Committee on Rules and Jurisdiction
Annual Report 2006-2007

Jean Ann Seago, PhD
Chair

During the 2006-07 academic year, the Committee on Rules and Jurisdiction (R&J) met as a Committee on five occasions and augmented its work through the use of email communications. Jean Olson, Division Parliamentarian and Chair of the University Committee on Rules & Jurisdiction (UCRJ) reported on matters related to UCRJ.

The Committee reviewed several actions and requests for rulings during the 2005-2006 academic year:

1. Proposed amendment to the School of Nursing Bylaws adding a Standing Committee on International and Global Health
2. Proposed Modification to Academic Senate (Systemwide) Bylaw 205, Part 1.A
3. Request for Guidance from the Committee on Committee regarding the appointment of non-Senate faculty to Academic Senate Committees
4. Proposed revisions to the School of Pharmacy Bylaws
5. Request and Charge by Academic Senate Chair Greenspan to review and propose revision to Appendix VII to the Academic Senate (SF) Divisional Bylaws: Divisional Procedure for Student Grievance in Academic Affairs

Systemwide Issues

The Committee reviewed the proposed modifications to Senate Bylaw 205 Part I.A. (Appendix 1) which would provide add a position of Vice Chair to the Systemwide UCRJ. The Committee agreed with these changes and would recommend that the Division support this amendment. Absent Committee Members were polled for their vote via e-mail. The Committee unanimously approved these changes and sent a Communication expressing the Committee’s support to Academic Senate Chair Greenspan (Appendix 2).

This recommendation was reviewed by the Academic Senate Coordinating Committee, and Chair Greenspan sent a Communication to Systemwide Academic Senate Chair Oakley expressing the support of the San Francisco Division on this matter (Appendix 3).
UCSF Committee on Rules and Jurisdiction

The Committee reviewed several matters at the Division level.

Proposed amendment to the School of Nursing Bylaws adding a Standing Committee on International and Global Health

The Committee reviewed and approved the proposed addition to the School of Nursing Bylaws submitted by the School of Nursing Faculty Council (Appendix 4). This language created a new standing committee of the School of Nursing: the International and Global Health Committee.

The Committee sent a communication to Mary Engler, Chair of the School of Nursing Faculty Council and Academic Senate Division Chair Deborah Greenspan expressing approval of this bylaw language (Appendix 5).

Appointment of Non-Senate Faculty to Committees of the Academic Senate

The Committee reviewed the request from the Committee on Committees (COC) (Appendix 6) to review the Divisional Bylaws and provide a ruling regarding the appointment of non-Senate faculty to the standing committees of the Academic Senate. As faculty in non-Senate series are highly productive, integral, and highly valued on this campus, COC would like to appoint faculty in non-Senate series (particularly those in the Adjunct and Health Sciences Clinical Professor series) to the standing committees of the Divisional Senate.

The bylaw governing appointment to the Committee on Academic Personnel (CAP) reads

“This Committee shall consist of nine members of professor rank including Tenure Track, Clinical –X and In-Residence series, serving staggered terms of three years. It shall contain members from each of the Division’s Schools and should be representative of the broad missions of UCSF, including members who are involved in the Basic, Clinical, and Social/Behavioral Sciences.”

The question from COC to R&J in this case is “Shall ‘including’ be interpreted as ‘limited to’?” The Committee discussed that as the series to be included are expressly stated included, other series may not be appointed to CAP as well. Based on semantics, it could be interpreted that non-Senate faculty could be members; however based on the best understanding of the intent is that they cannot be members.

This interpretation is bolstered by other bylaws which are explicit if they are to be inclusive of non-Senate members.

