



UNIVERSITY
OF CALIFORNIA Academic
Senate

Task Force on Senate Membership (April 15, 2010) Review Comments

On [July 27, 2011](#), following a systemwide Senate review, the Academic Council voted to accept the [Report of the Task Force on Senate Membership \(April 15, 2010\)](#), and post it with the review comments on the Senate website.

Comments can be found on pages 2-52.

The Task Force Report begins on page 54.



320 STEPHENS HALL
UNIVERSITY OF CALIFORNIA

February 14, 2011

DANIEL SIMMONS
Chair, Academic Council

Subject: Report of the Task Force on Senate membership

Dear Dan,

On January 24, 2011, the Divisional Council of the Berkeley Division (DIVCO) discussed the report of the Task Force on Senate Membership, informed by the comments of the Committee on Budget and Interdepartmental Relations (BIR).

The discussion highlighted the following points and concerns:

DIVCO agreed with the Task Force's recommendation concerning individual faculty members who are classified incorrectly. Specifically, we agree that the title codes associated with certain faculty positions should be reviewed to ensure that they are consistent with the duties of the incumbent faculty members. We feel strongly that this is a local issue that each campus should resolve. Further, we support continuation of the 1/6th cap. While we agree that the cap may seem arbitrary, we believe that any cap would seem so, and we did not find compelling reasons to adjust or eliminate it. For our part, we view it as a trigger for review rather than an absolute constraint.

That said if the cap is lifted, our Division does not support the task force's recommendation regarding the separation of curricular authority. Instead, noting that campuses have different practices, we support each campus' right to retain its unique approach to curricular authority.

DIVCO echoed the concern of the Task Force about the need for a reconsideration of how Senate membership is conferred on administrators. We do not, however, support a revision of the administrative titles automatically granting Senate membership. Instead, we agreed with BIR's recommendation:

We suggest one possible criterion for membership: the individual in the administrative position should also have an academic title, or should have had an academic position before taking on the administrative position.

Sincerely,

Fiona M. Doyle

Fiona M. Doyle

Chair, Berkeley Division of the Academic Senate

Professor of Materials Science and Engineering

Cc: Jeffrey Knapp, Chair, Committee on Budget and Interdepartmental Relations
Aimee Larsen, Manager, Committee on Budget and Interdepartmental Relations



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March 21, 2011

DANIEL L. SIMMONS, CHAIR

University of California
Academic Council
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Re: UC Senate Membership Task Force Report

The referenced report was forwarded to all standing committees of the Davis Division in addition to the Faculty Executive Committee in UC Davis schools and colleges. Comments were received from the Committees on Faculty Welfare, Elections Rules and Jurisdiction and Academic Personnel, as well as, the College of Letters and Science and School of Medicine Faculty Executive Committees.

There was a diversity of reactions by key Divisional committees to the report. The Division has not been able to reach consensus concerning the report's content and recommendations. Concerning the four recommendations, the following points were raised:

Recommendation One:

- The Committee on Elections Rules and Jurisdiction disagreed with recommendation #1 (that shared Academic Senate appointments are "currently allowable"). Although shared appointments may currently be allowable; a shared appointment may not be feasible. The committee suggested the task force consider a recommendation that all non-Senate members of the Senate "who engage in the academic mission of the Senate on a regular basis" should be granted a Senate title.

Recommendation Two:

- The Committee on Academic Personnel-Oversight noted there is potential for significant workload impact on the number and types of personnel actions the committee might see as a result of recommendation #2: "The Task Force recommends local review of existing individuals in non-Senate titles and reclassification of those that are clearly in the wrong series based upon duties and responsibilities consistent with membership in the Academic Senate."
- CERJ contends that recommendation #2 addresses the issue of appointment to the "wrong" series rather than the issue of whether faculty should be appointed to an "additional" series.
- The School of Medicine Faculty Executive Committee believes that maintaining the current list of Academic Senate titles does not address the growing discontent of a large portion of faculty system-wide. They also felt that recommending non-Academic Senate faculty switch to an Academic Senate title is impractical.

Recommendation Four:

- The Committee on Elections Rules and Jurisdiction believes Regents Standing Order 105.1 will need to be changed in order to implement the recommendation.

Key Points:

The Committee on Faculty Welfare endorsed all four recommendations in the Task Force Report emphasizing two points: 1) criteria for Senate membership of non-Senate health sciences faculty should be uniform across all UC campuses; and 2) strict adherence to current requirements for Senate membership as described in the APM be maintained to prevent appointment of non-Senate personnel to Academic Senate titles on the general campus.

College of Letters and Science noted that the number of Academic Senate appointments in the professional schools seem to be increasing as opposed to the static or declining numbers of Academic Senate members comprising the faculty of the undergraduate colleges and schools. The figures raise an important question of how decisions are made in the professional schools as to who may be appointed to an Academic Senate title. The college noted that Regents Standing Order 105.1 includes the statement: "Members of the faculties of professional schools offering courses at the graduate level only shall be members also of the Academic Senate, but, in the discretion of the Academic Senate, may be excluded from participation in activities of the Senate that relate to curricula of others schools and colleges of the University." There is uncertainty about whether appropriate controls are/were in place to enforce the provision, assuming the Senate elects to do so.

The School of Medicine Faculty Executive Committee had a strong reaction to the report noting that the recommendations of the task force (essentially maintaining status quo) are exclusionary and inconsistent with fundamental fairness. There are differing proportions of non-Academic Senate faculty at other medical schools in the UC system and the proportion of Academic Senate to non-Academic Senate titles varied significantly amongst departments in the UC Davis School of Medicine. The School of Medicine faculty recommended the following to allow non-Academic Senate faculty to enjoy shared governance to the fullest extent: 1) change Regents Standing Order 105 to include the Health Sciences Clinical Professor and all other non-Academic Senate faculty titles; 2) alter bylaws at UC medical schools such that non-Academic Senate members enjoy full rights within the School of Medicine; 3) provide instructor appointments to Health Science Clinical Professors so they would be Academic Senate members.

I have and will continue meeting with key members in advance of the Academic Council meeting in order to fully participate in discussions.

Sincerely,



Robert L. Powell III, Chair
Davis Division of the Academic Senate and
Professor and Chair, Department of
Chemical Engineering and Materials Science



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March 2, 2011

Daniel Simmons, Chair, Academic Council
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RE: Senate Review of the Report of Senate Membership

At its meeting of March 1, 2011, the Irvine Division Academic Senate reviewed the April 15, 2010 Report on Senate Membership ("the Report") and the four recommendations of the Academic Council Task Force on Senate Membership. After the Cabinet received reports from the Council on Academic Personnel (CAP) and Council on Faculty Welfare, Diversity, and Academic Freedom (CFW), it carried out a discussion and then a vote on endorsement. In general, the Report was considered well-written, fully documented, and an excellent document for future discussions of Senate membership.

At its January 13, 2011 meeting CAP members unanimously endorsed the four recommendations and pointed out that "UCI routinely reviews the appropriateness of a candidate's series" upon request of a candidate for a change of series or sometimes upon request of an academic unit on behalf of a faculty member. CAP did not recommend any changes in the existing separation of curricular authority for undergraduate and professional school education, and the Cabinet subsequently agreed with this position.

CFW discussed the Report at four different meetings, the last being February 8, 2011. The Council consulted with the Vice Provost for Academic Personnel and the Executive Vice Dean of the School of Medicine, who provided an overview of the issues involved. CFW "agreed in general with report's recommendations" and voted on each recommendation separately.

CFW and later the Cabinet endorsed the first recommendation to not extend the campuswide Senate membership to a broader list of titles, but also supported encouraging "the School of Medicine to amend their bylaws to find opportunities for their clinical faculty to participate in Medical School governance and to enjoy some of the additional

rights and privileges that other faculty members in the School of Medicine have."

CFW and later the Cabinet endorsed the second recommendation to review duties and responsibilities of non-Senate academic appointees and reclassify those that should be appointed to Senate membership.

CFW and later the Cabinet endorsed the third recommendation. CFW "noted that retaining the historical separation of curricular authority for undergraduate and professional school education is UCI's current practice and this historical practice at UC should be maintained."

CFW and later the Cabinet endorsed fourth recommendation of a revision of administrative titles automatically granted Senate membership.

CFW and the full Cabinet also recommended that anyone who holds Senate membership should be reviewed every five years, even if the individual's effort is 100% administrative. The criteria of review by the Senate for such cases as the University Librarian and Registrar would need to be developed.

The Irvine Division appreciates the opportunity to comment.



Alan Barbour, Senate Chair

cc: Martha Kendall Winnacker, Executive Director, Academic Senate



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March 10, 2011

Daniel Simmons,
Chair, Academic Council
University of California

In Re: UCLA Response on the Report of the Senate Membership Taskforce

Dear Dan,

Thank you for the opportunity to review and opine upon the Report of the Senate Membership Taskforce. Upon receipt of the report, I specifically requested review by the Council on Academic Personnel (CAP) and the Faculty Welfare Committee (FWC). All other committees were welcome to opine. The Executive Board, which speaks for the Division on such matters, reviewed the responses we received (see attached), and forwards the following positions on the four Task Force recommendations:

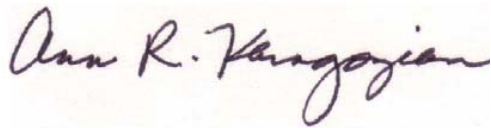
1. Recommendation: **“The Task Force recommends against extending the list of titles according membership in the Senate to existing non-Senate titles.”** The Executive Board **endorsed** this recommendation (8 in favor, 2 opposed, 1 abstention, 1 student abstention).
2. Recommendation: **“The Task Force recommends local review of existing individuals in non-Senate titles and reclassification of those that are clearly in the wrong series based upon duties and responsibilities consistent with membership in the Academic Senate.”** The Executive Board **unanimously endorsed** this recommendation, and notes, as does the UCLA CAP, that this local review already occurs at UCLA and is conducted by CAP when an individual and/or unit requests a reclassification. We note that at UCLA it seems to be the practice that the Professor of Clinical X population is limited to 1/6th of the Senate membership of clinical departments.
3. Recommendation: **“...the Task Force recommends retention of the historical practice of separating curricular authority for undergraduate and professional school education.”** The Executive Board determined this recommendation to have been the outcome of a faulty premise that there would be likely transfers of many Clinical Professors to the Professor of Clinical X series, per recommendation 2. Our typical practice is that the APM limit of 1/6th is a real limit. UCLA considers the Professor of Clinical X to be a “master teacher/clinician”, and the standards for such transfer are high when evaluated by CAP. The imbalance of faculty in representation on local committees is avoided by the

careful work of the Committee on Committees. There are also problems with distinguishing explicitly between “undergraduate” and “professional school” education. At many UCs, professional schools also offer undergraduate curricula, e.g., engineering, nursing, film, etc. The current means of institutionalizing the separation of curricular authority as articulated in [Regental Standing Order 105.2 \(b\)](#) works well now for the UC (“...the Senate shall have no authority over courses in ... professional schools offering work at the graduate level only...”). As such, the Executive Board voted **unanimously against** this recommendation as being unnecessary from the perspective of balance and the wording used for separating curricular authority.

4. Recommendation: “**The Task Force recommends a revision of the administrative titles automatically granting Senate membership.**” Although most Executive Board members agree with this recommendation in principle, there are members who are concerned about (1) the timing of making such a recommendation given the current budgetary stresses and the need for faculty and senior administration to work together collegially, and (2) the general stakes involved in opening up the Regental Standing Orders for revision. This Senate recommendation may well be quite specific, but some members were concerned that recommending revisions of one section might provide the opportunity for further, undesirable, revisions of the Standing Orders. After some discussion, the Board **narrowly voted to endorse** the recommendation (5 in favor, 4 opposed, 1 abstention, 1 student vote in favor).

Please extend the thanks of the UCLA Academic Senate to the members of the Task Force for their work on this report. And do not hesitate to contact me if I can be of further service.

Sincerely,

A handwritten signature in dark ink, reading "Ann R. Karagozian". The signature is written in a cursive style with a light beige background behind it.

Ann Karagozian
Chair, UCLA Academic Senate

Cc: Martha Kendall Winnacker, Executive Director, Academic Senate
Jaime R. Balboa, Chief Administrative Officer, UCLA Academic Senate

February 22, 2011

To: Ann Karagozian, Chair
Academic Senate

From: Council on Academic Personnel

RE: Review of the report of the Task Force on Senate Membership

CAP at UCLA has reviewed the report of the Task Force on Senate Membership, and we find ourselves largely in agreement with their recommendations.

We believe our current system, while it has its complexities, is still the most workable possible. We also believe that there should be neither wholesale transfer of non-Senate titles to Senate membership nor the creation of new Senate titles. It has been our experience that CAP can review cases of transfer from one title to another on an individual basis to determine if the transfer to a new series is warranted. This has worked well over the years and allows for flexibility in personnel actions without triggering large unforeseen impacts on other campuses. We think that each campus should be able to deal with these transfers within its own Council on Academic Personnel.

We do not think it is necessary to create new titles beyond the already complex set that we have. If an individual is performing duties that should confer Senate membership, that individual can be recommended for a more appropriate title by its local CAP.

We also find it reasonable that administrative titles be examined for appropriateness for Senate membership. Over the years we have developed an increasingly specialized administrative group including some who may not have academic backgrounds. The Senate should therefore consider whether the traditional conferral of Senate membership still makes sense for certain administrative titles.

We would qualify one item of the report. The task force refers to the separation of undergraduate and professional responsibility for curriculum. We would suggest that the distinction is not between undergraduate and professional but rather between the College (or what the Regents called “academic education”)—which contains both graduate and undergraduate teaching and research—and the professional schools. The responsibility for curriculum should reside with the faculty teaching in those areas.

We thank the task force for its careful and thorough report. The historical material was very enlightening as well.

March 2, 2011

To: Ann Karagozian
Academic Senate, Chair

From: Shane White
Faculty Welfare Committee, Chair

Re: Senate Item for Review: Report of Senate Membership Taskforce

The Faculty Welfare Committee reviewed the Senate Item for Review: Report of Senate Membership Taskforce at their meeting on Tuesday, February 1, 2011. The committee unanimously approved the endorsement of the report.

We thank you for the opportunity to participate in this process.

Cc: Jaime Balboa, Chief Administrative Officer, Academic Senate
Dottie Ayer, Assistant to Chief Administrative Officer, Academic Senate
Brandie Henderson, Policy Analyst, Academic Senate



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March 11, 2011

Daniel Simmons
Professor of Law Chair,
UC Systemwide Academic Senate
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Dear Dan,

Re: Systemwide Review of Report of Senate Membership Task Force

Several committees of the UCR Division read and commented on the Report of Senate Membership Task Force. These committees were as follows: Academic Personnel, Diversity and Equal Opportunity, Faculty Welfare, Promotion and Tenure, and the Executive Committees of the College of Humanities, Arts, and Social Sciences, the College of Natural and Agricultural Sciences, and Bourns College of Engineering.

The UCR Division supports the four major recommendations of the Task Force, specifically:

1. Not to extend the list of titles accorded membership in the Senate at this time.
2. To encourage the Divisions to review those individuals in non-Senate titles and reclassify those whose duties and responsibilities are consistent with Senate membership.
3. To retain the historical practice of separating curricular authority for undergraduate and professional school education.
4. To review and revise the list of administrative titles that are automatically granted Senate membership to determine whether non-academic administrative positions are currently under academic administrator titles. Our Division is in complete agreement that professional administrative titles should not be given Senate membership.

Concern was expressed about two other issues.

1. First, the cover letter discusses administrative growth in units that are not funded by the state but nonetheless have administration that is funded by the state. This practice seems problematic, especially in the current budget climate, and we suggest that it be reviewed carefully in discussions beyond the report of the Senate Membership Task Force.
2. Second, the CODEO is concerned about the potential effect on diversity and equal opportunity if Senate membership were to become skewed with members who have

little or no direct involvement with the academic, particularly the undergraduate, mission of the campuses.

Sincerely yours,

Mary Gauvain
Professor of Psychology and Chair of the Riverside Division

CC: Martha Kendall Winnacker, Executive Director of the Academic Senate
Sellyna Ehlers, Director of UCR Academic Senate office



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Henning Bohn, Chair
Deborah Karoff, Executive Director

March 10, 2011

Daniel Simmons, Chair
Academic Senate

RE: Report of Senate Membership Task Force

Dear Dan,

On the UCSB campus, three groups reviewed the Report of the Senate Membership Task Force including the Committee on Academic Personnel (CAP), the Council on Faculty Issues and Awards (CFIA) and the Committee on Rules, Jurisdiction and Elections (R, J & E). All groups appreciated the work of the group who studied these issues; CFIA said the report was well-balanced and thoughtful.

