

***MENDING THE  
WALL:***

**REPORT OF THE SPECIAL COMMITTEE ON  
SHARED GOVERNANCE AND SENATE  
OPERATIONS**

**UNIVERSITY OF CALIFORNIA  
ACADEMIC SENATE  
DAVIS DIVISION**

**DECEMBER 13, 2004**



## EXECUTIVE SUMMARY

The faculty of the University of California is uniquely privileged to share in the governance of their institution. The Board of Regents of the University has delegated to the faculty, acting through the agency of the Academic Senate, specific authority and responsibility over major portions of the University enterprise. By virtue of these delegations the concept of shared governance in the University of California means that management responsibility is in fact shared between the Academic Senate and the University administration, which acts through authorities specifically delegated to the President of the University and the Chancellors.

The Special Committee on Shared Governance was formed out of a profound sense that shared governance was not working well on the Davis campus. The resolution of the Executive Council creating the Special Committee cited seven specific instances where shared governance has failed. Each of these cases is characterized by a perceived failure of the campus administration to initiate discussions with the Academic Senate in the planning stages of an initiative and a drive to decisions without respect for the Senate's own mechanisms.

In addition to difficulties encountered with the lack of administrative consultation on important matters, part of the break-down in shared governance is attributable to the operation of the Senate itself. The Academic Senate is a democratic organization in which authority flows from the membership, unlike the administration that is a hierarchy in which the senior level can provide marching orders to subordinates. The deliberative nature of the Academic Senate is an advantage. Decisions are taken after thoughtful review by a diverse group of individuals, which insures that a wide-range of voices is heard. As a consequence of its democratic and representative nature, the operation of the Academic Senate can be ponderous and reactive. At the moment, too much of the work of the Senate involves nit-picking small issues with a loss of focus on a broad overview of the academic direction of the campus. In addition, many of the active participants in the work of the Senate have a deep frustration that the effort devoted to many Senate issues has had little direct effect on the course of campus events.

A healthy effectively functioning Academic Senate organization is important to the overall health and intellectual growth of the campus. Under the shared management structure created by the Standing Orders of the Regents, concurrence by the Academic Senate is required for most major initiatives. Even where concurrence is not required, a history of disregard of the views of the Academic Senate creates an atmosphere of distrust and bad faith among administrators and faculty that hinders progress in what must, by its nature, be a cooperative enterprise. The committee acknowledges the wisdom of Robert Frost's line, "Good fences make good neighbors." Too often the fences between the Senate and the Administration are in disrepair, the property lines are not respected, and the Administration's cattle trample the Senate crops.

The recommendations of this report are lengthy and highly detailed. Many of the recommendations of the report address the organizational structure of the Senate itself. The overall tenor of the recommendations may be summarized by a few recurring themes. As with all campus activities, implementing these recommendations will require effort by both the Academic Senate and the Administration.

*The Senate must become actively engaged in creating forward-looking initiatives that reflect the view of the faculty with respect to the academic mission of the Davis Campus.*

The leaders of the Senate must broadly focus their activities on academic goals for the campus. The Senate cannot merely wait for the administration to bring forward initiatives for consultation by the Senate. As a corollary, the campus administration is responsible for engaging the Academic Senate, including the School and College Faculty Executive Committees, early in the process of formulating any campus initiative that affects issues within the purview of the Academic Senate's authorities. Implementation of the budget review process that is recommended in Section 4 of this report will have an important impact in this regard. Engaging the School and College Executive Committees in planning for each annual budgetary cycle will strengthen the role of the Faculties in the management of their enterprise. In addition, the recommendations will permit the Senate, through its budget committee, to have an appropriate voice in the implementation of the campus planning process. The recommendations are designed to insure that the Senate's authority over the academic program meshes with the administration's authority over resource allocation.

*The individual faculty members who bear the greatest burden of the work of the Academic Senate must be provided an appropriate level of compensation for the time lost from their academic pursuits and for the demands that are placed upon them.*

This is a critically important issue for attracting high quality leadership to the Academic Senate. While University of California administrators regularly advocate high salaries to attract top people, those same administrators often expect faculty members to undertake the work of the Senate on a voluntary basis. While most of the work of the Senate committees is, and should be, performed by Academic Senate members as part of their responsibilities as members of the UC professorate, a number of positions are sufficiently demanding that release time from teaching is required in order to protect the individual's ongoing research program. In addition, nine-month faculty whose responsibilities to the Academic Senate require a twelve-month presence in the job should receive commensurate summer salary. Adequate compensation for the work of the Senate is also an important sign of the respect to which many of the positions of Senate leadership are entitled.

*The Academic Senate requires adequate staff support for its work.*

As Section 8 of this report details, the Academic Senate on the Davis campus is woefully understaffed in comparison to other campuses of the University. Virtually every initiative on the Davis campus must pass through the staff in the Academic

Senate office. Yet in comparison to the numbers of staff that fill the central administrative offices in the five stories of Mrak Hall, plus the staff that occupies each of the Dean's offices, the current staff of 7.5 FTE in the Academic Senate office is virtually invisible. But when some administrative request is not answered in a timely fashion, some number of the hundreds of administrative staff, and their academic supervisors, are quick to complain about the slow response of the Academic Senate. An adequate staff in the offices of the Academic Senate is necessary to the smooth and efficient operation of the whole campus.

*Many of the recommendations of the report address the organizational structure of the Senate itself.*

The final authority of the Academic Senate rests with its members. That authority is usually exercised through the Representative Assembly. The membership of that body must actively represent the diversity of the Senate faculty with informed participants. The Representative Assembly should be strengthened both by a reform of its membership and a process to insure that the Representative Assembly fully debates important campus issues. The operation of the Senate's committee structure should be changed to eliminate duplicative consideration of issues by multiple committees and the Senate should maintain adequate records to avoid duplication of effort and retain continuity.

*Senate participation in joint committees with administrators should be structured through the membership of Senate standing committees.*

The Senate needs to clarify that consultation with the Senate requires consultation through the Senate committees with appropriate jurisdiction to represent the Senate on particular issues.

*Engaging members of the Academic Senate in the work of the Senate requires a concerted effort on the part of Senate leadership to inform the Senate faculty, and the campus community at-large, about the role of the Academic Senate in the governance of the University of California.*

The University of California is strong because the faculty is outstanding. Senate faculty have both the privilege and the responsibility to participate in directing the operation of their institution. Many of the great faculty members of the University have stepped up to this responsibility. This tradition requires that Senate faculty be aware of the significance of their role in the governance of the University, and that the significance of the role be maintained.

Section 10 of the report outlines all of the recommendations of the report and organizes the recommendations by the Senate agency responsible for implementation. In the form of a recommendation regarding a continuing charge to the Special Committee, its members offer to supervise the drafting of by-law revisions required to accomplish the Committee's recommendations.

There is much to digest in this report. Not all of the recommendations will find favor with the membership of the Senate, but we hope that the bulk of the work represented in this report will result in a stronger UC Davis Academic Senate. The members of the Special Committee remain at the disposal of the Executive Council and look forward to comments on this work.

Respectfully Submitted:

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## TABLE OF CONTENTS

<b>1. INTRODUCTION .....</b>	<b>VII</b>
1.1 SHARED GOVERNANCE .....	1
1.1.1 <i>Delegations of Authority to the Academic Senate</i> .....	2
1.1.2 <i>The Organization of the University of California: The Academic Senate and the Administration in Context</i> .....	4
1.2 THE SUCCESSES AND FAILURES OF SHARED GOVERNANCE AT UC DAVIS .....	8
<b>2. THE SENATE AND THE ADMINISTRATION.....</b>	<b>13</b>
2.1 PRINCIPLES OF CONSULTATION.....	13
2.2 JOINT COMMITTEES .....	14
2.3 ADMINISTRATIVE COMMITTEES .....	15
2.4 DEMOCRACY VS. EFFICIENCY .....	16
<b>3. DIVISIONAL COMMITTEES .....</b>	<b>17</b>
3.1 THE STRUCTURE OF THE DAVIS DIVISION.....	17
3.2 THE NEED FOR COMMITTEE REFORM .....	19
3.3 CONTINUITY AND LEADERSHIP .....	19
3.4 AUTHORITY AND SUBORDINATION .....	20
3.5 EFFICIENT OPERATIONS .....	22
3.5.1 <i>Consolidation and Elimination</i> .....	22
3.5.2 <i>Deference to Subordinate Committees</i> .....	22
3.5.3 <i>Record Keeping</i> .....	22
3.5.4 <i>Electronic Operations</i> .....	23
3.6 THE REPRESENTATIVE ASSEMBLY .....	24
3.7 OTHER DIVISIONAL COMMITTEES.....	27
3.7.1 <i>Executive Council</i> .....	27
3.7.2 <i>Committee on Research</i> .....	28
3.7.3 <i>The Committee on Courses of Instruction</i> .....	28
3.7.4 <i>The Committee on Admissions and Enrollment</i> .....	29
3.7.5 <i>The Library Committee</i> .....	29
3.7.6 <i>Hearings Subcommittee of the Committee on Privilege and Tenure</i> .....	30
3.8 SPECIAL COMMITTEES AND TASKFORCES .....	30
<b>4. THE BUDGET PROCESS.....</b>	<b>32</b>
<b>5. THE DIVISIONAL CHAIR .....</b>	<b>36</b>
<b>6. THE SCHOOL AND COLLEGE FACULTIES.....</b>	<b>38</b>
6.1 FACULTY STRUCTURE.....	38
6.2 FACULTY FUNCTIONS VIS-À-VIS DEANS .....	41
<b>7. THE SENATE AND ITS MEMBERSHIP .....</b>	<b>43</b>
7.1 THE GULF BETWEEN THE SENATE AND ITS MEMBERS.....	43
7.2 PARTICIPATION: PROBLEMS AND SOLUTIONS .....	43
7.2.1 <i>Compensation</i> .....	44
7.2.2 <i>Keeping Service Substantial</i> .....	51
7.2.3 <i>Recognition of Senate Service</i> .....	52
7.2.4 <i>Practices of the Committee on Committees</i> .....	54
7.3 EDUCATION AND COMMUNICATION .....	56
7.3.1 <i>The Senate Website</i> .....	56
7.3.2 <i>New Member Orientation</i> .....	58

7.3.3 <i>Senate Member Handbook</i> .....	58
7.3.4 <i>Communications</i> .....	59
<b>8. THE SENATE STAFF .....</b>	<b>61</b>
8.1 STANDARDS FOR ADEQUATE SUPPORT .....	61
8.2 THE INADEQUACY OF THE RESOURCES AVAILABLE TO THE DAVIS DIVISION .....	62
8.3 BUDGETARY AUTONOMY.....	66
8.4 RECOMMENDATIONS .....	67
<b>9. THE RELATIONSHIP BETWEEN SENATE AND NON-SENATE ACADEMIC PERSONNEL</b>	<b>69</b>
<b>10. COMPILATION OF RECOMMENDATIONS AND IMPLEMENTATION PLAN .....</b>	<b>71</b>
10.1 THE EXECUTIVE COUNCIL .....	71
10.1.1 <i>General Recommendations</i> .....	71
10.1.2 <i>Recommendations Concerning Interaction with the Administration</i> .....	72
10.1.3 <i>The Special Committee on Shared Governance</i> .....	72
10.1.4 <i>The Special Committee on the Website</i> .....	74
10.1.5 <i>The Special Committee on Record Keeping</i> .....	74
10.1.6 <i>The Special Committee on Senate Operations</i> .....	75
10.1.7 <i>School and College Taskforces on Bylaws</i> .....	75
10.2 THE SENATE STAFF .....	75
10.3 CHAIRS OF STANDING COMMITTEES .....	76
10.4 THE DIVISIONAL CHAIR.....	77
10.5 THE REPRESENTATIVE ASSEMBLY .....	78



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**December 13, 2004**



# 1. INTRODUCTION

The Executive Council of the Davis Division of the Academic created the Special Committee on Shared Governance and Senate Operations to examine the health of shared governance on the Davis campus and make recommendations to the Executive Council regarding the organization and operation of the Academic Senate of the Davis Division. The charge to the committee is attached (Exhibit 1). The Special Committee on Shared Governance and Senate Operations would not have been created had there not been a widespread feeling within the Academic Senate that shared governance was not functioning appropriately on the Davis campus and that the spirit of shared governance has been threatened. This report and its recommendations aim to restore the true spirit of mutual cooperation and respect within the division of labor mandated by the Standing Orders.

The committee acknowledges the wisdom of Robert Frost's line, "Good fences make good neighbors." Too often the fences between the Senate and the Administration are in disrepair, the property lines are not respected, and the Administration's cattle trample the Senate crops.

The Special Committee has met with the leadership of most of the standing committees of the Davis Division, the chairs of Faculties of the Schools and Colleges, and campus administrators whose responsibilities overlap with the delegated authorities of the Academic Senate, including the Chancellor and Provost, and with the Chancellor and Divisional Senate chair of the Berkeley campus. A list of individuals consulted by the committee is attached (Exhibit 2).

## **1.1 Shared Governance**

Governance of the University of California is shared by the Academic Senate and the Administration. UC is unique among American colleges and universities in the degree of responsibility specifically delegated by the Board of Regents to the Academic Senate.

The Standing Orders of the Regents of the University of California divide management of the University between the President, who is charged with ensuring the material conditions for the success of the University, and the Academic Senate, which is charged with guiding and executing its academic mission. By virtue of these distinct delegations, the management of the enterprise of the University is in fact shared between the campus administrators, acting through delegations from the Chancellor, and the Academic Senate

The Standing Orders of the Regents is a legalistic document that contains both a vision, which adumbrates the spirit of shared governance, and a text, which details its form. Neither the Senate nor the administration can act alone in the exercise of its governing authority. Neither can move forward with initiatives without the cooperation of the other. In this sense, shared governance must be a partnership between the University administration and the Academic Senate.

### 1.1.1 Delegations of Authority to the Academic Senate<sup>1</sup>

Standing order 105.2 of the University of California Board of Regents delegates to the Academic Senate, subject to the approval of the Board, the authority to:

- ◆ Determine the conditions for admission; and
- ◆ Determine the conditions for certificates and degrees, other than honorary degrees.
- ◆ The Senate also is charged to recommend to the President candidates for degrees in all curricula and is to be consulted, through committees as determined by the President, on the award of all honorary degrees.

Further, the Senate is delegated the authority to --

- ◆ Authorize and supervise all courses and curricula (excepting . . . the courses offered by professional schools with graduate work only, and non-degree courses of University Extension) and
- ◆ Determine its own membership, as well as the membership of Faculties of the Schools and Colleges.
- ◆ In addition, the Senate is authorized to --
- ◆ Select committees to advise the Chancellors on the campus budgets, and the President on the University budget;
- ◆ Advise the President and the Chancellors on matters concerning the administration of the libraries;
- ◆ Select a committee to approve publication of manuscripts by the University of California Press; and
- ◆ Lay before the Board, but only through the President, any matter pertaining to the conduct and welfare of the University.

Although Standing Order 100.4(c) delegates authority in personnel actions to the President and the Chancellors, the provision requires that any action involving an individual in a professorial series (or equivalent) be undertaken only on consultation with an appropriate committee of the Academic Senate.

Finally, Standing Order 103.9 guarantees to any member of the faculty a hearing before an appropriate committee of the Academic Senate in the case of a proposed termination for good cause prior to the end of the appointee's contract.

Overall, the delegations of authority can be interpreted as imposing on the Academic Senate responsibility for the maintenance of the quality of the instructional and research effort of the University of California. Indeed, many past presidents of the University and several of its chancellors, including Chancellor Vanderhoef, have expressed the opinion that the quality of the University of California is uniquely attributable to the supervision by the Academic Senate as required by shared governance. These authorities and the means for exercising them are described below.

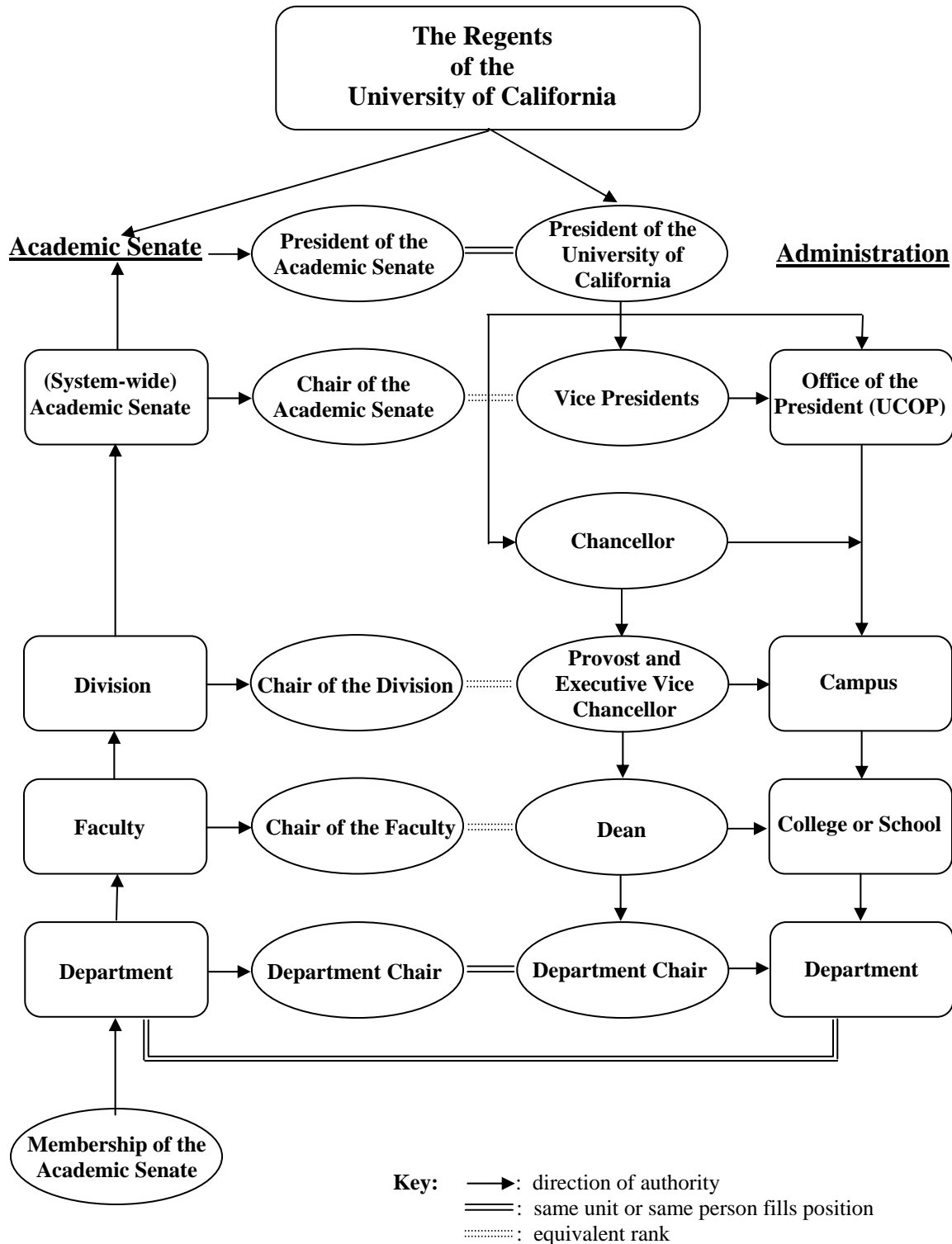
- ◆ The authority to determine the conditions for admission charges the Senate with defining the quality of the students entering the University at both graduate and undergraduate levels. This authority is exercised by the creation of minimum standards of eligibility for admissions that are uniform throughout the University and campus standards consistent with system-wide Academic Senate policy.
  - This authority is exercised by the Senate standing committee on Admissions and Enrollment.
- ◆ The authority to establish conditions for degrees and to supervise courses and curricula charges the Academic Senate with the responsibility to monitor the quality of design and the delivery of the educational programs that students must complete to earn their degrees and to maintain the quality of the components of those programs.
  - This responsibility is exercised by the Faculties of the Schools and Colleges, by the Graduate Council with respect to graduate programs, the Undergraduate Council and its subcommittees with respect to undergraduate programs, and the Committee on Courses of Instruction.
- ◆ The authority to determine its own membership and that of its Faculties has two elements. As noted above, a Chancellor's authority in personnel actions is subject to the advice of a standing committee of the Academic Senate. These authorities translate into a responsibility to monitor the quality of the Academic Senate members who teach courses, who develop the educational program, and who conduct research at the University of California. A uniform set of standards for academic personnel actions is intended to maintain a level of excellence on each campus. Second, in order to ensure the quality of the University, the Senate monitors issues that affect recruitment and retention of high quality academic personnel. These authorities are exercised in several different venues:
  - The Committee on Academic Personnel, and its subcommittees the Personnel Committees in the Schools and Colleges;
  - Through the Faculties of the Schools and Colleges, operating as academic departments, in the appointment of new academic personnel to the University and the evaluation of academic personnel in the merit and promotion process;
  - The Faculty Welfare Committee, which exercises oversight on conditions necessary for the retention and recruitment of high quality academic personnel. The quality of the research program and its priorities are monitored by the Committee on Research Policy.
- ◆ The authority to advise on the budget of the campuses and the University empowers the Senate with a responsibility to advocate budget allocations that channel resources into activities that enhance the academic programs of the University.
- ◆ This authority is exercised through the Committee on Academic Planning and Budget Review. The authority to advise on the administration of the libraries gives the Senate a voice in the maintenance of the basic intellectual infrastructure of the University.

- ◆ This authority is exercised by the Library Committee and the Committee on Academic Planning and Budget Review.
- ◆ The authority to conduct hearings in disciplinary cases charges the Senate with responsibility for enforcing standards of conduct that are embodied in the Faculty Code of Conduct and other policies of the University.
- ◆ This authority is exercised through the Investigations and Hearings subcommittees of the Committee on Privilege and Tenure.

### **1.1.2. The Organization of the University of California: The Academic Senate and the Administration in Context**

The nature of shared governance must be understood in the context of the organization of the University of California. Figure 1.1 represents the structure of the University schematically.

Figure 1.1  
The Organization of the University of California



The Regents are the principal governing body of the University and governing authority is shown as flowing from them along two separate tracks – one to the Academic Senate and one to the President. The Standing Orders conceive of the Administration as hierarchical, power flows down from the President. In sharp contrast, the Standing Orders conceive of the Academic Senate as a form of representative democracy – power flows up from the membership – with a broad franchise in which the membership of the Senate itself principally executes the authorities delegated to it.

