-laboratory courses, a student who missed the first day of instruction cannot be denied enrollment if space becomes available after the first day, provided that the student was neither registered nor wait-listed on the first day. Students who are either registered or wait-listed on the first day and do not attend the class on the first day can be denied enrollment.

Furthermore, DDR 539 stipulates that, for all courses, Mandatory First Day Attendance must be announced in the [Class Search Tool](#).

Such an announcement is therefore a prerequisite for the provisions of DDR 539 (A) and (B) to apply.

Sincerely,



Hans-Georg Mueller, Chair
Committee on Elections, Rules and Jurisdiction

Cc: Edwin Arevalo, Executive Director, Davis Division of the Academic Senate
Sarah Perrault, Chair, Grade Changes Committee