CAP believes that the representation issue is an area of concern. UCSB does not have any professional or medical schools and imbalances in systemwide representation could influence policy recommendations and decisions. CAP suggests that "student FTE be one factor incorporated as a model to help achieve a balance in the Senate between the representation of Professional School and regular (academic) faculty. UCSB's profile (no Medical School) and its care with employment titles help free the campus from many of the key problems identified in the report. .. CAP found data suggesting that UCSF has significantly more Senate members than UCSB, even though UCSB teaches almost 7 times as many students (roughly 3,000 students at UCSF versus 20,000+ at UCSB). .. Factoring student FTE into a new model for apportioning Senate representation, especially on key committees and councils, could help address the problems noted or anticipated in the report."

CAP strongly supports slowing down the extension of Senate membership to clinical employees who simply do not share the commitment to teaching that most Senate members display/enact. Finally, both CAP and CFIA strongly agree that increased review and care should be exercised in the conferring of Senate membership to individuals appointed to administrative positions. CFIA comments that many of these administrative "positions have become increasingly professionalized and removed from academics."

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in cursive script that reads "Henning Bohn".

Henning Bohn, Chair, UCSB Division



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March 11, 2011

Dan Simmons, Chair
Academic Council

RE: Task Force on Senate Membership

Dear Dan,

The Santa Cruz Division of the Academic Senate has reviewed the report of the Task Force on Senate Membership (April 2010), specifically addressing, per Council request, the four recommendations in the context of the analysis underlying them. Three of our committees chose to opine, the Committee on Academic Freedom (CAF), the Committee on Academic Personnel (CAP), and the Committee on Privilege and Tenure (CPT). A summary of campus views follows.

The fundamental concern of the Santa Cruz Division focuses on the basic definitions of Senate membership, as a purview divided between individual rights and institutional guarantees.

The UCSC's P&T argues that recommendation #2 (Within the divisions and campuses, review the duties and responsibilities of non-Senate academic appointees and reclassify those who should be appointed in Senate into appropriate series, e.g. from "Clinical Professor" to "Professor of Clinical X") is insufficient without safeguards that go beyond those in recommendation #3 (Retain the historical separation of curricular authority for undergraduate and professional school education). The rationale is that the separation between professional and non-professional academic issues will not take care of non-academic matters in cases where the Senate provides only advice. There was concern, articulated briefly in the report, but which needs reiterating, that the issues of the undergraduate mission will be overwhelmed by those of the clinical schools that constitute the vast clinical realm.

Underlying this question is an even more fundamental one: the question of what it means to be a professor, and whether that definition is changing amid myriad wider changes sweeping the university. The matter at hand is more than an accounting exercise of adding job categories to the Senate roll call. Is there a coherent set of norms and expectations for Senate membership that can and should encompass faculty located in a variety of institutional sites? Finally, to what extent is Senate membership about shared governance responsibilities as much as it is about rights (e.g., academic freedom) protected under shared governance? Should there be different categories of Senate membership?

The Santa Cruz campus believes a wholesale airing of such questions would serve the university well. Because the Task Force report is ultimately inconclusive to the extent that it calls for further analysis and investigation, especially on the matter of administrative growth, we recommend that the Task Force (or its successor) investigate how other large US-based public university systems have managed (or are in the process of managing) the issue of Senate membership.

Thank you for the opportunity to comment on the report and the issues it raises.

Sincerely,



Susan Gillman
Academic Senate
Santa Cruz Division

Cc: CAP Chair Takagi
CFW Chair Lodha
COC Chair Nygaard
CAF Chair Pudup
P&T Chair Brundage



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March 22, 2011

Professor Daniel Simmons
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Subject: Report of the Systemwide Senate Task Force on Senate Membership

Dear Dan,

The Report of the Systemwide Senate Task Force on Senate Membership was transmitted to the appropriate Divisional committees, and the Senate Council discussed the Report at its meeting on March 7, 2011. Overall, the Council supported the recommendations, although a variety of comments were expressed by reviewers.

The Health Sciences Faculty Council was not optimistic that local review of non-Senate faculty to determine if any might qualify for a change in series to Senate titles would have any immediate, real impact. However, they did agree that the recommendation was a move in the right direction. Reviewers expressed concern that hiring into non-Senate titles reflected a lack of commitment to such faculty on the part of the University, especially in the Health Sciences where so many non-Senate faculty are essential to accomplishing the academic mission of training health care professionals at the doctoral level. This concern was also troubling given the assertion that a disproportionate number of women and minority faculty are placed in non-Senate titles.

Regarding Recommendation 3, many reviewers generally agreed that maintaining balance in Senate representation among the various sectors of faculty was valuable. They noted, however, that the statement, "to attain balance of representation across undergraduate and professional school faculty", is imprecise. The Academic Senate has curricular authority for graduate degrees, in addition to undergraduate degrees; the balance issues are more nuanced than just undergraduate vs. professional school faculty.

The Committee on Committees supported Recommendation 4, a revision of the administrative titles automatically granting Senate membership, seeing this as being similar in intent to the Committee's practice of not appointing administrators as regular members of Divisional committees. The Committee values the participation of administrators on some Senate committees, but emphasized that Senate committees must represent the collective views of the faculty. The Committee on Educational Policy, however, thought that the administrators holding the titles involved are key to the University's educational mission and that it is to the benefit of the Senate to maintain and strengthen its relationships with these administrators.

Sincerely,

Frank L. Powell, Chair
Academic Senate, San Diego Divisioncc: Divisional Vice Chair Sobel
Executive Director Winnacker



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March 8, 2011

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Chair, Academic Council
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Re: Division Response to the [Report of the Task Force on Senate Membership](#), dated April 15, 2010

Dear Chair Simmons:

The San Francisco Division has carefully and thoroughly reviewed the [Report of the Task Force on Senate Membership](#), dated April 15, 2010. This letter summarizes our responses.

UCSF REVIEW PROCESS

Eight committees were asked to review and provide formal responses. They included:

- Clinical Affairs Committee (CAC)
- Committee on Academic Personnel (CAP)
- Committee on Committees (COC)
- Committee on Faculty Welfare (CFW)
- School of Dentistry Faculty Council (SOD FC)
- School of Medicine Faculty Council (SOM FC)
- School of Nursing Faculty Council (SON FC)
- School of Pharmacy Faculty Council (SOP FC)

Their responses were compiled and debated at the January 10, 2011 meeting of the Coordinating Committee, when all committee chairs were present. Following that meeting, some committees further revised their responses, and these revised responses are attached to this letter. This letter captures the major points which were raised by our committees, as well as the essence of the discussion at the January 10, 2011 Coordinating Committee meeting.

During the January 10, 2011 Coordinating Committee meeting, it became clear that this issue has been considered several times in the past and continues to represent a major challenge for UCSF faculty. To review and discuss these issues in greater detail, we have created a Division task force to further examine Academic Senate membership for UCSF faculty. This task force expects to finalize its recommendations by June 2011.

UCSF RESPONSE TO THE UC SYSTEMWIDE TASK FORCE REPORT AND RECOMMENDATIONS

Although each committee reviewed the entire Report, not all committees responded to each recommendation. Please find a summary of their responses to each recommendation below.

Recommendation #1: The Task Force recommends against extending the list of titles according to membership in the Senate to existing non-Senate titles.

Members of the School of Nursing Faculty Council were conflicted and conditionally agreed with the recommendation. However, the majority of UCSF faculty who reviewed and responded to this recommendation did not agree with recommendation #1 and made the following points:

- All full-time faculty who support the education, research and service missions of the University of California should be members of the Academic Senate (CAP, COC, CFW, SOD FC, SOM FC, SON FC)
 - At UCSF, faculty in the Adjunct and Health Sciences Clinical (HS Clinical) series assume responsibilities which are consistent with Academic Senate participation, such as educating students, conducting research and participating in academic service, including governance. (CAP, COC, CFW, SOD FC, SOM FC)
 - The School of Dentistry Faculty Council noted: “Our School would not function appropriately nor achieve our mission to train dental care providers and residents without our HS Clinical or Adjunct series faculty.”
- The UCSF faculty includes 1,225 Senate members and 1,157 non-Senate members (772 Health Sciences Clinical and 385 Adjunct faculty). The dichotomization of UCSF faculty into Senate and non-Senate categories, according to series, per [Standing Order of the Regents 105.1](#), excludes 48.6% of full-time UCSF faculty from shared governance via the Academic Senate, resulting in effective disenfranchisement. (COC, SOD FC, SOM FC, SOP FC)
 - Without a voice in shared governance, non-Senate faculty were not able to participate in important discussions and debates, such as the recent deliberations about furloughs and the UC Retirement System. At UCSF, HS Clinical series faculty help generate the revenue that make up the largest component (50%) of campus resources. In 2009-10, HS Clinical faculty shouldered the same salary furloughs as Academic Senate colleagues, yet the HS Clinical faculty had limited opportunities to officially express their opinions on this topic via the Academic Senate. (COC)
 - One School of Medicine Faculty member stated: “The purpose of the Academic Senate is to include the voices of the faculty about the academic programs at the University. Dividing the faculty into Senate and non-Senate weakens the faculty voice in shared governance because not all teaching faculty can participate in the decisions regarding curriculum. It doesn’t make sense in terms of the way we work together; it doesn’t facilitate our collaborative work as a faculty and is not transparent.” (SOM FC)
- The recommendation, which would perpetuate the exclusion of some faculty from the Academic Senate, maintains the status quo, ignores the historical precedent of inclusiveness for faculty engaged in the broadest range of university activities, and does not appear to address the growth and diversity of today’s University of California (CAP, CFW).
- The UCSF Committee on Committees is committed to including the broadest faculty representation possible in Academic Senate activities. However it is constrained to only include a fraction of our non-Senate colleagues in active committee service. Furthermore, non-Senate

colleagues must be told that while their voices are important and valued on our campus, their votes cannot be counted when we report our actions to the UC Systemwide Academic Senate. This imposes an artificial divide among colleagues who work side-by-side to educate, conduct research and treat patients. (COC)

- The School of Medicine Faculty Council noted that non-Senate faculty are excluded from the Mortgage Origination Program (MOP) home loan program. Although the MOP program can only offer a limited number of loans, being excluded outright from the program impacts UCSF's ability to recruit new faculty and contributes to the non-Senate faculty perception that they are second-class citizens among their colleagues. (SOM FC, SOP FC)

Recommendation #2: The Task Force recommends local review of existing individuals in non-Senate titles and reclassification of those that are clearly in the wrong series based upon duties and responsibilities consistent with membership in the Academic Senate.

UCSF faculty who reviewed this recommendation agreed with the principle that all faculty should be appointed to the series which is appropriate for their duties and responsibilities. In the course of discussing this recommendation, the following issues were raised:

- The UCSF Committee on Academic Personnel already includes a consideration of the appropriate series for the review of each advancement and promotion packet. Consistent with the [2003 report](#) issued by the [UCSF Task Force on Faculty Recruitment, Retention and Promotion](#) (TFFRRP), the UCSF Committee on Academic Personnel "been conscious of reviewing faculty for appropriateness of series". Furthermore, per the TFFRRP recommendations, "the Vice Provost Academic Affairs granted a two-year waiver of searches to transfer faculty into their most appropriate series, which was often to In Residence or Clinical X. CAP in particular reviews each and every file submitted for review for appropriateness of series. On this campus push for inclusion of Adjunct and Health Sciences Clinical Professor in the Academic Senate is not because these faculty are in the wrong series, but rather there are faculty fully committed to the University and contributing the same effort to the same goals as Senate members without the benefit of Senate membership. These faculty are also contributing to the University and conducting their careers in a manner consistent with criteria for their appointments in either the Adjunct or Health Sciences Clinical as stated in the APM." (CAP, CAC, CFW, SOM FC)
- CAP, CFW, SON FC and SOP FC called for the re-evaluation of the 1:6 ratio applied to the number of Clinical X series faculty at each campus. [APM 275-16 \(f\) 2](#) states, "If the number of appointees in the series exceeds 1/6 of all local Senate members in all the clinical departments on the campus, a Senate committee will review the appropriateness of adding new members to the Professor of Clinical (e.g., *Medicine*) series." (CAC, CAP, CFW, SON FC, SOP FC)
- CAP, COC and SOM FC took issue with the requirement that a department initiate a search when moving a faculty member from a non-Senate to a Senate series, noting that this process prevents some departments from shifting faculty into Senate series. (CAP, COC, SOM FC)
- The School of Medicine Faculty Council noted that the perceived requirement of one year of financial support for faculty in Senate series also precludes some departments from appointing faculty to Senate series, even when warranted. (SOM FC)
- The School of Pharmacy Faculty Council highlighted a disparity among the Senate series, stating that faculty in the "Professor of Clinical X series are presently treated like second-class citizens. For example, they are not eligible for certain awards, sabbaticals, etc. Faculty Council members strongly believe that equality of benefits should be brought to all faculty series." (SOP FC)
- For faculty who would remain in the HS Clinical series even after review, the School of Pharmacy Faculty Council argued "Health Sciences (Clinical) faculty have suffered within a system built for academic units that include only ladder rank faculty. When Health Sciences (Clinical) faculty

review the Academic Personnel Manual (APM) for advancement policy, we find language written for ladder rank faculty. Consequently, Health Sciences (Clinical) faculty at the campus level must interpret how the APM applies for their series.” (SOP FC)

- The Clinical Affairs Committee recommended the creation of a committee of faculty from the five UC Health Sciences complexes to evaluate the use of these and related title codes on their campuses and identify the extent to which inappropriate titles have been used at the point of hire, and to develop a consistent practice with respect to the use of title codes. (CAC)

Recommendation #3: The Task Force recommends retention of the historical practice of separating curricular authority for undergraduate and professional school education.

CAC and COC agreed with this recommendation, while CFW, SOM FC, SON FC and SOP FC sought clearer language and more detail.

- CAC’s support for the recommendation was conditional on the creation of a UC Systemwide clinical committee which would draw members from the five UC health sciences campuses. (CAC)
- COC argued that the separation of undergraduate from professional education could pave the way for greater local autonomy for UCSF to determine Academic Senate membership for its faculty. (COC)
- CFW posited that clarity could be increased by use of the term *academic* to include undergraduate and graduate program instruction. The report separates *undergraduate instruction* from *professional instruction* in some instances, and at other times use the terms *undergraduate* and *graduate instruction* as distinct from *professional curricular instruction*. (CFW)
- Without undergraduates at UCSF, SOM FC noted that this recommendation translates to a separation between curricula for professional degrees (DDS, MD and PharmD) and curricula for graduate degrees (MS and PhD). (SOM FC)
- SON FC faculty “found the language in the document itself to be potentially divisive. Specifically, the separation of faculty into two distinct groups, “professional” vs. “academic,” was viewed as problematic. Although this separation appears fixed in history, it seems rather artificial and may promote on-going feelings of separateness across the campuses in terms of roles and responsibilities. It was viewed as unfortunate that there is a belief that somehow graduate education is inherently different from and not equivalent to education at the undergraduate level. There are individuals who must teach across that divide and even at UCSF there are many levels of education, even though we are considered a fully “professional” campus in terms of the types of students that we educate and mentor. Although many would agree that the undergraduate faculty should have final say in their curricular decisions and that professional schools should have final say in their curricular decisions, dialogue across these levels would seem to be valuable because there is movement across these levels and, in many cases, faculty have experience at more than one level. Discussions at the department level included a call for ways to lessen the undergraduate-versus-professional faculty tensions across campuses in order to address real and basic issues facing shared governance and Senate membership.” (SON FC)
- SOP FC members found problematic “the complete absence of the Graduate Division and its programs in the report’s discussion. Many faculty involved in undergraduate and professional education are also involved in graduate programs, which have their own needs unaddressed by this report.” (SOP FC)

Recommendation #4: The Task Force recommends a revision of administrative titles automatically granting Senate membership.

UCSF committee and faculty council responses to this recommendation varied as follows:

- COC concurred with the exception of the position of University Librarian. At UCSF the University Librarian is a major advocate for student education. (COC)
- CFW had no comment.
- SOD FC concurred.
- SOM FC members did not reach a consensus. Some members thought it was important to continue to include the University Librarian and the Registrar in the Academic Senate, as they play important roles in the educational mission of the University. Other members agreed with the Report's recommendation that as those positions have become professionalized, their membership in the Academic Senate could be revisited.

UCSF Division Recommendations

- The Academic Senate should return to historical precedent and philosophy of membership to include all full-time faculty with the responsibility to uphold the University's mission, and that it should not be determined by academic series. (CAP, COC, CFW, SOD FC, SOM FC, SON FC)
- Call for the amendment of the Standing Orders of the Regents to allow campuses to determine Academic Senate membership (COC)
- UC Systemwide Academic Senate bylaws should be rewritten to allow faculty granted Academic Senate membership at their own campus to participate in UC Systemwide Academic Senate committees and activities.
- Expressing concern that Senate Membership Task Force did not consult non-Senate faculty, any future consideration of Academic Senate membership must include participation by faculty currently not included in the Academic Senate. (COC, SOD FC, Coordinating Committee discussion)

UCSF Faculty Concurrence with the UCFW Minority Report

On January 31, 2011, UCSF Faculty Welfare Chair and UCFW Representative Grayson W. Marshall co-authored a [minority report](#) with UCFW Chair Joel Dimsdale. UCSF faculty members who reviewed this minority report agreed with the report, including these sentiments,

"There are increasing numbers of "provisional faculty" throughout the University of California—in engineering, in the national labs, and in our health sciences schools. We feel that these faculty members are not being treated respectfully by the system and that their demeaned status demoralizes them and weakens the Academic Senate's mission of shared governance. They have little recourse for grievances and as a result are subject to ever more powerful departmental chairs and administrators. As the University shrinks in the face of budgetary exigencies, it is likely that we will increasingly be relying on such contingent faculty. How the University treats them can become a template for how the University subsequently attempts to treat Academic Senate faculty members."