The longest and most detailed sections of the Standing Orders set out the powers and authorities of the President. The President, directly administering the Office of the President, stands at the head of the Administration and indirectly administers the individual campuses, schools and colleges, and other administrative structures. Aside from mentioning their titles, lesser officers – vice-presidents, chancellors, provosts, and deans – gain whatever authority they have from the delegations of the President. The arrows in Figure 1 show the top-down flow of authority and the subordination of lesser office-holders to the President. The Administration is divided into a series of levels: the University of California Office of the President (UCOP), the ten campuses, the schools and colleges, and the academic departments as administrative units. Each level is beholden to the level above. Each level is directed by an administrator who is subordinate to the administrator directing the level above.

The Standing Orders define the Academic Senate in terms of its individual members (Standing Order of the Regents (SOR) 105.1(a)). Roughly speaking, the Academic Senate comprises the professorial titles, as well as some other permanent instructional titles and their equivalents, and key administrative titles, such as President, Chancellor, Provost, Dean, and University Librarian, and Registrar. The rights of the Academic Senate to determine its own membership and to organize itself (SOR 105.1(b)) are two of the fundamental features of the Academic Senate. The Standing Orders explicitly mention departments and faculties as elements of Senate organization, and they guarantee the rights of Senate members to vote – thus underlining the fundamentally democratic nature of the Academic Senate – but they are otherwise silent about the details of the Senate’s organization. The organization of the Senate is governed by the Standing Orders of the Regents and the Bylaws and Regulations of the Academic Senate, its divisions, and faculties.

The organization of the Academic Senate parallels that of the Administration. The system-wide Senate offices correspond to the University of California Office of the President (UCOP); the Davis Division corresponds to the Davis Campus (and similarly for other divisions and campuses); faculties correspond to schools and colleges; departments serve double-duty as both administrative and Senate units. Despite the parallel structure, the Administration and Academic Senate are organized on fundamentally different principles. All authority in the Administration derives from the President. All authority in the Academic Senate derives from its membership.

The Academic Senate functions through direct democracy (either through mail ballots of its membership or, in the case of its smaller elements, through group meetings). Practically, most business is conducted by elected leaders and representatives. The



Academic Senate is organized into departments, which on the Davis campus elect representatives to Faculty and divisional assemblies.<sup>1</sup> The Senate members of the division elect representatives to the system-wide Academic Assembly. Each higher level Senate organization can generally make some rules – subject to limitations in the Standing Orders and the Bylaws and Regulations of the Academic Senate that govern levels below it. Nevertheless, each level is controlled by representatives from lower levels or, ultimately, by the Senate membership generally. The leadership of each level of the Senate is directly or indirectly elected, and each Senate leader is responsible to the body that elected him or her. Leaders at a lower tier are not subordinate to those at a higher tier – for example, the Chair of a Faculty does not serve at the pleasure of the Chair of the Division.

The parallelism between Academic Senate and Administration is also reflected in its leadership. Chairs of Faculties correspond to deans, chairs of divisions to provosts, and the chair of the system-wide Academic Senate to the vice presidents. The President of the University is also the President of the Academic Senate. This is not an exception to the rule of bottom-up authority: The President heads the Academic Senate only by the free choice of the Senate itself expressed in its bylaws. The President is rather like a constitutional monarch in that he exercises no direct authority over the Senate. In adopting the President as its formal head, the Senate recognizes the President's role as the face of the University to the Regents and the world. Indeed, the only substantive duty of the President as head of the Senate is to convey formal communications from the Senate to the Regents (memorials). Similarly, Figure 1 shows chancellors as a higher rank than chairs of Senate divisions. Although the Chancellor of the Davis Campus is not the head of the Davis Division of the Academic Senate, as the President is of the (system-wide) Academic Senate, he represents the face of the campus to the world. Functionally, the Provost and the Chair of the Davis Division serve in more closely parallel roles, although the Divisional Chair is the representative voice of the Academic Senate to external constituencies. Senior administrators are generally members of the Academic Senate, sometimes holding *ex officio* positions on Senate committees, they do not thereby gain authority over the Academic Senate nor are its officers subordinate to them.

Academic departments form the base of both administrative and Senate organization. Neither the Standing Orders of the Regents nor the Bylaws and Regulations of the Senate contain a definition of a department or of its functions, rules, and limits. The Standing Orders protect the right of departments to organize themselves (with the approval of the President) and of members of the Academic Senate to vote in departments. Long practice has established the rule that the chair of the department is appointed by the Chancellor on the recommendation of the dean and *qua* administrator is subordinate to the dean. But in exercising academic leadership with respect to those authorities delegated to the Academic Senate (e.g., in assigning instructors to courses), the chair of the department acts on behalf of his colleagues and outside of decanal authority.

The complementary nature of the divided governance of the University is reinforced by its formal linkage at the top in the dual role of the President and its substantive linkage at

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<sup>1</sup> Some small faculties are not divided into departments, but act as a single department, and some faculties operate by mass meeting rather than through assemblies.

the bottom in the dual role of the department. These linkages, as well as the membership of senior administrators in the Academic Senate, help to ensure that shared governance occurs in spirit as well as form. The Regents have granted the Academic Senate certain authorities, principally over admissions and curriculum, but they have also granted it the right to be consulted in every major area affecting the academic mission of the university, including the budget, research, and academic personnel. The spirit of shared governance requires that these consultations be substantive, not merely *pro forma*, and be conducted with deference and respect.

In a general sense, the functions of the Administration fall largely into two broad categories. First, material support: The Administration is responsible for the allocation and use of the resources of the University. Second, the formal face of the University: The President and his principal subordinates, especially the chancellors of the separate campuses and the deans the schools and colleges, represent the University to the Regents and to the state legislature. The President, or his delegates, confers degrees on students, but only as recommended by the Academic Senate. And generally, the President is the representative of the University as a collective enterprise in the eyes of the outside world.

Where the Administration provides the context, the Academic Senate provides the content of the University. This is true in the areas of scholarship and research, although consistent with academic freedom, it falls largely on Senate members as individuals. The Senate is charged with determining the conditions for admission of students and authorizing and supervising courses of instruction. While as a formal matter the Senate authorizes and supervises instruction, the Standing Orders envisage self-governance: the Senate not only controls instruction, by and large it is Senate members who provide it as well.

The spirit of shared governance is more than the forms and visions of the Standing Orders. It is also the established practices of more than a century in pursuit of a common mission. And it is the mutual respect and deference between the Administration and the Academic Senate today. The practices of shared governance vary from time to time and from campus to campus and between the system-wide and the campus levels.

## **1.2 The Successes and Failures of Shared Governance at UC Davis**

Shared governance is a joint enterprise. The Special Committee conducted its investigations and makes its recommendations with a view to the common good of the University and with the hope of promoting a more effective, cooperative, and collegial relationship between the Academic Senate and the Administration. The Special Committee was formed pursuant to a resolution of the Executive Council that reflected widespread concern among Senate members that shared governance was not working well at UC Davis. While the committee can confirm the failures cited in the resolution and can even add other instances, it has also identified successes. The resolution blamed both the Administration and the Senate itself for the failures of shared governance. And the Special Committee has found that there is enough blame to go around. The committee, nevertheless, does not wish to use past controversy as fuel for current conflict. We draw on past cases only as instructive

examples from which to build a more successful campus. It is essential that we be forthright and clearheaded about failings in order to propose mechanisms for moving forward together.

In that spirit, we begin with successes. With respect to those authorities most directly delegated to the Academic Senate, working relationships with the Administration are often cordial, smooth, and effective. This appears to be particularly true with respect to certain divisional committees – Academic Personnel (and the Faculty Personnel Committees), the Graduate Council, the Undergraduate Council, and Admissions and Enrollment – and their administrative counterparts. Chairs of the Faculties and the Deans of the Schools and Colleges report that their relationships are generally very good. Some joint Senate-Administration efforts, such as the recent accreditation review for the Western Association of Schools and Colleges (WASC), have been notably effective.

The success of shared governance, however, cannot be measured by the smoothness of Senate-Administration relationships on any particular committees. A good illustration is provided by the Committee on Academic Personnel (CAP). In the late 1990s, in response to a widespread concern among Senate members that the committee failed to represent the Senate adequately, it was the subject of an intensive review by a special committee that found, among other failings, that the lines between the Senate and the Administration had become blurred to the point that the Committee on Academic Personnel acted in some cases more as an arm of the Administration than the Senate. After an extensive reform of the Senate side of the personnel process, the Committee on Academic Personnel has regained the substantial respect of the Senate membership while, at the same time, maintaining an excellent working relationship with the Administration. It better represents Senate interests. But those are not guild interests; they are the interests of an intellectually and pedagogically strong University.

Cooptation of Senate committees, which was in the case of the Committee on Academic Personnel successfully reversed, appears to have two roots. The first is ignorance of the scope and limits of Senate and administrative authorities. The second is the absence in the Senate of even relatively independent control over the resources needed to execute its delegated functions. This provides the Administration with powerful levers to shape Senate actions. The Special Committee finds that both problems loom largest in the Faculties, where ordinary faculty members frequently find the leadership unable or unwilling to maintain Senate interests with respect to the dean. The committee finds that both faculty members and deans need to understand more clearly the scope and limits of their authority.

The areas in which the Academic Senate exercises final authority (principally curriculum and admissions) are hugely important, though circumscribed. But the Regents have also delegated to the Senate the right to advise or be consulted with respect to almost every important activity of the University – particularly with respect to budget, personnel, and research. What is more, they have obligated the Administration to keep the Senate adequately informed and to seek its advice in these areas. No important initiative on campus can properly go forward without substantive Senate involvement. Nonetheless, it is the context of this advisory relationship that most tensions between the Senate and the Administration can be found.

The Executive Council's Resolution cites seven issues on which shared governance has failed:

- the move to Division I athletics;
- the policy on foreign fee remission for graduate research assistants;
- the long-range development plan;
- the demand for freshman seminars/small classes;
- the biocontainment laboratory;
- parking policy; and
- Summer instruction (and consideration of a move to year-round operations).

These issues have a common theme. In each case, the Administration initiated consultation with the Senate late or grudgingly and without respect for the Senate's own mechanisms. The move to Division I athletics provides a good illustration. While some Senate members served on administrative committees involved in the process, there was no referral to the Senate through the Divisional Chair until the Senate itself insisted that it become involved. At that point the Administration's timetable was so short that a special Senate committee was unable to conduct an adequate investigation of the relevant issues or to gather complete data to inform a mail ballot of the Senate membership. The outcome of that mail ballot was ignored, a decision to initiate the process to join Division I was taken within 24 hours of the results of the mail ballot without any further consultation with the Senate, and was announced without the Chair of the Division even being notified in advance.

Respect for Senate mechanisms means in part that the Administration must recognize that Senate decisions are taken corporately through its committees and according to its rules. Consultation with individual Senate members is not consultation with the Senate. In part it means that the Administration must understand that the Senate is a democratic organization that can reflect the views of its membership only through deliberative processes and that these often take time, necessitating early consultation and timetables that allow Senate processes to work. These sometimes include mail ballots of the membership. Mail ballots frequently contradict the actions of Senate leadership. That too has to be recognized as part of the democratic process.

The Special Committee finds that, for its part, the Academic Senate is by no means spotless. Its organization is unnecessarily ponderous and reactive. The committee identified two primary deficiencies that the Senate must strive to correct. First, the Senate must become actively engaged in formulating its own priorities as the basis for its advice. Too much of the work of the Senate involves nit-picking small issues with a loss of focus on a broad overview of the direction of the academic mission of the campus. In addition, many of the active participants in the work of the Senate have a deep frustration that the effort devoted to many Senate issues has had little direct effect on the course of campus events.

The second deficiency is an offshoot of the first. While the campus is growing, the number of members actively involved in the work of the Senate is declining.<sup>2</sup> Part of this

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<sup>2</sup> Interestingly Chancellor Vanderhoef also described these two issues as the principal difficulties of the Academic Senate. In the Chancellor's words, the Senate needs to become "more proactive." Chancellor

problem is increased pressure on Senate members to produce more high quality research work, increased teaching responsibilities, and at the same time reduced support. Another part of the problem is a lack of understanding about the role of the Senate, particularly among Senate members who have joined UC Davis after substantial experience at colleges and universities that lack UC's unique system of shared governance. A final part of the problem is the operational environment of the Senate itself, which has drifted away from its focus on broad questions of academic quality.

Appointing administrators who are recognized national/international scholars in their fields is critical to the functioning of the university. According to the Standing Orders of the Regents, senior administrators are members of the Senate. Senior academic administrators need to have the stature of the most accomplished members of the Senate.

The Special Committee proposes three main tracks of reform on the Senate side. One track is to align the work of the Faculties of the Schools and Colleges and the Divisional Standing Committees toward developing each Faculty's own sense of priorities for the academic mission of UC Davis and to focus that work through the planning and budget process of the campus. In that context, the work of the Senate must also be focused on implementing the Faculty's view of the academic mission of the University through the actions taken in the Representative Assembly. The second track is generally to overhaul and improve the efficiency of the operation of divisional committees and the organization of Senate staff. The third track involves educating the faculty about their responsibilities and their authority in the governance of UC Davis and improving the accessibility of information relevant to Senate operations to all members.

The report proposes substantial reforms of the working relations between the Senate and the Administration and of the organization of the Senate itself. But the Special Committee has also identified a lack of adequate resources as a substantial barrier to success. While the committee candidly acknowledges the inefficiencies of Senate operations, the Senate can hardly be faulted when those inefficiencies arise from a lack of resources proportional either to the duties delegated from the Regents or to the expectations of the Administration for a partner. The committee identifies three issues;

- 1) Given its responsibilities, the Senate is not adequately staffed;
- 2) Senate members are inadequately compensated for service that is above and beyond the normal expectations of their academic titles; and
- 3) Again appealing to the principle of good fences making good neighbors, the Senate has too little independent control over its resources. Clearly, budgets are provided by the Administration and they must be justified, but respect requires that the Senate should have a level of independence and discretion similar to administrative units with parallel responsibilities.

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Vanderhoef also observed that in comparison to the situation in an earlier period, many of the most accomplished faculty (in terms of National Academy memberships and other measures of recognition) are not actively involved in the work of the Senate.

This section has stuck to the larger themes of this report. Both the successes and failures of shared governance in particular areas and proposed reforms are detailed in subsequent sections.

## 2. THE SENATE AND THE ADMINISTRATION

### **2.1 Principles of Consultation**

The Standing Orders of the Regents authorize the Senate to advise the Administration on budget matters, honorary degrees, administration of libraries, and personnel matters. This process is frequently referred to as the Administration consulting with the Senate. However, merely informing the Senate of decisions made does not constitute consultation. The Senate often is not consulted until the decision process is so far along that the outcome is determined. At that point, the consultation represents directive. The process does not engage the Senate in a manner that permits it to exercise its responsibility to advise, particularly on matters that involve resource allocation through formulation of budgetary priorities.

Consultation must be based on principles that guide its effective use. The most important principle for effective consultation is that it must be initiated when the consultation could affect the outcome. Several of the events that triggered the establishment of our committee were the result of failure to adhere to this key principle of consultation. Another principle is that the consultation should not unreasonably delay the conclusion of the process. Note that this does not mean that delays will not occur or that the process will result in the outcome desired by the administration. But failure to adhere to this principle can only result in “rubber-stamping” of administrative decisions or post-facto criticism.

The Senate’s mechanism for providing advice to the Administration must clearly document both the advice rendered and the processes that led to the advice. Individual Senate members cannot provide the advice called for in the Standing Orders. Ultimately, such advice must come from one of the standing committees, the Executive Council, the Chair, or the Vice Chair. Individual Senate members who are officially appointed by the Senate to serve on administrative advisory committees and joint committees must report back to a standing committee, the Executive Council, or the Divisional Chair, which then provides advice to the Administration. It is the responsibility of the individual Senate members to report back promptly and accurately. It is the responsibility of the standing committee or chair providing the advice to keep records of the advice offered and to make those records available to all Senate members. This is not happening consistently. We recommend that records of advice provided should be available on the Senate website.

There are many justifications that the Administration may use to delay or ignore its responsibility to consult. The administration is often concerned that Senate processes are too slow and ponderous to warrant consultation at an earlier stage, an issue that is addressed elsewhere in this report and clearly needs remediation. Other justifications include perceived or real needs for secrecy, irreversibility of precursor commitments, and fear that advice may interfere with planned actions. The Standing Orders make no allowance for such factors but neither do they define what constitutes “consultation”. We note that the need for secrecy is not an excuse for failure to consult. Although the Senate is an inherently democratic organization with a responsibility to maintain open processes, it is also a representative democracy and is able to deal with confidential matters where required by law or policy, e.g.

review of personnel files and privilege and tenure disputes. Where not required by law or policy, secrecy is generally detrimental to effective decision-making and should be discouraged.

We believe that regular meetings between Senate committees and the administration would result in better and timelier consultation. At the system-wide level, all major Senate committees meet with the administrators responsible for their areas at the regular monthly committee meetings. The administrators are referred to as “consultants to the committee.” Either intentionally or unintentionally, these interactions provide an opportunity for the Senate to give advice. The administrators usually arrive shortly after the start of the committee meeting, giving the committee a short period without administrators to discuss issues they would like to raise. The administrative consultants are given at least an hour for an open discussion of the issues. Because they expect to come and consult with their committee on a monthly basis, they feel free to prepare minimally and engage in a dialog about the matters that are currently on their minds. When unable to attend, they usually arrange to participate by phone. As a result, system-wide Senate committees are seldom “surprised” by administrative actions.

Although divisional Senate committees have the opportunity to have administrative consultants at their meetings, we believe that the opportunity should be regularized. To assure attendance, it is important to schedule committee meetings for the entire year, allowing administrators to keep their calendars clear for scheduled meetings with committees. Committee schedules must be allowed to vary from quarter to quarter to accommodate teaching commitments, etc.

Another important principle relates to Senate members holding administrative positions in dean’s offices (including associate deans) and in the central administration. In order to preserve the logical separation so crucial to shared governance (i.e., the maintenance of good fences) such administrators should serve on Senate committees only in an ex-officio, non-voting capacity. In addition, Senate members with administrative appointments should not serve as formal Senate representatives to joint committees. To our knowledge, there is no such restriction in place. We recommend that a bylaw be drafted to implement this restriction.

We do not believe that chairs of departments and programs, who serve at the behest of the deans, should be included in this restriction. However, we are concerned that some deans may view advice received from dean’s advisory committees, on which department chairs sit, as coming from the Senate. Such committees are not formal organs of the Senate nor are the members appointed Senate representatives. Dean’s Advisory Committees should be viewed as purely administrative committees that are not able to provide advice to the Administration on behalf of the Senate.

## **2.2 Joint committees**

Joint Senate-Administration committees (and taskforces) have representation from both the Senate and the Administration. Senate members of these committees should be



appointed by one of the Senate's standing committees or the Chair. Most such committees are essentially ad hoc, intended to address a single issue or a very narrow range of related issues. Such committees are of great value and their use should be encouraged to address special issues where close cooperation between the Senate and the Administration is crucial. We also include in this category any standing committees convened by the Administration where the Administration requests that the Senate appoint official members.

The process of appointing members of joint committees needs to be formalized. At the present time, several methods are in use. The administration may request that the Chair of the Division, the Committee on Committees, or the chair of a standing committee appoint the Senate members. With so many ways to appoint members, it is impossible for the Senate staff to keep records of past and present joint committees and their officially appointed Senate members. It is also difficult to assure that Senate members of these committees are reporting back to the Senate in an appropriate manner.

We recommend that all requests to appoint members should be directed to the Chair of the Division. The Chair may make the appointment(s), in which case the appointee(s) should be expected to report directly to the Executive Council. Or the Chair may delegate the authority to appoint to either a standing committee or the Committee on Committees. Appointment by standing committees with appropriate expertise is preferable because the appointee(s) would report to that committee, in effect representing that committee on the joint committee. In general, members of joint committees serving on behalf of the Senate should be representatives of the Senate standing committees whose jurisdiction includes the issues considered by the joint committee. These representatives would be expected to report frequently and accurately to the appointing committee. In the case where an appointment is delegated to the Committee on Committees, the appointee should report to the Executive Council to assure that the appointee maintains the desired contact with the Senate. Further, this Committee recommends that lines of responsibility be made clear: only individuals appointed as representatives of Senate standing committees, the Divisional Chair, or the Executive Council serve on joint committees as representatives of the Academic Senate.

### **2.3 Administrative committees**

Senate members are called on to serve on many committees that are not formal committees of the Senate. These go by a variety of names but the defining characteristic is that no members of these committees have been officially appointed by the Senate as described above. We refer to these committees as administrative committees. Lacking formal connection to the Senate, such committees cannot provide advice to the Administration on behalf of the Senate as called for in the Standing Orders. The formation of an administrative advisory committee does not represent consultation with the Senate.

There has been confusion about the role of Senate members on these committees. We hope that the definitions of joint committees and administrative committees clearly delineate those committees on which Senate members may be considered to be providing formal Senate advice and those on which they cannot.

## **2.4 Democracy vs. Efficiency**

One of the greatest strengths, and one of the greatest weaknesses, of the Academic Senate in its role as a governor of the University is the fact that the Senate is a deliberative body that functions through legislative (as opposed to hierarchical) processes. The strength is that the decisions of the Senate in the areas specifically delegated to it, and the advice of the Senate in consultation with the administration, is forged from the diverse views of its membership. The diversity of opinion reflected in the debates of the Senate also tends to impose a conservative influence on institutional change. That itself is both a strength and a weakness. The University of California is an institution that has achieved excellence in all of its endeavors for over a century. That excellence is built on a stable foundation that is not lightly altered. Yet innovation and an entrepreneurial spirit thrive within the stable environment of the University which provides the academic freedom to explore new ideas. The conservatism of the Senate protects that environment. Yet the inherent conservatism of a deliberative body also acts as a restraint on moving forward with new programs. In addition, the fact that the ultimate authority of the Senate is exercised through a legislative body with a set of procedural rules permits individuals who are dissatisfied with decisions implemented at one level of the process to widen the debate all the way to a vote of the entire Senate membership. As with any democratically based legislative process, the decision making apparatus is more unwieldy than the decision making process of a hierarchical management structure.

The deliberative nature of the Senate, and the open access to Senate decision-making through its democratic institutions, must not be used as an excuse by the administration for failure to consult on important campus issues. Indeed, early consultation on significant matters generally will enhance the efficiency of the resolution of contentious issues. In the absence of an opportunity to advise in the formulation of campus initiatives, the Senate may be put into the position of exercising its authority in the form of a veto by refusal to approve courses and curricular changes necessary to implement many administrative initiatives. That is not a healthy situation for the campus.

The scope of the delegation of authority under the Standing Orders is so broad that almost all major campus issues require consultation. It is the responsibility of the administration to initiate Senate deliberations on significant issues at the outset of the development of new initiatives. This applies to areas solely within the Senate's authority such as courses, curriculum, and the structure or restructure of Faculties or departments, and it applies to areas where the Senate has a right to advise, including any issue with budgetary implications for the campus.