This interpretation is further bolstered by Systemwide Senate Bylaw 35c: http://www.universityofcalifornia.edu/senate/manual/blpart1.html#bl35

Title IV. Committees
35. Membership of Committees
   A. Types of Membership. Committees may be composed of appointed, elected, or ex officio members, or any combination thereof.
B. Terms of Service. Unless otherwise specified in these Bylaws or the relevant Divisional Bylaws, members of Standing Committees shall serve two-year terms, where feasible staggered, beginning on September first following their appointment. (Am 28 May 2003; Am 12 May 2004)

C. Voting and Other Rights

1. The Vice Chair, if any, shall perform the duties of the Chair in case of temporary absence or disability of the Chair, and such other duties as the committee concerned may determine. (Am 15 Jun 70)

2. Only members of the Academic Senate may vote in Senate agencies and their committees when those agencies or committees are taking final action on any matter for the Academic Senate, or giving advice to University officers or other non-Senate agencies in the name of the Senate. Persons other than Senate members may be given the right to vote on other questions, such as those that involve only recommendations to other Senate agencies, but only by explicit Bylaw provisions. [See Legislative Ruling 12.75]

3. Except for the provision of Article C.2 of this Bylaw, ex officio members have the same powers as other members unless otherwise specified.

Non-Senate faculty votes may not be counted for actions of the Senate nor for “giving advice to University officers or other non-Senate agencies in the name of the Senate.” Possible inclusion of non-Senate series in the memberships of the standing committees of the Academic Senate is best examined by each committee as the committees best understand their work and how much of that work represents actions of the Senate or is advisory in the name of the Senate.

Committees such as CAP which is advisory, or R&J which votes on behalf of the Senate, should not include non-Senate series, but Clinical Affairs, which needs the advice of Health Sciences Clinical faculty, should. Each Committee, knowing best their own work, are best suited to decide if they should or should not include non-Senate, non-voting members.

All Committee members, including those not present at the meeting, participated in further discussion via e-mail and approved a final Communication to be sent to the Committee on Committees (Appendix 7).

Proposed revisions to the School of Pharmacy Bylaws

The Committee reviewed the proposed modifications to the School of Pharmacy Bylaws submitted by the School of Pharmacy Faculty Council (Appendix 8, Appendix 9, and Appendix 10).

The Committee discussed the issue of voting rights. All may vote on school issues, but only Senate members’ votes count for issues relating to the work of Senate members. The SOP does not have the authority to designate who is eligible to vote as this is governed by Systemwide regulation, particularly Systemwide Senate Bylaw 35. The School of Pharmacy Faculty Council may not confer voting rights beyond those allowed by Systemwide Senate Bylaw Title IV, Section 35.C. Furthermore, to allow non-Senate members to vote on non-Senate actions, the School of Pharmacy Faculty Council Bylaws need to provide explicit provisions.

Non-Senate faculty voting may only be allowed to the extent permitted by and in accordance with Systemwide Senate Bylaw Title IV, Section 35 C. This issue is relevant to Part II, Point 3 and Part IX, Point 13.
The Committee recommended the following modification to Part II, Point 3:

Instructors of less than two years service and non-Senate members of the Faculty responsible for instruction shall have the privilege of the floor and may vote on any actions other than final actions on any matter for the Academic Senate, or final actions that give advice to University officers or other non-Senate agencies in the name of the Senate.

The Committee further recommended the following modification to Part IX, Point 13. A:

One representative to the Faculty Council shall be elected from among the faculty who are not members of the Academic Senate. This member shall be entitled to participate in the deliberations of the Council and may vote on any actions other than final actions on any matter for the Academic Senate, or final actions that give advice to University officers or other non-Senate agencies in the name of the Senate. Such elected representatives must hold at least a half-time academic appointment in the School of Pharmacy.

This language is taken directly from Systemwide Senate Bylaw 35.C.2.

The Committee unanimously voted to approve the SOP Bylaw changes as modified by the Committee and sent a Communication to the SOP-FC Chair Helene Lipton expressing this conditional approval (Appendix 11).

Request and Charge by Academic Senate Chair Greenspan to review and propose revision to Appendix VII to the Academic Senate (SF) Divisional Bylaws: Divisional Procedure for Student Grievance in Academic Affairs

The review and revision of Academic Senate, San Francisco Division, Bylaws Appendix 7: Divisional Procedure for Student Grievance in Academic Affairs consumed the bulk of the Committee’s workload for the 2006-07 academic year. This issue was examined in great detail and discussed at every meeting of the Committee. The Committee was charged as a special task force by the Chair of the Academic Senate to review the Divisional Procedure for Student grievance in Academic Affairs, and to propose revisions to bring the procedure into line with modern practice and to increase its efficiency, efficacy, and clarity.