Conclusions

School of Dentistry Faculty Council Chair Janice Lee expressed the sentiments of many colleagues when she concluded, "We realize that many iterations and discussions have occurred over the issue of Academic Senate membership in the past. We realize that compromises and small steps have been made to improve the representative role of the UCSF Academic Senate while working within the by-laws

of the Academic Senate. But we urge you to champion the comprehensive meaning of shared governance and faculty voice. If UCSF will not, it is unlikely that anyone else will. UC is undergoing tremendous change and careful deliberations over its future, therefore, now is the time for the Academic Senate and Council to question whether we are fulfilling our role in representing our faculty and whether we can do it better.

Faculty suffrage is at the core of this issue on Senate membership. At UCSF, approximately 50% of our faculty cannot vote. Until 1920, 50% of the American population could not vote – women in the US. Significant changes have occurred since that moment in history and we are undoubtedly better because of it. We hope UC will learn from that historical period, not re-enact the lengthy period of discrimination but choose to expand the right to vote to all full-time faculty.” (SOD FC)

At UCSF, we believe that the existing system is unfair. The separation of Senate from non-Senate faculty creates a two-tiered system which excludes a large proportion of faculty from the unique and valuable process of shared governance. Regardless of the decisions made at the UC Systemwide level, the faculty at UCSF will continue to work diligently to mitigate the perpetuation of a two-tiered system. Based on the recommendation from the School of Medicine Faculty Council, UCSF has created a local task force to review the impact of the current system on UCSF faculty.

We appreciate the opportunity to review the Task Force's recommendations and opine on the implications of these recommendations. We look forward to working with our colleagues across the UC System to develop a satisfactory and equitable resolution of our concerns.

Sincerely,

A handwritten signature in cursive script that reads "Elena Fuentes-Afflick, MD, MPH".

Elena Fuentes-Afflick, MD, MPH
Chair, UCSF Academic Senate

Attachments

CC: Martha Winnacker, JD, Executive Director, UC Systemwide Academic Senate



Communication from the Clinical Affairs Committee

Steven Pletcher, MD, Chair

February 24, 2011

Elena Fuentes-Afflick, MD, MPH
Chair, UCSF Academic Senate
500 Parnassus Avenue, Box 0764

Re: Review of the UC Systemwide *Report and Recommendations of the Task Force on Senate Membership* (April 15, 2010)

Dear Chair Fuentes-Afflick,

As requested, on November 17, 2010, the Clinical Affairs Committee reviewed the *Report and Recommendations of the Task Force on Senate Membership* (April 15, 2010) for comment.

In reviewing the report, members focused on recommendation two, requesting that UCSF non-Senate faculty members who are doing Senate-level work with Senate-level responsibilities undergo file review for a re-classification of series. Members felt this dovetailed on other recommendations involving adjunct faculty made by the *Task Force Reviewing the Recommendations of the Task Force on Faculty Recruitment, Retention, Promotion, and New Faculty Appointments*.

Members also suggest that if campuses are to shift such non-Senate faculty into series like Professor of Clinical X, then the UC Systemwide regulation of having a 1:6 ratio of non-clinical to clinical faculty should be re-examined for its effectiveness and value. Policies that require a new faculty search for a change in series and potentially limit the senate positions available for clinical faculty are not compatible with the task force's goal of reclassifying health sciences faculty performing Senate-level work to a Senate series.

This recommendation arises primarily with respect to the health sciences and the Professor of Clinical X series. The APM defines a limit of 1:6 of the current Senate membership of clinical departments for appointment to the Professor of Clinical X series. However, this is not an absolute cap but a trigger of a review of further appointments to this series. Some campuses have viewed this limit as a cap, while others have viewed it as a limit requiring review. As a consequence, some faculty perform the duties of Professor of Clinical X series who are appointed to non-Senate titles. These faculty need to be reviewed and placed into the correct series as dictated by their actual duties.

We further recommend that a committee of faculty from the five Health Sciences complexes be formed to evaluate the use of these and related title codes on their campuses and identify the extent to which inappropriate titles have been used at the point of hire, and to develop a consistent practice with respect to the use of title codes. Further, the 1:6 cap as a trigger for review appears somewhat arbitrary.

If such a new clinical committee is established, UCSF Clinical Affairs Committee members support the *Task Force on Senate Membership* recommendation that a separation be maintained between review of undergraduate and professional school curriculum.

Sincerely,

Clinical Affairs Committee

Steven Pletcher, MD, Chair, (Otolaryngology - Head and Neck Surgery)
Maxwell Meng, MD, Vice Chair (Urology)
Shoshana Arai, RN, PhD (Physiological Nursing)
Chris Barton, MD (Emergency Medicine)
John Feiner, MD (Anesthesia)
Marcus Ferrone, PharmD (Clinical Pharmacy)
Ruth Goldstein, MD (Radiology)
Miguel Hernandez-Pampaloni, MD, PhD (Radiology)
Mehran Hossaini, DMD (Oral and Maxillofacial Surgery)
Shelley Hwang, MD (Surgery)
Susan Janson, RN, DNS, ANP, FAAN (Community Health Systems)
Jeff Meadows, MD (Pediatrics - Cardiology)
Phil Rosenthal, MD (Pediatrics - Gastroenterology)
Hope Rugo, MD (Hematology/Oncology)

Cc: David Morgan, Executive Director, Ambulatory Services

Communication from the Committee on Academic Personnel Russell Pieper, PhD, Chair

December 15, 2010

Elena Fuentes-Afflick, MD
Chair, UCSF Academic Senate
500 Parnassus Avenue, Box 0764

Re: Review of the Task Force on Senate Membership Final report

Dear Chair Fuentes-Afflick,

The Committee on Academic Personnel has reviewed the Report from the Task Force on Senate Membership (April 15, 2010) submitted to the San Francisco Division for review and comment and dissents from the most significant “finding” and recommendation. Specifically, CAP disagrees with the unsupported finding that title codes for the Adjunct and HS Clinical series do not confer responsibilities consistent with Academic Senate participation. Thus, we disagree with the recommendation that faculty in these series not be included in the Academic Senate.

As noted in the task force report, *“The role of the Academic Senate has been codified in the Regental Standing Orders.” Regental Standing Order 105.2.a states: “The Academic Senate, subject to the approval of the Board, shall determine the conditions for admission, for certificates, and for degrees other than honorary degrees” and thereby delegates authority to the Senate for both admissions and criteria of admission. Standing Order 105.2.b delegates responsibility for the design and delivery of the curriculum to the Senate: “The Academic Senate shall authorize and supervise all courses and curricula offered under the sole or joint jurisdiction of the departments, colleges, schools, graduate divisions, or other University academic agencies approved by the Board”.*

Based on our experience reviewing the academic records of UCSF faculty members, we know that faculty members in all series, including HS Clinical and Adjunct, are expected to contribute to this primary charge outlined by the regents. Thus, it is clear that the council has not interpreted the APM descriptions as they have been interpreted at UCSF. We suggest that UCSF interpretation and practice more closely approximate the spirit and intent of the APM and that faculty in the Adjunct and HS Clinical series have duties and responsibilities that can only be interpreted as being consistent with the regents’ standing orders for the academic senate.

It is clear that the regents have delegated membership rules to the Senate. It is our opinion that the rules should be formulated to maintain a membership that includes all faculty members who are charged with fulfilling the Regental Standing Orders. It is improper to exclude faculty who are actively fulfilling the University’s mission, especially those from series with proportionately greater representation of women and under-represented minorities. The task force was clearly influenced by the fear that inclusion of additional faculty from professional schools might have a negative influence on undergraduate campuses. However, as they suggest, self-determination of curricula at undergraduate campuses can be protected by separating undergraduate and professional school Senate responsibilities. We agree that this is a reasonable protection and efficiency.

The Committee would also like to address the recommendation from the task force that faculty who contribute in the same fashion as Senate members but are not in Senate series be reviewed and

transferred into series such as In Residence or Clinical X. For many years now UCSF has been conscious of reviewing faculty for appropriateness of series, has convened two task forces on the subject (2004-2005 and 2008-2009) and the Vice Provost Academic Affairs even granted a two-year waiver of searches to transfer faculty into their most appropriate series, which was often to In Residence or Clinical X. CAP in particular reviews each and every file submitted for review for appropriateness of series. On this campus push for inclusion of Adjunct and Health Sciences Clinical Professor in the Academic Senate is not because these faculty are in the wrong series, but rather there are faculty fully committed to the University and contributing the same effort to the same goals as Senate members without the benefit of Senate membership. These faculty are also contributing to the University and conducting their careers in a manner consistent with criteria for their appointments in either the Adjunct or Health Sciences Clinical as stated in the APM.

In the historical review it is clear that original definition of the Academic Senate was to indicate the role and authority of the faculty who were and continue to be critical to determining admissions and curricula. In many, many cases at UCSF, our Adjunct and Health Sciences Clinical faculty do exactly that. In fact, we have departments which hire Adjunct faculty to lead the courses, design the courses, direct the courses, and know the curriculum and students better than many of the faculty in the Ladder Rank or other Senate series. It almost appears that the original definition of the academic senate has been modified to signify only certain types of faculty, particularly those that do original and creative work, without recognizing those who contribute in the dissemination of information and knowledge.

CAP notes that just as there are faculty members in Senate series who are not fully engaged in Senate business, there are those in the Adjunct and Health Sciences Clinical series who are also not fully engaged in curriculum design or shared governance. However, we believe the number of faculty who are not so inclined is not sufficient to deny the voice and benefits of membership in the Academic Senate to the preponderance of faculty who are. Philosophically speaking, there no longer seems to be a direct correlation between a faculty member's primary appointed series and their dedication and mantle in shared governance, and perhaps a mechanism other than series appointment should be used to confer Senate membership.

In summary, the UCSF Committee on Academic Personnel agrees with the historical precedent and philosophy of Senate membership, and therefore disagrees with the recommendations of task force. UCSF CAP recommends that faculty members in the Health Sciences Clinical and Adjunct series who contribute to the duties of the Senate and exhibit all hallmarks of Senate membership as historically described, be granted membership in the Academic Senate, either by inclusion of the faculty series in those granted Senate membership or by some other mechanism for inclusion independent of their primary appointment.

Sincerely,

The Committee on Academic Personnel

Russell Pieper, PhD, School Medicine, Chair
Paul Garcia, MD, School of Medicine, Vice Chair
Ann Bolger, MD, School of Medicine
Jeanette Brown, MD, School of Medicine
Pat Fox, PhD, School of Nursing
Nola Hylton, PhD, School of Medicine
Stephen Kahl, PhD, School of Pharmacy
Arthur Miller, PhD, School of Dentistry
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University of California
San Francisco



Academic Senate
senate.ucsf.edu

Communication from the Committee on Committees Candy Tsourounis, PharmD, Chair

February 15, 2011

Elena Fuentes-Afflick, MD, MPH
Chair, UCSF Academic Senate
University of California, San Francisco
500 Parnassus Avenue, MUE 230
San Francisco, CA 94143
academic.senate@ucsf.edu

Re: Review of the *Report and Recommendations of the Task Force on Senate Membership*

Dear Chair Fuentes-Afflick,

As requested, the Committee on Committees reviewed the *Report and Recommendations of the Task Force on Senate Membership* (April 15, 2010) submitted to the San Francisco Division for review and comment. The report makes four recommendations, to which we respond below.

Recommendation #1: Do not extend the list of titles conferring membership in the Senate.

COC opposes this recommendation as it deprives nearly half of the UCSF full time faculty direct access to the Academic Senate as a body representing their interests. At UCSF the non-Senate faculty hold titles in the Adjunct and Health Sciences Clinical series. These colleagues serve the local and international community by training researchers, physicians, nurses, dentists, and pharmacists in clinical care and research to advance science and cure disease.

Furthermore, at UCSF, Health Sciences Clinical faculty help generate the revenue that make up the largest component (50%) of our campus resources. In 2009-10 they shouldered the same salary furloughs as Academic Senate colleagues, yet had limited opportunities to officially express their opinions on this topic via the Academic Senate.

Not including Adjunct and Health Sciences Clinical faculty on Academic Senate committees is particularly challenging for the UCSF Committee on Committees. Each year as we work to include the broadest faculty representation possible, we are constrained by only being able to include a fraction of our non-Senate colleagues in active committee service. Furthermore, our non-Senate colleagues must be told that while their voices are important and included in our campus processes, their votes will not be counted when reported to the UC Systemwide Academic Senate. This imposes an artificial divide among our colleagues who work side-by-side to educate, conduct research and treat patients.

We understand and appreciate the concerns being voiced on other campuses that the growth of health sciences programs (because they are less dependent on state general funds than undergraduate programs) has led to disproportionate growth of the health sciences campuses. We recognize that adding all current non-Senate faculty members to the Academic Senate would change the representation in the Academic Assembly. This change is precisely what is needed as the current membership of the Academic Senate does not represent the voices of all faculty in the UC system. We maintain that all faculty should have an equal voice in shared governance.

Therefore, we recommend:

1. That the Systemwide Senate bylaws be amended to delegate to the campuses the authority to determine which faculty series could be appointed as voting members of campus committees and serve in positions of faculty leadership on that campus, with these decisions and recommendations having full force when passed up to the Systemwide Senate.
2. That the Systemwide Senate Bylaws be changed so that Adjunct and Health Sciences Clinical faculty can serve on Systemwide committees (including in leadership positions) in those areas where they can provide appropriate expertise and experience or when the committees deal with issues that directly affect their personal welfare as members of the faculty.
3. That UCOC and the Systemwide Senate develop a new formula for assigning Academic Assembly seats that provides a reasonable voice for all full time faculty.

Recommendation #2: *Within the divisions and campuses, review the duties and responsibilities of non-Senate academic appointees and reclassify those who should be appointed in Senate into appropriate series, e.g. from “Clinical Professor” to “Professor of Clinical X”.*

We agree, as this is essentially the recommendation in a [2003 report](#) generated by the UCSF Task Force on Faculty Recruitment, Retention and Promotion^{1,2} Faculty should be hired into the series that best suits their responsibilities, the series in which they are likely to remain, and the series which best meets their career goals. It is our understanding that the UCSF Committee on Academic Personnel already consistently reviews appointments for appropriateness of series. COC acknowledges and supports their efforts and continues to encourage departments and schools to appoint faculty into academic series appropriate to their work. It is important that this review be extended to all appointments, not just appointments at Assistant Professor III and above, as is the current practice.

Recommendation #3: *Retain the historical separation of curricular authority for undergraduate and professional school education.*

We concur. While this recommendation seems to have been developed to “protect” the general campuses from the growth of the Health Sciences Clinical faculty, it might also form the basis for the kind of local option on Academic Senate membership we recommend in response to Recommendation #1.

Recommendation #4: *Revise the list of administrative titles that automatically confer Senate membership.*

We concur with the exception of the position of University Librarian. At UCSF the University Librarian is a major advocate for student education.

In addition to these concerns, we are troubled that the task force did not consult with the faculty who are disenfranchised by their series. These colleagues are most directly impacted by these recommendations.

We appreciate the opportunity to review and comment.

Sincerely,



Candy Tsourounis, PharmD
Chair, Committee on Committees

Senate Staff:
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¹ Armitage Report 2003 <http://senate.ucsf.edu/2002-2003/v2-FRRP-12-17-03-Report.pdf>

² Armitage Report 2010 Revision <http://senate.ucsf.edu/2009-2010/v2-frrp-02-17-10-armitagereport.pdf>



Committee on Faculty Welfare
Grayson W. (Bill) Marshall, DDS, PhD, MPH, Chair

October 12, 2010

Elena Fuentes-Afflick, MD, Chair
UCSF Academic Senate
Office of the Academic Senate, Box 0764

Re: Review of *Report and Recommendations of the Task Force on Senate Membership*

Dear Chair Fuentes-Afflick:

The UCSF Academic Senate Committee on Faculty Welfare reviewed the *Report and Recommendations of the Task Force on Senate Membership* and the historical background on the evolution of Senate membership appended to their report.