The Senate has a complementary responsibility to manage its deliberative process so that decisions are derived in a timely fashion, with finality. The Academic Senate has been delegated an important and valued responsibility by the Standing Orders in the form of the privilege to manage important aspects of the University. It is incumbent upon the Senate membership not only to participate actively in the execution of that responsibility, but to participate in a responsible manner. That participation requires adequate staff as discussed in Section 8 and redesign of Senate operations as discussed in the following section.

## 3. DIVISIONAL COMMITTEES

### **3.1 The Structure of the Davis Division**

We begin this section with a description of the structure of the Davis Division. As shown in Figure 1.1, authority within the Academic Senate in general flows upwards from the membership. The channels within the Division are somewhat complex as shown in Figure 3.1.

There are three loci of representative democracy in the organization of the Division. The membership elects: (1) the divisional representatives to the system-wide Senate Assembly; (2) the membership of the Committee on Committees; and (3) both departmental and at-large representatives to the Representative Assembly.

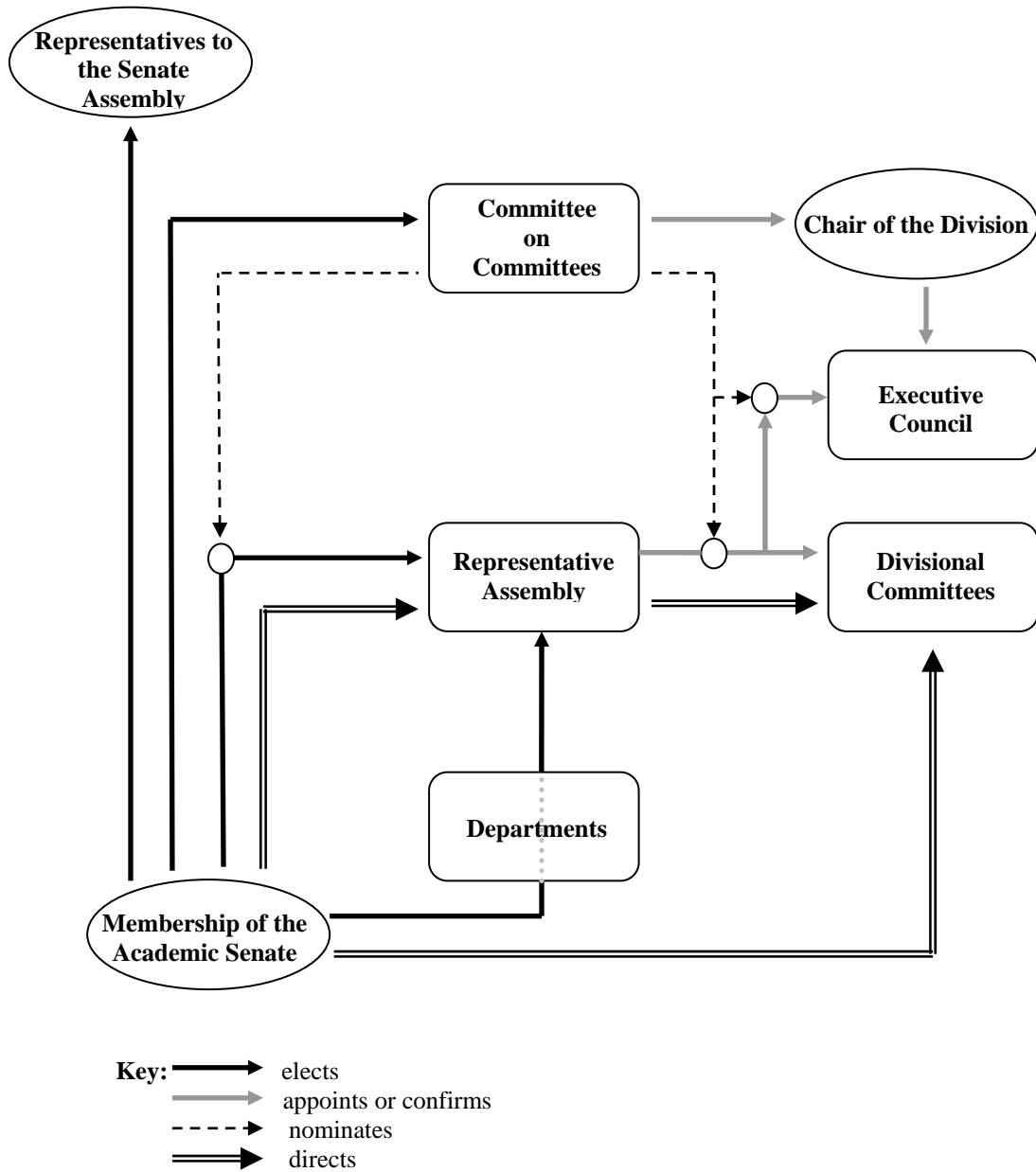
The Committee on Committees appoints the officers of the Division (Chair, Vice-chair, and Secretary) and nominates the membership of other divisional committees, except in limited cases as provided otherwise in divisional bylaws. Nominations are, in principle, subject to confirmation by the Representative Assembly. In practice, no one can recall a successful challenge to such a nomination.

The Executive Council is formed of the officers of the Division, the chairs of some particular standing committees, and other members appointed by the Chair of the Division. The Executive Council has limited statutory duties, and mainly acts as a venue for coordination and exchange of views among committee chairs and officers.

Committees tend to operate more as independent agents than as elements of a hierarchy. While the Committee on Committees effectively appoints the key players, once appointed, they are no longer beholden to it. The powers of the Chair of the Division are largely persuasive. The Chair presides over the Executive Council and the Representative Assembly, sets the timing of their meetings, and has limited ability to shape their agendas. The Chair cannot direct the actions of the Senate bodies. In principle, all divisional committees are subordinate to the Representative Assembly, which is in turn subordinate to direct mail ballots of the membership of the Division. A legislative ruling by the system-wide Senate Committee on Rules and Jurisdiction (L.R. 8.95B) prevents *ex ante* exercise of that authority: the Representative Assembly or a mail ballot may repudiate the action of a committee but not direct it except through explicit provisions of bylaws. Only the various personnel committees, owing to a provision of Davis Division Bylaw 42.B., are subject to *ex ante* direction of the Representative Assembly and membership.

The Faculties of the Schools and Colleges and their own committees (not shown in Figure 3.1) are formally committees of the Division. (See Section 6.)

Figure 3.1  
The Organization of the Davis Division of the Academic Senate



### **3.2 The Need for Committee Reform**

Two central themes emerged in the Committee's discussions with Senate members and administrators. First, lacking strong lines of authority, the Divisional Senate is hard to move in a coordinated direction. While this criticism has validity, at the same time the lack of coordinated direction is the inevitable consequence of the democratic nature of the Senate. A chancellor or provost may complain about the relative inefficiency of the Senate. But a chancellor or provost is empowered to direct subordinates and control resources. The Senate, in contrast, must negotiate among diverse interests to reach decisions that will, at least, have the acquiescence of its membership. Within the constraints of democracy, the Committee sees room to strengthen the ability of the Senate to act as a corporate body.

Second, individual committees are seen to be inefficient – wasteful of the time both of their own members and of the wider membership of the Division. The lack of adequate staff support is a substantial contributor to the inefficiency of individual committees. Staff support is addressed separately in Section 8. Here we restrict our consideration to other factors such as the lack of continuity of leadership and inefficiencies imposed by the representative structure of the Senate.

We begin with some general proposals to improve the operation of divisional committees, before turning to consideration of a limited number of particular committees.

### **3.3 Continuity and Leadership**

The relatively short-term appointments of committee members and leaders are a major problem for the effective operation of divisional committees. Chairs and members frequently serve short terms – they must generally be appointed annually. Although the Committee on Committees usually tries to maintain some overlap in appointments and seeks experienced chairs, too often the committee must spend a substantial part of the academic year learning its business. The lack of stable and experienced membership also undermines the coordination among committees, which is promoted by personal working relationships that can develop only with time. To improve continuity and leadership, we recommend:

1. That the divisional bylaws be amended to reflect an expectation that committee members are appointed for two-year overlapping terms. The Committee on Committees should retain the flexibility to appoint to one-year or three-year terms for the purposes of keeping the overlap stable.
2. That the enabling bylaw of the Committee on Committees should be revised to recognize two competing objectives: first, the Committee on Committees should be able to reappoint members whose terms have expired; but, second, should recognize the desirability of turnover that draws fresh talent to committees and spreads experience over Senate membership. The Committee should attempt to balance these objectives.

3. That the divisional bylaws be amended to reflect a general expectation that a committee shall have a chair and a vice-chair, each serving one-year terms. A vice-chair should normally be appointed from the current membership of the committee and appointment as vice-chair should normally result in automatic succession to the chair in the next year. The result of this recommendation is that the chairs of committees will normally have served a three-year stint: one as member, one as vice-chair, one as chair.
4. That the Chair of the Division should appoint a committee or working group to prepare a handbook for the chairs of divisional committees, including the chairs of the Faculties of Schools and Colleges, to guide them in the performance of their responsibilities.
5. That the Chair of the Division should organize a retreat at the beginning of each academic year for the chairs of divisional committees and such others as the Chair expects to be useful. The retreat would allow the Chair of the Division to bring new chairs up to speed on important issues, and allow chairs the opportunity to work on common agendas for the year.
6. At the beginning of the academic year, each standing committee should develop its agenda for the year and establish goals. The chair of each committee should report this agenda to the Divisional Chair, who will report it to the Executive Council. Each committee's annual report should include a description of issues that the committee should consider in the succeeding year.

### **3.4 Authority and Subordination**

Although the structure of the Senate is a democratic one in which "sovereignty" rests in the membership, the Committee believes that four standing practices interfere with democratic authority and undermine the ability of the Senate to reflect the will of its membership effectively.

1. The Representative Assembly and the membership have a limited ability to direct the actions and policies of divisional committees *ex ante*. The exception is the specific provision of Davis Division Bylaw 41.B that states, "[personnel] committees are subject to the authority of the Representative Assembly and of the Division on all matters of policy. The authority of the Representative Assembly and the Division shall not be construed to extend to individual personnel cases or in ways that would breach the confidentiality of individual personnel records guaranteed under University rules or laws." The Committee recommends that the divisional bylaws be amended so that a provision with a similar import applies to all committees.
2. Davis Division Bylaw 33 (c) permits the Regents, the President, or the Chancellor to co-opt divisional committees by imposing additional duties upon them. The committees are given the discretion to seek approval from the Representative Assembly for any actions taken with respect to additional duties, which implicitly the Representative Assembly can choose to withhold. The Committee recognizes that

there are advantages to having Senate committees be entrusted with additional responsibilities by the Administration. It believes nonetheless that such co-optation can only contribute to confusion over authority unless the actions of Senate committees are seen as actions of the Senate in every case. The Committee recommends that DDB 33(c) be amended to state that additional duties may be imposed on divisional committees only through application to the Chair of the Division and with the approval of the Executive Council. Any such relationships would remain subject to the normal review and repudiation by the Representative Assembly and the membership. The amendment should not mention the Regents, whose authority to change the ground rules of Senate operations is beyond question and need not be specially acknowledged. It also recommends that no additional duties be accepted unless they are accompanied by appropriate additional resources for support of Senate staff and, where necessary, compensation for members' time (see Sections 8 and 7.2.1).

3. A number of committees (e.g., the Graduate Council, the Committee on Academic Personnel, the Committee on Elections, Rules, and Jurisdiction) are called on to make policy or issue rulings governing the behavior of members of the Senate or students. Frequently, these policies are not adequately documented, so that they are reduced to folklore and become impossible to enforce when challenged. The Committee recommends that divisional bylaws be amended to require that any enforceable policy of a divisional committee be recorded with the Secretary, numbered and with a clear descriptive title, a date of adoption, including a record of the vote of the committee, and a citation of the authority under which the committee acts. Policies existing at the time that the amendment is adopted should be reaffirmed in conformity with these standards within one year. The Secretary should record all such policies in permanent Senate records and post them on the Senate website in a form conformable to standards acceptable to the Committee on Elections, Rules, and Jurisdiction.
4. There is currently no mechanism for removing properly appointed officers or members of committees on any grounds whatsoever. Although the Committee believes that dismissal should be exercised sparingly, it potentially undermines the authority and effectiveness of Senate when no mechanism exists for ensuring the faithful execution of their duties. The Committee recommends that the divisional bylaws be amended to permit the dismissal of an officer, or the chair or member of a committee for failure to perform his or her duties. We recommend what is, in essence, the mirror image of the appointment process: dismissals should occur only after a two-thirds vote of the Representative Assembly acting on a recommendation of the Committee on Committees. While we do not recommend a highly formal, judicialized procedure, we believe that fairness dictates that the Committee on Committees carefully investigate the grounds for any proposed dismissal, granting the subject an opportunity to rebut the particulars. Similarly, the subject should always be granted the opportunity to present his or her case to the Representative Assembly before a vote.

### **3.5 Efficient Operations**

#### **3.5.1 Consolidation and Elimination**

The Committee examined carefully whether there was room for consolidation or elimination of divisional committees that would result in a more efficient operation. We were unable to convince ourselves that we could suggest any clear improvements in the overall structure of the committees and their duties. In all cases the charges to committees correspond to significant concerns of the Senate and the demarcations between them are sensible. Some committees meet infrequently, but some issues are, of their nature, episodic. The Committee nevertheless recommends that each committee engage in a period of self-examination in which they address the questions of whether their current form is the most efficient to execute their charge. Committees that see room for improvement should bring proposals for discussion before the Executive Council. Efficient operations of committees also requires adequate staff support and space, an issue that is addressed in Section 8.

#### **3.5.2 Deference to Subordinate Committees**

Many divisional committees stand in a hierarchical relationship to the committees of the Faculties of Schools and Colleges or to other divisional committees. The Committee heard complaints about second-guessing and interference of one committee by another. The Committee endorses the principle that decisions in the Division should be made at the lowest appropriate level. Higher-level committees should serve to promote consistency and coordination between potentially conflicting actions and policies of different subordinate committees. This implies that higher-level committees should make general policy, where common policies are required, but should eschew micromanagement wherever possible. The relationship between the Committee on Academic Personnel (CAP) and the Faculty Personnel Committees provides a model:

[CAP] shall normally rely on the recommendations and evidence . . . provided by other levels of the review process; and, only in unusual circumstances, shall [CAP] advise overturning unanimous or nearly unanimous recommendations of earlier levels of review. [CAP] shall make every effort to reconcile conflicting recommendations of earlier levels of review . . . [Davis Division Bylaw 42.b.2]

The Committee recommends that a similar principle guide the relationship of all committees standing in hierarchical relationships.

#### **3.5.3 Record Keeping**

A lack of good record keeping, partly from a lack of staff support, but partly from a lack of adequate expectations and guidelines, undermines the collective memory of the Senate. It also threatens Senate authority and day-to-day operations.

Divisional bylaws require committees to submit annual reports to the Representative Assembly at its Spring meeting. The timing of these annual reports is problematic, as some committees continue to function through the summer, with new members taking office only on September 1<sup>st</sup>. Frequently, the content of the annual reports is too cryptic and terse to provide a substantial record of the committee's deliberation and actions.



Verbatim copies of official letters and reports are frequently not available in files that are accessible to later committees. Too much of the working record of the Division has rested in the memory of the recently retired Senate Director, Marcia Thomson, or in the memories and personal files of former committee chairs.

The Committee endorses the principle that every significant action of a divisional committee and every document that commits any agency of the Senate to a collective view or course of action must be recorded in a publicly accessible archive. In addition, the annual report of each committee should contain a description of formal actions, recommendations, and advice to the administration.

The Committee recommends the Chair of the Division convene a working group including the Executive Director of the divisional Senate to review the record-keeping practices of the Division. The group would:

- Review the archiving practices in the offices of the Division, and draw up guidelines for committees on standards and procedures for archiving committee records;
- Review the standards and practices governing annual reports of committees;
- Work with the special committee on the divisional website (see Section 7.3.1) to determine the most effective way to make the records of divisional committees publicly accessible;
- Consider whether the Division would benefit from having a divisional archivist, whose duties would include overseeing the maintenance of Senate records;
- Review and make recommendations with respect to requirements for space to facilitate the storage of and access to Senate records;
- Recommend, where necessary, modifications to divisional bylaws that govern record-keeping requirements and, where appropriate, memorialize standards.

The Committee recommends particularly that divisional bylaws be amended to require that annual reports be submitted to the Divisional Chair by August 31st for transmittal to the first meeting of the Representative Assembly in the fall quarter, rather than in the spring quarter.

#### **3.5.4 Electronic Operations**

The Division has not taken full advantage of the potential of e-mail, the world-wide web, and other electronic media for increasing the efficient operation of divisional committees. Improvements are most likely to be effective if they are made organically by the individual committees. The Division should provide the resources and infrastructure to make this possible. Many of these resources are discussed elsewhere in the report with respect to recommended improvements to the divisional website (see Section 7.3.1). Face-to-face meetings are frequently more effective than electronic interaction and cannot be entirely

replaced. Nonetheless, the Committee recommends that, where feasible, committees conduct substantial parts of their business electronically.

The Committee endorses the principle that electronic communication should be the default mode of communication among the committees, the Senate staff, and the membership, and that paper communications should be reserved for those instances in which it provides a clear advantage. This principle needs to be interpreted rightly. It should not result in shifting routine staff work onto Senate members. For example, members of the Representative Assembly and the Executive Council ought to receive hardcopies of their agenda and related items before meetings. Similarly, any committee ought to be allowed to opt for hardcopy whenever it promotes the working of the committee. Importantly, a hard copy record should be maintained of bylaws and policies enacted by committees.

The Committee recommends that all elections in the Division be conducted electronically. All ballots and supporting materials ought to be distributed electronically. For mail ballots involving legislation, pro and con arguments ought to continue to be restricted in length (as currently), since that probably promotes more effective communication, but links to more extensive documentation (again, as currently) ought to be permitted. The Committee on Elections, Rules, and Jurisdiction, working with the Special Committee on the Divisional Website, should develop the infrastructure for electronic voting and propose necessary amendments to divisional bylaws to permit and govern electronic voting.

### ***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:

1. That the call for election of departmental representatives should include a description of the duties of the representative, referring to the substance of the deliberations rather than just the need to attend meetings, and stressing that a appropriate representative should be a member who is engaged substantially in the workings of his or her department, ideally with the experience of other Senate service.
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 need not, 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. This recommendation requires amendment of

- divisional bylaws, including those governing attendance at Representative Assembly meetings by at-large representatives.
3. More aggressive enforcement of attendance rules already incorporated in divisional bylaws.
  4. That the Chair of the Division work with the Committee on Elections, Rules, and Jurisdiction to develop a more appropriate order of business for the Division. The order of business should build in considerable flexibility to adapt the format of Representative Assembly meetings to allow the Chair of the Division and/or Chair and the Executive Council together to structure the agenda in a manner calculated to move business forward. Amendments to system-wide Senate bylaws passed in May 2004 permit modification of the order of business.
  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.
  6. Elimination of presentations of the citations for teaching, public service and other awards from the meetings: These citations should be included in the report of the committee, but not generally read verbatim at Representative Assembly meetings. A custom ought to be adopted of (a) either accepting the nomination of an award committee immediately without debate or (b) tabling the nomination for the next Representative Assembly meeting for detailed debate and final vote. Option (a) would clearly be the norm and would add to the efficiency of the meeting and to the honor of the award, while option (b) would preserve the Representative Assembly's right in rare cases to reject a nomination for good cause. A joint task force formed from the various committees charged with nominating members for Senate awards should examine the current mechanisms for honoring the recipients. The Committee believes that dinners, receptions, lectures and honoraria are all appropriate, but that the task force should also consider whether recognition of recipients at important ceremonial function (e.g., commencement or the fall convocation) would not only honor the recipients but reinforce the reputation of the Senate in the eyes of the Administration and the public.
  7. That each representative at the beginning of each year should receive a communication from the Chair of the Division about the Representative Assembly in general, its importance, and the prospects for the coming year. This should aim to be engaging rather than formal.
  8. That the meeting call for the Representative Assembly should contain a compact, informative executive summary of all action items for the meeting.
  9. That the Committee on Elections, Rules, and Jurisdiction should be charged to develop a simplified crib sheet on the rules of order for the meetings, so that each member can have immediate guidance on how to work in a parliamentary setting.

10. That the Representative Assembly should be able to call for a mail ballot of the Division by a direct resolution. Currently, the only mechanism is through a petition bearing the signatures of fifty members of the Division.

Some of these nine recommendations require amendments to divisional bylaws. The Committee recommends that the Committee on Elections, Rules, and Jurisdiction determine which ones require amendments and draft legislation where necessary.

### **3.7 Other Divisional Committees**

The Committee heard complaints or suggestions for reform of several particular divisional committees. We address these in turn.

#### **3.7.1 Executive Council**

The Executive Council is perceived as less useful and effective than it could be. It should be the normal venue for the exchange of information among the officers of the Division and the chairs of key committees. Since its membership is largely up to the discretion of the current Chair of the Division, it may or may not have the appropriate players to support this mission.

By design, the Executive Council has few real powers. Recent Divisional Chairs have used the Executive Committee to vet the reports and proposals of standing committees. The Executive Council often acts as if it had the power to accept or reject such reports and proposals. Recent chairs have abetted this confusion, contravening the principle of deference to the committees closest to an issue (see Section 3.5.2). Many committees have been frustrated as a result. Generally, they have worked out careful proposals, and the members of the Executive Council, often with no more thought than the two minutes in which the chair is introducing the topic, have proceeded to judge or to redesign the work of the committee. The Committee recommends that such practices stop.

Substantial portions of meetings are taken up with reports of the Chancellor, Provost or other administrators. The Committee finds that a lack of preparation in advance of such presentations renders the Council unable to make effective use of the interaction.

The Committee recommends:

1. That the divisional bylaws be amended to establish the membership of the Executive Council to include: the Chair, Vice-chair, and Secretary of the Division, the representatives and first alternate representative to the system-wide Assembly, the chairs of the Faculties of the Schools and Colleges, and the chairs of the following committees: Academic Personnel; Academic Planning and Budget Review; Admissions, Elections, Rules, and Jurisdiction; Graduate Council; Undergraduate Council; and Research.
2. That the Chancellor and/or Provost should be expected to meet with the Executive Council no less often than every other meeting.

3. That a period of the Executive Council meeting before the arrival of the Chancellor or Provost should be devoted to preparing for their appearance with presentation of essential background materials and discussion of the issues that should be discussed with them.
4. The Executive Council should be able to call for a mail ballot of the Division by a direct resolution. Currently, the only mechanism is through a petition bearing the signatures of fifty members of the Division.
5. The Executive Council should be empowered to receive the reports of Senate members appointed by the Senate to joint Senate/Administrative committees (see Section 2.2) and who do not otherwise report to a standing committee of the Division.