A complete report regarding this process and the revision is attached hereto as Appendix 12. This Report from the Committee on Rules and Jurisdiction (with three attachments) was presented to and approved by a unanimous vote of the San Francisco Division on June 21, 2007. This proposed revision to the Divisional Procedure for Student Grievance in Academic Affairs was sent to the University Committee on Rules and Jurisdiction (UCRJ) for their approval on June 22, 2007 (Appendix 13).

Outstanding Vote by the Division Regarding Bylaw Amendments

In the 2005-06 academic year, the Committee reviewed and approved proposed modifications to UCSF Bylaw 125 regarding the Graduate Council (Appendix 14) and a proposed Variance to Senate
Regulation 750 (Appendix 15) but these items were never brought to a vote by the Division. These items were approved by the San Francisco Division at its June 21, 2007 meeting and sent to UCRJ for approval with the other items sent on June 22, 2007 (Appendix 13).

### Issues for the 2007-2008 Academic Year

There are no pending issues for 2007-2008.

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**Respectfully submitted,**

**Committee on Rules and Jurisdiction**

Jean Ann Seago, PhD, RN, Chair  
Theodora Mauro, MD, Vice Chair  
Douglas Carlson, JD  
Orlo Clark, MD  
John Imboden, MD  
Richard Jordan, DDS, PhD  
Daniel Ramos, PhD, DDS  
Anne Slavotinek, MD  
Jean Olson, MD  
Joanna Weinberg, JD, LLM (Adjunct Representative)  
Merlin Larson, MD, (Clinical Representative)

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Prepared by:  
Wilson Hardcastle, Senate Analyst  
(415) 476-4245, wilson.hardcastle@ucsf.edu
APPENDICES

Appendix 1: Proposed Modifications to Senate Bylaw 205 Part I.A (adding a position of Vice Chair to the Systemwide UCRJ)

Appendix 2: Communication from RJ to Academic Senate Chair Greenspan recommending approval of the Proposed Modifications to Senate Bylaw 205 Part I.A. (November 9, 2006)

Appendix 3: Communication from UCSF Academic Senate Chair Greenspan to Systemwide Academic Senate Chair Oakley expressing the support of the San Francisco Division for the Proposed Modifications to Senate Bylaw 205 Part I.A (February 13, 2007)

Appendix 4: Communication from the School of Nursing Faculty Council proposing changes to the School of Nursing Bylaws to create a new standing committee of the School of Nursing: the International and Global Health Committee (September 8, 2006)

Appendix 5: Communication from RJ to the School of Nursing Faculty Council and Academic Senate Division Chair Deborah Greenspan approving the Amendment to the School of Nursing Bylaws Creating the Standing Committee on International and Global Health (September 26, 2006)

Appendix 6: Communication from the Committee on Committees (COC) requesting review the Divisional Bylaws regarding the appointment of non-Senate faculty to the standing committees of the Academic Senate (October 23, 2006)

Appendix 7: Communication from RJ to the Committee on Committees (COC) regarding appointment of non-Senate faculty to the standing committees of the Academic Senate (December 14, 2006)

Appendix 8: Communication from the School of Pharmacy Faculty Council submitting bylaw changes for review (January 11, 2007)

Appendix 9: Proposed modifications to the Bylaws of School of Pharmacy submitted by the School of Pharmacy Faculty Council (January 9, 2007)

Appendix 10: Justifications to the proposed modifications to the Bylaws of School of Pharmacy submitted by the School of Pharmacy Faculty Council (January 9, 2007)

Appendix 11: Communication from RJ to the School of Pharmacy Faculty Council expressing conditional approval of proposed modifications to the Bylaws of School of Pharmacy (January 22, 2007)