The Task Force was asked to examine the essential principles underlying Academic Senate membership and assess the degree to which current practices reflect those principles. They reviewed the evolution of membership in the Academic Senate since its inception and surveyed the contemporary range of practices in the University's distinctive academic units. The Task Force made four specific recommendations as detailed in the transmittal letter from Task Force Chair Linda Bisson to Academic Council Chair Harry Powell:

1. Do not extend the list of titles conferring membership in the Senate.
2. Within the divisions and campuses, review the duties and responsibilities of non-Senate academic appointees and reclassify those who should be appointed in Senate into appropriate series, e.g. from "Clinical Professor" to "Professor of Clinical X".
3. Retain the historical separation of curricular authority for undergraduate and professional school education.
4. Revise the list of administrative titles that automatically confer Senate membership.

Overall, despite the detailed and excellent review of the historical changes in Senate membership, we believe that one of the recommendations (#1) does not reflect the historical spirit of inclusiveness that provides Senate membership to faculty engaged in the essential activities of the University, namely instruction, research, and professional service to the University. Thus we will comment on this below.

We also believe that some of the discussion concerning curricular authority for undergraduate and professional education (recommendation #3) would benefit from rewording and clarification as noted below. The reports at various points use the terms *undergraduate instruction* as distinct from *professional instruction* and at other times use the terms *undergraduate* and *graduate instruction* as distinct from *professional curricular instruction*. We believe clarity could be increased by use of the term *academic* to include undergraduate and graduate program instruction.

We agree with the second recommendation, namely, the importance of classifying faculty into their appropriate series, and we note that it is our belief that the UCSF administration and the Academic Senate Committee on Academic Personnel has diligently addressed this issue for several years. However, the Committee also notes that the current limitation on Clinical X faculty numbers imposed by a set ratio to other Senate faculty appears arbitrary, and the basis for this limitation is neither documented nor fully addressed. This limitation may hinder the reclassification efforts on other campuses with significant faculty in the Health Sciences Clinical Professor series.

Lastly on the specific recommendations, the Committee on Faculty Welfare has no comment on the final recommendation concerning revision of administrative titles that automatically confer Senate membership.

The primary recommendations of the Committee on Faculty Welfare is that Senate membership should be conferred on faculty engaged in the scope of essential activities of the University.

The Task Force on Senate Membership was charged with elucidating “a set of principles that should govern decisions about who is and who is not a member of the Academic Senate” and provide “a set of derived principles of Senate membership that might be expected to apply”. The *raison d'être* for this Task Force stems from the current imperfect criteria for Senate membership that have evolved over the years based on a series of Standing Orders. As the committee noted “Senate requests to the Regents for changes in Senate membership were ahistorical in rationalizing requests, making it difficult to discern operative principles and considerations.” Given the committee’s charge to provide a rational set of principles for Senate membership, we were disappointed that the committee decided to recommend perpetuation of “current practice of use of specific title codes”, despite the fact that the Committee’s analysis often highlighted the apparent ad hoc processes and unclear justification of Senate membership eligibility.

Historic examination is useful to establish parameters of intent concerning membership qualifications of the Academic Senate. It is clear that the original Organic Act and later Standing Orders established principles of inclusion and shared governance of the University of California. We feel that the *status quo* exclusion of faculty in the Adjunct Professor series goes against these fundamental principles, and does not reflect the *de facto* status of Adjunct faculty, many of whom are long term and fully committed faculty members. The status of Adjunct faculty has changed considerably from their establishment following the 1969 Senate-requested Revisions to Standing Order 105.1 (a); Adjunct faculty were in that series because they “lacked full-time commitment to the University, and had lesser participation in teaching.” Because of the fixed number of state-funded, tenure-track positions, there has been an expansion in the number of faculty appointed in the Adjunct series. Unlike the original description of Adjunct faculty, the majority of Adjunct faculty, particularly on this campus, are full-time teaching and research faculty, who perform essentially all of the research, teaching and University service functions that are typically associated with tenured faculty (Howell *et al.*, 2010) but without representation at the Senate level. While the In Residence and Clinical X series do confer Senate membership to non-tenured faculty, there are substantial barriers for many Adjunct faculty to transfer to these series, including the required or assumed financial obligations that many mid- and small-sized departments cannot afford.

Notwithstanding their commitment and contribution to the mission of the University, Adjunct faculty are perceived to be “second class” by faculty in other series, and even more troubling are disproportionately female (Howell, *et al.*, 2010). We believe that extending membership of Academic Senate to full time, fully engaged Adjunct faculty would go a long way to redress negative perceptions and inequities and more fully fulfill that stated mission of inclusion and shared governance.

Conclusion:

After careful review of the Report of the Task Force on Senate Membership and the additional background material provided, the UCSF Committee on Faculty Welfare members are of the opinion that the Task Force should re-examine its first recommendation that in essence maintains the status quo, ignores the historical precedent of inclusiveness for faculty engaged in the broadest range of university activities, and does not appear to address the growth and diversity of today’s University of California.

Sincerely,

Grayson W. Marshall, DDS, PhD, MPH
Committee on Faculty Welfare Chair 2010-2011



Academic Senate
senate.ucsf.edu

Communication from the School of Dentistry Faculty Council **Janice S. Lee, DDS, MD, FACS, Chair**

December 17, 2010

Elena Fuentes-Afflick, MD, MPH
Chair, UCSF Academic Senate
500 Parnassus Avenue, Box 0764

Re: Report and Recommendations of the Task Force on Senate Membership

Dear Chair Fuentes-Afflick,

Please note that the School of Dentistry has approximately 220 full-time faculty (>50% time), 50% of which are Senate members, with the vast majority of the remaining 50% in the Health Sciences (HS) Clinical series and a few in the Adjunct series. With this knowledge, we are responding to the above report.

Recommendation #1: Do not extend the list of titles conferring membership in the Senate.

The School of Dentistry Faculty Council opposes this recommendation.

“The Systemwide Academic Senate... enables the faculty to exercise its right to participate in the University's governance. Under the leadership of the [Systemwide Senate Chair](http://www.universityofcalifornia.edu/Senate), the faculty voice is formed through a deliberative process...” (<http://www.universityofcalifornia.edu/Senate>)

Several reasons have been given to explain why this inequity between faculty series exists and they include the historic purposes of Senate membership, the potential imbalance of faculty proportions for campuses that have a large percentage of non-Senate members (if they were to be made Senate members) therefore introducing an imbalance of power and representation in the Academic Assembly, the concern for FTE and resource imbalance for campuses that would balloon if non-Senate members were made Senate members. None of these reasons provide a satisfactory explanation why colleagues on our campus or at any of the other UC campuses do not share the same rights to vote and to exercise shared governance. This inequality is counter to what we believe UC stands for. During the last two years, UC leadership has been forced to make difficult and unpopular decisions. At one point, even shared governance was questioned and the concern that faculty opinion was not being considered was expressed during the debate on faculty furloughs. We weathered that period. However, the shared governance did not extend to half our faculty, those in the Health Science Clinical and Adjunct series. On the one hand, we embrace diversity, encourage respect for all persons regardless of race, gender, and orientation, promote inclusiveness, collaboration and widespread input, fight against health disparities, and plan to promote our ideals and theories globally. Yet we have willingly allowed segregation among our faculty due to Senate membership.

“With some exceptions and as defined by the [Standing Order of the Regents 105.1](#), Senate membership is granted to anyone who has an academic appointment at the University... As mandated by the University's governing body, the [Board of Regents](#), the faculty is empowered to determine academic policy, set conditions for admission and the granting of degrees, authorize and supervise courses and curricula, and advise the administration on faculty appointments, promotions and budgets. This delegated

authority makes the UC Academic Senate unique among faculty governments.”
(<http://www.universityofcalifornia.edu/Senate>)

All full-time faculty should be allowed to vote. Our campus is a graduate health science campus without undergraduates, yet our faculty, including HS Clinical faculty, fulfill the mission of UC. We have HS Clinical faculty who demonstrate excellence in teaching, clinical research, and leadership (i.e. medical executive committees). Through exceptional education and mentoring, we are producing world-class academic and clinical leaders for the next generation. In the School of Dentistry, the HS Clinical faculty are an integral component in admitting and preparing trainees for their professional degrees, participate in academic policy and curricula. Our School would not function appropriately nor achieve our mission to train dental care providers and residents without our HS Clinical or Adjunct series faculty.

The School of Dentistry HS Clinical faculty serve the broader local and international community through clinical care while training dentists in patient care or young researchers to discover cures for conditions that ail our community. Without question, there are similar faculty in the other three schools. To ignore this contribution of all the HS Clinical faculty is to ignore our mission, to educate. They help generate the revenue that make up the largest component (50%) of our campus resources. Their quality care attracts donors and grateful patients. They have shouldered the same salary furloughs, yet they could not express their opinion on this topic. And while half of the UC campuses do not have a medical center or clinical training programs, there is clearly a benefit to the entire UC community and the state of California to have 5 medical centers and 2 dental schools of clinical excellence as part of UC.

A potential solution may be to consider an alternative non-academic appointment, such as staff ie staff-clinician, staff-scientist, etc and there is no obligation to be regulated by the same policies by which academic Senate members must abide as these staff members will not vote. Staff members may consider union policies instead. Their responsibilities would not include the educational mission of UC.

In review of the Task Force recommendations and inquiry on the composition of the committee, it is ironic that there was no non-Senate input provided on this Task Force. Yet the recommendations impact the non-Senate population. Until their opinion is surveyed and discussed, it is impossible to assume that any Taskforce or Senate action will ever resolve this issue. Without broad and appropriate input, it appears elitist. This does not seem acceptable and certainly not UC.

We realize that many iterations and discussions have occurred over the issue of Academic Senate membership in the past. We realize that compromises and small steps have been made to improve the representative role of the UCSF Academic Senate while working within the by-laws of the Academic Senate. But we urge you to champion the comprehensive meaning of shared governance and faculty voice. If UCSF will not, it is unlikely that anyone else will. UC is undergoing tremendous change and careful deliberations over its future, therefore, now is the time for the Academic Senate and Council to question whether we fulfilling our role in representing our faculty and whether we can do it better. Faculty suffrage is at the core of this issue on Senate membership. At UCSF, approximately 50% of our faculty cannot vote. Until 1920, 50% of the American population could not vote – women in the US. Significant changes have occurred since that moment in history and we are undoubtedly better because of it. We hope UC will learn from that historical period, not re-enact the lengthy period of discrimination but choose to expand the right to vote to all full-time faculty.

Recommendation #2: within the divisions and campuses, review the duties and responsibilities of non-Senate academic appointees and reclassify those who should be appointed in Senate series.

The School of Dentistry Faculty Council concurs. Additionally, this would require that the Academic Assembly representation is reviewed and there is a balance among all UC campuses.

Recommendation #3: retain the historical separation of curricular authority for undergraduate and professional school education.

The School of Dentistry Faculty Council concurs.

Recommendation #4: revise the list of administrative titles that automatically confer Senate membership.

The School of Dentistry Faculty Council concurs.

We appreciate your time and your efforts.

Respectfully yours,

Janice S. Lee DDS, MD, MS

School of Dentistry Faculty Council Chair 2009-2011

Communication from the Chair of the School of Medicine Faculty Council

December 9, 2010

Elena Fuentes-Afflick, MD, MPH
Chair, UCSF Academic Senate
500 Parnassus Avenue, Box 0764

Re: Review of the UC Systemwide *Task Force Report on Senate Membership*

Dear Chair Fuentes-Afflick,

As requested the School of Medicine Faculty Council reviewed the *Task Force Report on Senate Membership* (April 15, 2010) submitted to the San Francisco Division for review and comment. The Faculty Council discussed the Report on November 18, 2010 and provided the following responses to the four recommendations.

Recommendation #1: *Do not extend the list of titles conferring membership in the Senate.*

Response: The Faculty Council did not agree with this recommendation. At UCSF, Senate and non-Senate faculty have similar and overlapping responsibilities as they work together to advance the teaching, research and clinical care missions of the University. Excluding some faculty from having a voice in shared governance creates a two-tiered system that has been a source of frustration for faculty in non-Senate series. One Faculty Council member explained,

“The purpose of the Academic Senate is to include the voices of the faculty about the academic programs at the University. Dividing the faculty into Senate and non-Senate weakens the faculty voice in shared governance because not all teaching faculty can participate in the decisions regarding curriculum. It doesn’t make sense in terms of the way we work together; it doesn’t facilitate our collaborative work as a faculty and is not transparent.”

Furthermore, non-Senate faculty are excluded from the Mortgage Origination Program (MOP) home loan program. Although the MOP program can only offer a limited number of loans, being excluded outright from the program impacts UCSF’s ability to recruit new faculty and contributes to the non-Senate faculty perception that they are second-class citizens among their colleagues.

Recommendation #2: *Within the divisions and campuses, review the duties and responsibilities of non-Senate academic appointees and reclassify those who should be appointed in Senate into appropriate series, e.g. from “Clinical Professor” to “Professor of Clinical X”.*

Response: The Faculty Council agrees with this recommendation and recognizes that this practice is already in use by the Committee on Academic Personnel and the Office of Academic Personnel at UCSF. Some departments are unwilling or unable to implement recommended changes in series for one or more of the following three reasons:

- Department budgets are not sufficient to provide one year of support for additional faculty members in Senate series.
- Hiring faculty into an Academic Senate series requires that the department conduct a search for the position.

- Hiring faculty into the Adjunct series may provide additional time for the faculty member to establish their research before being recommended for an advancement to Associate (no “8 year rule”).

Recommendation #3: *Retain the historical separation of curricular authority for undergraduate and professional school education.*

Response: Without undergraduates at UCSF, this recommendation translates to a separation between curricula for professional degrees (DDS, MD and PharmD) and curricula for graduate degrees (MS and PhD). UCSF is currently reconfiguring its course review practices to better separate Academic Senate oversight for graduate and professional degree courses.

Recommendation #4: *Revise the list of administrative titles that automatically confer Senate membership.*

Response: The Faculty Council did not reach a consensus on this issue. Some members thought it was important to continue to include the University Librarian and the Registrar in the Academic Senate, as they play important roles in the educational mission of the University. Other members agreed with the Report’s recommendation that as those positions have become professionalized, their membership in the Academic Senate could be revisited.

The Faculty Council appreciated the opportunity to respond to the Report. If the recommendation to not extend the list of titles conferring Academic Senate membership stands at the UC Systemwide level, the Faculty Council strongly recommended that the Division form a task force to determine line-by-line possibilities for mitigating the differences between Senate and non-Senate faculty at UCSF.

Sincerely,

Heather Fullerton, MD, MAS

School of Medicine Faculty Council Chair 2010-2011



Academic Senate
senate.ucsf.edu

Communication from the School of Nursing Faculty Council **Margaret Wallhagen, RN, PhD, FAAN, Chair**

February 25, 2011

Elena Fuentes-Afflick, MD
Chair, UCSF Academic Senate
500 Parnassus Avenue, Box 0764

Re: Review of the Task Force on Senate Membership Final report

Dear Chair Fuentes-Afflick,

The School of Nursing faculty had the opportunity to review the Report from the Task Force on Senate Membership (April 15, 2010) submitted to the San Francisco Division for review and comment. Respondents had mixed reactions to the findings and recommendations.

Overall there was cautionary support for the recommendation not to expand membership but to assure that individuals were in the appropriate series. The majority of the respondents were in agreement with the recommendations of the report but raised some concerns about the potential impact of a shift in the balance across schools in shared governance of the campus. Thus, there was support for the recommendation to promote movement of faculty with duties that are consistent with Senate membership into a more appropriate series. This was voiced especially on by Health Sciences Clinical faculty in the School of Nursing who are interested in the Clinical X series. These faculty are fully-engaged and desire to be recognized as participatory in the mission of the University and conferred the responsibilities and benefits of membership in the Academic Senate. This support assumed no changes to the criteria for the faculty series, and was again accompanied by support of the concerns raised in the report regarding the potential inappropriate inclusion of certain administrative positions. Further, these comments suggested support for the recommendation to review titles to assess their appropriateness. The concerns focused on whether, for example, the School of Medicine, with its greater number of faculty whose current series might be deemed inappropriate and who might be appointed to a series that carries Senate membership have an overwhelming voting position compared to the other schools. These comments did not reflect the fact that the campus has been reviewing individuals in relation to the appropriateness of their series for several years.

Those who voiced opposition were actually voicing support of the findings of the report itself. There was some feeling that expansion of Senate membership was unnecessary and could dilute the stature Senate membership. Because there was concern that including administrators would allow for administrative input or control where it is not appropriate, these respondents appeared to support the concerns raised in the report about the increasing number of administrators with Senate membership.

It is also worthy to note that some of the faculty in Adjunct series who were polled on the issue chose not to weigh in on the matter as they are "not concerned." Furthermore, the Faculty Council and those consulted supported a removal of the 1/6 cap on Clinical X appointments.