### **3.7.2 Committee on Research**

The conduct of the Committee on Research in making faculty research awards – both its policies and its administration – is perhaps the single biggest source of dissatisfaction among Senate members with a Senate committee over recent years. Last year, however, the Committee on Research initiated a comprehensive reform. While it is too early to say whether it successfully addresses the full spectrum of concerns, the Committee is sufficiently sanguine that we offer congratulations to the reformers and no additional recommendations.

### **3.7.3 The Committee on Courses of Instruction**

The Committee on Courses of Instruction is the second biggest source of complaints among Senate members. The Committee on Courses of Instruction has developed an online mechanism for course approvals that was highly effective for its time, but which is difficult to use. The committee itself identifies the online system as a source of frustration, both to Senate members and departmental staff. In addition, the Committee on Courses of Instruction is widely regarded as micromanaging course design. Instances are cited in which the Committee on Courses of Instruction has insisted on titles for courses that the subject matter specialists regard as begging the intellectual questions addressed in the courses. It demands specifications of course administration (such as the weights on midterms and homework) that are so detailed that they intrude on the freedom of instructors to determine the content and pedagogical approach of their classes. Such intrusion is largely hypothetical, because no mechanisms exist for enforcing the details of such course descriptions. The Committee sees a danger nonetheless, as such details are increasingly made available to students and may in the future form the basis for students complaining about instructors who deviate from them.

On the other side, the Committee recognizes that the Committee on Courses of Instruction is discharging one of the essential responsibilities of the Senate. Indeed, the editorial content, style, spelling, and grammar of on-line course descriptions are a public statement of the quality of the UC Davis educational program. The Committee on Courses of Instruction plays an important role in ensuring that these public documents reflect the excellence of the University. If the Committee on Courses of Instruction did not sometimes

raise the hackles of members, it would probably not be doing its job. The Committee's recommendations are, therefore, of the nature of collegial advice:

1. The Committee on Courses of Instruction should heed the principle of deference to lower-level committee (see Section 3.5.2). In this case, wherever possible, it should accept the judgments of academic departments and the courses committees of the schools and colleges with respect to the content of the courses.
2. As a subset of the first recommendation, the Committee on Courses of Instruction should work with the courses committees of schools and colleges to assure that posted course descriptions represent a high quality interface into the education programs of the various departments.
3. The Committee on Courses of Instruction should concentrate on general policy for courses, emphasizing coordination between units that might otherwise act independently without sufficient concern for students not in their immediate orbit.
4. The Committee on Courses of Instruction should be cautious about the level of detail required in creating or revising courses. The Committee on Courses of Instruction should broadly engage questions of the appropriateness of the course in a university setting and ensure that course procedures reflect Senate regulations. The Committee on Courses of Instruction should never require or record course details at a level of precision that is impossible to enforce.

#### **3.7.4 The Committee on Admissions and Enrollment**

Admission is one of the specifically delegated functions of the Senate. Yet the Committee on Admissions and Enrollments is poorly integrated with other parts of the Division most closely concerned with undergraduates once they are enrolled. The Committee recommends that Davis Division Bylaw 50 be amended to the effect that all of the members of the committee, except the chair, should be representatives of the colleges and schools and the committee most closely associated with undergraduate education. The Committee recommends that one member each should be appointed by the executive committees of the Colleges of Agriculture and Environmental Sciences, Engineering, and Letters and Science, and the School of Education, and one member by the Undergraduate Council. Should additional undergraduate schools and colleges be created in future (e.g., a College of Biological Sciences), then the membership should be expanded to include a representative from each new unit.

#### **3.7.5 The Library Committee**

Advising the Chancellor and the President concerning the administration of libraries is one of the essential delegated responsibilities of the Academic Senate. The Library Committee, however, is decidedly low-key. It rarely meets. The current and past chair agree that it is not well placed to exercise substantive oversight of the campus libraries. And most of the recent action with respect to libraries takes place at the level of the system-wide committee. One past chair proposed the abolition of the committee, replacing it with a campus representative to the system-wide committee. Other past chairs and representatives

of the library argue that the committee does retain value, even on campus, as a source of weight and as a mechanism for the mobilization of support among Senate members for the libraries – particularly, in times of budgetary stress. The Committee agrees that developments with respect to libraries are of deep concern to Senate members and that the Library Committee should be the major conduit of member interests, working with the campus librarian, in representations to the Administration and in representing campus interests system-wide.

### **3.7.6 Hearings Subcommittee of the Committee on Privilege and Tenure**

Standing Order 103.2 grants any member of the Academic Senate the right to a hearing by the appropriate committee or committees of the Academic Senate on any matter relating to personal, departmental, or University welfare. Academic Senate Bylaws 334-337 give Divisional Privilege and Tenure Committees jurisdiction over grievances cases, disciplinary cases, and early termination cases. Under DDB 87, on this campus hearings pertaining to these matters are the province of the Hearings Subcommittee of the Committee on Privilege and Tenure.

By their very nature, Privilege and Tenure cases that go to hearings are intensely adversarial. The pertinent Academic Senate Bylaws provide that each party to a hearing “...shall have the right to be represented by counsel, to present its case by oral and documentary evidence, to submit rebuttal evidence, and to conduct such cross examination as may be required for a full and true disclosure of the facts.”

According to Robert Hillman, the current Chair of the Hearings Subcommittee, who has held that post for four years, “The University is always represented by counsel. Faculty have lawyers only in about half the cases.” We share his view that because of this situation, almost certainly reflective of the estimated \$25,000 to \$50,000 cost of legal representation, “The playing field is decidedly unlevel.” He continues: “We try to level it, but there is only so much we can do.”

It would be fully consonant with civil court practices and respectful of the principle of Shared Governance for the University to pay the reasonable legal expenses of grievants whose cases have been judged meritorious, or defendants in disciplinary cases in which the Hearings committee disagrees with the Chancellor’s proposed action.

Accordingly, the Special Committee recommends that the Committee on Privilege and Tenure consider preparing a recommendation along these lines for early submission to the Representative Assembly and transmittal thereafter to the Chancellor for his consideration and implementation.

## **3.8 Special Committees and Taskforces**

The Special Committee is impressed that much of the best work of the Division (for example, the recent reform of the academic personnel process) has been conducted through



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*ad hoc* committees with a narrow charge and a limited lifespan. Academic Senate bylaws do not permit the use of such committees in a manner that usurps the particular authorities of the standing committees. Nevertheless, we strongly recommend the use of such committees in a manner consistent with the bylaws as a means of moving business through the Senate more efficiently. We recognize two types: *Special committees* are those committees that address topical issues that do not fall within the purview of existing standing committees. *Taskforces* are those committees that act as coordinating bodies on issues (such as the move to regularize summer sessions) that require the actions of more than one standing committees. Taskforces should be constructed by drawing – at least in part – on the membership of the relevant standing committees and should be designed, not to usurp the authority of standing committees – but to promote efficient, effective, and coordinated action among them.

## 4. THE BUDGET PROCESS

All academic planning and priorities are ultimately reflected in budgetary allocations. Indeed, there is nothing that we do within the University community that is not affected by decisions made with respect to budgetary allocations. Academic personnel (FTE) allocations are critical elements of the distribution of resources to schools, colleges, and departments. In delegating to the Academic Senate the authority to advise the Chancellor on the budget, the Regents recognize that budgetary decisions are crucial to effective shared governance, and they have given the Academic Senate a central role in setting campus priorities. The Senate's obligation is to ensure that budgetary decisions reflect a commitment to excellence in the primary teaching and research programs of the campus. The administration has a responsibility to provide accurate and complete information to the Senate in order to enable the Senate to competently assess the campus budget and provide meaningful advice.

The \$2.3 billion UC Davis budget is a highly complex undertaking. While the administration indicates that it is willing to share budget information with the Senate, access to information is meaningless in the absence of a capability to assess the information and weigh the consequences of different choices. In the absence of an informed overview of budgetary allocations, Senate advice on the budget has been limited to piece-meal review of ad hoc allocations and programs. In the recent past, the Senate's input into budgetary priorities has been marginalized. This is one of the biggest problems facing the Divisional Senate.

If the Senate is to provide competent advice on the budget, the Senate must establish an effective mechanism for the review of budget and FTE allocations. The members of the budget committee must become familiar with the campus budgetary allocations with respect to both state funds (19900 accounts) and external funds.

After consultation with the Provost, Deans, and the chairs of Senate Committees, the Special Committee recommends restructuring the Divisional Senate's budget review processes and the charge to and the membership of the budget committee. The reorganization that we describe is intended to engage the Divisional budget committee and the school and college executive committees in the evolution of the campus budget and enable the budget committee to guide the Senate toward establishing its own set of budget priorities. Further, this process is structured so that the Senate leadership may rely on the advice of the budget committee in advocating campus budgetary allocations.

The role of the budget committee must be to provide forward-looking advice on the campus budget priorities. The function of the budget committee is more than budget review. Indeed, we recommend that the term "review" be stricken from the name of the committee, which, as is the case on most other campuses, should be changed to the Committee on Planning and Budget

The budget process generally begins with a call from the Provost for implementation of additions or cuts as provided by the anticipated State budget. Those requests are addressed to the Deans who prepare proposals for adjustments from base budgets. In addition, the various deans negotiate with the Provost with respect to allocations of FTE to the schools and colleges. Allocations of external funds, consisting mostly of overhead shifted to the control of the Office of the Chancellor and Provost and the Chancellor's discretionary funds are, in part, directed by fixed formula and, in part, directed by the results of iterative negotiations between the Provost and various deans and vice-chancellors. Many allocations are made on an ad hoc basis as opportunities for new programs are developed in the schools and colleges. The budget committee is often called upon to comment on ad hoc program proposals, but in general the budget committee has little understanding of the way in which a particular program proposal may affect the overall budget.

The Divisional Senate also participates in budget making through other channels. The Divisional Chair and the Chair of the Committee on Academic Planning and Budget Review are members of the Provost's Budget Work Group. Also, several Senate chairs are members of the FTE Allocation Workgroup. However, the latter group has not functioned effectively in the past few years. At the current time there does not appear to be a great deal of communication regarding budgetary allocations between the deans and the school and college executive committees.

If Senate advice to the Chancellor is to be effective, the budget committee must focus on the overall budget picture from the start of the budget process with independent input from the Faculties of the Schools and Colleges regarding the budgetary priorities of each. To provide that coordination, the Committee recommends that the membership of the budget committee be restructured to include either the chairs of the executive committees of the large campus colleges, or the chair of the college budget committee if there is one. The chairs of the Executive Committees of the Schools of Medicine and Veterinary Medicine also should be members of the budget committee. The remaining smaller professional schools may be represented by a single member chosen on the basis of the interaction between the faculty members and dean of the various professional schools with priority given to a membership from a professional school with a strong tradition of faculty governance. Authority to select such a professional school representative should be delegated to the chair of the budget committee.

The budget committee also should include representatives of standing committees that interact with central administrative units whose budgets affect the campus academic mission. First, the budget committee should include a member of the Committee on Academic Personnel. The Committee on Academic Personnel is uniquely positioned to assess the relative strengths and weaknesses of various departments of the campus through its review of campus personnel actions. In addition, the Committee on Academic Personnel is uniquely qualified to assess the strengths and weaknesses of various deans through its view of the quality of academic personnel that the deans are able to attract and hire. This member should either be the Committee on Academic Personnel chair, or a member in his or her second or third year on the committee.

The budget committee should include a representative of the Library Committee. The library is an element of the core infrastructure of the campus intellectual community and the library's budget needs to be reflected as part of campus priorities.

The budget committee should include a member from the Committee on Research's Subcommittee on Research Policy.

The budget committee will continue to require at-large members in order to avoid policies based on the parochial interests of the leadership of the Faculties of the Schools and Colleges. The Special Committee recommends the appointment of four members with staggered three-year terms

Given the enhanced coordinating role in the budget process intended by our recommendations, the Committee also recommends that the Divisional Vice-Chair be made an ex-officio member of the budget committee.

At the beginning of each academic year the budget committee should engage in a discussion with the Provost and staff from the Office of Resource Management and Planning regarding the planning for the subsequent year's budget and implementation of the budgetary planning calls for that year. This discussion should include the status of potential FTE allocations during the year.

A central element in the Special Committee's proposal for reform of the budget process is the integration of the Faculties of the Schools and Colleges into the budget process as the collegiate level. The Standing Orders of the Regents (105.2(d)) authorize the Senate to name a committee or committees to advise the Chancellor on the budget. Heretofore, CABPR has been the sole committee fulfilling this responsibility. The Special Committee proposes instead that the Executive Committee or budget committee of each School or College be officially designated as part of the advisory process. The importance of this is that deans (whose authority over budgetary matters is a delegation from the Chancellor and, ultimately, the President) would then be obligated to share information and to consult with these committees.

As the Deans are preparing the school and college responses to the Provosts' budget call, the Chairs of the Faculties of the Schools and Colleges and their executive committees (or a budget committee of a school or college if one should exist) should be involved in reviewing those proposals. The school and college chairs should be responsible for informing the budget committee of the on-going budgetary allocation issues within their respective school or college. As the budget committee assesses budgetary proposals from the various schools and colleges, the school or college chair should be the lead reviewer with respect to the proposal. This reporting relationship will require that each school and college chair be closely engaged with the budget planning process in the schools and colleges. The Special Committee recognizes that the deans' and vice-chancellors' budgetary requests evolve during the course of the process through a give-and-take with the Office of the Provost. As the budgetary picture changes during the year, it will be incumbent on the deans and vice-chancellors to inform the school and college executive committees and the relevant

Senate standing committees of the status of on-going budget discussions with the Office of the Provost. In this fashion, each dean and vice-chancellor can help assure that their specific budgetary needs are reflected in the Senate's evaluation of priorities.

The budget committee should evaluate all ad hoc program requests, Partner Opportunity Program requests, Target of Excellence requests, and proposals for new organized research units (including so-called "small 'c' "centers) in the context of its on-going review of campus budget priorities.

The chair of the budget committee should regularly report on its work to the Executive Council of the Division and to the Representative Assembly.

The Chair of the Division and the Chair of the budget committee should be guided by priorities identified by the budget committee in their dealings with administration on budget matters and program approvals. Overall, Senate program approvals should be consistent with academic priorities developed by the budget committee and reported through the Executive Council and Assembly.

Finally, a word of caution and intent: the Committee stresses that in this process the Senate should maintain its focus on the larger questions involving the allocation of campus resources to maintain and support the core research and teaching missions of the University. We recognize that it is all too easy to be diverted into lengthy debates about particular funding issues that are important to individual interests, but which are relatively minor in the context of the overall budget planning process. The committee on planning and budget must function as such, a planning process setting priorities that are implemented with budgetary allocations. We also observe that this process is designed to enhance the role of the school and college executive committees with respect to the budget requests of the deans. Again, the role of the Senate in these deliberations is to focus on the adequacy of budgetary allocations to programs identified as priorities in the academic mission of the school or college. That does not mean an assessment of every staff level or individual support decision in the budget. It does, however, encompass choices about relative allocations of instructional FTE within a school or college.

## 5. THE DIVISIONAL CHAIR

Figure 1.1, the Chart of the Organization of the University of California, demonstrates that the Chair of the Davis Division operates at a functional level equivalent to the Provost/Executive Vice Chancellor. According to the Divisional Bylaws the Chair has only three expressed duties: to preside over meetings of the Representative Assembly of the Davis Division; to serve *ex officio* as a member of the Assembly of the Academic Senate; and to Chair the divisional Executive Council. According to system-wide Senate Bylaw 125, Division Chairs are also members of the Academic Council. In addition to these Senate duties, the Chair, at the invitation of the Chancellor, meets with the Council of Deans and Vice Chancellors, and serves on the Provost's Budget Work Group. The Divisional Chair also is an *ex officio* Trustee of the UC Davis Foundation.

Although the Divisional chair does not have specifically delegated line authority, the lack of specific statutory authority in the hierarchy of the Senate understates the significance of the role of the Divisional Chair. The Chair is the principal executive officer of the Senate. The Chair functions as the representative voice of the Divisional Senate in a wide range of forums. The Chair is responsible to ensure smooth and effective operation of the Divisional Senate. The Chair is the agent through whom the campus Administration or the system-wide Academic Senate request and subsequently receive the formal advice of the Divisional Senate. In most cases, the Chair assigns matters to one or more of the standing committees of the Division for advice and/or comment, collects the responses, and either summarizes them or forwards them intact to the inquirer along with any remarks of his/her own.

Some issues either fall outside the jurisdiction of any standing committee or are sufficiently complex that they require coordination among various standing committees. In order to provide an unequivocal mechanism for dealing with them, we recommend amending the Divisional Bylaws to authorize the Chair to create special committees or taskforces as described in Section 3.8. These committees and taskforces should normally report through the Chair to the Executive Council.

At various times in the past, the Divisional Chair, the Chairs of the Academic Federation and the Staff Assembly, and the elected officers of the ASUCD enjoyed good and often profitable working relations. We recommend trying to re-establish these connections because issues that affect nearly all the campus constituencies arise on a regular basis. In the recent past the academic calendar, intercollegiate athletics, and parking come immediately to mind. At a minimum it would be useful for the several organizations to exchange the minutes of their several executive bodies. Beyond this, we suggest that the Senate Chair could facilitate periodic informal gatherings of the various leaders to try to anticipate both problems and opportunities.

Because of the number and scope of the local and system-wide issues with which the Chair must become conversant, the position has come to demand virtually the full-time attention of the incumbent. In general, his/her only "power" is that of educated and if necessary forceful persuasion. The administration seldom brings matters to the Senate in

their infancy, so the Divisional Chair and the affected Standing Committee Chairs frequently face steep learning curves and short turn-around times. It is quite common for the Divisional Chair to have to deal with nearly a dozen totally unrelated issues in a single day.

If the Senate is to have a credible and more substantive role in the development of the campus budget, which has a biennial timetable, a new division Chair would be ill-advised to walk into the office cold on a given September 1. The Committee considered a number of models for continuity—including having the Vice Chair succeed to the Chair—but the disparity in the two terms is problematic. We do not want to have two kinds of vice chairs—those who succeed to the Chair and those who don't—nor do we want to ask a colleague to commit a total of four years to the leadership of the Senate (two years as vice chair followed by two years as chair).

Accordingly, we suggest the following: create the new office of Chair-Elect. That individual (who could be the current or a previous Vice Chair) would be appointed by the Committee on Committees and noticed at a Representative Assembly meeting early in the Winter quarter of the second year of the incumbent Chair's term. (Among other things, an early announcement would allow the Chair-Elect's department to revise its next-years' teaching schedule in a timely fashion.)

The Chair-Elect would be encouraged to “shadow” the incumbent by mutually agreeable means until the September 1 date on which the office formally changes hands. We envision the transition period as an opportunity for the incoming chair to become familiar with both the local and system-wide issues that are likely to persist into his/her incumbency, and for the outgoing chair to have an individual with whom to discuss ongoing matters if another individual's perspective could be helpful.

## 6. THE SCHOOL AND COLLEGE FACULTIES

### 6.1 Faculty Structure

School and College Faculties are statutory entities as created by the Standing Orders of the Regents and defined by enabling bylaws. According to Standing Order 110.1, the Board “establishes colleges, schools, graduate divisions and other major academic units.” Standing Order 105.1(c) makes “the several faculties” committees of the Academic Senate, and Standing Order 105.2(c) states that the Academic Senate shall determine the membership of the Faculties. Accordingly, system-wide Senate Bylaw 45 defines and limits the membership of a Faculty. Davis Division Bylaws (DDBs) 137-152 codify both the generalities and the specifics of our Faculties of the Schools and Colleges.

According to Academic Senate Bylaw 50A, the “government of each college or school is vested in its Faculty.” A Faculty is “responsive to the Division of which it is a committee (ASB 50A); each Faculty may organize, select its officers and committees and adopt rules consistent with the Code of the Academic Senate (ASB 50B); and each Faculty shall elect the Chair of the Faculty and members of its Executive Committee.” (ASB 50C). Membership in a Faculty is defined by Standing Order 105.2(c) and by Academic Senate Bylaw 45 with reference to membership in the departments which a Faculty comprises. The department – as is also clear from other Senate bylaws – is the basic unit of Senate organization. Departments serve a dual function, but when they conduct Senate business, they operate as committees of the Senate.

Standing Order 105.1(b) grants the Academic Senate the right to determine its own membership according to the rule that Senate membership accompanies the academic titles as designated in Standing Order 105.1(a) Appointment to any of these titles requires approval by the Senate members of a department and review by a campus committee on academic personnel. Membership in the Academic Senate is thus subject to careful review in the appointment process. As discussed in some detail in this report, the Academic Senate exercises its authorities in a democratic structure. The Regents have delegated to those entitled to membership in the Academic Senate the authority and responsibility to share in the governance of the University of California. This delegation is a corporate trust to the Academic Senate, which implies the important principle that only members of the Academic Senate are charged with conducting its business. In accordance with this principle, Senate Bylaw 45 provides that “only voting members of the Senate may vote in Faculties of which they are members.”<sup>3</sup>

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<sup>3</sup> We note here that the system-wide Senate Committee on Rules and Jurisdiction has promulgated Legislative Ruling 5.67 which provides that, “The right to vote in department meetings as specified in 105.2(c) of the Standing Orders of the Regents is limited to those members of the department who are also members of the Academic Senate. Neither the Standing Orders nor Senate Bylaw 188 [renumbered to 55] authorize the extension of this voting privilege to persons who are not members of the Senate.”



An examination of the bylaws of the schools and colleges on the Davis campus discloses that some are not in compliance with the dictates of Senate Bylaws 45 and 50. In addition, many of the school and college bylaws require some revision if our recommendation that these bodies become more fully engaged with campuswide matters is to be implemented. For example, it would be important for all Faculties to adhere to the same calendar as the Division—namely, one that designates September 1 as the effective date for empanelling their officers and standing committees. At the moment they range from July 1 to “the first day of the fall term.”

We focus on the larger schools and colleges, which house a great majority of the Senate membership.