Appendix 12: Final Report from the Committee on Rules and Jurisdiction Regarding the Review and Revision of San Francisco Division Bylaw Appendix 7: Divisional Procedure for Student Grievance in Academic Affairs

Appendix 13: Communication from the San Francisco Division to Systemwide requesting review and approval by UCRJ of the revised Divisional Bylaw Appendix 7: Divisional Procedure for Student Grievance in Academic Affairs (June 22, 2007)

Appendix 14: Committee approval of modifications to UCSF Bylaw 125 regarding the Graduate Council (June 27, 2006)

Appendix 15: Committee approval of Variance to Senate Regulation 750 (June 27, 2006)

Appendix 16: Committee attendance record
October 23, 2006

SYSTEM-WIDE SENATE COMMITTEE CHAIRS
DIVISIONAL SENATE CHAIRS

RE: System-wide Review of the Proposed Modification to Senate Bylaw 205 Part I.A.

Dear System-wide Senate Committee and Divisional Senate Chairs:

On behalf of Chair Oakley, the above document is being forwarded for your review and comments. As background information, during the past two years the University Committee on Rules and Jurisdiction (UCR&J) experienced a situation whereby the committee chair was unable to lead the committee due to reasons beyond the chair’s control. Since the UCR&J Bylaw does not allow for a Vice Chair or define who should act in the absence of the chair, the University Committee on Committees (UCOC), along with UCR&J, and the Academic Senate Secretary/Parliamentarian have proposed an amendment to Senate Bylaw 205 Part I.A. This proposed amendment would permit the appointment of a vice chair, as well as the addition of two additional at-large-members. The attached letter provides a complete justification for these proposed revisions to Senate Bylaw 205.Part 1.A.

At its September 27, 2006 meeting, the Academic Council voted to distribute the proposed amendments to Senate Bylaw 205 Part I.A. for system-wide Senate review.

Please note that Senate Bylaw 205 Part I.A. is a protected Bylaw and therefore “Modification of Bylaws marked "[Protected -- see Bylaw 116.E]" requires approval of two-thirds of all voting members of the Assembly present, followed by ratification by two-thirds of the votes cast in a mail ballot of the voting members of the Academic Senate.” The Academic Council would therefore like to finalize its position with respect to the recommendations early in the 06-07, so that the Assembly can also act within this academic year. In order to do so, we would very much appreciate receiving responses by the date listed below:

For System-wide Senate Committees please submit responses by: January 10, 2007
For Divisions please submit responses by: February 15, 2007

As a reminder to System-wide Senate Committee Chairs, please note two points regarding the practice the Academic Council has established for general reviews:
1. **Request for comments are sent out to all System-wide Committees. Each committee may decide whether or not to opine.** Please notify the Senate Office either directly by emailing me or through your Committee Analyst, if your committee chooses not to participate in this review.

2. **The Committee response due date is typically set a month before that of Divisions.** This two-stage review allows the Academic Council to conduct both a preliminary and a final discussion of the matter at hand. It also gives the Divisions the benefit of the committees’ considerations for their own deliberations.

Cordially,

Maria Bertero-Barceló, Executive Director
Academic Senate

Encl: 1
Copy: Academic Council Chair John Oakley
Divisional Senate Directors
Academic Senate Committee Analysts
April 26, 2006

Dear John,

In recent years, the UC Rules and Jurisdiction Committee has experienced several episodes during which the committee chair was unable to lead the committee during periods of time related to their own health, family health and professional travel. While these kinds of events are commonplace, and can be expected to occur again, they tend to disrupt the work of R&J more than other senate committees because R&J is a very small committee, its composition is carefully defined, and it has no vice chair. The UC Committee on Committees and R&J now propose two amendments to the bylaws that define R&J membership to permit continuity of committee leadership and work in the event of an interruption in the chair’s availability. Because the bylaws that define R&J membership are protected (Bylaw 116.E and Legislative Ruling 12.93.A-B (extracted in attached text), these changes need to be reviewed and approved by the Assembly, and then voted on by 2/3 of all votes cast by voting members of the entire Academic Senate.