Regarding other facets of the Final Report, the Faculty Council and other faculty who participated in the review found the language in the document itself to be potentially divisive. Specifically, the separation of faculty into two distinct groups, "professional" vs. "academic," was viewed as problematic. Although this separation appears fixed in history, it seems rather artificial and may promote on-going feelings of

separateness across the campuses in terms of roles and responsibilities. It was viewed as unfortunate that there is a belief that somehow graduate education is inherently different from and not equivalent to education at the undergraduate level. There are individuals who must teach across that divide and even at UCSF there are many levels of education, even though we are considered a fully “professional” campus in terms of the types of students that we educate and mentor. Although many would agree that the undergraduate faculty should have final say in their curricular decisions and that professional schools should have final say in their curricular decisions, dialogue across these levels would seem to be valuable because there is movement across these levels and, in many cases, faculty have experience at more than one level. Discussions at the department level included a call for ways to lessen the undergraduate-versus-professional faculty tensions across campuses in order to address real and basic issues facing shared governance and Senate membership.

Overall, the faculty of the School of Nursing had mixed responses to the findings and recommendations of the Report. However, faculty reaction was consistent in the opinion that faculty who are engaged in the life of the School and the University, actively participate in service to the School and the University, and participate in teaching or curriculum development should be included in the rights and responsibilities of Senate membership regardless of academic series.

Sincerely,

The School of Nursing Faculty Council

Margaret Wallhagen, RN, PhD, FAAN, Chair
Jyu-Lin Chen, RN , PhD, Vice Chair
Gerri Collins-Bride, RN, MS, ANP
Pilar Bernal de Pheils, RN, MS, FAAN, FNP
Shari Dworkin, PhD, MS
Jill Howie Esquivel, RN, PhD, NP
Susan Janson, RN, DNS, ANP, FAAN
Hai-Yen Sung, PhD
Sally Rankin, RN, PHD, FNP, FAAN, Interim Dean
Jason Nolan, NSU Representative

Communication from the School of Pharmacy Faculty Council Norman Oppenheimer, PhD, Chair

February 1, 2011

Elena Fuentes-Afflick, MD, MPH
Chair, UCSF Academic Senate
500 Parnassus Avenue, Box 0764

Re: Review of the *Report and Recommendations of the Task Force on Senate Membership*

Dear Chair Fuentes-Afflick,

As requested, on December 2, 2010, the School of Pharmacy Faculty Council reviewed the UC Systemwide *Report and Recommendations of the Task Force on Senate Membership* (April 15, 2010) submitted to the San Francisco Division for review and comment.

While Council members agreed the tone of the report's cover letter was unintentionally discriminatory, overall the following points were determined in response to this report and its recommendations:

1. Members recommend the abolition of the 1:6 clinical: non-clinical faculty ratio that has artificially held some individuals back in their career development.
2. While Recommendation # 2, to review and move those already doing Senate work into the Clinical X series, is supported, the report doesn't acknowledge that the Professor of Clinical X series are at present treated like second-class citizens. For example, they are not eligible for certain awards, sabbaticals, etc. Faculty Council members strongly believe that equality of benefits should be brought to all faculty series. Council members hope these issues would be addressed, if even to note that they are issues to be considered for future discussion.
3. Members agreed with Recommendation # 3, to maintain a separation between curricular authority for undergraduate and professional school education. We advocate for the clearer, more effective mechanisms at UCSF to facilitate and maintain the separation.
4. The complete absence of the graduate division and its programs in the report's discussion is problematic for Faculty Council members. Many faculty involved in undergraduate and professional education are also involved in graduate programs, which have their own needs unaddressed by this report.

Separately, Faculty Council members advocated that Health Sciences Clinical faculty series should be recognized in some way. Health sciences faculty have suffered within a system built for academic units that include only ladder rank faculty. When health sciences faculty review the Academic Personnel Manual (APM) for advancement policy, we find language written for ladder rank faculty. Consequently, health sciences faculty at the campus level must interpret how the APM applies for their series.

At UCSF Health Sciences Clinical faculty are not Academic Senate members. They do not have direct voting privileges or access to the home loan program. Many at UCSF believe these individuals should have Academic Senate membership. Lifting the 1:6 cap would not fully address our concerns; saying that faculty, if worthy of a Senate appointment should be moved into the right series also doesn't address that either. This is a separate issue that members wanted highlighted.

Sincerely,

School of Pharmacy Faculty Council

Norm Oppenheimer, PhD, Chair, Pharm Chem

Thomas James, PhD, Vice Chair, Pharm Chem

Mitra Assemi, PharmD, Clin Pharm

Nadav Ahituv, PhD, BTS

Tina Brock, EdD, MS, BSPHarm, Education Policy Rep, Clinical Pharmacy

Ruth Greenblatt, PharmD, Clin Pharm

Shuvo Roy, PhD, BTS

Sue Miller, PhD, Pharm Chem

Bill Soller, PharmD, Non-Senate Representative, Clin Pharm

Mary Anne Koda-Kimble, PharmD, Office of the Dean

Brian Alldredge, PharmD, Clin Pharm

Bob Day, PharmD, Office of the Dean

Don Kishi, PharmD, Assoc. Dean Student and Curricular Affairs

Michael Nordberg, MPA/HAS, Chief Financial Officer

Lorie Rice, MPH, Assoc. Dean External Affairs

Ellie Vogt, RPh, PhD, Clin Pharm

Akash Dandappanavar, Student Representative

Cc: Heather Alden, Executive Director, UCSF Academic Senate Office



UNIVERSITY COMMITTEE ON ACADEMIC PERSONNEL (UCAP)
Ahmet Palazoglu, Chair
anpalazoglu@ucdavis.edu

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January 24, 2011

DAN SIMMONS, CHAIR
ACADEMIC COUNCIL

Re: REPORT FROM THE TASK FORCE ON SENATE MEMBERSHIP

Dear Dan,

UCAP discussed the Report from the Task Force on Senate Membership during its meeting on January 11, 2011. In general, members agreed with the Task Force's recommendations. UCAP will consider studying the use and consistency of titles across the campuses to help identify any faculty who may be placed in incorrect series and thus disadvantaged by not being Senate members.

There are several issues, however, that concerned the committee and generated a spirited discussion. UCSF strongly opposes the recommendations, taking the position that faculty in titles such as Adjunct Professor and Health Sciences Professor should be granted Senate membership as they are performing all the functions of service as required. Part of this perception appears to stem from the restricted potential for movement between Health Sciences Professor series and Clinical X series. UCAP members concluded that UCSF's interpretation of APM-275 criteria may be too narrow and not consistent with the practices of other CAPs. UCSF CAP was encouraged to examine its practices. This may alleviate some of the concerns. UCAP does not favor individual review of faculty maintaining non-Senate titles for determination of Senate membership and believes that the faculty titles currently identified for membership in the Senate are appropriate.

Another problem identified by the committee is that some people who are neither Senate faculty nor staff do not have a voice on the governance of most campuses. This disenfranchisement perhaps is a fundamental issue and should be addressed by a broader body.

UCAP also notes that the report overemphasizes undergraduate education and overlooks graduate education. . Furthermore, there are undergraduate students in professional schools blurring the distinction between undergraduate and professional school definitions. UCAP agrees with the Task Force assessment that the distinction with respect to Senate's curricular authority vis a vis the professional schools needs to be maintained.

Sincerely,

A handwritten signature in cursive script, appearing to read "A. Palazoglu".

Ahmet Palazoglu, Chair
UCAP



UNIVERSITY COMMITTEE ON EDUCATIONAL POLICY (UCEP)
David G. Kay, Chair
kay@UCI.EDU

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March 21, 2011

Dan Simmons, CHAIR
ACADEMIC COUNCIL

Re: REPORT FROM THE TASK FORCE ON SENATE MEMBERSHIP

Dear Dan,

UCEP discussed the Report on the Task Force on Senate Membership during its meeting on February 7, 2011. The committee endorses the recommendations. In particular, UCEP is in strong agreement with the recommendation to retain the historical practice of separating curricular authority for undergraduate and professional school education.

Sincerely,

A handwritten signature in black ink, appearing to read "D G Kay".

David G. Kay, Chair
UCEP



UNIVERSITY COMMITTEE ON FACULTY WELFARE (UCFW)
Joel Dimsdale, Chair
jdimsdale@ucsd.edu

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January 31, 2011

**DANIEL SIMMONS, CHAIR
ACADEMIC COUNCIL**

RE: Review of Report and Recommendations of the Task Force on Senate Membership

Dear Dan,

The University Committee on Faculty Welfare (UCFW) has discussed and endorsed the report of the Task Force on Senate Membership. There were 9 votes in favor, one opposed and one abstention.

Some on the committee (particularly representatives from campuses with medical schools) felt that the charge to the Task Force, and, therefore, the report itself, did not address an important issue: whether non-Senate faculty members are treated fairly and respectfully by colleagues and campus administrators.

The Task Force report provided very helpful historical commentary regarding definitions of faculty, the role of the Academic Senate, and changes over time since the "1868 organic act of the University of California." Over the years there has been a shift from defining Senate membership in terms of duties and responsibilities to a definition based on title codes. During the course of our extensive discussions, members of the Committee observed that many faculty members' duties are not aligned with their titles. The Committee was unsure how to address this problem. While the task force recommendation number two is on point and should be implemented (to encourage local review of individuals who believe that they are in the wrong classification), there may be many obstacles in the local context, which work against appropriate classification. For instance, there may be concerns whether the department is able to make a commitment of support to increased numbers of In Residence faculty or whether a department or division is comfortable with increasing the numbers of the Clinical X faculty beyond the threshold of 1/6 of Health Science Senate members.

Our committee spent some time deliberating whether there was an action item that Academic Council might consider to address this problem. Ultimately, we concluded that the issues may stem not so much from Senate policies as internal management difficulties which are better addressed by the management on campuses and in the departments. We hope that the Academic Senate will encourage the Health Sciences campuses to review their appointment and promotion criteria and to be open to individual faculty members' requests for a review of their faculty series appointments.

Sincerely,

Joel E. Dimsdale

Joel E. Dimsdale, UCFW Chair

Copy: UCFW
Martha Winnacker, Executive Director, Academic Senate



UNIVERSITY COMMITTEE ON FACULTY WELFARE (UCFW)
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January 31, 2011

**DANIEL SIMMONS, CHAIR
ACADEMIC COUNCIL**

RE: UCFW Minority Report re Report and Recommendations of the Task Force on Senate Membership

Dear Dan,

As members of UCFW who did not endorse the Task Force report, we submit this minority report. In short, we feel that this is a very important matter for the future of the University, and that it needs further analysis.

There are increasing numbers of “provisional faculty” throughout the University of California—in engineering, in the national labs, and in our health sciences schools. We feel that these faculty members are not being treated respectfully by the system and that their demeaned status demoralizes them and weakens the Academic Senate’s mission of shared governance. They have little recourse for grievances and as a result are subject to ever more powerful departmental chairs and administrators. As the University shrinks in the face of budgetary exigencies, it is likely that we will increasingly be relying on such contingent faculty. How the University treats them can become a template for how the University subsequently attempts to treat Academic Senate faculty members.

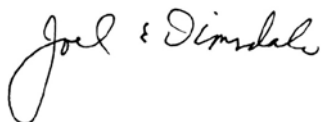
We agree with the task force’s recommendation #2 that if faculty members in these series are misclassified, they should be allowed to request a local CAP review. However, the task force does not address concerns that faculty may be retaliated against by their own department for requesting such a review. The departments themselves are uneasy about taking on additional obligations (even for only the one-year guaranteed salary for an in residence professor), and yet many of these faculty members, particularly adjunct faculty, are functionally indiscernible from FTE or in residence faculty: They have support from NIH; they teach extensively; they see patients; they serve on committees. In other words, these faculty members are valuable faculty members who perform the same duties as ladder rank faculty¹. Some campuses have made significant strides to correct this situation, but the problem is that at some locations faculty members requesting such a review subject themselves to possible retaliation by their department. Rather than make the faculty member request such a change in series review, a better practice should be developed. For instance, at the time of a career review, CAP could automatically assess files for the appropriateness of a change of series.

¹ We acknowledge that the adjunct series in particular differs in its use throughout the UC system, so that when we speak of Adjuncts in the Health Sciences Schools, we hope reviewers will differentiate from the other uses of the adjunct series.

We are pleased that the task force began work on this topic and feel that some of the recommendations may help us reach some traction. The taskforce report concludes that if faculty members are fulfilling the roles and expectations of a Senate member, they should be assigned a faculty series that is in line with their functioning. We agree, but we feel it would be a mistake not to see this effort to its logical conclusion. We have faculty members who are Academic Senate caliber in every way except in name and privilege. They should be enfranchised as Senate members and, we would argue, their membership would not only benefit themselves but would strengthen the Senate.

We suggest that Academic Council reconvene the task force or else a new task force be constituted to continue to address these issues so that we might move forward.

Sincerely,



Joel E. Dimsdale, UCFW Chair



Grayson Marshall, UCSF Representative

Copy: UCFW
Martha Winnacker, Executive Director, Academic Senate



UNIVERSITY COMMITTEE ON PLANNING AND BUDGET (UCPB)

James A. Chalfant, Chair

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March 1, 2011

DAN SIMMONS, CHAIR
ACADEMIC COUNCIL

Re: Report of the Task Force on Senate Membership

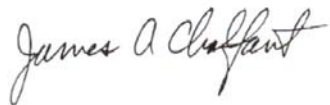
Dear Dan,

UCPB reviewed the [report](#) of the Task Force on Senate Membership, a UCFW memo endorsing the report, and a UCFW minority opinion expressing concern about the status of a growing number of faculty in non-Senate provisional titles, some of whom may be misclassified but lack grievance rights to help them address that fact.

UCPB elected not to opine on the report directly, because we can see no clear and predictable budgetary impact from expanding Senate membership. We would like to point out, however, that as state funding declines, the ratio of non-Senate to Senate faculty is bound to increase, and the role and presence of non-Senate faculty is likely to gain in relative importance. It may become less practical to distinguish between Senate and non-Senate faculty, for a range of departmental actions, for instance. For example, if “bridge funding” to cover periods where grant funds are short for individual faculty, were allocated on the basis of Senate membership, expanding membership would have budgetary consequences, while not doing so exposes such faculty to greater risks from interruptions in funding. More generally, the question of Senate membership seems difficult to separate from budget implications if departments establish Senate membership as a criterion for other budget allocations. Obviously such instances could be handled by using a different allocation rule, but these need to be anticipated.

The concerns raised in the report and in both UCFW letters should be taken very seriously. First, the absence of appropriate grievance procedures for provisional faculty is a problem. To take one illustrative example of the broader point, at the Davis campus Academic Federation members’ appeals of denied merit actions are treated differently from those of Academic Senate faculty. We think this demonstrates the need for reform and suspect that similar circumstances may exist at all other campuses, where there is not even an organization comparable to the Davis Academic Federation. The prospect of retaliation, raised in the minority letter from UCFW, is a far greater concern, and calls for further monitoring, as UCFW suggests. We recommend that UCFW and perhaps UCAP monitor these concerns that are evolving in response to fiscal pressures. Additional review by the Academic Senate may be needed.

Sincerely,

A handwritten signature in cursive script that reads "James A. Chalfant".

James A. Chalfant
UCPB Chair

cc: UCPB
Martha Winnacker, Senate Executive Director

From: Christoph Lossin [lossinc@gmail.com]
Sent: Monday, January 31, 2011 6:20 AM
To: AS-SenateReview-SA
Subject: Academic Senate membership
Attachments: apm-310-2.pdf

To the Task Force on Senate Membership

I would like to provide a comment on Senate Membership following a discussion on the topic in the 26 January UC Davis General Faculty meeting. There appears to be one major problem that is rooted in the very fabric of some non-Senate titles, as they are set up as providing Senate-worthy work, but are not entitled to membership. Here is what I believe to be, the core problem:

There are Academic Federation job series at UC Davis that mandate (and I quote from APM-310 which pertains to the Professional Research Series):

"An appointee in this series must demonstrate continuous and effective engagement in independent and creative research activity of high quality and significance, equivalent to that expected of the Professor series. Proposed merit increases and promotions in the Professional Research series shall be reviewed with the same rigor accorded to proposed merits and promotions in the Professor series. (See APM - 210-1)".

In other words, UC Davis puts individuals in this example series in a position where they are expected to conduct the same work as an Academic Senate member, yet they have no say in the Academic Senate. This creates a two-class hierarchy of non-Senate members and Senate members essentially providing same-standard/quality work, but leaving the affected non-senate employees extremely dissatisfied (and judging from personal communications, making them ultimately decide to UC Davis). This cannot be in the interest of our university.

It must be understood that it is an institutional policy that produces this issue, namely that individuals who have the same responsibilities as Academic Senate members have none of their rights. This, in my eyes, is the very heart of the problem.

I'm attaching APM-310 for your reference.

Best,
Chris Lossin.

--
Christoph Lossin, Ph.D.
UC Davis, School of Medicine - Department of Neurology
4635 2nd Ave - Research I, Suite 1004A
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The content of this message is solely intended for the initial recipient. If you have received this message in error, please disregard it, delete it, and do not use or forward any information associated with this email in any way.
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From: Richard Tucker [rptucker@ucdavis.edu]
Sent: Wednesday, February 09, 2011 1:40 PM
To: AS-SenateReview-SA
Cc: 'Joseph Antognini'
Subject: Task Force on Senate Membership

To Whom It May Concern,

I am a member of the Faculty Executive Committee of the UC Davis School of Medicine and am a former chair of that committee. I also chair the School of Medicine's Faculty Personnel Committee, so I am very interested in the conclusions of the Task Force on Senate Membership. These conclusions were discussed in detail at our last FEC meeting, and we were encouraged by our FEC chair to contact you directly with our opinions.