- The Bylaws of the Faculty of the College of Engineering were revised in 2003 and some additional changes were proposed in 2004, resulting in an exemplary document. The Bylaws of the Faculty of the College of Letters and Science, however, seem not to have been revised since the early 1990s. So, for example, the current bylaws refer throughout to “The Dean of the College of Letters and Science,” but there has not been one of those for a long time.
- Current L&S election practices fall well short of the democratic expectations of Senate bylaws. Academic Senate Bylaw 50C reads: “Each Faculty shall elect the Chair of the Faculty and members of its Executive Committee. The chief academic administrative officer of the college or school shall be an ex officio member of the Executive Committee but may not serve as Chair of the Faculty or the Executive Committee.” According to L&S bylaws “[o]ne or more” Faculty Vice Chair candidates are nominated by a Nominations Committee, which—like all of the College’s Standing Committees—is appointed by the Executive Committee. The Vice Chair automatically becomes the Chair after one year, and members of the Executive Committee are appointed (in twos for three-year terms) by the incoming Chair. (Faculty members at large can also make nominations for Vice Chair via a petition signed by five Senate members, but that seldom happens, so “real” elections for the office are rarely held.)
- From a Divisional Senate perspective, the existing governance structure of the College of Agriculture and Environmental Sciences violates Senate Bylaw 50A. (The structure proposed for consideration by the electorate in the fall of 2004 is even worse.) The current A&ES Bylaws state “Governance of the College of Agricultural and Environmental Sciences (CA&ES) is shared with an academic body composed of members of the Davis Division of the Academic Senate employed in the CA&ES, and members of the UC Davis Academic Federation employed by the UC Division of Agriculture and Natural Resources in the CA&ES. The Executive Committee of this body serves on behalf of both constituencies.”

The unit’s Bylaws establish an “Academic Senate of the College...” using virtually the exact language of Davis Division Bylaw 143, which, however, pertains to the *Faculty* of the College... The Bylaws also too narrowly define the function of the

Academic Senate of the College as being just the “governance of the college in matters of instruction leading to the degree of Bachelor of Science in accordance with the Bylaws and Regulations of the Academic Senate.”

The College of A&ES is in violation of Senate Bylaws 45 and 50C. According to the A&ES Bylaws, four members of the Executive Committee are elected from the ranks of the Academic Federation and eight from the Senate. The Executive Committee then elects its Chair, who serves as the *de facto* Chair of the unified organization. The Chair must be a Senate member. The Vice Chair can be either. There is no requirement that only the eight Senate members on the Executive Committee have the franchise for the Chair’s election. Indeed, it is by no means clear from the Bylaws whether the Senate (Federation) members of the Executive Committee itself are elected by vote only of the Senate (Federation) members of the College. The operant College Bylaw states that the Secretary “...shall send a ballot to the members of the Academic Senate and Academic Federation. This ballot shall consist of a list of nominees...”

- In sharp contrast, the Bylaws of the School of Medicine are very carefully crafted. On a committee-by-committee basis they specify the qualifications, numbers and voting-status of each of the individuals appointed thereto. For example, the Committee on Educational Policy, which oversees the School curriculum, has “at least nine faculty members representative of the courses of all four years. At least two-thirds of the Committee members, including its chair, shall be members of the Academic Senate. Non-senate members serve without a vote.” One of this committee’s more noteworthy tasks is to insure that per the bylaws, any “...proposals for major changes in the curriculum or course structure involving a change of more than one unit of credit...” are voted upon by the entire membership of the Faculty. As is also true of other professional schools, much of their work is driven by changes requested or recommended by external accrediting agencies.
- The Bylaws of the School of Veterinary Medicine are confusingly terse. For example—they state that the “Chairperson of the Executive Committee is the Chairperson of the Faculty and shall be elected by the Faculty at large by mail ballot.” Elected for how long? The term of office is not specified. Later we read that “the Executive Committee consists of the Dean and six members to be elected by the Faculty for a term of three years. Two members shall be retired (and replaced) each year.” Question: Are there really *seven* faculty members on the Executive Committee—the Chair discussed above plus six more—or are there six, one of whom the Committee elects as its chair? Many of the School’s standing committees have duties that are acceptably well described, but often it is unclear what is done with their recommendations, reports or advice. So, for example, the School has a Curriculum Committee charged to evaluate its courses and programs and to recommend new courses and changes in courses. It “shall report to the Executive Committee before reporting to the Faculty.” but the Bylaws are silent regarding the role of “the Faculty” thereafter.

Our brief review of the bylaws of various Faculties makes it clear that there are important inconsistencies between them and the bylaws of the Academic Senate and the Davis Division. Faculties are granted wide latitude in crafting their bylaws to meet their own needs. It is important that they do not conflict with wider Senate rules. Inconsistencies with Senate rules cause unnecessary friction and undermine the effective interaction between the Faculties and the Division as well as the effective operation of the Senate as a whole. The Special Committee recommends that a taskforce be established for each Faculty consisting of representatives of that Faculty and one member of the Committee on Elections, Rules, and Jurisdiction (CERJ) to review the Faculty's bylaws to identify all the ways in which those bylaws may be out of conformity with Senate rules and to propose amendments that would bring them into conformity. These taskforces would report to and be coordinated by CERJ.

## **6.2 Faculty Functions vis-à-vis Deans**

According to UCD APM 240, a Dean's duties include the "provision of academic leadership to the faculty, through the department chairs and college or school committees or the Graduate Council, in planning and developing academic programs." From our conversations with current and previous Chairs of Schools and Colleges, we infer that in seeking advice or pursuing initiatives, some Deans look more to their department chairs than to the pertinent faculty committee(s). Faculty members in such units have complained to us about feeling intimidated because they are more often "informed" about what will happen rather than "consulted" about what should happen.

Some of this decanal behavior may stem from the relatively slow pace at which faculty committees typically move projects. It is therefore incumbent upon the Faculties, as they review their Bylaws, to ensure that their College/School committee structure is a responsively agile one. Beyond that, it is important for the Chairs of the Faculties to remind Deans that, like it or not, there are some matters that by the Standing Orders of the Regents really are the province of the Senate. Deans who have been recruited from the outside particularly need such guidance.

A number of Senate regulations – particularly those with respect to minimum progress and the maintenance of academic standing on the part of undergraduates – have been delegated by the Academic Senate to the associate deans of schools and colleges. On these matters, the associate deans act as agents of the Academic Senate. The Special Committee has learned (including from explicit statements of the associate deans themselves) that associate deans have in some cases decided unilaterally and explicitly either to ignore Senate regulations or to regard them as merely advisory. This is wholly unacceptable and represents one of the most egregious breaches of shared governance known to us.

The Special Committee also recommends that the Representative Assembly adopt a resolution that (i) forwards this report to the dean of each school or college; (ii) outlines the delegated authorities of the Academic Senate; (iii) reminds each dean that the Faculty (through its Chair and Executive Committee) are the voice of the Senate at the school and college level and must not be bypassed or ignored on matters within their competence; and

(iv) particularly insists on the enforcement of Senate regulations where they have been delegated to the deans' offices.

We recommend elsewhere in this report that the Faculties of the Schools and Colleges play a significant role in the development of their units' budgets at the local level. To do this, the bylaws of the Faculties of the Schools and Colleges must designate a lead individual and provide that this individual is in place for at least two years. Most, if not in fact all, of the school and college chairs turn over annually, so some other member of (perhaps) the executive committee should be assigned the task of representing the school or college on the planning and budget committee.

Elsewhere in the report (Section 8) we have endorsed the view that staff and budgetary support for Senate operations ought to be under the independent control of the Chair of the Division. This applies equally to staff and budgetary support for Faculties. The control of a dean over budget and staff must never be used as a mechanism for manipulation of the Faculty. Nevertheless, the Special Committee recognizes that the Faculties themselves may be happy with the integration of their staff with that of the dean's office and may feel that it promotes rather than hinders shared governance. Our attitude is pragmatic. In principle, control ought to lie in the Senate. If, in practice, a closer relationship to the dean's office proves functional and consistent with the faithful execution of Senate obligations, then we should not object. However, if at any future time such relationships degenerate and interfere with Senate obligations, the Faculty and the Senate should reserve the right to reincorporate staff and budgetary support of any Faculty into the Division.

## 7. THE SENATE AND ITS MEMBERSHIP

### **7.1 *The Gulf between the Senate and its Members***

The Academic Senate is the tenured and tenure-track academic personnel of the University acting collectively to execute the duties delegated to the Senate by the Regents. A failure of individual Senate members to participate fully in the life of the Senate, or even to understand the role of the Senate in the University and the faculty member's own place in the Senate, is a major impediment to the Senate exercising its formal role. The Committee has identified three main related issues concerning the relationship of the Senate and its individual members.

First, the role of the Senate is frequently misunderstood by its membership. The Senate is often regarded principally as its officers and staff rather than its members. When faculty refer to the Senate, too often they mean the administrative support based in Voorhies Hall and not themselves. This fosters an us-and-them attitude among some members – in some cases so extreme that the Senate has been referred to as a union or as an arm of the Administration. Many regard it as just another, most likely dispensable, level of bureaucracy – an impediment to the real functions of the University.

Second, participation rates in Senate functions outside of academic departments is low. Senate staff estimate that 17 percent of the membership is involved in one way or another on a Senate committee, including the Representative Assembly and various faculties. This may understate participation rates as some members with a track record of active engagement may be temporarily uninvolved at any particular time. In addition, participation in decision making at the departmental level is participation in the work of the Senate. Active participation is, nonetheless, the exception, not the norm. Several factors contribute to low participation rates: ignorance of the Senate and the member's role in it; a willingness to free-ride on the efforts of others; frustration with the Senate as an effective organization in which one's participation leads to tangible improvements to the University; lack of recognition for Senate service; and the interference of participation in the Senate with research productivity and career advancement.

Third, while many participants in Senate activities are stellar academics, Chancellor Vanderhoef has noted, and the committee accepts, that Senate participation among the most prominent scholars (e.g., members of the national academies) currently is lower than in the past.

We address these issues along two major lines: participation, and education and communication.

### **7.2 *Participation: Problems and Solutions***

The job description of every member of the Senate includes *service*, alongside research and teaching. It is widely recognized that service carries the lowest weight of the

three as a factor in advancement and recognition. What is more, service includes not only service to the Senate, but every other kind of service to the University, professional organizations, and a wider public. How any Senate member allocates his or her service is largely a matter of free choice. If the Senate is to run effectively, it must attract its members to its service. We address the barriers to Senate participation in the order of their importance.

### 7.2.1 Compensation

The members of the Academic Senate of the University of California are unusually privileged by the delegations of authority to govern the institution. Since the functions of the Senate are the essence of the University, every member of the Senate owes particular service to the Senate – although the distribution of such service in time and intensity may reasonably vary over a career.

Ordinary levels of service to the Senate are an obligation and should not require any special compensation. Ordinary levels of service include service as a member of faculty, divisional, or system-wide committees, including service as a departmental representative or divisional representatives to various legislative assemblies, service as chair of committees with moderate workloads (in practice most faculty and divisional committees), and service on *ad hoc* or special committees when their duties do not exceed the level of ordinary committees.

Extraordinary service, defined as service that is sufficiently more onerous than the routine and that detracts significantly from the member's normal research activities, must be adequately compensated. We focus on research, in part, because teaching obligations tend to be well-defined and strictly quantified; and, in part, because the teaching mission of the University is a collective one that can be maintained by a variety of instructors. In contrast, research activities are generally highly individual, and research obligations are fluidly defined, so that – despite their central importance to the University – research is a residual claimant on faculty time and the area most likely to be harmed by the more immediate demands of heavy committee responsibilities.

Adequate compensation of extraordinary service is critical to improving the operation of the Senate. Adequate compensation as an element to attract top people is well understood by the Administration with respect all significant appointments of academic personnel to administrative posts. Senior administrators do not maintain required teaching or research components, and lesser administrators (including associate deans, and various assistants to the Chancellor or the Provost) routinely receive both course relief and increased monetary compensation to make the job more attractive.

Table 7.1 shows the levels of compensation for various divisional Senate officers, committee chairs, and members at various University of California campuses. There is no simple metric to compare adequacy across campuses as compensation levels are uneven and vary in complicated ways among the campuses and the offices and committees. Overall, UC Davis does not offer the worst compensation. It is, however, particularly striking that UC Berkeley, UCLA and UC Irvine offer better compensation packages for the divisional chair, and most campuses offer something for the vice chair (while UC Davis offers nothing). UC

Davis is also unusual in the restricted range of committees that receive some compensation. If the Senate is to be the adequate partner that the Administration expects, then the Administration must provide compensation at adequate levels – not less than what it finds necessary to attract quality service to its own ranks.

Compensation for Senate service should not be so high that the pursuit of the compensation is itself the main incentive. Rather it should be set at a level which meliorates extraordinary costs that in some cases inhibit otherwise willing and dedicated Senate members from active service. Compensation should be based on two broad principles. First, nine-month appointees whose Senate service requires them to be engaged in work for the campus on a full-year basis should receive summer salary that reflects the period of time the individual is expected to be present performing Senate business. Second, faculty whose extraordinary Senate service will take time away from their research program should receive compensatory course relief or other forms of compensatory relieve such as support for a research assistant.

Some Senate service is routine and predictable, so that the need for, and level of, compensation might be reduced to a rule. Other Senate service is variable. Otherwise quiet committees sometimes find themselves with especially heavy workloads. Special committees may place great, transient demands on their chairs or members. Different Senate members are situated differently – for example, in the nature of their research, in the level of support for it, in their normal teaching loads, in whether they are nine-month or eleven-month appointees. The Committee believes that, as a result, some components of a compensation plan can be laid out in advance, while the Senate must retain flexibility over some resources available for compensation – both over who should receive it and over what form it should take.

**Table 7.1  
Compensation for Senate Committee Service on the University of California Campuses**

<b>Divisional Senate Officers</b>				<b>Academic Personnel</b>			
	<b>Chair</b>	<b>Vice Chair</b>	<b>Secretary</b>	<b>Past Chair</b>	<b>Vice Chair</b>	<b>Chair</b>	<b>Members</b>
<b>UCB</b>	100% course relief + 2/9 summer	50% course relief + 1/9 summer		1/9 summer		100% course relief + 2/9 summer	50% course relief + 1/9 summer
<b>UCD</b>	50% course relief +1/9 summer (if 9 month appointment) +\$6k stipend					2 courses + \$9000 stipend	2 course relief + \$6000 stipend
<b>UCI</b>	100% course relief + 2/9 to research account	2 courses				100% course release + 2/9 to research account.	\$6000 special compensation
<b>UCLA</b>	3 course relief + 2/9 summer [Past Chair: 1/9 when summer service required.]	1 course				2 courses + 2/9 summer	1/9 summer
<b>UCR</b>	2 courses or equivalent research support+ 2/9 summer	1 course				2 courses + 1/9 summer or 2/9 summer	1/18 summer + 1 course or 1/9 summer
<b>UCSB</b>	\$7,000 research support + 2/9 summer	1 or 2 courses + 1/9 summer	N/A	N/A	\$3500 + 1/6 summer	\$3500 research support + 2/9 summer	1/9 (average)
<b>UCSC</b>	2 courses + 2/9 summer	2 courses + 1/9 summer				2 courses	1 course
<b>UCSD</b>	33% course relief + 1/6 summer				1/18 summer	0.33 FTE course + 1/6 summer	1/18 summer
<b>UCSF</b>							

Notes at end of table.

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**Table 7.1 (continued)**  
**Compensation for Senate Committee Service on the University of California Campuses**

Budget Committee		Undergraduate Studies		Grad Council	Committee on Committees
Chair	Members	Chair	Members	Chair	Chair
<b>UCB</b>					
<b>UCD</b>	1 course release		1 course release		
<b>UCI</b>	\$9000 to research account or course release		\$4500 to research account or course release	\$9000 to research account or course release	
<b>UCLA</b>			\$3000-research or 1 course	1 course release + 1/9 summer when summer service required	1 course release + 1/9 summer when required
<b>UCR</b>					
<b>UCSB</b>	variable – usually 1/9th + research funds		\$3500-research + 1/9 summer	N/A	variable – usually 1/9th + research funds
<b>UCSC</b>	2 courses	1 course	2 course	1 course	1 course
<b>UCSD</b>	33% course relief		0.33 course		
<b>UCSF</b>					

Notes at end of table.

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**Table 7.1 (continued)**

**Compensation for Senate Committee Service on the University of California Campuses**

	<b>Faculty Welfare Chair</b>	<b>Privilege and Tenure</b>	<b>Research Chair</b>	<b>Other Committees</b>
<b>UCB</b>				
<b>UCD</b>				
<b>UCI</b>	\$4500 to research account or course release	Chair: \$4500, depending on workload	\$4500 to research account or course release	Student Experience: \$4500 to research account or course release
<b>UCLA</b>		All members: 1/9 summer when service required		
<b>UCR</b>				
<b>UCSB</b>	(Council on Faculty Issues & Awards Chair) variable – usually .5/9th#	Variable	variable, usually portion of 1/9th + research funds	
<b>UCSC</b>		<i>Chair: 1 course</i>		
<b>UCSD</b>				
<b>UCSF</b>				

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**Notes to Table 7.1:**

Data collected in October 2004. Exception: data collected in August 2003 indicated by italics

Blank cells indicate no compensation; N/A indicates not applicable.

UCB: Course relief based on Assistant Professor, Step II = \$41,900 per academic year

UCLA: course relief by petition (maximum 2 courses per applicant with a total of 3 courses available to the Senate per year)

UCLA: others members serving a special assignment are eligible for maximum 1/18<sup>th</sup> summer salary when service required

# At UCSB the Committee on Faculty Welfare is a standing committee within the Council on Faculty Issues and Awards. The FW Committee chair has received no compensation to date.

## At UCSB the Committee on Library, Information and Instructional Resources is a standing committee of the Council on Research and Instructional Resources.

Service on most Senate standing committees is ordinary and does not require special compensation. But some do. The Committee has identified the following as requiring compensation on a routine basis:

- *Chair of the Division.* Functionally, the Chair of the Division is the Senate equivalent of the Provost (see Section 5 above). It is essentially a full-time job, and ought to come with complete relief from courses, 2/9 summer salary (or stipend for 11-month appointees), and a research stipend. The Committee notes that current levels of compensation are similar to, and not always as good as, those of department chairs, even though the level of responsibility is vastly higher.
- *Chair and Members of the Committee on Academic Personnel.* Currently, the members receive course relief and a stipend with summer salary for the chair. These are adequate and should continue.
- *Chairs of Faculty Personnel Committees.* While service on these committees is probably on the high side of normal (uncompensated) service, service as chair of the committee for the larger colleges and professional schools (L&S, A&ES, Biological Sciences (if approved), Engineering, Medicine, and Veterinary Medicine) should be compensated with a one-course reduction. Compensation is particularly appropriate as recent personnel reforms have shifted the burden of merit reviews toward school and college committees.
- *Chairs of the Committee on Academic Planning and Budget Review, the Undergraduate Council, and the Graduate Council.* These committees are the focus of the most central Senate responsibilities. Workloads are already high, and recommendations elsewhere in this report are likely to increase them. The chairs of these committees should receive a one-course reduction or its equivalent. Given the increased responsibilities of the budget committee recommended in this report, additional course relief for the chair of that committee may be warranted.
- *Chairs of the Faculties.* Many Senate activities occur in the Faculties of the Schools and Colleges. These vary in size and complexity. Recommendations elsewhere in this report aim to strengthen faculties and to increase their engagement – especially with the budget process. The chairs of the faculties are the functional equivalent of their deans (see Section 1.1.2 above). Chairs of the larger faculties should receive a course reduction and a research stipend, which is equivalent to what many of the chairs of medium-to-large departments routinely receive.

In addition, the Chair of the Division should have a discretionary fund to be used to compensate other Senate members from whom extraordinary service might be demanded. Compensation may take various forms; for example: (i) course relief; (ii) summer salary; (iii) stipend; (iv) research stipend; (v) support for a research assistant. Despite our having recommended specific levels of compensation for some positions, the Chair should have the

discretion to negotiate with the affected Senate members different forms of compensation (in equivalent amounts) in different forms to suit their individual situations. The Committee on Committees should consult with the Chair in particular cases to ensure that the form and level of compensation (where compensation is appropriate) are not a barrier to recruiting the best people to important Senate posts.

As a matter of principle the Senate must have the right to call on the services of any of its members whenever needed, and Senate members must have the right to serve whenever called. Under existing arrangements, some deans or department chairs may discourage service. In most cases, any compensation must be directly negotiated with a dean or department chair. There are substantial inequities, and the failure to secure adequate compensation results in members choosing not to accept Senate service. It is essential that the Senate itself make the decisions with respect to compensation, and do so in a systematic and equitable manner. Senate service must not be subject to the exigencies of individual schools and colleges or to the judgments of deans or department chairs. In the context of compensation, this implies that:

- Funding for compensation must be provided centrally as part of the divisional Senate budget and not negotiated (especially not on a case-by-case basis) with deans and department chairs. Central funding should cover compensation both for divisional and faculty committees and should be supervised by the Chair of the Division.
- Senate members should be able to accept appointment to Senate offices and committees without the approval of deans or department chairs.
- Departments should be compensated automatically for any course reductions enjoyed by Senate members. This compensation should occur at the standard rates for internal course buy-outs. And the necessary funds should be part of the divisional Senate budget.

### **7.2.2 Keeping Service Substantial**

Senate members report persistent frustration with the meaningfulness of Senate service. Although Senate functions lie at the heart of the academic enterprise, many members report service on Senate committees to be empty (sometime literally, as some committees hardly meet) or tied up with minutiae. In other cases, committees do significant work that should ideally guide the course of important issues only to find that there is an inadequate follow-up or other barriers to implementation. Galling, of course, even one such experience can permanently discourage real effort on behalf of the Senate. The Committee recognizes that this issue is extremely important, but that it cannot be addressed by narrowly focused reforms. Instead, large sections of this report – particularly, those sections aimed at streamlining and strengthening Senate operations on many fronts should be regarded as the appropriate response to this issue. (Sections 3, 4, and 6 are particularly pertinent in this regard.)

### 7.2.3 Recognition of Senate Service

A common theme in many of our discussions with Senate members is that the service to the Senate is not adequately recognized either in the personnel process or in the esteem of our colleagues. The lack of adequate recognition is a barrier to wider involvement of Senate members in Senate service. Direct effects may be important in some cases. More important are the indirect effects. Inadequate recognition fosters a campus culture in which service to the Senate is not valued and may even be seen to be a distraction from serious academic activities. Steps to reinforce the value of service in the minds of the members is critical to the long-term health of the Senate.

Excellent service (to the Senate, the University, one's profession, or the public) is one of the triad of factors that are supposed to contribute to personnel advancement in the UC system. Service is usually seen as less important than teaching or research. Although the Committee would not dispute this ranking, we nevertheless believe that ranks-third must not imply counts-for-nothing. The Committee endorses the principle expressed in the Academic Personnel Manual:

In evaluating the candidate's qualifications within these areas [research, teaching, service], the review committee shall exercise reasonable flexibility, balancing when the case requires, heavier commitments and responsibilities in one area against lighter commitments and responsibilities in another. [APM 210-1 (c).]