Membership of the UC Rules and Jurisdiction committee is defined in Bylaw 205 Part I A, which currently reads:

“The committee shall consist of five members, two chosen from the Chairs of the Divisional Committees on Rules and Jurisdiction and three members at large. Members at large shall serve for three years, other members for three years or until they cease to hold the office of Chair of the Divisional Committees on Rules and Jurisdiction, whichever is less. The Chair shall be chosen from the members at large. No member shall be simultaneously a member of the Assembly.”

We propose amendment of this bylaw to read:

“The committee shall consist of five seven members, two chosen from the Chairs of the Divisional Committees on Rules and Jurisdiction and three five members at large. Members at large shall serve for three years, other members for three years or until they cease to hold the office of Chair or Vice Chair of the Divisional Committees on Rules and Jurisdiction, whichever is less. The Chair and Vice Chair shall be chosen from the members at large. No member shall be simultaneously a member of the Assembly.”

We respectfully submit these amendments for consideration of the Assembly and the Academic Senate.

Sincerely Yours,

Prof Gershon Shafir
Chair, UCOC

Prof. Eric Smith
Chair, UCR&J

Prof. Jean Olson
Parliamentarian of the Assembly
COMMUNICATION FROM THE CHAIR OF THE COMMITTEE ON RULES AND JURISDICTION
Jean Ann Seago, RN, PhD

November 9, 2006

Deborah Greenspan, DSc, BDS
Chair, UCSF Academic Senate
Office of the Academic Senate, Box 0764

Dear Chair Greenspan,

In a meeting on November 9, 2006, and via electronic communication, the Committee on Rules and Jurisdiction reviewed the request to review the proposed modifications to Systemwide Academic Senate Bylaw 205 Part I.A. permitting the continuity of committee leadership and work in the event of an interruption in the Chair’s availability.

The Committee unanimously recommends divisional support and approval of the proposed modifications to Systemwide Academic Senate Bylaw 205 Part I.A.

Sincerely,

Jean Ann Seago, RN, PhD
Chair, Committee on Rules and Jurisdiction

Committee on Rules and Jurisdiction
Jean Ann Seago, PhD, RN, Chair
Theodora Mauro, MD, Vice Chair
Douglas Carlson, JD
Orlo Clark, MD
John Imboden, MD
Richard Jordan, DDS, PhD
Daniel Ramos, PhD, DDS
Anne Slavotinek, MD
Jean Olson, MD
Joanna Weinberg, JD, LLM (Adjunct Representative)
Merlin Larson, MD, (Clinical Representative)
February 13, 2007

John Oakley, JD
Professor and Chair
UC Academic Senate
1111 Franklin Street, Room 12308
Oakland, CA 94607-5200

Attn: Maria Bercero-Barcelo, Executive Director

Dear Chair Oakley,

In response to your request for Divisional comment, the UCSF Division has reviewed the recommended changes to Senate Bylaw 205 Part I.A. Attached, please find the report from the UCSF Rules and Jurisdiction Committee which was approved unanimously by the UCSF Coordinating Committee at its meeting of February 13, 2007.

If you have any questions or need additional information, please do not hesitate to contact me at 415-476-0575, greenspand@dentistry.ucsf.edu or UCSF Executive Director Tamara Maimon at 415-476-3808.

Sincerely yours,

Deborah Greenspan, DSc, BDS
Professor and Chair
San Francisco Division

/enclosures
COMMUNICATION FROM THE CHAIR OF THE SCHOOL OF NURSING FACULTY COUNCIL
Mary B. Engler, PhD, RN, MS, FAHA

September 8, 2006

Jean Ann Seago, RN, PhD
Chair, Committee on Rules and Jurisdiction
Office of the Academic Senate, Box 0764

Re: Proposed Amendment to the School of Nursing Bylaws

Dear Chair Seago,

The School of Nursing Faculty Council respectfully submits the attached Proposed Amendment to the School of Nursing Bylaws for review and approval by the Academic Senate Committee on Rules and Jurisdiction.