In general I support the Task Force's conclusions, but this is clearly a 'minority' opinion on our FEC. A quick review of our School's recent personnel actions reveals that over a third of our non-Senate faculty in the Health Sciences Clinical Professor series may already be generating 'creative works' that would be appropriate for advancement in the Senate's Clin X series, and I'm encouraged by your recommendation that these faculty move, if they wish, to a Senate series. I do have two concerns with this process. One is the 1/6th Clin X quota, which is already long passed at UC Davis. From my interpretation of the APM it looks like a Senate committee at UC Davis can review this and decide that it is appropriate to move many faculty into the Clin X series, regardless of the quota. My other concern has to do with the appointment by change-of-series process itself. Hopefully, the change-of-series can take place without a competitive external search, as the time and expense of such a search (perhaps as many as 80 School of Medicine faculty qualify for this transition) would make it impossible.

Someday I would like to see a new Senate series that parallels the State-supported Senate series 'Lecturer with security of employment': 'Clinical Lecturer with security of employment'. This series would not be funded by the State and, like the Senate's Lecturer series, would not require creative works. It would require a competitive search, arms-length letters for promotions, etc., but 'only' excellence in clinical service, teaching and university/community service for advancement. Not only would a lot of our new hires be attracted to such a position, but In Residence and Clin X faculty looking for opportunities to advance while spending more time teaching and less time writing might find it attractive as well, and they would stay in the Senate instead of moving to HSCP. I shall continue to dream.

What I view as the major problem with the growth of HSCP faculty in our professional schools is that these faculty may not be informed until long after they've started work that there is such a thing as an Academic Senate, and that non-Senate faculty can't do everything that Senate faculty can. This may not be the case in all departments, but it certainly is the case in many. Chairs like to hire faculty into the HSCP series because there isn't the expense of a major search and the appointment process is less cumbersome: they can fill specific clinical needs quickly and relatively inexpensively. I would like to have every prospective faculty member sign off on a description of the requirements of their position that compares and contrasts their series with the other series in the department. If a new faculty member knows that he or she can't chair or vice chair a Senate committee, and can't vote on appointments, merits and promotions of their colleagues in the Senate, can't serve on CAP or vote while on FEC, and can play only supporting roles in curriculum development and admissions, then I don't think they'll complain about their series later on. Certainly someone should point out to the HSCP faculty upset that they can't serve

equally on Senate committees that university service isn't a factor in their merits and promotions until they go up for professor, and even then that leg of the wobbly stool is a short one.

Another thing to keep in mind: anything that makes it harder for clinical chairs to hire faculty into the HSCP series, or makes it harder for clinical chairs to move HSCP faculty who are ready and willing into the Clin X series, will just make our clinical chairs hire more Staff Physicians instead of faculty. Many Staff Physicians are already under the impression that they belong to the faculty. This will probably be the topic of your next Task Force!

Thank you for your hard work.

Richard Tucker

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SENATE DIVISION CHAIRS
SENATE COMMITTEE CHAIRS

On behalf of Chair Simmons, I am conveying his request for systemwide review of the report of the Task Force on Senate Membership, which was charged with reviewing Senate membership, deriving a set of principles that should define it, and based on those principles, making recommendations, if any, for changes to Senate membership. The Task Force issued its report last spring, and we now ask you to consider and comment on the report and its recommendations.

The Task Force was asked to examine the essential principles underlying Academic Senate membership and assess the degree to which current practices reflect those principles. After reviewing the evolution of membership in the Academic Senate since its inception and surveying the contemporary range of practices in the University's distinctive academic units, the Task Force made four specific recommendations as detailed in the transmittal letter from Task Force Chair Linda Bisson to Academic Council Chair Harry Powell:

- Do not extend the list of titles conferring membership in the Senate.
- Within the divisions and campuses, review the duties and responsibilities of non-Senate academic appointees and reclassify those who should be appointed in Senate into appropriate series, e.g. from "Clinical Professor" to "Professor of Clinical X".
- Retain the historical separation of curricular authority for undergraduate and professional school education.
- Revise the list of administrative titles that automatically confer Senate membership.

Council received the report in April but elected to postpone the Senate's review until Fall 2010 in order to ensure that all Senate agencies, especially in the divisions, would have ample time to consider its analysis and recommendations. Reviewers are asked to comment specifically on the recommendations in the context of the analysis underlying them.

In order to encourage an deliberative process, especially within the divisions, the review period is longer than customary. Please submit comments to senatereview@ucop.edu by Friday, **March 11, 2011**. This will allow Council to complete its review of this report and make recommendations within the academic year. As always, if you feel it is not in your committee's purview, you may elect not to opine. We would appreciate it if you would inform us should you choose not to opine.



TASK FORCE ON SENATE MEMBERSHIP
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April 15, 2010

**HENRY C. POWELL, CHAIR
ACADEMIC COUNCIL**

RE: Report and Recommendations of the Task Force on Senate Membership

Dear Harry,

The Task Force on Senate Membership met twice by teleconference and thrice in-person between August 2009 and March 2010. The Task Force was charged to review Senate membership by delineating historical criteria used to define Senate membership, deriving of a set of principles underlying Senate membership, and making recommendations, if warranted, for modification of Senate membership. We have attached our report and, as separate attachments, our original charge as well as the historical review of Senate membership and the changes to membership over time. It was possible to define the changes from the historical record, but not always possible to define the reasoning behind those changes. Therefore, we include in this cover letter a more detailed presentation of our deliberations to provide the full context for the recommendations of the Task Force.

The Task Force offers four recommendations based upon our assessment of current use of titles and hiring practices. In brief, we could find no other workable approach to conferring membership other than the current practice of use of specific title codes, given the time and expense of individual membership review. We do not recommend transfer of existing non-Senate titles to Senate membership nor the creation of new Senate titles. We also recommend a review of the administrative titles automatically conferring Senate membership as the professionalization of the administration has led to the creation of non-academic administrative positions for which Senate membership may be inappropriate. Finally, we make a specific recommendation regarding our perceptions that certain faculty performing Senate duties have been hired into inappropriate titles.

Analysis of the increases in Senate and non-Senate positions over time reveals a greater growth in some sectors of the university, especially the Health Sciences, as compared to the undergraduate colleges. This growth seems to largely have occurred in non-Senate titles, with individuals then given duties and responsibilities consistent with Senate membership. However, these practices were not uniform across the system. We therefore recommend a review of faculty in the Health Sciences and transfer of faculty to the appropriate titles based upon the expectations of their positions and actual duties.

There was significant disagreement on this point among members of the task force: Some members were strongly concerned about the potential dilution of representation of undergraduate student interests as the Professional Schools sector grows while undergraduate enrollments—and therefore faculty FTE—are held

constant or shrink. Other task force members concluded that this was not an issue that should prevent appointment of individuals in the appropriate series. Historically, however, the Senate and The Regents have separated undergraduate and professional school curricular responsibilities, and we recommend that this practice continue in order to best serve the interests of both student constituencies.

We also discussed possible changes in Senate representation that could mitigate any problem of imbalance of membership between undergraduate and professional school faculty, should one arise. We were somewhat alarmed by the recent report on administrative growth released by the Office of the President that cites the growth of professional schools, particularly the health sciences and auxiliary enterprises, as the driving force for accelerated growth of the administration as compared to the academic sector. The administration is largely funded by state funds, and this growth represents a net transfer of state resources from the academic sector to the non-academic administrative sector which will continue apace with growth in these areas. This trend will likely further contribute to the imbalance between undergraduate and professional school faculty. Although beyond the scope of our Task Force, we believe this issue of restricting administrative growth needs to be addressed by the Senate.

Another issue of concern to the Task Force is the ability for equitable participation in Senate deliberations. We were concerned that the combination of continued budget cuts with increases in classroom size and instructional demands across the faculty may render some segments of the University, e.g., those unable to obtain release time or funding, unable to participate fully in shared governance. This issue will need to be monitored by the systemwide Academic Senate and steps taken to address workload issues that may severely limit faculty participation in service activities.

We thank you for the opportunity to investigate and report on this important topic. Please do not hesitate to contact us if we can be of further assistance.

On behalf of the Task Force on Senate Membership,

Linda Bisson, Chair

cc: Martha Winnacker, Executive Director, Systemwide Academic Senate
Task Force on Senate Membership

Encl.

Report of the Task Force on Senate Membership April 15, 2010

The main charge to the Academic Council Task Force on Senate Membership was to “delineate what gives and what ought to give Senate membership meaning and significance” and thence to derive a set of principles that should govern membership. The charge to the committee is appended as attachment #1. A historical review of the creation of the Academic Senate, its title codes, assignment of duties and expectations, and modifications to both membership and duties is also attached to this document (attachment #2).

Senate membership is not a privilege attached to delivery of a single course but a pledge to participate broadly in the full spectrum of responsibilities and duties of shared governance. Senate membership accords a pervasive set of functions and obligations. The role of the Academic Senate has been codified in the Regental Standing Orders. Regental Standing Order 105.2.a states: “The Academic Senate, subject to the approval of the Board, shall determine the conditions for admission, for certificates, and for degrees other than honorary degrees” and thereby delegates authority to the Senate for both admissions and criteria of admission. Standing Order 105.2.b delegates responsibility for the design and delivery of the curriculum to the Senate: “The Academic Senate shall authorize and supervise all courses and curricula offered under the sole or joint jurisdiction of the departments, colleges, schools, graduate divisions, or other University academic agencies approved by the Board”.

Senate organizational authority is also stipulated by the Regental Standing Orders. The authority to organize itself is conferred on the Senate by Standing Order 105.2.c: “The Academic Senate shall determine the membership of the several faculties and councils”. SO 105.2.c reinforces Standing Order 101.1.a delegating to the Senate organizational responsibility for academic programs in departmental or equivalent units and defines them as voting units: “...the several departments of the University, with the approval of the President, shall determine their own form of administrative organization, and all Professors, Associate Professors, Acting Professors, Acting Associate Professors, and Assistant Professors, and all Instructors of at least two years' service shall have the right to vote in department meetings”. Standing Order 105.1.b gives authority to define its own compositional and managerial structure to the Senate: “The Academic Senate shall determine its own membership under the above rule, and shall organize, and choose its own officers and committees in such manner as it may determine”.

The Standing Orders also set the expectations for consultation and inclusion in the Senate decision-making process at the department or unit level and specify an advisory role at the campus and systemwide levels. The advisory role of the Senate is delineated in Standing Order 105.2.d “The Academic Senate is authorized to select a committee or committees to advise a Chancellor concerning a campus budget and to select a committee or committees to advise the President concerning the University budget.” Standing Orders 105.2.f and 105.2.g extend the advisory role to the operation of the University of California Press and the administration of the libraries. Finally, Standing Order 105.2.e charges the Senate with the responsibility to memorialize the Board of Regents: “The Academic Senate shall have the right to lay before the

Board, but only through the President, its views on any matter pertaining to the conduct and welfare of the University.”

The duties of Senate members encompass education, research/creative activity, consultation and service. The service responsibility, in addition to participation in the above-mentioned advisory role that the Senate plays in review of administrative functions, policies and procedures, also encompasses the tripartite mission of instruction, research/creative activity and professional service. Under current practices, appointment to a title that confers Senate membership brings the responsibility of both the delegated and advisory functions of the Senate. Criteria for appointment to the ranks of the Senate are codified in the Academic Personnel manual (APM). Senate members are expected to be educators in the broadest sense. Senate operational principles have been codified in the APM and Bylaws of the Academic Senate; these include the specification of the voting and consultation rights of the faculty.

From our analysis of the historical review, we identified the following:

1. Membership in the Senate carries delegated and advisory responsibilities relating to shared governance. Senate members are expected to play an active role in advising the administration on matters pertaining to operation of the institution, not merely those associated with delivery of the curriculum. The duty to memorialize the Board of Regents as a full partner engaged in the enterprise of education should not be taken lightly.
2. Senate members decide preparation requirements for entry to university curricula and have the responsibility for the entire program of study of both undergraduates and graduate students. This delegated authority extends beyond the classroom to creation and organization of programs of study and their periodic review.
3. The authority to organize itself confers an active role to Senate members in both the assessment of potential new appointments to the Senate as well as in performance review at all stages of advancement within the University.
4. Historically, the Regents have made a distinction between academic education and professional education.

In summary the Senate has direct delegated authority for which students are admitted, what is taught, how student performance is evaluated and when degrees requirements have been met. In addition the Senate holds the authority for organizing itself and defining and evaluating Senate membership. Finally, the Senate has been granted an advisory role in the operation of the University. Membership decisions should be made with these responsibilities uppermost in mind.

Evaluation of accordance of principles and current Senate membership

Membership in the Academic Senate is currently granted based upon the title code. The title codes conferring membership in the Senate are specified in Standing Order 105.1:

“The Academic Senate shall consist of the President, Vice Presidents, Chancellors, Vice Chancellors, Deans, Provosts, Directors of academic programs, the chief admissions officer on each campus and in the Office of the President, registrars, the University Librarian on each campus of the University, and each person giving instruction in any curriculum under the control of the Academic Senate whose academic title is Instructor, Instructor in Residence; Assistant Professor, Assistant Professor in Residence, Assistant Professor of Clinical (e.g., Medicine); Associate Professor, Associate Professor in Residence, Associate Professor of Clinical (e.g., Medicine), Acting Associate Professor; Professor, Professor in Residence, Professor of Clinical (e.g., Medicine), or Acting Professor; full-time Lecturer with Potential for Security of Employment, full-time Senior Lecturer with Potential for Security of Employment, full-time Lecturer with Security of Employment, or full-time Senior Lecturer with Security of Employment; however, Instructors and Instructors in Residence of less than two years' service shall not be entitled to vote. Members of the faculties of professional schools offering courses at the graduate level only shall be members also of the Academic Senate, but, in the discretion of the Academic Senate, may be excluded from participation in activities of the Senate that relate to curricula of other schools and colleges of the University.”

Appendix I compiles the APM descriptions for each of these title codes. All confer the spectrum of duties and responsibilities of the Senate to the appointee.

Other title codes touch upon one or more duties of the Senate members but do not carry the responsibility for shared governance per se. However, there appear to be inconsistencies in the use of these title codes within and across the campuses. If Senate membership is to be based on title codes, all individuals with duties and expectations for teaching research and service must be appointed to and promoted in the appropriate series, regardless of resource considerations.

There appears to be no senate-wide uniformity of review of non-Senate titles. Of particular concern in this area are credible reports that many campuses, particularly the medical centers, utilize their title tracks in inconsistent, if not opposite, manners. The alternative method to use of title codes for conferral of Senate membership would be to return to a system of defining membership by duties performed, necessitating a more detailed review of each individual engaged in any aspect of Senate responsibilities at both the time of appointment and of advancement. The task force does not advocate a return to this practice given the current size of the faculties and diversification of duties and titles.

Another issue identified by the committee involves voting rights and the historical separation of control over undergraduate and graduate curricula as opposed to the curricula of the professional schools. Although not central to defining Senate membership, this distinction appears to suggest that faculty curricular responsibilities require focus on the primary students (e.g., undergraduates) being taught and their programmatic needs.

Recommended actions to bring principles and membership to accordance

The Task Force on Senate Membership offers the following observations and recommendations on Senate membership. We affirm the view that Senate membership accords not merely rights but responsibilities and the importance of Senate review of its membership, at both the point of hire and advancement.

1. **The Task Force recommends against extending the list of titles according membership in the Senate to existing non-Senate titles.** Shared appointments are currently allowable for those non-Senate members in other titles that engage in the academic mission of the Senate on a regular basis.
2. **The Task Force recommends local review of existing individuals in non-Senate titles and reclassification of those that are clearly in the wrong series based upon duties and responsibilities consistent with membership in the Academic Senate.** This review should be conducted on each campus and be in accord with the current duties as listed for each title code. This review could be conducted as a matter of routine as files are being evaluated. Alternatively faculty members who believe they are in the wrong series could petition for review by their campus Committee on Academic Personnel. Faculty in an existing Senate title with responsibilities consistent with a non-Senate position should likewise be transferred to the appropriate series.

This recommendation arises primarily with respect to the health sciences and the Professor of Clinical X series. The APM defines a limit of 1/6th of the current Senate membership of clinical departments for appointment to the Professor of Clinical X series. However, this is not an absolute cap but a trigger of a review of further appointments to this series. Some campuses have viewed this limit as a cap while others have viewed it as a limit requiring review. As a consequence, there are faculty performing the duties of the Professor of Clinical X series appointed to non-Senate titles. These faculty need to be reviewed and placed into the correct series as dictated by their actual duties. We further recommend that a committee of faculty from the five Health Sciences complexes be formed to evaluate the use of these and related title codes on their campuses and identify the extent to which inappropriate titles have been used at the point of hire, and to develop a consistent practice with respect to use of title codes. Further, the 1/6th cap as a trigger for review appears somewhat arbitrary. Adoption of recommendation #3 (below) would obviate the need for such a “cap”.