The balancing required at every level of review by the APM standards can be reflected in some merit review periods in which there is little or no Senate service, so long as tenured members engage in Senate service in other review periods. In addition, Senate (or other) service must sometimes be allowed to compensate fully for research or teaching in particular review periods, while recognizing that they should not do so at the major promotion steps or, in the case, of high-level merit steps (professor, step VI and higher). Unfortunately, there is often no balancing; service counts for nothing one way or the other or, if it does, it is measured solely by an uninformative count of the lines in the service record without regard to intensity or significance.

To a large extent, responsibility for this issue lies more with the Senate itself –in the evaluations of departmental and personnel committees – than with the Administration. Part of the problem is the value that the Senate itself places on service. But an equally important problem is the lack of good information about the service of individuals.

The Committee recommends a series of steps to provide better information.

1. The staff or chairs of Senate committees should be required to keep records of the participation of all members in the committees. Members who fail to attend any meetings (or otherwise to contribute meaningful to the work of the committee) during the first year of a two year term should be dismissed (see Section 3.4 3.4 for related discussion).

2. The Chair of the Division should solicit from the chairs of every standing or special committee each year information about particularly meritorious service on the part of any member. (The Chair of the Division should provide the same information directly with respect to chairs of divisional committees.) These requests should be routine, but not pro forma. It is outstanding service, not normal service, that should be reported. Reports should be accompanied by a brief but informative explanation of why the service is noteworthy.
3. Each year letters of introduction to Senate service are sent. Letters of recognition of Senate service should also be sent to members of committees. The Divisional Chair should facilitate this. (a) This practice should be maintained; but (b) the practice should not be pro forma – letters should be sent only to members who have contributed (see point 1 above) and they should include a citation with explanation for those members identified as particularly meritorious (see 2 above). Copies should be sent to the relevant department chair and dean, the Vice Provost for Academic Personnel, the Committee on Academic Personnel, and the appropriate college personnel committee. Letters should be sent no later than August following the year of service to conform with the timing of personnel reviews.
4. The Committee endorses the resolution of the Representative Assembly (passed at the June 2004 meeting) requiring the Committee on Academic Personnel and Faculty Personnel Committees to receive letters documenting Senate service in support of merit and promotion actions from Senate committee chairs and other members. The Committee suggests going further: the Chair of the Division and the Chair of the Committee on Academic Personnel should negotiate with the Vice Provost for Academic Personnel that letters documenting Senate service (positively or negatively) as recommended in points 1 to 3 be made a mandatory item in the personnel review packet.

The Committee recommends two steps to ensure that Senate service actually counts in the personnel process:

1. The Committee on Academic Personnel and the faculty personnel committees should be required (a) conscientiously to apply the balancing test of APM 210-1 (d) cited earlier; and (b) to regard failure to credit service adequately as the basis for an appeal of a personnel decision.
2. In general, the Committee on Academic Personnel should expect a significant record of Senate service for advancement to professor step VI or professor above-scale.

The Senate has for a number of years recognized distinguished *public* service with annual awards. The Committee believes that such practices reinforce the esteem for the activities they reward – the recipients provide tangible models of excellent service. Unfortunately, Senate service is not covered by the existing awards. The Committee recommends that the creation of an annual Distinguished *Senate* Service Award to the single individual in any year who best exemplifies the spirit and practice of service to the Senate

through the breadth or depth of his or her commitment and through demonstrated achievements. Recommendations for the award should be made by the existing Committee on Public Service (renamed to reflect its broader mandate) to the Representative Assembly. The Committee believes that the award would be regarded as more significant if it (a) bore the name of a past member with an exemplary record in service to the Senate; and (b) came with an honorarium.

Since one purpose of the award is to provide a model to the wider membership, it is important that it not be regarded as a means of self-congratulation by the current Senate leadership. The Committee, therefore, proposes that no member be eligible for the award who, at the time of the award, is either serving as a member of the Executive Council or as the Chair or other officer of the Division or who has served as one of the two immediate past Chairs or officers.

The Committee on Public Service, working in conjunction with other committees making awards to Senate members should develop appropriately honorable and visible ceremonies for the recognition of recipients of its awards. Some possibilities include dinners, luncheons, lectures or presentations, and recognition at commencement or convocation exercises.

#### **7.2.4 Practices of the Committee on Committees**

The Committee on Committees, along with its functional equivalents in the schools and colleges), is the key player in matching Senate members to positions on divisional committees. It is also the only standing committee whose members are elected by vote of the Division. This Committee believes that, on the whole, the Committee on Committees has done a very good job. Our recommendations are more of the nature of collegial advice than of proposals for fundamental reform. The Committee on Committee's job has become progressively more difficult as the number of Senate committees, including special committees, and the average number of members per committee has increased over time. Recommendations scattered throughout this report – most important among them the recommendation that a number of key committees be staffed by *ex officio* members or representatives selected by other committees (see Sections 3 and 4) and the recommendation that requests from the Administration for nominations of Senate members to administrative committees be channeled through the Chair of the Division (see Section 2) should help to mitigate the Committee on Committees's workload.

The Committee's recommendations are based on a corollary to the principle that all members of the Senate owe it substantial service: the Committee on Committees's appointments should reflect fully the academic breadth of the membership across different departments, schools, and colleges, across ranks, and including both those with ordinary and extraordinary achievements in research and pedagogy.

The Committee is concerned that the culture of service among the membership that once characterized the Senate is fading as the campus becomes larger and the pressures on teaching and research become greater. Broader participation is essential for the health of the



Senate. The Committee recommends that the Committee on Committees take special care to ensure the participation of three groups:

- The most academically prominent members of the Senate (e.g., members of the national academies). Not only do the most academically successful members of our community bring rich resources to Senate deliberations, but judgments that are endorsed by members who in the eyes of the world (and the Administration) bring the greatest credit to the campus are more likely to be influential.
- Senior assistant professors and new associate professors. The first obligation of new tenure-track faculty members is to establish their careers and to obtain tenure. While such young faculty may contribute in less obtrusive ways to Senate service, it is sensible to protect them from too heavy a burden. When an assistant professor is within a year or two of the tenure decision, the die has been cast, and it is time to look ahead. Senate service should begin at this stage. What is true for the senior assistant is true in spades for the newly promoted or newly hired associate professor. Maintaining the culture of service begins with the young.
- Emeritus faculty. Standing at the other extreme from the assistant professor, emeritus faculty members frequently combine the wisdom of long experience with dedication to the mission of the University and with more free time than non-emeritus faculty. The Committee on Committees should take special care to alert emeritus faculty of the opportunity to serve and to determine who among them are willing and able to do so.

This Committee is concerned that the Committee on Committees does not have sufficient information about the ability and willingness of the typical member to accept Senate service. The routine process of asking for self-nominations and nominations by department chairs through forms circulated each year seems to have become increasingly ineffective. While the Committee does not have a specific recommendation, we urge the Committee on Committees itself to investigate ways to elicit better information and to specifically aim to draw people into Senate service who previously have done little or none.

The Committee has heard some complaints that people who have volunteered to serve have not been appointed. We recognize that in many cases, the failure to appoint a volunteer results from the pursuit of breadth or balance on a committee, sometimes as a requirement of that committee's bylaw. Nevertheless, the experience of not being selected without explanation is a disheartening one, sometimes perceived as "blackballing". It works against future Senate service. Wherever feasible, CoC should work with the volunteer to attempt to discover another appointment consistent with his or her talents and interests.

Most of the recommendations made in this subsection with respect to the Committee on Committees apply equally to the equivalent bodies in the Faculties of the Schools and Colleges. They should be regarded as applying equally to them.

### **7.3 Education and Communication**

Ignorance of its membership about the Senate is an additional major impediment to the overall effective functioning of the Senate. On the basis of extensive discussions with members and administrators, the Committee is convinced that very few Senate members – including many who have given devoted service to the Senate over many years – have an accurate working understanding of the delegated responsibilities, authorities, and competencies of the Senate, of its role in the University vis-à-vis the Administration, or of its structure and organization. The ignorance of the Administration about the Senate is equally profound. The lack of common knowledge about these areas interferes with the smooth operation of the Senate, with effective interactions with the Administration, and with the general esteem with which the Senate is regarded in the University. We offer specific recommendations in four areas: the Senate website, orientation of faculty, a Senate handbook, and communications.

#### **7.3.1 The Senate Website**

The current divisional Senate website is poorly designed, incomplete, and poorly maintained. Not all faculties of schools or colleges possess websites and, those that do, are also generally poor. Insufficient thought, care, and staff resources at all levels have been devoted to Senate websites. As the Internet has increasingly become the principal medium for informational exchange and as homepages have increasingly become the front doors of most organizations, the Committee believes that fundamental revamping is essential.

The Committee endorses the principle that the website should be the comprehensive informational resource for the Senate.

An effective website must be attractive, functional, and user-friendly. Its content should include, among other things:

- Complete, accurate, and up-to-date Senate documents in searchable forms, including: bylaws and regulations of the division, all faculties, and the system-wide Senate; links to key Administration documents, such as the Academic Personnel Manual and the Policies and Procedures Manual; links the documents of the UC Office of the President, and of the Regents of UC.
- Senate archives: calls for meetings, minutes, important reports, and the records and policy actions of Senate committees.
- An up-to-date listing of all Senate committees, their membership, and contact information.
- Descriptions of all committees in plain English (not in the impenetrable legal language of the bylaws), including the duties of the committee and a current statement of its recent accomplishments and goals for the current and next academic years.
- Sites for every faculty of a school or college.

- A shared secure workspace that would allow committee members to easily transfer documents and conduct business remotely.
- A handbook for Senate members (see Section 7.3.3 below).

The fine-details of the design and maintenance of the website will determine its success. These are beyond the competence of the Committee. We, therefore, recommend the creation of a Special Committee on the Senate Website that should include a small, but broadly informed group of Senate members of the faculty and the divisional Senate staff. The charge to the committee would be

1. To redesign the existing divisional website. To be clear, the charge is not to make recommendations but, working with the Executive Director of the Division, to take actions. (Discussions are already in hand with respect to MySenate, a web product developed at UC Santa Barbara to facilitate a shared workspace for Senate members. These discussions should be integrated into the special committee's work at an early stage.)
2. To develop a handbook for members of the Senate as part of the website (see Section 7.3.3 for details).
3. To recommend a permanent guardian for the site. The Committee does not prejudge the details of this recommendation, but we believe that it is likely to involve a new standing committee. The Committee believes that oversight by Senate members is essential to keep a website functioning as a valuable resource. Excellent staff support is essential, but the policy guidance must come from Senate members with an eye to the goals of the Senate.
4. To recommend appropriate levels of technical and other staff support, as well as appropriate configurations of hardware and software.

Revamping the website will require the temporary services of website designers, as well as other temporary staff support. The Committee recommends that this be a budgetary priority for the Senate. Maintenance of the website and general information-technology functions in the longer term will require (judging from the experience of departments on campus) one or more permanent technical staff. Such staff as the Special Committee recommends should be included in the evaluation of staffing arrangements recommended in Section 8.

In keeping with the Special Committee's general view that the functions of the Senate need to be more sharply delineated from those of the Administration, the Committee recommends that the Senate's informational-technology capacities – in hardware, software, and support staff – be independent of the Provost's Office or other Administrative unit. Support staff ultimately should be answerable to the Chair of the Division and servers and other hardware ought to be subject to the direct control of the Senate.

Finally, we recommend that the home page of the UC Davis web site be revised to include a prominent link to the Academic Senate, as is the case with the UCOP home page.

### **7.3.2 New Member Orientation**

Currently, the Administration operates an orientation for new faculty members on campus each fall. The Senate has time for a brief presentation – typically lasting 20 to 30 minutes. The Committee believes that it is important that new faculty be alerted to the existence of the Senate and their place in it at an early stage. This serves both an informational and a ceremonial function. The leadership of the Senate needs to share the stage with senior administrators in order to cement their parallel roles in the minds of the membership.

The previous recommendation notwithstanding, orientation of faculty who have been on campus only a month or two is not the most effective mode of education. It is a start – not more. The Committee recommends that the Senate itself organize an orientation/reception for members who have been on campus approximately two years. While the program should be developed to promote general knowledge of the Senate, the Committee recommends that special emphasis be given to personnel issues and the Senate’s role in the process. We consider this appropriate because the preoccupation of the mostly younger faculty is bound to be with securing tenure, so that the topic has natural appeal. But also, the personnel process is the least avoidable point of contact between the Senate and its members – and perhaps the most misunderstood.

The Committee endorses the practice of including non-tenured faculty members as observers on *ad hoc* personnel committees.

From the Senate’s point of view, orientation of members has been inadequate for so long and the ignorance of the membership about the Senate is so deep that a case could be made for “orientation” of seasoned faculty. The Committee, however, doubts that such an orientation would be welcomed or effective. Nonetheless, it recommends that once a handbook has been created (see Section 7.3.3 below) that a particular effort be made to inform all members of the existence of the handbook and its utility for them.

### **7.3.3 Senate Member Handbook**

Senate members of more than about fifteen-year’s standing recall being given a faculty handbook. At some point, the practice was abandoned. Currently, new members are sometimes given a old brochure on the Senate. This brochure is so out-of-date in content and appearance that it is likely to create a negative impression of the Senate. In keeping with recent technological developments, the Committee recommends that a new handbook be developed as a subpart of the redesign of the website.

While the website in general ought to be an information-rich resource, the handbook ought to be focused on the relationship between the Senate and the individual member: “The

Senate and me; me and the Senate.” It ought to be the first port of call for any member needing information accessible without presuppositions about knowledge of the Senate and without excessive effort. Here are some illustrations of the kind of questions that ought to be answerable, starting with the handbook:

- How do I get my course approved?
- How do I appeal my personnel decision?
- Can my chair really do that?
- What does the committee that I just been invited to serve on really do?

The handbook should be fully integrated to the redesigned website, where much of the essential information for the handbook is likely to be included already. Information should be presented in a user-friendly form with cross-references to formal or official sources. The need for integration makes the creation of the handbook fall naturally under the charge to the proposed Special Committee on the Senate Website. The Committee recognizes that redesign of the website is already a large task and that a different set of skills may be needed for the compilers of the handbook. We recommend, therefore, that the special committee be given the discretion to devolve the creation of the handbook onto an adjunct committee or subcommittee that will work closely with the main committee. The special committee’s final report should include recommendations for the long-term maintenance of the handbook.

In addition to the handbook, the Committee recommends that the Chair of the Division working with divisional staff create a new, short brochure (“The Senate and You”), to be updated from time to time, that can be given to all members and used in orientations. The brochure should give a broad overview of the Senate, give a sketch of the resources available in the handbook, provide the necessary web addresses to access the handbook, and give other contact information for the Senate.

### **7.3.4 Communications**

Communication between the Senate and its members, as well as the wider campus and Davis communities has become less effective over time.

*Dateline*, a publication of the UC Davis News Service, is the most ubiquitous medium directed at faculty and staff on campus. Currently, the News Service appears to regard the Academic Senate as simply one of many constituency groups on campus, rather than as one of the twin pillars of University governance, the joint custodians of its principle functions. The Committee endorses the principle that *Dateline* and other media that might be regarded as public resources on campus should grant the leadership of the Senate acting in their official capacities the maximum feasible discretion in the same manner as they do for senior administrators in parallel positions.

The Committee also recommends that the Chair of the Division negotiate the right to a regular column on Senate matters in *Dateline*.

Communications were often more effective in the past when divisional chairs and other leaders of the Senate had routine, cordial relations with the appropriate reporters and editors of the *California Aggie* and the *Davis Enterprise*. The Committee recommends that the Chair of the Division actively seek to reestablish and maintain such relations, and to make an effort to orient those journalists to the Senate and to issues before it. Serious consideration ought also be given to establishing similar rapport with a journalist at the *Sacramento Bee*.

While Senate members are deluged with spam and various forms of junk e-mail, no other method of communication has the immediacy of direct e-mail. The Committee recommends that the Senate make every effort to use mass e-mails effectively. They should be used only for specific communication (no regular newsletter) on specific issues, so that every e-mail has a meaty content, and they should be packaged through appropriate choice of subject lines and internal formatting to convey their serious and valuable intent.

The Committee has also observed some unfortunate e-mail practices on the part of Senate leaders and staff. An example illustrates the practices we deprecate: A message for a temporary Senate staff member on behalf of the Committee on Research was sent out with the sender identified as COR Analyst (a title few Senate members could translate) and no subject line (a hallmark of spam or viruses). Not surprisingly, many members trashed the message. The Committee recommends that even individually addressed messages should have clear descriptive subject lines, and a clearly identifiable source – a person or a clearly named committee.

The MySenate software currently being evaluated may provide the capacity for tailored communication with Senate members similar to MyUCDavis. The Committee recommends that the Chair of the Division, the Executive Director, and the proposed Special Committee on the Senate Website be alert to possibilities to improve communication with members along these lines.

## 8. THE SENATE STAFF

The lion's share of the resources needed to execute the delegated responsibilities of the Senate rests in the Senate members themselves. Yet, just as with teaching and research, Senate members cannot perform these functions effectively without adequate staff and budgetary support. If the Senate has not always proved to be the most effective partner in shared governance, it is in some substantial measure because the level of material support for Senate operations is shockingly inadequate and below the poor standards of almost every other Senate Division in the UC system. Any significant improvement in the ability of the Senate to deliver its responsibility will require commensurate increases in budget and staff.

Two principles guide the Special Committee's analysis of this issue.

- First, staff and budget support must be adequate to the responsibilities delegated by the Regents to the Senate;
- Second, in keeping with its independent status, the resources available to the Senate must be under the independent control of the Senate itself.

### **8.1 Standards for Adequate Support**

The job of the Special Committee has been made substantially easier by the work of a system-wide task force of the Senate Executive Directors (i.e., senior staff members of each Senate Division). Over the past two years, the Senate Directors have investigated the adequacy of the resources available for the Senate divisions on the various UC campuses. Their efforts have resulted in several reports, including *Academic Senate Operations: Structure and Resources* (23 July 2003) (Exhibit 3) which was endorsed by the Academic Council and forwarded to a joint meeting of the Chancellors and Divisional Chairs on 3 March 2004. That report points to system-wide shortfalls in necessary resources.

A useful summary of the key principles behind the Directors' analysis is found in the *Framework for Establishing a Divisional Senate Office* (see Exhibit 4). Although this document was prepared specifically to guide the creation of the Senate infrastructure at UC Merced, it is based on the earlier report and generally cites principles that are applicable to all campuses and divisions. Larry Pitts, who was Academic Council Chair at the time that the report was issued, noted that it sets a normative floor for divisional Senate operations and that it was an appropriate guideline for determining the resource needs for each Division. This should not be a matter of debate between the Senate and the Administration: President Robert Dynes sent copies of the report with his endorsement to each chancellor in a letter dated 21 September 2004 with the plea: "I ask you consider the needs of the Senate, as a vital participant in the shared governance of the University, when allocating resources across your campuses" (see Exhibit 4).

The *Framework* is fundamentally a detailed elaboration of the two principles adopted by the Special Committee – *adequacy of resources* and *independent control of resources*. We quote verbatim from the summary of guiding concepts from the *Framework*:

- A. The Senate must have sufficient resources to independently manage its operations, as would a senior administrative office (e.g., office of the chancellor, office of the executive vice chancellor).
- B. The Senate must have access to the resources needed to make fully informed decisions and provide timely, sound advice.
- C. All Senate operations, committees and programs must be fully supported by staff hired and supervised directly by the Senate office (i.e., fiscal resources for these staff positions should be allocated on a permanent basis to the Senate budget) as determined by the divisional Senate.
- D. Senate operations must be supported by sufficient administrative FTE to support its administrative functions and sufficient analytical FTE to conduct *independent* analyses *when needed*. Staff positions must be classified at the appropriate level to provide Senate leaders the same *level* of administrative support and analysis as that provided to senior administrators at each campus.
- E. In addition to staff FTE, Senate operations must be supported by sufficient fiscal resources, office space and equipment, including:
  1. Funds for programs, projects and special events, faculty training/leadership retreat and other operational needs.
  2. Dedicated office space and administrative and analytical support for all divisional Chairs.
  3. Dedicated office space for staff, and meeting space (e.g., dedicated access, regular cleaning and refurbishing) sufficient to conduct meetings of the division, standing committees and other official Senate functions.
  4. Furniture and office equipment appropriate to conduct the business of each division.
  5. Computing equipment and ongoing information technology/programming support (e.g., hardware, software, database development, online research development).
  6. On-campus storage facilities or a permanent budgetary appropriation to fund off-site storage of essential, historical Senate records, and an archiving system, with the ability to implement and maintain an electronic archiving system.
- F. Upon request by the Division, the Senate operation should be its own budgetary control unit, with a direct reporting line to the chancellor (or designee) on budgetary matters.

## **8.2 The Inadequacy of the Resources Available to the Davis Division**

Anyone familiar with Academic Senate operations on the UC Davis campus will immediately perceive the failure of our campus to meet the ideal laid out in the *Framework* and endorsed by President Dynes. The problems that the *Framework* addresses are system-wide problems; yet things are truly worse at UC Davis.

Table 8.1 is a comparison of the resources available to the various Divisions in relationship to measures of their need (data for UC Davis are in italics). The data exclude UC Merced and refer to the summer 2004. The campuses are ordered according to their levels of Senate staff FTE per active Senate member. The first thing to notice is that UC Davis is:



- the second largest campus in terms of undergraduate students;
- fourth largest in terms of graduate students;
- second largest in terms of active Senate members; and
- second largest in terms of all Senate members including emeriti/ae.

Nevertheless, it is

- only sixth in terms of Senate staff FTE; and
- fifth in terms of budget.

And when some account is made for the relative sizes of different Senate operations by expressing resources as ratios to Senate membership:

- UC Davis has the *highest* ratio of Senate members to Senate staff FTE (i.e., it is *last* in the rank order of nine campuses); and
- UC Davis has the *lowest* Senate budget per Senate member (i.e., again *last*).

Since these data were compiled UC Davis staff FTE have increased from 7.5 to 8.5 FTE. We note, however, that 1.0 FTE in the Senate office are devoted to the *non-Senate* functions of supporting the Academic Federation and the Staff Assembly. So the comparison based on 7.5 FTE remains valid.

Comparing the staffing and budgetary ratios of UC Davis to other UC campuses demonstrates how far behind the Davis Division is. Table 8.2 shows what staffing and budget levels would have to be for the Davis Division to match the mean and median ratios reported in Table 8.1. The shortfalls are truly astonishing. Using several measures, staff levels would have to rise by 6 or 7 FTE and budgets approximately double (roughly an additional \$500,000) in order just to obtain proportionality between resources and divisional size typical of other UC campuses. The next worst supported campus is UCLA. But even for Davis to rise to the UCLA level of support would require an additional 3.5 staff FTE and over \$300,000 additional budget support.