This addition to the School of Nursing Bylaws creates a new Standing Committee of the School of Nursing: the International and Global Health Nursing Committee.

Your prompt consideration is greatly appreciated.

Sincerely,

Mary B. Engler, PhD, RN, MS, FAHA
Chair, School of Nursing Faculty Council

enclosures/ Proposed Amendment to the School of Nursing Bylaws (09/08/06)
Proposed Amendment to the School of Nursing Bylaws
Proposed September 8, 2006

To be inserted into **Part IX. Standing Committees:**

e. International and Global Health Nursing Committee

(1) Membership:

a. This committee shall consist of faculty members without regard to Academic Senate membership. Committee Membership shall consist of at least the following: one faculty representative from each of the four departments; one faculty representative from the Institute for Health and Aging; at least one student representative, and the Associate Dean for International Programs as *ex officio*. The Chair shall be appointed to serve as Chair for a term of two years.

(2) The functions of the International and Global Health Nursing Committee shall be to:

a. Collaborate closely with the Associate Dean for International Programs;
b. Collaborate closely with the UCSF WHO Center Network;
c. Integrate international/global health nursing programs and activities into the fabric of the School;
d. Develop and oversee policy affecting international student placements;
e. Guide policy in the area of international agency/institutional affiliations;
f. Guide policy in the area of recruitment and retention of international MS and PhD students;
g. Provide leadership in developing intra and interschool collaborative research programs/networks; Chair or designee shall represent the School of Nursing on University or campus International and Global Health working groups as necessary;
h. Sponsor international speakers and programs;
i. Assist in identifying/publicizing grant opportunities for School of Nursing faculty and Dean’s Office and, in general, research possible sources of funding to enhance international/global health programming opportunities.
COMMUNICATION FROM THE COMMITTEE ON RULES AND JURISDICTION
Jean Ann Seago, RN, PhD

September 26, 2006

Mary Engler, PhD, RN, MS, FAHA
Chair, School of Nursing Faculty Council
Campus Box

RE: Review of Proposed School of Nursing Bylaw Amendment Creating a Standing Committee on International and Global Health

Dear Chair Engler:

On September 25, 2006, the Academic Senate Committee on Rules and Jurisdiction has reviewed the proposed addition to the School of Nursing Bylaws creating a new School of Nursing standing committee of International and Global Health, as submitted in the Communication dated September 8, 2006. The Committee approves this language as proposed.

Sincerely,

Jean Ann Seago, RN, PhD
Chair, Committee on Rules and Jurisdiction

Committee on Rules and Jurisdiction
Jean Ann Seago, PhD, RN, Chair
Theodora Mauro, MD, Vice Chair
Douglas Carlson, JD
Daniel Ramos, PhD, DDS
Anne Slavotinek, MD
Joanna Weinberg, JD, LLM
COMMUNICATION FROM COMMITTEE ON COMMITTEES
Elena Fuentes-Afflick, MD, MPH, Chair

October 23, 2006

Jean Ann Seago, RN, PhD
Chair, Committee on Rules and Jurisdiction
c/o Academic Senate Office
Box 0764

Dear Dr. Seago,

At its October 16, 2006 meeting, the Committee on Committees reviewed the Bylaw membership requirements for each UCSF Divisional Committee in order to determine which Academic Senate Divisional Committees can include Clinical and/or Adjunct faculty members. When possible, we would like to increase the number of Clinical and Adjunct faculty appointed to Senate Committees. As we look toward appointments for the 2007-08 academic year (which will begin in a few months), we are especially interested in appointing Clinical and Adjunct faculty who are interested in participating on Senate Committees and who would add value to the role of the Academic Senate at UCSF.

We would like to ask the Committee on Rules and Jurisdiction to assist us by providing guidance with respect to reviewing the Bylaw language for each UCSF Academic Senate Committee membership and letting us know, for each committee, if there is language that specifically prevents the Committee on Committees from appointing a Clinical or Adjunct Faculty member to that particular committee.