The Committee also considered anecdotal information of variability across the ten campuses and within campuses with the use of other titles, such as Adjunct Professor. Determining how non-Senate titles were being used across the system was outside of the purview of the committee, but we suggest that UCAP address how such titles are being used to assure a more consistent use of these titles.

3. The Task Force anticipates that implementation of recommendation #2 will likely lead to the transfer of many members faculty currently in the Clinical Professor series to the Professor of Clinical X title. Growth of the professional schools uncoupled to growth at the undergraduate level is expected to lead to an issue of imbalance of faculty across the curriculum and in representation on local and systemwide committees. After

considerable discussion and debate, **the Task Force recommends retention of the historical practice of separating curricular authority for undergraduate and professional school education.** At the same time, a balance of Senate representation with some relation to the nature of student enrollments should be maintained in order to preserve the value of the Senate in dealing with a broad range of issues. The Task Force is concerned that the increased time demands on undergraduate faculty, coupled with the loss of release time funding, will make it difficult to attain balance of representation across undergraduate and professional school faculty. The Academic Senate should develop models of representation that maintain the balance of undergraduate and professional school faculty.

4. **The Task Force recommends a revision of administrative titles automatically granting Senate membership.** We affirm the importance of academic administrators being fully engaged members of the Academic Senate and having a thorough grounding in understanding the academic mission of the institution and the role of shared governance. However, the professionalization of the administration has resulted in the creation of non-academic administrative positions within academic administrative title codes (e.g., chief admissions officers, registrars, and certain Vice Presidents and Vice Chancellors) and the accompanying appointment of specialists with non-academic backgrounds to titles conferring senate membership. The task force recommends the elimination of this practice.

Respectfully submitted,

Chris Kutz (UCB)
Linda Bisson, Chair (UCD)
William Sirignano (UCI)
Nicholas Brecha (UCLA)
Roland Winston (UCM)
Helen Henry (UCR)
Timothy Paine (UCR)
Steve Plaxe (UCSD)
Robert Newcomer (UCSF)
Stanley Awramik (UCSB)
Michael T. Brown (UCSB)
Lori Kletzer (UCSC)

Revised Charge May 2009:

Task Force on Academic Senate Membership

Charge: To elucidate a set of principles that should govern decisions about who is and who is not a member of the Academic Senate. The Task Force will study the past decisions, including that of [Standing Order 105.1\(a\)](#), and learn whether and how that rationale has changed over time. The Task Force will also delineate what gives and what ought to give Senate membership meaning and significance. The Task Force is expected to consider operational aspects necessary to fulfilling their charge, such as: the informational resources it needs; issues of Senate privilege, responsibilities, and obligations; and practical implications of narrowing or expanding Senate membership. The Task Force will deliver to the Academic Council: 1) a set of derived principles of Senate membership that might be expected to apply; 2) an evaluation of whether such principles are in accord with current membership; and, 3) if not, recommended actions that might bring principles and membership to accord.

Recommended Task Force Membership (13 members, maximum):

- A representative from each division (every campus has a stake):
 - A significant contingent of whom should be division vice chairs (perhaps as many as 5)
- Possible representation from one or more of the following systemwide committees: UCAAD, UCAP, UCFW, UCP&T
- Two at large representatives chosen for expertise: Michael Brown (UCSB) and one other, to be determined

Chair: Linda Bisson, UCD

Duration: Through Academic Year 2009-10

University of California Academic Senate Membership:
An Historical Background*
March 17, 2010

Introduction and Executive Summary of Observations

There are two instruments, the 1868 Organic Act of the University of California and the Standing Orders of the Regents (SOR) 105.1 (a), five known Senate-requested revisions to the Standing Orders (1920, 1924, 1969, 1987, and 2002), and associated circumstances that govern and inform Academic Senate membership considerations. In addition, some other events in the history and organization of the Academic Senate seem to bear on the question of membership. An analysis of these instruments, revisions, circumstances, and events point to guiding principles and considerations concerning Senate membership.

This historical review and analysis shows that the Academic Senate consistently struggled for unity in the midst of increasing size, geographic dispersion, and educational diversity. The latter surfaced in terms of early struggles between “academic” faculty, those significantly engaged in undergraduate education, and “professional” faculty, those engaged chiefly in graduate and professional education.

Analysis suggests the following overarching principles and considerations have developed over the history of the University and are now embodied in the standing orders that define Senate membership.

Principle of Commitment

- Inclusion of instructional faculty, defined by participation on a full-time basis, over a longer term, giving instruction in courses under the control of the Academic Senate.

Voting principles

- Distinguishing between those who could vote during Senate deliberations and those who could participate in discussions, but not vote. Over time, those who accorded voting privileges have become a broader and larger group, with those could only “participate” seemingly constituted by short-time faculty (“of less than two years’ service”).
- Circumscribing the exercise of voting rights based on involvement in and commitment to academic (undergraduate) education.

Governance principles

- The Senate has the right and the obligation to organize and govern itself, including the right to determine its membership.

* Prepared for the Task Force on Senate Membership by Task Force member Michael T. Brown with the assistance of Senate Senior Policy Analyst Kenneth Feer.

- Memorials are the process for requesting for changes in SOR 105.1 (a) regarding Senate membership.
- The Senate has the right to review criteria for titles that confer Senate membership.
- Senate membership confers a right and responsibility to review and assure quality in admission standards and instructional programs.
- Senate membership confers a right and responsibility to advise on many areas, including academic personnel issues.

Other Historical Considerations

- Impact on Divisional representation/Assembly Apportionment
- Impact of academic versus professional representation in shared governance contributions by the Senate
- The bargaining unit representing lecturers viewed Senate membership as incompatible with exclusive representation.

This analysis indicates that most Senate requests to the Regents for changes in Senate membership were ahistorical in rationalizing requests, making it difficult to discern operative principles and considerations. Consequently, we suggest caution in interpreting too narrowly the principles enumerated above, and indeed, viewing these considerations in a contemporary light is the purpose of this task force. Additionally, we caution that historical records on this topic are incomplete.

The analysis also shows that Senate membership was assigned to a number of employees holding administrative titles specified in the SOR at a time when such persons were invariably academics. Such is not necessarily the case today.

Finally, this analysis indicates that, over time, for reasons that are presently unclear, the Standing Orders pertaining to Senate membership have substituted listing of qualifying titles for articulating operational principles.

Historical Review

1868 Organic Act of the University of California

The governance of the University of California was established on the principle that its faculty are the best qualified to direct the University's academic enterprise, with administrators being most competent to order its finances and internal administrative organization.¹ Faculty governance is exercised by the Academic Senate, an institution as old as the University itself: the 1868 Organic Act not only gave birth to the University of California but also established the Academic Senate as part of its governance structure.

The Organic Act addressed the membership of the Academic Senate in its section "Government and discipline of colleges":

"Academic Senate. All the Faculties and instructors of the University shall be combined into a body which shall be known as the Academic Senate, which shall have stated meetings at regular intervals and be presided over by the President, or a President pro tempore, and which is created for the purpose of conducting the general administration of the University and memorializing the Board of Regents; regulating, in the first instance, the general and special courses of instruction, and to receive and determine all appeals couched in respectful terms from acts of discipline enforced by the Faculty of any college. Its proceedings shall be conducted according to the rules of order; and every person engaged in instruction in the University, whether resident professors, non-resident professors, lecturers or instructors, shall have permission to participate in its discussions; but the right of voting shall be confined to the President and the resident and non-resident professors."²

The Organic Act conferred Academic Senate membership to all "Faculties and instructors" in the University of California. The Act further specified who had the privilege of participating in discussions: "... every person engaged in instruction in the University ...". However, apparently not every such person had the right to vote "... the right of voting shall be confined to the President and the resident and non-resident professors." The Act indicated that there were 4 classes of persons engaged in University instruction: "resident professors," "non-resident professors," "lecturers," and "instructors." Three of these four classes were not specifically defined in the Organic Act, but "non-resident professors" were: "professors employed for short terms, and for only a portion of each year in their special departments ..." to teach courses of instruction which are "brief and special".³

¹ Academic Senate Task Force on Governance (April 4, 1998). *Report 1: Findings of the Panel on Shared Governance*. University of California: Academic Council.

<http://www.universityofcalifornia.edu/senate/reports/p2final.html>

² Statutes of California, Seventeenth Session, 1867-1868, ch. 244, Sec. 18.

<http://content.cdlib.org/ark:/13030/hb6w100756/>

³ *Ibid.*, Sec. 13.

Analysis: The framers of the Organic Act viewed the Academic Senate as an inclusive body of all persons engaged in instruction in the University. As one writer of the Academic Senate's history observed: "All of the original instructional staff, plus the President, automatically became members of the Senate."⁴ Apparently, participation in instructional activities defined Senate membership.

Further, the Organic Act recognized a distinction between participation in Senate discussions and participation in voting, suggesting two types of Senate membership to the extent that resident and non-resident professors were distinguishable from instructors and lecturers. It is important to note that length of term of appointment did not appear to affect membership status.

1920 Senate-requested Revisions to the Standing Orders of the Regents and the "Great Revolt"

Though the institution of the Academic Senate was codified in the Organic Act of 1868, formal recognition by the Regents became necessary and occurred much later. In response to an authoritarian presidency that had circumvented the Academic Senate and intruded upon its authority, the Academic Senate presented a Memorial to the Regents in October of 1919 requesting specific authorities, including the ability to govern of itself. The Senate specifically requested that: "The privilege of a vote in the Academic Senate should be extended to all instructors after two years' service."⁵

Unprecedented direct negotiations -between the Regents and the Senate led to the adoption of new Standing Orders on June 24, 1920. Under them, the Senate, in addition to the authorities assigned to it by the Organic Act, was given new consultative authorities (e.g., to advise the president on budget matters and on personnel decisions, and to advise the Regents on the choice of new presidents). With respect to membership in the Senate, the Standing Orders stated the following:

"The academic senate shall consist of the president, deans, directors, recorder, librarian and all professors and instructors giving instruction under the control of the academic senate; but instructors of less than two years' service shall not be entitled to vote. The academic senate shall determine its own membership under this rule. It shall choose its own chairman and committees in such manner as it may determine."⁶

Analysis: The 1920 Standing Orders of the Regents continues to accord Senate membership to those "giving instruction, " as did the 1868 Organic Act. Moreover, the 1920 Standing Orders appear to retain the distinction incorporated in the Organic Act between membership and voting privileges. The Organic Acts principle of "inclusion" is evident in that the Orders state that "...all professors and instructors giving instruction under the control of the academic senate." But, just as in the Act, the Standing Orders withhold voting privileges from a subgroup.

⁴ Russell H. Fitzgibbon, *The Academic Senate of the University of California* (University of California Office of the President, 1968), p. 17.

⁵ Angus E. Taylor, *The Academic Senate of the University of California: Its Role in the Shared Governance and Operation of the University of California* (Berkeley: Institute of Governmental Studies Press, 1998), Appendix.

⁶ *Ibid.*, pp. 3-4.

However, whereas in the Act, voting privileges are apparently withheld from those who are not professors, independent of duration of service, the Orders withhold those privileges only to a subgroup of instructors, those "...of less than two years' service." The intent and effect of the Senate's request has been interpreted properly as an expansion of voting privileges.⁷ Indeed, the specific language of the relevant proposition was in the Memorial was: "The privilege of a vote in the Academic Senate should be extended to all instructors after two years' service." Though unexplained in any commentary currently available, apparently length of service mattered to the Senate in according voting privileges.

The 1920 Standing Orders appears to expand the categories of administrators accorded Academic Senate membership and raises the question of whether the expansion is consistent with the very notion of an "academic" Senate and with the founding principle of academic governance of the University. It may be helpful to note that the 1920 Orders predates the rise of professional academic administrators – persons charged with running aspect of the academic enterprise who may not be or have been, themselves, academics.⁸ Thus, though those Orders accord Senate membership to persons holding a named list of administrator positions, such persons would have been and would have been seen as academic faculty in 1920. Today, however, there is a trend, at least among American universities and colleges, "for administrators and professionals with important technical skills and knowledge...to assume greater responsibility for making decisions in areas such as admissions, financial aid, and personnel."⁹ Therefore, a question arises whether those currently granted Senate membership due merely to their employment in formerly "academic" positions, ought to continue to have such membership so granted.

In addition, the 1920 Orders expressly gave the Senate the right to "...determine its own membership" but it should be noted that this right was a qualified one, "under this rule." This suggests that the Academic Senate could make its own membership determinations as long as those determinations were consistent with the principles and considerations embodied in the negotiated Orders.

Finally, it should be noted that the 1919 Memorial¹⁰ to the Regents makes no direct appeal to the Organic Act as forming a basis for the Senate's request and it is unclear to what extent the Act and its rules regarding the Senate informed the nature of the requests. It is clear, however, that the 1920 Standing Orders and the Memorial on which the Orders were based are consistent with the Acts specifications. It should also be noted that at this time there was a national effort to standardize instruction in the Medical Sciences and to more clearly define degree requirements.

Post-1920, Pre-1969 Versions of the Standing Orders

⁷ Ibid., p. 2.

⁸ John A. Douglass, *Shared Governance at the University of California: An Historical Review* (Berkeley: Center for the Study of Higher Education, March 1998).

⁹ Academic Senate Task Force on Governance, op. cit., p. 7.

¹⁰ Angus E. Taylor, op. cit., Appendix.

It appears that there were changes to the 1920 Standing Orders of the Regents concerning the Academic Senate but little documentation of what those changes were, who requested or initiated them, and why they were effected.¹¹ As will be discussed in detail later, there was a verifiable version in place just prior to the changes requested by the Academic Senate in 1969 to specifically extend membership to persons holding titles in the “in-Residence” series and Lecturers and Senior Lecturers with Security of Employment who have full-time teaching responsibilities. At the time, the relevant Standing Order was then known as “Section 105.1 (a) of the Standing Orders of the Regents” and, prior to approved changes, read as follows:

Organization of the Academic Senate

The Academic Senate shall consist of the President, Vice Presidents, Chancellors, Vice Chancellors, Deans, Provosts, Directors of Academic programs, chief admissions officer on each campus and in the Office of the President, registrars, the University Librarian on each campus of the University, and each person giving instruction in any curriculum under the control of the Academic Senate whose academic title is Instructor, Assistant Professor, Associate Professor or Acting Associate Professor, Professor or Acting Professor; however, Instructors of less than two (2) years’ service shall not be entitled to vote. Members of the faculties of professional schools offering courses at the graduate level only shall be members also of the Academic Senate, but, in the discretion of the Academic Senate, may be excluded from participation in the activities of the Senate that relate to curricula of other schools and colleges of the University. Membership in the Senate shall not lapse because of leave of absence or by virtue of transference to emeritus status.

It is currently unclear when this version of the Standing Orders was approved, but it is clear it differs significantly from the 1920 version in a number of ways:

1. It appears to reflect the thinking that an academic position or title was required to be specified in the Orders in order for the person holding them to be accorded membership status.
2. Point 1 is accentuated by the modification of the 1920 Standing Orders statement to now accord Senate membership to “...each person giving instruction in any curriculum under the control of the Academic Senate whose academic title is ...” (underline added for emphasis).
3. Apparently, it was important to add classes of academic administrators (Vice Presidents, Chancellors, Vice Chancellors, Provosts, and chief admissions officers, and registrars) to the 1920’s list.
4. The title “directors” in the 1920 list was changed to “Directors of Academic Programs.”

¹¹ The historical records available are incomplete. While it is well known that the Regents re-organized at the end of the 1950s and into the early 1960s, the records of the deliberations leading up to the re-organization have not survived. Similarly, Senate records from the era do not include task force or special committee findings, but only general reports to standing bodies.

5. The title “librarian” in the 1920 list was changed to “University Librarian on each campus of the University.”
6. The title “recorder” in the 1920 list was dropped; perhaps “registrars” was added in its place.
7. The professorship ranks were listed (assistant, associate or acting associate, and professor or acting professor).
8. Members of Professional schools offering courses at the graduate level only were expressly included as Senate members but their participation could be limited to those concerning their professional schools “in the discretion of the Academic Senate.”
9. The cases of members taking leaves of absence or transferring to emeritus status were specifically addressed; in both cases, Senate membership would not lapse.

Analysis: At present, insufficient information exists to know what was intended by this post-1920, pre-1969 version of the Standing Orders pertaining to the Academic Senate, or who initiated it, and how it was justified. In particular, it would be helpful to know how and in what ways this version of the Standing Orders was rationalized against the 1920 or some other version of the Standing Orders and against the 1868 Organic Act.