**Table 8.1**  
**Comparison of Staff and Budgetary Support Levels at UC Campuses**

Campus	Needs				Resources		Ratios of Needs to Resources			
	Senate Members		Students		Senate Support		Senate Members per Staff FTE		Senate Budget per Member (dollars)	
	faculty	emeriti/ae	under-grad.	grad.	Staff (FTE)	Budget (\$)	faculty	faculty+emeriti/ae	faculty	faculty+emeriti/ae
<b>UCSC</b>	512	127	13,660	1,337	5.5	379,500	93	116	741	594
<b>UCSB</b>	865	299	20,166	3,003	8.15	466,181	106	143	539	400
<b>UCB</b>	1,557	513	23,206	9,103	12	724,472	130	173	465	350
<b>UCI</b>	1,082	258	19,417	4,658	8	615,097	135	168	568	459
<b>UCSD</b>	1,335	303	20,339	3,336	9	533,265	148	182	399	326
<b>UCR</b>	659	184	15,174	1,930	4	245,935	165	211	373	292
<b>UCSF</b>	1,001	381	26	2,737	5	386,823	200	276	386	280
<b>UCLA</b>	2,484	827	25,677	8,951	11	784,093	226	301	316	237
<b>UCD</b>	2,377	545	23,509	4,563	7.5	476,288	317	390	200	163
<b>Mean</b>	1,319	382	17,908	4,402	7.79	512,406	169	218	443	344
<b>Median</b>	1,082	303	20,166	3,336	8	476,288	148	182	399	326

Data current as of summer 2004.

**Table 8.2**  
**Resources Required to Bring Support for Senate Operations at UCD**  
**Up to the Average Standards of All UC Campuses**

Resource	Base	Target		UCD Shortfall Relative to the:	
		Mean	Median	Mean	Median
Staff (FTE)	Active	14.0	16.1	6.5	7.0
	Active + Emeriti/ae	13.4	16.0	5.9	7.0
Budget (dollars)	Active	1,053,011	948,423	576,723	472,135
	Active + Emeriti/ae	1,005,168	952,572	528,880	476,284

Raw comparisons of staff FTE and budgets do not get to the heart of the matter. All Senate Divisions are short of resources. Raising the Davis Division to the average level of support – or even to the most generous level of support – would not necessarily fulfill the goals so clearly set out in the *Framework*. What is needed is a careful analytic review of Senate functions and the resources needed to staff them. However, additional resources should not be withheld until the analysis is completed. We point out three areas that should receive special attention in such a review:

- *The classification of staff positions.* For many years, the levels of staff positions in the Senate offices has been systematically below the levels of the Provost’s office, which is the Administrative level that corresponds to the divisional Senate office (see Figure 1.1). Indeed, it has been below the level of the typical deans’ office. One of the first acts of the Special Committee was to lobby for an upgrading of the divisional Executive Director from MSO II to MSP I. This classification is now in place with excellent effect, and other positions are being reclassified. In addition, after discussions with the Special Committee, the Chair of the Division, and the new Executive Director, the Provost’s Office assigned another staff FTE position to the Senate office. This provides a fine example of cooperation on an important management issue for the Senate. We hope that it is a harbinger of further cooperation on the staffing problem. The Special Committee acknowledges the support of the Provost’s Office
- *Space.* The Senate offices are in temporary quarters in Voorhies Hall during the remodeling of Mrak Hall. The space on the 3<sup>rd</sup> floor of Mrak Hall (currently still earmarked for the Senate) was inadequate. The space deficiency is exacerbated by the transfer of the support functions for the Committee of Academic Personnel from space in the Office of the Vice Provost for Academic Personnel. The allocated space in Voorhies Hall is insufficient and not well adapted to the needs of the Senate. It is essential that the Senate offices be given adequate space, including:
  - space for the full complement of staff;
  - adequate space for committee meetings, including a large conference room;
  - shared space for Senate members working in the Senate offices on an occasional basis (this is particularly critical for emeriti/ae, who may not have other space to work in on campus, and members working with confidential documents that cannot leave the Senate offices), and ;
  - access to space adequate to hold meetings of the Representative Assembly.
- *Compensation for members with unusual Senate service loads.* As discussed in detail in Section 7.2.1, it is essential that some Senate members receive adequate compensation to make up for heavy service loads. The funds must be part of the Senate budget, under the independent control of the Chair of the Division.

### **8.3 Budgetary Autonomy**

The Special Committee strongly supports the principle that the Academic Senate should have independent control over the resources needed to exercise its delegated responsibilities *at every level of Senate organization*. Such budgetary autonomy is also strongly supported in the *Framework* (point C). The *Framework* considers this an issue for

campus-by-campus negotiation. The Davis Division should enter immediately into negotiations to establish budgetary independence at the divisional level.

Nevertheless, in our discussions with Senate leaders, the Special Committee is aware that some standing committees – particularly, the Graduate Council – and a number of Faculties of Schools and Colleges have built close relationships with the corresponding deans' offices that include shared support for their operations based in the deans' office budgets. And they are loath to disrupt workable arrangements. Our view is pragmatic. As long as these arrangements continue to be workable and are conducted, on the Administration side, with respect for the independent role of the Academic Senate and are not used as instruments of direction and control over the Senate, then we believe that they should be allowed to continue. (See Section 6.2.)

However, as a matter of principle, it is the Senate's right to decide whether these arrangements are in fact workable and sufficiently respectful of Senate autonomy. The Senate must reserve the right to withdraw from such arrangements at its own discretion. To remain consistent with the guiding principles and point C of the *Framework*, any time the Senate chooses to withdraw and to reclaim responsibility, resources equivalent to what has been freed up in the dean's office or other relevant unit must be transferred to the Senate budget.

Consistent with the findings and recommendations of Section 7.3, Senate web and electronic communication operations should be centralized in the divisional offices to guarantee that every committee and Faculty be tied into a common framework.

The divisional offices have for a number of years also housed the staff support for the Academic Federation and the Staff Assembly. While the Senate should welcome the opportunity to serve the campus and to maintain close links with both organizations, it is essential that these support functions not drain other critical Senate functions. Staff and budgetary support for the Academic Federation and Staff Assembly must be provided as a separate line in the Senate budget and not offset against other necessary budgetary support. In general, the principle must be that no duties be transferred to the Senate without adequate resources following immediately in their wake.

## **8.4 Recommendations**

The Special Committee recommends

1. That the operational budget of the divisional Senate office be immediately raised without further review to level of per faculty per support of UCLA (the next worst funded Academic Senate division) – that is that Senate staff FTE be increased by 3.5 and Senate budget be increased by \$300,000);
2. That the Chair of the Division immediately begin negotiations to establish independent budgetary authority for the Senate;
3. That a special committee be formed to assess the staffing and budgets levels needed to deliver Senate responsibilities adequately. This committee should be charged to

- review – among other things – the adequacy and appropriateness of support for committees and Faculties that are not funded out of the divisional Senate office;
4. That the special committee in recommendation 3 work with the special committee concerned with the Senate website and information-technology infrastructure (Section 7.3.1) to determine a) whether Senate IT infrastructure is adequate; b) whether IT infrastructure and technical support would be more effectively housed in the Senate offices rather than shared with the Provost's Office; and c) if the IT infrastructure remains in the Provost's Office, whether the principle of independent control is sufficiently respected or could be enhanced through firewalls or other technical devices.

## 9. THE RELATIONSHIP BETWEEN SENATE AND NON-SENATE ACADEMIC PERSONNEL

The Standing Orders of the Regents not only place the Academic Senate explicitly in charge of the academic core of the University, they implicitly assume that members of the Academic Senate will themselves by and large deliver the curriculum. In an earlier time, this implicit vision was nearly completely true. Non-Senate academic personnel were mainly graduate student teaching assistants or various short-term lecturers and visiting professors. But increasingly, the University now employs a large number of instructors – many of them of long standing and on continuing contracts. There are two forces behind this development.

First, in a period of growth in the number of students, non-tenure-track instructors can be hired more quickly, used more flexibly, and paid less than tenured or tenure-track instructors. As growth is prolonged, many of these instructors develop long-standing relationships with the University. Second, there are increasing demands for kinds of undergraduate instruction (e.g., English composition and foreign-language instruction) that do not reflect well the typical profile of research in academic departments. Such instruction seems to be more easily provided by instructors dedicated entirely to undergraduate instruction.

While the growth of non-Senate academic personnel is understandable given the pressures on the campus, it poses challenges for the original vision of shared governance. First, the existing system has not always protected the interest of these personnel, which no doubt contributed to the move towards unionization.

Second, many non-Senate academic personnel feel that they are inadequately respected as professionals by the Administration and the Senate itself. The Special Committee strongly urges that the professionalism and dedication to the academic mission of non-Senate personnel be acknowledged and fully respected. They often meet the highest standards of excellence, although full recognition of this fact is frequently complicated by the differences in standards and procedures for academic review between Senate members and non-Senate academic personnel.

Third, the Special Committee recognizes that there are potential grounds for conflict between the Senate and the Academic Federation, which represents non-Senate academic personnel on campus. The Academic Federation naturally presses for as an effective voice in University governance as possible. Conflict can arise when such proposals would intrude on the delegated authorities of the Senate. The risk to the Senate of conceding authority to the Academic Federation is that the Administration could achieve effective control over those areas which properly belong to the Senate simply by staffing them with personnel who stand outside any Senate authority.

The Special Committee understands that this is a vexed problem and one that may engage Senate attention for some time to come. We make the following observations and recommendations:

- It is not a question of us versus them. The academic enterprise is a joint one that calls for the utmost respect among all parties to it.
- Nevertheless, it is essential that the Academic Senate not be reduced to one interest group among many. It is critical to maintain the original vision of the Regents in which the Senate is one of the two tracks that, along with the Administration, forms the backbone of the organization of the University.
- Conflict is exacerbated by the Administration paying insufficient attention to the central role of the Senate in academic programs. In particular, no program ought to be created without permanent Senate leadership. Such leadership needs to be local – that is, at the programmatic level. It is inappropriate for personnel who are not members of the Senate to serve as chairs of academic departments or academic programs. Nor is it appropriate to staff departments or programs with a majority of instructional personnel who are not members of the Senate.
- The principal goal ought to be to maximize the correspondence between Senate authority and Senate delivery of the curriculum. (i) Senate FTE should rise *pari passu* with student FTE to remove the ultimate source of the mismatch. (ii) Where the pedagogic needs of students clearly require a shift in the balance from research towards instruction, the campus ought to be more willing to hire lecturers with (potential of) security of employment, who would be Senate members. And, where warranted, current non-Senate lecturers ought to be converted to lecturers with security of employment. (iv) Where it is impossible to staff a program other than through the use of largely non-Senate personnel, then the campus ought to consider whether such a program ought not be better run by one of our sister institutions – the California State Universities or the community colleges.
- Although it is difficult to contemplate a wholesale shifting of teaching responsibilities from non-Senate academic personnel to Senate personnel, we recommend that the ideal of doing so be acknowledged and the problem not exacerbated through further expansion in the number of non-Senate academic personnel.
- The issues encountered on this campus are also present at other UC campus. This is part of the impetus for unionization. The negotiation of union contracts is a system-wide matter and one that has the potential for infringing on the role of the Senate. We, therefore, strongly urge the Chair of the Division to raise this issue in the Academic Council and to press for consultation between the Senate and the Administration on future union contracts to ensure that the authorities of the Senate are not negotiated away inappropriately.



## 10. COMPILATION OF RECOMMENDATIONS AND IMPLEMENTATION PLAN

This report contains recommendations for improving the health of shared governance at UC Davis. The effectiveness of these recommendations is entirely dependent on our ability to implement them. This committee was commissioned by the Executive Council and we recommend that the Executive Council assume overall responsibility for implementation. But much of the Senate must ultimately be involved in implementation. In this section we propose an implementation plan that suggests individuals and groups to whom the Executive Committee should delegate the direct responsibility for overseeing the implementation of particular recommendations.

The recommendations cover a wide range of issues. Implementing some will require the cooperative action of the Senate and the Administration. Most can be implemented by the Senate acting alone. Some will require the action of individuals, most often the Chair of the Division. Some can be implemented quickly. In fact, steps are already being taken to implement a few of these recommendations. Others may require lengthy negotiations and/or approval processes. And the Executive Committee may choose not to pursue implementation of some of these recommendations at this time.

In the rest of this section, specific recommendations are bulleted with a reference to the section of the report in which the original recommendation appears in square brackets at the end of the recommendation. Recommendations are listed according to the person or group we believe should be delegated the implementation responsibility.

### **10.1 The Executive Council**

Some of the recommendations of this report are addressed directly to the Executive Council. Most suggest the creation of special committees and task forces, which would be delegated the task of implementing particular sets of recommendations. Specifically, we call for the formation of the Special Committee on the Website, the Special Committee on Record Keeping, the Special Committee on Senate Operations and a series of taskforces to review school and college bylaws. Recommendations to be addressed by each of these are detailed in subsections below. In addition, there are a few general recommendations regarding the functioning of the Executive Council in the next subsection.

#### **10.1.1 General Recommendations**

- 1) The Special Committee on Shared Governance should be extended to oversee implementation of recommendations in this report.
- 2) Special committees and taskforces should be used more frequently to move business through the Senate in a more efficient manner. [3.8]
- 3) The Senate's budget review processes should be restructured in order to provide allow the faculties of the schools and colleges to advise on the budgets for their units. [4]

### **10.1.2 Recommendations Concerning Interaction with the Administration**

A relatively small number of our recommendations will require direct interaction with the Administration. The Chair should be responsible for referring these matters to the Administration and requesting their assistance in implementing them. These include:

- 4) All requests from the Administration to appoint members to joint committees should be directed to the Chair of the Division [2.2]
- 5) The Chancellor or Provost should meet with the Executive Council no less than every other meeting and the Senate should insist that this meeting be regarded as a priority for which the Chancellor and Provost keep their calendars clear. [3.7.1]
- 6) The Senate's information-technology capacities – in hardware, software, and support staff – should be independent and report to the Chair, not to the Provost. [7.3.1]
- 7) Senior academic administrators should have the stature of the most accomplished members of the Senate [1.2]
- 8) Deans must recognize that the Faculty (through its Chair and Executive Committee) are the voice of the Senate at the school and college level and must not be bypassed or ignored on matters within their competence. [6.2]
- 9) Deans must enforce Senate regulations that have been delegated to the deans' offices. [6.2]

### **10.1.3 The Special Committee on Shared Governance**

The Special Committee on Shared Governance should be charged with implementing the following recommendations:

- 10) The divisional bylaws should be amended to prohibit Senate members with administrative appointments serving as formal Senate representatives to joint committees. [2.1]
- 11) The divisional bylaws should be amended to reflect an expectation that committee members are appointed for two-year overlapping terms. [3.3]
- 12) The enabling bylaw of the Committee on Committees should be revised to recognize two competing objectives: first, the Committee on Committees should be able to reappoint members whose terms have expired without limit; but, second, should recognize the desirability of turnover that draws fresh talent to committees and spreads experience over Senate membership. [3.3]
- 13) The divisional bylaws should be amended to reflect a general expectation that a committee shall have a chair and a vice-chair, each serving one-year terms. A vice-chair should normally be appointed from the current membership of the committee and appointment as vice-chair should normally result in automatic succession to the chair in the next year. [3.3]
- 14) The divisional bylaws should be amended so that the Representative Assembly be given limited authority to direct the actions and policies of divisional committees *ex ante*. [3.4]
- 15) Davis Division Bylaw 33 (c) should be amended to require Executive Council approval of any request by the Regents, the President, or the Chancellor to co-opt divisional committees by imposing additional duties upon them. [3.4]

- 16) Divisional bylaws should be amended to require that any enforceable policy of a divisional committee be recorded with the Secretary, numbered and with a clear descriptive title, a date of adoption, including a record of the vote of the committee, and a citation of the authority under which the committee acts. All policies should be available on the Senate website. [3.4]
- 17) The divisional bylaws should be amended to permit the dismissal of an officer, or the chair or member of a committee for failure to perform his or her duties. [3.4]
- 18) The divisional bylaws should be amended to require that annual reports be submitted to the Divisional Chair by August 31st for transmittal to the first meeting of the Representative Assembly in the fall quarter, rather than in the spring quarter. [3.5.3]
- 19) The current procedures for electing at-large representatives to the Representative Assembly should be eliminated. In their place each standing divisional committee should select a representative from its membership, who might, but need not, be the chair of the committee. [3.6]
- 20) 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. [3.6]
- 21) The Representative Assembly should be able to call for a mail ballot of the Division by a direct resolution. [3.6]
- 22) The Executive Council should be able to call for a mail ballot of the Division by a direct resolution. [3.7.1]
- 23) The divisional bylaws should be amended to establish the membership of the Executive Council to include: the Chair, Vice-chair, and Secretary of the Division, the representatives and first alternate representative to the system-wide Assembly, the chairs of the Faculties of the Schools and Colleges, and the chairs of the following committees: Academic Personnel; Academic Planning and Budget Review; Admissions, Elections, Rules, and Jurisdiction; Graduate Council; Undergraduate Council; and Research. [3.7.1]
- 24) The Executive Council should be empowered to receive the reports of Senate members appointed by the Senate to joint Senate/Administrative committees (see Section 2.2) and who do not otherwise report to a standing committee of the Division. [3.7.1]
- 25) Davis Division Bylaw 50 should be amended to the effect that all of the members of the Committee on Admissions and Enrollment, except the chair, should be representatives of the schools and colleges and the committee most closely associated with undergraduate education. [3.7.4]
- 26) The Committee on Academic Planning and Budget Review should be renamed the Committee on Planning and Budget. [4]
- 27) The membership of the budget committee should be restructured to include either the chairs of the executive committees of the large campus colleges, or the chair of the college budget committee if there is one. [4]
- 28) At-large members of the budget committee should be retained and the four at-large members should be appointed to staggered three-year terms. [4]
- 29) The Divisional Vice-Chair should be made an ex-officio member of the budget committee. [4]
- 30) The Divisional Bylaws should be amended to authorize the Chair, at his/her discretion, to create specialized advisory task forces. [5]

- 31) The new office of Chair-Elect should be created. That individual (who could be the current or a previous Vice Chair) would be appointed by the Committee on Committees and noticed at a Representative Assembly meeting early in the Winter quarter of the second year of the incumbent Chair's term. [5]

#### **10.1.4 The Special Committee on the Website**

The Special Committee on the Website should be charged with a) redesigning the existing divisional website, b) developing a handbook for members of the Senate as part of the website, c) recommending a permanent guardian for the site and d) recommending appropriate levels of staff support for the website. Specific recommendations to be implemented are:

- 32) The home page of the UC Davis website be revised to include a convenient link to the Academic Senate website, as is the case with the UCOP home page. [7.3.1]
- 33) A new Faculty Handbook should be developed as a subpart of the redesign of the website. [7.3.3]
- 34) The Special Committee should be given the discretion to devolve the creation of the handbook onto an adjunct committee or subcommittee that will work closely with the main committee. As a spin-off, a new, short brochure ("The Senate and You"), that can be given to all members and used in orientations, should be created. It should be updated from time to time. [7.3.3]

#### **10.1.5 The Special Committee on Record Keeping**

The Special Committee on Record Keeping should be charged with developing means to keep accurate records of Senate activities. These records should be well organized and easily searchable.

- 35) The archiving practices in the offices of the Division should be reviewed with the Executive Director of the divisional Senate and guidelines for committees on standards and procedures for archiving committee records should be developed.
- 36) The standards and practices governing annual reports of committees should be reviewed.
- 37) The Special Committee should work with the Special Committee on the Website to determine the most effective way to make the records of divisional committees publicly accessible.
- 38) The Special Committee should consider whether the Division would benefit from a new officer, Divisional Archivist, whose duties would include overseeing the maintenance of Senate records.
- 39) Requirements for storage space and access to Senate records should be developed.

40) The divisional bylaws that govern record-keeping should be reviewed and necessary modifications recommended to the Special Committee on Bylaw revision

**41) 10.1.6 The Special Committee on Senate Operations**

The Special Committee on Senate Operations should be charged with assessing the staffing and budget levels needed to deliver Senate responsibilities adequately. This committee should review – among other things – the adequacy and appropriateness of support for committees and Faculties that are not funded out of the divisional Senate office. The committee should work with the Special Committee on the Website on the Senate's information-technology infrastructure (Section 7.3.1) to determine a) whether Senate IT infrastructure is adequate; b) whether IT infrastructure and technical support would be more effectively housed in the Senate offices rather than shared with the Provost's Office; and c) if the IT infrastructure remains in the Provost's Office, whether the principle of independent control is sufficiently respected or could be enhanced through firewalls or other technical devices.

**42) 10.1.7 School and College Taskforces on Bylaws**

In addition to the three special committees described above, we recommend that a Taskforce on Bylaws be established for each School or College. Each taskforce should consist of representatives of that Faculty and one member of the Committee on Elections, Rules, and Jurisdiction. The charge of each taskforce would be to review the Faculty's bylaws, to identify all the ways in which those bylaws may be out of conformity with Senate rules, and to propose amendments that would bring them into conformity. These taskforces would report to and be coordinated by the Committee on Elections, Rules, and Jurisdiction. [6.1]

## **10.2 The Senate Staff**

Implementation of many of the recommendations made here will require the cooperative efforts of the Chair and the Staff. These include:

- 43) Records of advice provided should be available on the Senate website. [2.1][note: This will require coordination with chairs of standing committees and the Special Committee on the Website.]
- 44) All elections in the Division be conducted electronically. [3.5.4][note: this may require coordination with the Special Committee on Bylaw Revision]
- 45) The call for election of departmental representatives should include a description of the duties of the representative, referring to the substance of the deliberations rather than the need to attend meetings, and stressing that an appropriate representative should be a member who is engaged substantially in the workings of his or her department, ideally with the experience of other Senate service. [3.6]
- 46) Attendance rules already incorporated in divisional bylaws should be more aggressively enforced. [3.6]
- 47) The presentations of the citations for teaching, public service and other awards should be eliminated from the agendas of the Representative Assembly. [3.6]

- 48) At the beginning of each year, each representative to the Representative Assembly should receive a communication from the Chair of the Division about the Representative Assembly in general, its importance, and the prospects for the coming year. [3.6]
- 49) The meeting call for the Representative Assembly should contain a compact, informative executive summary of all action items for the meeting. [3.6]
- 50) A period of the Executive Council meeting before the appearance of the Chancellor or Provost ought to be devoted to preparing for their appearance with presentation of essential background materials and discussion of the issues that should be discussed with them. [3.7.1]
- 51) Letters of recognition of Senate service should be sent to members of committees. Copies should be sent to the relevant department chair and dean, the Vice Provost for Academic Personnel, the Committee on Academic Personnel, and the appropriate college personnel committee. [7.2.3][note: This will require coordination with chairs of the standing committees]
- 52) The Senate should organize an orientation/reception for members who have been on campus approximately two years. While the program should be developed to promote general knowledge of the Senate, special emphasis be given to personnel issues and the Senate's role in the process. [7.3.2]
- 53) The Senate should make every effort to use mass e-mails effectively. [7.3.4]

### **10.3 Chairs of Standing Committees**

Many of the recommendations address the operations of the chairs of standing committees of the Senate. Principal responsibility for implementing these recommendations falls on the chairs of those committees. But, because of the rapid loss of institutional memory resulting from the short tenures of most chairs, the Senate staff must also assist with the both the initial and ongoing implementation.

- 54) Only individuals appointed as representatives of Senate standing committees, the Divisional Chair, or the Executive Council should serve on joint committees as representatives of the Academic Senate. [2.2]
- 55) At the beginning of the academic year, each standing committee should develop its agenda for the year and establish goals. The chair of each committee should report this agenda to the Divisional Chair, who will report it to the Executive Council. Each committee's annual report should include a description of issues that the committee should consider in the succeeding year. and whether their current form is the most efficient to execute their charge. [3.3]
- 56) Each standing committee should engage in an annual period of self-examination in which they address the questions of whether their current form is the most efficient to execute their charge. [3.5.1]
- 57) Where feasible, committees should conduct substantial parts of their business electronically. [3.5.4]
- 58) Chairs of Senate committees should be required to keep records of the participation of all members in the committees. [7.2.3]

### **10.4 The Divisional Chair**

The responsibility for implementing many of the recommendations will fall on the Chair. Those recommendations include:

- 59) A committee or working group should be appointed to prepare a handbook for the chairs of divisional committees, including the chairs of the Faculties of Schools and Colleges, to guide them in the performance of their responsibilities
- 60) A retreat should be organized at the beginning of each academic year for the chairs of divisional committees and such others as the Chair expects to be useful. [3.3]
- 61) The Chair of the Division work with the Committee on Elections, Rules, and Jurisdiction to develop a more appropriate order of business for the Division. [3.6]
- 62) The Committee on Elections, Rules, and Jurisdiction should be charged to develop a simplified crib sheet on the rules of order for the meetings, so that each member can have immediate guidance on how to work in a parliamentary setting. [3.6]
- 63) The Executive Council should refrain from judging or redesigning the work of a standing committee [3.7]
- 64) The Chair should establish connections with the Chairs of the Academic Federation and the Staff Assembly, and the elected officers of the ASUCD. [5]
- 65) The Chair of the Division should actively seek to reestablish and maintain had routine, cordial relations with the appropriate reporters and editors of the *California Aggie* and the *Davis Enterprise*, and to make an effort to orient those journalists to the Senate and to issues before it. [5]
- 66) The Committee on Academic Personnel and the faculty personnel committees should be required (a) to conscientiously apply the balancing test of APM 210-1 (d) and (b) to regard failure to credit service adequately as the basis for an appeal of a personnel decision. [7.2.3] [note: this may require consideration of bylaw changes by the Special Committee on Bylaw Revision]
- 67) The Chair of the Division and the Chair of the Committee on Academic Personnel should negotiate with the Vice Provost for Academic Personnel that letters documenting Senate service (positively or negatively) be made a mandatory item in the personnel review packet. [7.2.3]
- 68) In general, the Committee on Academic Personnel should expect a significant record of Senate service for advancement to professor step VI or professor above-scale..
- 69) The Chair of the Division should solicit from the chairs of every standing or special committee each year information about particularly meritorious service on the part of any member. [7.2.3]
- 70) Letters of recognition for Senate service should be sent to members of committees. [7.2.3]
- 71) The Committee on Committees should take special care to ensure the participation of three groups: the most academically prominent members of the Senate, Senior assistant professors and new associate professors, and emeriti. [7.2.4]
- 72) The Committee on Committees should investigate ways to draw people into Senate service who previously have done little or none. [7.2.4]
- 73) The Chair of the Division should negotiate the right to a regular column on Senate matters in *Dateline*. [7.3.4]

- 74) The Chair of the Division should request that the operational budget of the divisional Senate office be immediately raised to the level of the next most poorly supported divisional senate office (UCLA) requiring increase of 3 FTE and \$300,000.
- 75) The Chair of the Division immediately begin negotiations to establish independent budgetary authority for the Senate [8.4]

### **10.5 The Representative Assembly**

Two of our recommendations should be forwarded directly to the Representative Assembly by the Chair and/or the Executive Council:

- 76) The Representative Assembly should adopt a resolution that (i) forwards this report to the dean of each school or college; (ii) outlines the delegated authorities of the Academic Senate; (iii) reminds each dean that the Faculty (through its Chair and Executive Committee) are the voice of the Senate at the school and college level and must not be bypassed or ignored on matters within their competence; and (iv) particularly insists on the enforcement of Senate regulations where they have been delegated to the deans' offices. [6.2]
- 77) An annual Distinguished *Senate* Service Award should be created. It would be awarded to the single individual who, in any year, best exemplifies the spirit and practice of service to the Senate through the breadth or depth of his or her commitment and through demonstrated achievements. [7.2.3]



## A Resolution to Form a Special Committee on Shared Governance and Senate Operations.

### Preamble:

Over the past few years a number of important issues have arisen on the Davis campus in which the Administration has taken important actions without appropriately consulting the Division as required under shared governance. These issues include at least:

1. The move to Division I athletics.
2. The policy on foreign fee remission for graduate research assistants.
3. The long-range development plan.
4. The demand for freshman seminars/small classes.
5. The biocontainment laboratory.
6. Parking policy.
7. Summer instruction (and consideration of a move to year-round operations).

Shared governance is not a courtesy of the Administration towards the Senate. It is right enshrined in the Standing Orders of the Regents. Specifically, shared governance guarantees the Senate the rights:

- a) to determine the curriculum;
- b) to determine admissions policy;
- c) to be consulted on academic personnel matters;
- d) to be consulted on budgetary matters.

The Regents have also established the Senate as a corporate body not subservient to the Administration. It exercises its rights corporately. The UC Davis Administration often seems to misunderstand or ignore this point. The Administration increasingly acts as if its obligations under shared governance are fulfilled by consulting with individual faculty or by including faculty of the Administration's choice on (or even the Committee on Committee's choice) on the *Administration's* own committees or by attempting to deal directly with divisional standing committees outside of the normal mechanisms of the Senate. Such actions are neither necessary nor sufficient to discharge its obligations. Shared governance requires instead active engagement with the Senate on its own terms. Such active engagement requires adequate resources. The Administration has failed to provide staff and space resources at levels proportionate to Senate responsibilities under shared governance.

Not all the problems associated with shared governance can be laid at the feet of the Administration. Senate operations are often ponderous, inefficient, and unnecessarily complex. This discourages cooperation from fear that matters will become bogged down. We need to make sure that our own house is in order, while at the same time we claim our right to partnership in the important business of the campus.

Shared governance is not working well on the Davis campus. It needs to work better. Therefore,

***The Executive Council Resolves That:***

*A committee, the Special Committee on Shared Governance and Senate Operations, shall be created. It shall consist of a chair and four additional members appointed by the Chair of the Division. The committee shall report to the Executive Committee in the Fall of 2004 and its report shall be submitted to the Representative Assembly at its Fall 2004 meeting. The committee shall provide interim reports on its progress at meetings of the Executive Committee in both the Winter and Spring of 2004.*

*The committee is charged with the following duties:*

- 1. To clarify the appropriate roles of the Senate and the Administration under shared governance.*
- 2. To assess the current state of shared governance and, where it is failing to work appropriately, to analyze the sources of that failure.*
- 3. To assess the current state of Senate operations within the Davis Division, especially as they interact with shared governance. (It should address, among other issues: Whether the Division is fulfilling the whole range of its responsibilities? What impediments are there (resource or structural) to it meeting those responsibilities effectively and efficiently?)*
- 4. To suggest appropriate courses of actions to remedy any shortcomings it discovers in either shared governance or Senate operations.*

Shared Governance Report  
Exhibit 2

Administration

Name	Title	Committee, School or Department
Jeff Gibeling	Dean	Graduate Studies
Virginia Hinshaw	Provost	Davis Campus
Leslie Hays	Administrator	Chancellor/Provost
Barbara Horwitz	Vice Provost	Academic Personnel
Barry Klein	Vice Chancellor	Research - Davis Campus
Winston Ko	Dean	L&S Mathematical & Physical Sciences
Elizabeth Langland	Dean	L&S Humanities, Arts & Cultural Studies
Enrique Lavernia	Dean	College of Engineering
John Meyer	Vice Chancellor	Planning and Budget
Neal Van Alfen	Dean	College of Agricultural and Environmental Sciences
Stan Nosek	Vice Chancellor	Planning and Budget
John Oakley	Chair	Faculty Welfare Committee Chair Fall/Wntr 2004
Bennie Osburn	Dean	School of Veterinary Medicine
Dennis Pendleton	Dean	University Extension
Steven Sheffrin	Dean	L&S Social Sciences
Marcia Thomson	Past Management Services Officer	ACADEMIC SENATE
Dennis Shimek	Assoc. Vice Chancellor	Human Resources
Patrica Turner	Vice Provost	Undergraduate Studies
Catherine Vandervoort	Assoc Adj. Professor	Academic Federation
Larry Vanderhoef	Chancellor	Davis Campus
Jeanne Wilson	Administrator	Dir. Of Student Affairs

Faculty

Name	Title	Committee, School or Department
Lindsay Allen	Vice Chair	AG
Linda Bisson	Past Chair	CAP
Angela Cheer	Past Chair	CAPBR
Elizabeth Constable	Chair Spring 2004	Faculty Welfare Committee Chair Spring
Howard Day	Chair	FAC. PRIV IN ACA PERS ADVISORS
Ted DeJong	Chair	CAPBR
Matthew K Farrens	Chair	ENG
Robin Hansen	Past Chair	SM
Alan Hastings	Chair/Past Chair	GRAD COUNCIL
Ines Hernandez-Avila	Past Chair	FAC. PRIV IN ACA PERS ADVISORS
Hung Ho	Chair	SM
Joseph Kiskis	Chair/Past Chair	UG COUNCIL
Leslie Kurtz	Chair	LAW
Marion Miller-Sears	Chair	Committee on Committees
Thomas Morrison	Chair	CAP
Thomas G Nyland	Past Chair	VM
James Quinn	Chair	AG
Mark Rashid	Chair	ADMISSIONS
Peter Rodman	Chair 03-04, Vice Chair 02-03	L&S
Mikal Saltveit		ADMISSIONS
Arnold Sillman	Chair/Past Chair	PRIV. AND TENURE
Anand Swaminathan	Past Chair	GSM
Lenora Timm	Past Chair	L&S
Victoria Smith	Past Chair	Committee on Committees
Geerat Vermeij	Past Chair	Library Committee
Raymond Waddington	Chair	Library Committee Chair
Stephen White	Chair	VM
David Woodruff	Chair	GSM

**Academic Senate Operations**  
**Structure and Resources**  
**Endorsed by the Academic Council on**  
**July 23, 2003**

**Introduction**

In fall 2002 the Senate Directors met with Academic Assembly Chair Gayle Binion to discuss current issues. The challenge of managing Senate operations with limited and shrinking resources was identified as a continuing and significant problem. Chair Binion invited the Senate Directors to fully assess current operations and prepare a "white paper" on the subject for consideration by the Academic Council.

The Senate Directors present this paper to the Academic Council for consideration. The paper includes a summary of the issues to be addressed and a proposal of broad concepts for the allocation of resources.

In 1998 the Academic Council convened the Senate Task Force on Governance to investigate and report on three major areas of concern: the university-wide Senate organization and operation (panel 1), the nature and health of shared governance (panel 2), and the availability of resources to the Senate to carry out its delegated responsibilities (panel 3). The task force formed three panels of faculty, staff and administrators to investigate each area of concern. The members of panel 3, which included long-time UC Regent Roy Brophy, focused on the organization, operation and resources of the nine divisions and the university-wide Senate.

Panel 3 members invited the Senate Directors to analyze FTE, space, budget, programs and services, and propose a model Senate operation. Following an extensive analysis by the Directors in consultation with the university-wide Senate Chair, it became clear that comparisons across divisions and the model Senate proposal would be problematic. Each division had developed a unique operating structure over time to meet its distinct needs. As a result, the definition of data elements varied widely by division, making it difficult to generalize findings and propose one model that was useful to all divisions.

Further study by panel 3 was later tabled following changes in leadership and staff. Until now, no follow-up review or action has been taken on this important matter.

**The Academic Senate and Senate Operations**

The Academic Senate is a critical, primary partner in the governance of the University. The Senate adds value to the entire University, working with the administration through faculty service to realize the University's mission of education, research and public service. Faculty participation in shared governance is vital and essential to the overall success and quality of the University.

The Senate operation on each campus is the support mechanism that enables faculty to participate actively in the governance of the University. For the Senate to perform its duties, efficiently and effectively, adequate resources are required to sustain a dedicated Senate operation. This operation must include sufficient professional staff FTE, classified appropriately and with solid expertise, and sufficient fiscal and other resources (defined below).

### **Allocation of Resources to Senate Operations**

The Senate Directors are proposing concepts for the allocation of resources in support of Senate operations that are flexible and appropriate to each campus. The proposed concepts are presented as a framework to guide the divisions and respective administrations. The Senate Directors are presenting the proposed concepts to the Academic Council for consideration, adoption and implementation at all 10 campuses. With the approval of the Academic Council, the Senate Directors recommend sending these concepts to the Council of Chancellors (via the Academic Council Chair and the President) for review, concurrence and joint implementation.

The concepts take into consideration divisional differences in size, structure, programs and services. Each division may implement the proposed concepts as needed to meet the unique requirements of the division. Some divisions may choose to implement the concepts at a later time, others may choose to only implement some of the concepts. It's most important that each division has discretion to implement the concepts considering its unique organization and relationship to administration.

In the face of the current budgetary downturn it may not be feasible to implement all of the proposed concepts at this time. Still, it is valuable and important to begin to consider how best to implement the concepts over time and as resources become available. *It is perhaps most critical to consider these concepts now as far-reaching permanent fiscal decisions will soon be made that will impact the ability of the Senate to be a full partner in shared governance in the future.*

### **Proposed Concepts**

The Senate Directors propose the following concepts for the allocation of resources in support of Senate operations:

A. The Senate should have sufficient resources to manage independently its operations, as would a senior administrative office (e.g., office of the chancellor, office of the executive vice chancellor).

Note: The intent is not to replace or duplicate administrative functions, but to have sufficient resources to be an active participant in shared governance. Resources may be leveraged through joint Senate/administration efforts when it is agreeable to both parties.

B. The Senate should have access to the resources needed to make fully informed decisions and provide timely, sound advice.

C. All Senate operations, committees and programs should have the ability to be fully supported by staff hired and supervised directly by the Senate office (i.e., fiscal resources for these staff positions should be allocated on a permanent basis to the Senate budget) as determined by the divisional Senate.

D. Senate operations should be supported by sufficient administrative FTE to support its administrative functions and sufficient analytical FTE to conduct *independent* analyses *when needed*. Staff positions should be classified at the appropriate level so that Senate leaders are provided the same *level* of administrative support and analysis as that provided to senior administrators at each campus.

E. In addition to staff FTE, Senate operations should be supported by sufficient fiscal resources, office space and equipment, including:

1. Funds for programs, projects and special events, faculty training/leadership retreat and other operational needs as deemed necessary and appropriate by each division.
2. Dedicated office space and administrative and analytical support for all divisional Chairs.
3. Dedicated office space for staff, and meeting space (e.g., dedicated access, regular cleaning and refurbishing) sufficient to conduct meetings of the division, standing committees and other official Senate functions.
4. Furniture and office equipment appropriate to conduct the business of each division.
5. Computing equipment and ongoing information technology/programming support (e.g., hardware, software, database development, online resource development).
6. On-campus storage facilities or a permanent budgetary appropriation to fund off-site storage of essential, historical Senate records, and an archiving system, including the ability to implement and maintain an electronic archiving system.

F. Upon request by the Division, the Senate operation should be its own budgetary control unit, with a direct reporting line to the chancellor (or her or his designee) on budgetary matters.

Note: The process by which resources are requested, negotiated and obtained will vary by division.

## Framework for Establishing a Senate Operation

As Endorsed by the Academic Council on July 21, 2004

The Senate Executive Directors were asked to present a framework for the establishing a Senate operation at the new UC Merced campus. We propose building the framework on the concepts presented in the attached July 23, 2003 document *Academic Senate Operations: Structure and Resources*, which was prepared and presented by the Senate Executive Directors, unanimously endorsed by the Academic Council, and forwarded to former President Atkinson. It was also presented to the Chancellors and Divisional Senate Chairs by Academic Council Chair Pitts at their joint meeting held on March 3, 2004. The paper's concepts were developed to guide divisions and respective administrations in the allocation of resources to support a fully functioning Senate operation.

It is most important to apply these concepts in the early stages of the Merced Division's development to ensure that the new Senate operation fully supports the development of the faculty governance organization and its administration of the duties assigned by the Board of Regents.

### Conceptual Framework

The Merced Division Senate operation should be developed in accordance with the following concepts.

- A. The Senate must have sufficient resources to independently manage its operations, as would a senior administrative office (e.g., office of the chancellor, office of the executive vice chancellor).

Note: The intent is not to replace or duplicate administrative functions, but to have sufficient resources to be an active and informed participant in shared governance. Resources may be leveraged through joint Senate/administration efforts when it is agreeable to both parties.

- B. The Senate must have access to the resources needed to make fully informed decisions and provide timely, sound advice.
- C. All Senate operations, committees and programs must be fully supported by staff hired and supervised directly by the Senate office (i.e., fiscal resources for these staff positions should be allocated on a permanent basis to the Senate budget) as determined by the divisional Senate.
- D. Senate operations must be supported by sufficient administrative FTE to support its administrative functions and sufficient analytical FTE to conduct *independent* analyses *when needed*. Staff positions must be classified at the appropriate level to provide Senate leaders the same *level* of administrative support and analysis as that provided to senior administrators at each campus.



- E. In addition to staff FTE, Senate operations must be supported by sufficient fiscal resources, office space and equipment, including:
1. Funds for programs, projects and special events, faculty training/leadership retreat and other operational needs.
  2. Dedicated office space and administrative and analytical support for all divisional Chairs.
  3. Dedicated office space for staff, and meeting space (e.g., dedicated access, regular cleaning and refurbishing) sufficient to conduct meetings of the division, standing committees and other official Senate functions.
  4. Furniture and office equipment appropriate to conduct the business of each division.
  5. Computing equipment and ongoing information technology/programming support (e.g., hardware, software, database development, online resource development).
  6. On-campus storage facilities or a permanent budgetary appropriation to fund off-site storage of essential, historical Senate records, and an archiving system, with the ability to implement and maintain an electronic archiving system.
- F. Upon request by the Division, the Senate operation should be its own budgetary control unit, with a direct reporting line to the chancellor (or designee) on budgetary matters.

Note: The process by which resources are requested, negotiated and obtained will vary by division.

### **Start-up Organization**

While these concepts will guide the development of the Senate operation, consideration must be given to the special needs of a start-up organization. The resources necessary to establish and support a Senate operation are not dependent on the number of Senate members served, but rather on organizational need. The initial phase will require dedicated, talented staff with a solid understanding of shared governance to assist in creating the organizational structure, policies and procedures; requesting fiscal resources and establishing budget systems; designing a staffing plan and recruiting staff; and obtaining space, equipment and computing resources.

Senate operations must have sufficient FTE to support its functions as well as sufficient FTE to provide professional (analytical, technical and administrative) support for its operations.

The demands of this developmental phase will require, minimally, the following staff positions.

- Executive Director, (classified in the MSP series, equivalent ) to independently manage the operation of the Divisional office, including but not limited to, organizational development, and fiscal and staff management. In addition, the Executive Director advises the Divisional Senate Chair and represents the Senate Office and Chair in interactions with other units.
- Administrative Specialist to support the Chair and Director on all administrative matters.
- Programmer/Analyst (classified in the programmer or analyst series (II or III)) to develop, program and implement integrated web sites, data bases and create as well as support a network infrastructure.

The staff must be provided the space, equipment, computing resources, and financial support to adequately conduct business.

### **Developing Organization**

As the Senate organization develops and committees are established, resources must be available to provide for the growing organization in all areas as outlined in the framework. It is likely that the number of Senate members will be small in the early years, yet the organization's structure and responsibilities will require the support of a fully-developed division.

In addition to the three FTE identified above, senior policy analysts (classified at the Senior Analyst level) should be hired by the Executive Director, to begin staffing the constellation of committees deemed necessary by the Division and The Academic Council to begin operations. For example, the Division could feasibly begin operations with the following standing committees established in the first year:

Committee on Academic Personnel  
 Graduate Council  
 Committee on Research Policy  
 Undergraduate Council (includes Committee on Courses, Admissions, Educational Policy)  
 Rules and Jurisdiction & Elections  
 Committee on Planning & Budget  
 Executive Committee or Board

Should this be the case, the Executive Director would staff the Executive Committee which typically provides oversight to all committees and advice to the Divisional Chair. The Executive Director could provide staff support for one or two smaller committees during this initial organizational development. The Executive Director should immediately hire one Senior Analyst to begin staffing and setting-up operations for the remaining core committees that would enable Senate business to begin. In this period, the Senior Analyst would fully manage the operations of the remaining four committees, and work in close consultation with the Executive Director and Programmer/Analyst to set-up the necessary information technology infrastructure which will require original programming. All administrative assistance would initially be provided by the Administrative Specialist. All staff should be computer literate and able to process their own communications and analyses.

As the number of faculty grows and standing committees are added or as the volume of existing committee work increases exponentially, the Executive Director should hire an additional Senior or Principal Analyst at roughly one FTE per the addition of 4-5 standing committees. As Senate operations develop, the office will also need to hire an individual to manage business operations (e.g., office management, fiscal issues, payroll/personnel). Senate Executive Directors from the established Divisions should be invited to participate in the selection and hiring of the Merced Executive Director and on a volunteer basis, provide whatever assistance and mentoring might be requested of the Executive Director during the formative years. The Executive Director should be responsible for hiring, training and supervising all Divisional staff, leaving the Divisional Chair available to concentrate on broader faculty and shared governance policy matters. It is recommended that staff be encouraged to participate in relevant training programs or classes provided by campus Human Resources as they become available, such as computer skills, payroll processing, etc. The associated costs are usually nominal; however, a commitment by the Divisional leadership to allow time away from the office for staff to acquire relevant training is essential for the Senate to operate professionally and efficiently. Commitment from both the Chancellor and Budget Office to adequately fund FTE and operational costs is critical to the Division's success. Without this commitment shared governance will remain only a concept.

Respectfully Submitted:

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