Notwithstanding, it is clear that, however intentionally or unintentionally, the former principle of “inclusion” in Senate, incorporated in the 1868 Organic Act and in the 1920 Standing Orders, was muted. Instead of according Senate membership to “all professors and instructors giving instruction under the control of the academic senate” as did the 1920 version, the relevant section was rewritten at some point after 1920 to accord membership to “each person giving instruction in any curriculum under the control of the Academic Senate whose academic title is¹²” followed by a listing of titles. Such a change would contribute to the perception that, rather than being an inclusive organization of all those giving instruction at UC, the Senate was an exclusive body: you cannot be a Senate member unless your position title is listed in the Standing Order.

The distinction between voting privileges and membership, observed in both the Organic Act and the 1920 Standing Orders concerning Academic Senate membership, continued in this version.

This version of the Standing Orders sets forth another distinction: apparently participation in Senate activities could then be circumscribed on the basis of level of involvement in graduate/professional education (“Members of the faculties of professional schools offering courses at the graduate level ... may be excluded from participation in the activities of the Senate that relate to curricula of other schools and colleges of the University.” What the Senate meant by “participation” is unclear, particularly given the distinction in the Standing Orders between voting and participation in discussions.

The post-1920, pre-1969 version of the Standing Orders recognized that it was important that academics holding administrative positions, however temporarily, be able to have or maintain Senate status. The thinking behind this innovation in the Standing Orders would be helpful.

¹² Underline added for emphasis.

Significantly, the post-1920, pre-1969 Standing Orders allowed faculty to maintain Senate status who either took leaves of absence or transferred to emeritus status.

1924 Senate-requested Revisions to 1920 Standing Orders of the Regents

Further investigation has uncovered that on November 17, 1924, the Academic Senate appears to have endorsed the October 30, 1924, recommendation of the Committee on Membership to the Academic Senate (“The Foote Report”) requesting that the Board of Regents modify Standing Orders so as to make professors emeriti members of the Senate.

No information is currently available explaining the rationale behind the request but apparently two independent Senate committees had made recommendations pertinent to the membership of emeriti professors. Records show that during the November 17th meeting of the Academic Senate, the Committee on Educational policy recommended that no change to Regents’ Orders was necessary and that the Senate simply adopt a “...working rule which should provide that professors shall not lose membership in the Academic Senate by virtue of transfer to emeritus status.”^{13, 14} Minutes of the December 19, 1924, Meeting of the Academic Senate include a report by the President that the Regents met on December 9, 1924, and approved the request of the Academic Senate regarding the membership status of emeriti professors.

The requested change was not codified until over 20 years later. On March 12, 1945, it was recognized that the requested and approved change had not been incorporated into then current drafts of the Standing Orders due to clerical error. The original 1924 wording was resubmitted and reaffirmed by the Regents.

Analysis: Again, insufficient information exists to know the precise reasons behind the 1924 request to add emeriti to the Senate. It is clear, however, that the Senate considered and rejected the notion that emeriti needed to be added as members, deciding that those already granted that membership do not lose it due to leave of absences or emeritus status. It is unfortunate that we do not know why the Senate’s Committee on Membership, which no longer exists in that form, and a special committee of the Senate’s Committee on Educational Policy came to take up the matter independently and simultaneously. It would have also been useful to know the reasoning behind the ultimate Senate recommendation.

1969 Senate-requested Revisions to Standing Order 105.1 (a)

On July 11, 1969, the Regents approved modifications of their Standing Orders in response to a request from the Academic Senate in the form of a Memorial to the Regents on March 21, 1969, to extend Senate membership to “persons holding academic titles in the “in-Residence” series,

¹³ Letter from James Sutton, Recorder of the Faculties (Secretary) to F. S. Foote, Chairman of the Committee on Membership, November 13, 1924.

¹⁴ Apparently, The Committee on Education Policy had a Special Committee on Composition of Faculties that was chaired by the chair of the Committee on Education Policy that had taken up the issue.

and as to Lecturers and Senior Lecturers with Security of Employment who have full-time teaching responsibilities.” The Memorial was somewhat complex and requested three actions of the Regents:

1. To direct the President to change the Administrative Manual to modify the conditions of employment of persons in the “in-Residence” series.
2. To amend the Standing Orders of the Regents to “confer Senate membership upon each person giving instruction under the jurisdiction of the Academic Senate and holding an appointment as Instructor in Residence or Professor in Residence of any rank, provided that instructors in Residence of less than two years’ service shall not be entitled to vote.”
3. To create the “Adjunct Professor” series for the appointment of persons who do not qualify for the modified “in Residence” series.
4. To recognize that persons in the new series do not acquire tenure or security of employment nor are they eligible for sabbatical leave.

The Senate’s request to add Lecturers and Senior Lecturers with Security of Employment who have full-time teaching responsibilities was postponed by the administration because it went to the Regents by action of the Academic Assembly (and had elicited a petition for reconsideration), not by action of a Memorial, as had the 1919 request of the Senate and the request regarding the “in Residence” series.

The Senate provided justifications in support of each request. Among the reasons given for according Senate membership to those in the to-be-modified “in-Residence” series was because:

- Those persons would have the same qualifications and duties as regular faculty members and to the criteria and review procedures for appointment and advancement;
- Those persons were an important asset to the University, had interest in Senate membership, and the granting of membership would make the positions attractive.
- It was important that the University do “everything possible” to make its “in Residence” appointments, which rely on extramural funds and do not carry tenure, as nearly equivalent to regular appointments as possible.
- Persons in the modified series would have similar interests and loyalties as regular faculty and would be helpful in all phases of Senate activity.

It is instructive that the justification provided by the Academic Assembly for including Lecturers and Senior Lecturers with Security of Employment who have full-time teaching responsibilities was because:

- such “appointees are career members of the faculty”
- with “full and lasting commitment to teaching courses” under control of the Senate
- and appointments to these titles are made only after careful Senate review of qualifications and importance of their contributions to University instructional programs.

It is also instructive that the justification provided by the Senate for establishing the “Adjunct Professor” series for persons who otherwise meet the criteria for the modified “in Residence” series was because such persons:

- lacked full-time commitment to the University, and
- had lesser participation in teaching.

Analysis: The request by the Senate and its agencies to extend membership to persons holding titles in the “in Residence” series, as would be modified, and to lecturers with security of employment seems based, first and foremost, on extensiveness of commitment to and involvement in University teaching. Though no appeal was explicitly made to the Organic Act or the history of the Standing Orders pertaining to the Academic Senate, the overall thrust of the justifications in terms of instruction are consistent with those documents and history of the Senate to that point.

Also, the Senate’s requests seem consistent with the principle of inclusion and one sees no changes to the former distinctions between participation and voting, or to the possibility that participation would or could be circumscribed for members of the faculties of professional schools teaching only graduate courses.

Notwithstanding, there is a new consideration that appears in the Senate’s rationale for its requests: the importance placed on Senate review of qualifications of persons holding academic titles and the similarity of qualifications and review processes for persons to whom membership was to be granted.

Finally, the actions of the administration in 1969 seemed to underscore the importance of the Memorial process in requesting changes to the Standing Orders, at least as pertains to Senate membership. This was the process used at least in 1919 by the Senate. In retrospect, it may be that the administration was merely being cautious given that the Assembly’s actions with respect to lecturers with security of employment were not yet settled.

1970 Senate-requested Revisions to Standing Order 105.1 (a)

On July 17, 1970, the Regents approved modifications of their Standing Orders in response to a request from the Academic Senate in the form of a Memorial to the Regents on November 3, 1969, to extend Senate membership to “Lecturers and Senior Lecturers with Security of Employment who have full-time teaching responsibilities.” The rationale given for the request was the same one given in March of 1969 when the request was first made:

“such appointees are career members of the faculty, with full and lasting commitment to teaching courses, which are authorized and supervised by the Senate. Appointees to these titles are carefully reviewed by the Senate before appointment, with respect to their qualifications and their potential contributions to the instructional programs of the University.”

However, instead of simply adding the relevant academic titles to the growing list already in SOR 105.1 (a), the following language was inserted after the treatment of University Librarians and before its treatment of those “giving instruction in any curriculum under the control of the Academic Senate whose academic title is ...:”

“each lecturer who has full time teaching responsibilities in any curriculum under the control of the Academic Senate and whose academic title is Senior Lecturer with Security of Employment or Lecturer with Security of Employment,”

Analysis: The Senate’s request and justification, again, seems consistent with the principle of “inclusion” and places stress on full-time employment in teaching responsibilities, Senate review of qualifications, and the importance of the potential contributions of those holding the title.

No mention was made of “similarity of interests and loyalties” that was made accompanying the request to include persons holding titles in the “in Residence” series but it might have been implied by the stress placed on full-time teaching involvement and the fact that these were career members of the faculty.

Interesting, no reference was explicitly made to the request made eight months earlier to include these lecturers. And, continuing a pattern, no appeal is made explicitly to past historical documents or events in the history of the Academic Senate to support the request.

However, it is clear that the President supported the request this time given that it came from the Senate as a result of a Memorial (which passed overwhelmingly, 2182 to 1239 on a total voting membership of 6835).

1987 Senate-requested Revisions to Standing Order 105.1 (a)

On March 20, 1987, the Regents approved modifications of their Standing Orders in response to a request from the Academic Senate in the form of a Memorial to the Regents on November 26, 1986, to extend Senate membership to “Professor of Clinical (e.g., Medicine) series.” The specifics of what was requested by the Senate is illuminating: the Senate requested that the Regents “effect appropriate changes in the Standing Orders ... and to direct the President to effect changes in the Academic Personnel Manual in order to accomplish the following:”

1. provide titles in the “Professor of Clinical (e.g., Medicine) series, “academically qualified persons who are full-time in the service of the University with predominant responsibilities in teaching and clinical service ... ;”
2. confer Academic Senate membership upon each person holding an academic title in this series;
3. provide limitation on the number of appointments in this series to maintain an appropriate balance in the Health Sciences between research, education, and clinical service;
4. provide criteria for appointment, promotion, and appraisal procedures that ”stipulates that persons in this series are to be evaluated in relation to the nature and time commitments

of their University assignments; they will normally carry greater responsibility in teaching and/or clinical service” than regular or “in Residence” faculty;

5. recognize that persons in the new series do not acquire tenure or security of employment nor are they eligible for sabbatical leave.

The nature of these requests simultaneously indicates the rationales for them; no other specific justification was presented, though the degree to which Divisional membership would be numerically affected was articulated as an important consideration. That impact was estimated on the basis of a possible cap of one-sixth of all Senate members in the Health Sciences on a campus (APM 275.16 and ‘86 memorial para 4). It is important to note, however, that the proposed cap, as described in the Regents item, did not prohibit appointments but was to trigger a Senate review of whether the appropriate balance was maintained.

The changes to the Standing Orders simply inserted the appropriate academic titles in the new series in appropriate places after “giving instruction in any curriculum under the control of the Academic Senate whose academic title is”.

Analysis: Again, in requesting the changes in the Standing Orders, neither the Senate nor the administration made explicit appeals to earlier changes to the Standing Order or to the Organic Act for requesting changes. It may have been enough for the Regents that the Memorial passed (1891 to 1619 out of a total voting membership of 9952) and that the current Standing Orders give the Senate the right to determine its own membership.

It is very clear, however, that the predominant basis for extending Senate membership to persons holding academic titles in the series was their full-time responsibilities in teaching; persons holding title in this series would not have similar qualifications and review criteria as regular faculty or those in the “in Residence” series.

Also, the extension was consistent with the previously established principle of “inclusion”. How the extension would impact Divisional membership was a consideration but the proposed “trigger” (appointing more than one-sixth of all Senate members in the Health Sciences on a campus) offered no remedy other than a required review of the balance of faculty in research, education and clinical. Perhaps it was thought that the Standing Order provided adequate remedy where the Senate could exercise its discretion to circumscribe the Senate participation of members of the faculties of professional schools offering courses only at the graduate level.

2002 Senate-requested Revisions to Standing Order 105.1 (a)

On July 17, 2002, the Regents repealed amendments made in 1970¹⁵ approved modifications of their Standing Orders in response to a request from the Academic Assembly, approved on May 29, 2002, to extend Senate membership to full-time Lecturers and Senior Lecturers with Potential for Security of Employment, “whose responsibilities are primarily teaching.” Relevant language was merely added to the long string of academic titles. The rationale was three-fold:

¹⁵ For clarity’s sake.

1. these persons constituted a very small group (seven in 2001);
2. these persons are on track for security of employment “in a manner similar to that of Assistant Professors are on track to tenure;” and
3. “Granting Senate membership ... would make the University’s academic personnel policies more internally consistent because all full-time members of the series would be members of the Academic Senate and this would aid departments that seek to recruit long-term Lecturers.”

It is noteworthy that the American Federation of Teachers agreed to the removal of these persons from the bargaining unit (Unit 18) to which they formally belonged in order for these persons to be granted membership in the Academic Senate, a separate bargaining unit. It is also worthy of note that the Chair of the Senate, in presenting the request to the Regents, observed that “(r)evue procedures for these faculty parallel procedures in UC’s Professorial Series.”

Analysis: Interestingly, the administration supported this request of the Academic Assembly absent a Memorial. Aspects of the request seem suggestive that the desire to award Senate membership to these persons might have originated from the administration, particularly the Office of Academic Personnel.

In any case, the request seems consistent with the principle of inclusion and of full-time involvement in teaching courses under the control of the Academic Senate.

It may also be important that persons granted Senate membership are also persons that are required to undergo regular review of their qualifications.

Other Historical Senate Efforts: Coping with Increasing Size and Diversity:

Since its founding in 1868, the Academic Senate has had to restructure its activities and the way it conducts itself as an effective and unified governance entity. Some of these past attempts had direct and indirect implications for Senate membership.

Early Conflict between “Academic” and “Professional” Faculty. In the beginning the University was governed from (and by) Berkeley, and the same was true for faculty governance. In 1873-74 however, academic staff was intentionally organized into three distinct groups: College of Letters, the sciences, and the medical school in San Francisco.¹⁶ Members of all three were members of the Academic Senate but “the geographic and academic separation of the San Francisco members” restricted their impact on general University policy. Friction between Berkeley and San Francisco became more pronounced in the mid-1880s and led Berkeley faculty members to organize the “Academic Council” in 1885, a committee of the Academic Senate, to address the affairs of academic faculty. In 1887, a “Professional Council” was created by the

¹⁶ Russell H. Fitzgibbon, op. cit., p. 18.

Senate to address matters that the professional schools shared. Divided, the Senate did not function very well.¹⁷

Managing Differences between Northern and Southern Campuses. Between 1933 and 1963, the Academic Senate organized itself to respond to the geographic spread of UC across the state and the growth in the number of campuses. The Northern consisted of faculty members resident at Berkeley, Davis, San Francisco; and the Southern branch consisted of those at Los Angeles, Riverside, and La Jolla). Northern section met at Berkeley, Southern section met at Los Angeles. Each met as a faculty of the whole but changes to Bylaws and Regulations by one section required the approval by the other. Parallel committee structures were established between the Branches and the Senate operated this way for almost 30 years. But as the University continued to grow, this structure accentuated rivalries and faculty at the new campuses found they were not regarded as Academic Senate members.¹⁸

Divisional Status – the Early Days. The history of divisional status and Senate membership is quite interesting.¹⁹ In 1950, the Davis and San Francisco Divisions were formally established but they were initially regarded as committees of the Northern Section of the Senate – and of Berkeley. This changed in 1956 when Berkeley, itself, became a division of the Senate in 1956. It is noteworthy, though, that Davis had been an UC campus as early as 1920 and the faculty at Davis held membership in the Senate at Berkeley. Santa Barbara, though, became part of UC in 1944 but did not acquire divisional status and Senate membership for its faculty until 1958. In the case of San Diego, however, Senate members were present at La Jolla *before* that Division was established. And in the cases of Santa Cruz, Irvine and Merced, the Divisions were established soon after the campuses were opened.

Wards. The new campus Senates tried to organize by wards, representing disciplines, and the Academic Council resolved conflicts as they arose. This process worked well enough until the new divisions of UC became, themselves, good-size universities.

The 1963 Reorganization of the Academic Senate. Fearing disorder and ineffectiveness, the Northern and Southern organization of the Academic Senate was replaced by a new “Federated” model in 1963 that continues today and was reaffirmed as the optimal structure in 1998.²⁰ The notion of one Academic Senate for common policies and uniform standards was maintained, but now each campus could be a Division of the Senate (once approved as such). Faculty on each campus with an approved Division would be recognized as members of the Academic Senate, according to the rules of the Standing Orders of the Regents. A new, systemwide legislative body, called the Academic Assembly, was established that attempts to solve the problem of UC size and diversity, in part, by proportional representation. Divisional representatives are chosen that the Divisions are represented in proportion to their membership, but each Division is guaranteed at least one Divisional Representative in the Assembly. Yet, the Senate established an executive body where each campus, in some sense, is placed on equal footing with one campus representative each.

¹⁷ Ibid.

¹⁸ John A. Douglass, op. cit., p. 8.

¹⁹ Russell H. Fitzgibbon, op. cit., p. 1.

²⁰ Academic Senate Task Force on Governance, op. cit., p. 7-10.