We are particularly interested in your Committee’s guidance with respect to understanding the difference between “including,” as written in the CAP Bylaw membership criteria (see below) and “limited to.”

….. “This Committee shall consist of nine members of professor rank including Tenure Track, Clinical –X and In-Residence series, serving staggered terms of three years. It shall contain members from each of the Division’s Schools and should be representative of the broad missions of UCSF, including members who are involved in the Basic, Clinical, and Social/Behavioral Sciences. [Am 1 Sep 03, 18 Nov 04] ”

Thank you, in advance, for your assistance. If you have any questions, please do not hesitate to contact Elena Fuentes-Afflick, Committee Chair, at 206-4196 or efuentes@sfgphpeds.ucsf.edu or Tamara Maimon, Academic Senate Director, at 476-3808 or tmaimon@senate.ucsf.edu.

Committee on Committees
Elena Fuentes-Afflick, Chair
Stanton Glantz, Vice Chair
Steven Kayser, Member
Peter Loomer, Member
Robert Newcomer, Member
Lawrence Pitts, Member
Elizabeth Watkins, Member

cc: Deborah Greenspan, Chair, UCSF Academic Senate
David Gardner, Vice Chair, UCSF Academic Senate
COMMUNICATION FROM THE CHAIR OF THE COMMITTEE ON RULES AND JURISDICTION
Jean Ann Seago, RN, PhD

December 14, 2006

Elena Fuentes-Afflick, Chair
Committee on Committees
Office of the Academic Senate
Campus Box 0764

Dear Dr. Fuentes Afflick,

In a meeting on November 9, 2006, and via electronic communication, the Committee on Rules and Jurisdiction reviewed the request of the Committee on Committees (October 23, 2006) to review Bylaw language regarding appointing non-Senate faculty to Academic Senate Committees. Specifically, the Communication from the Committee on Committees requested guidance regarding the language pertaining to membership of the Committee on Academic Personnel (CAP).

Regarding the Committee on Academic Personnel
The Committee discussed the idea that the word “including” could mean either “limited to” or “not limited to.” However, it is common practice to expressly state “including, but not limited to,” if that is the intent. The Committee considered the intent of the Bylaw language, and concluded that the wording related to membership of the Committee on Academic Personnel, that is “shall consist of nine members of professor rank including Tenure Track, Clinical-X, and In-Residence series,” is explicit in that all three Senate series must be included in the membership of the Committee. Additionally, it does not permit the addition of others. This is a statement of membership inclusion, and those series not mentioned are excluded. This interpretation is based on the recollection of a current Member of Rules and Jurisdiction who participated in the drafting of this Bylaw.

This interpretation is further bolstered by Systemwide Senate Bylaw 35c, Title IV Committees, 35 Membership of Committees, C Voting Rights, 2.:  

2. Only members of the Academic Senate may vote in Senate agencies and their committees when those agencies or committees are taking final action on any matter for the Academic Senate, or giving advice to University officers or other non-Senate agencies in the name of the Senate. Persons other than Senate members may be given the right to vote on other questions, such as those that involve only recommendations to other Senate agencies, but only by explicit Bylaw provisions.  
(http://www.universityofcalifornia.edu/senate/manual/blpart1.html#bl35)

The primary, If not sole, activity of the Committee on Academic Personnel is to be advisory to the Chancellor via the Vice-Provost for Academic Affairs—“University officers or other non-Senate agencies in the name of the Senate.” Considering this, non-Senate faculty may not be appointed to the Committee on Academic Personnel.
Regarding other Academic Senate Committees
Further, the Committee on Rules and Jurisdiction interprets Bylaw 35c to mean that non-Senate faculty may be appointed to Academic Senate committees but are not allowed to vote on any matters which result in a final action of the Academic Senate, nor may their vote be counted on matters which are advisory to the University or other non-Senate agencies. Non-Senate members may participate in Senate Committee meetings, and act as consultants or representatives of their various constituents or series, but their votes may not be counted for action or advisory items.

The appropriateness of including non-Senate faculty on Committees of the Academic Senate is largely determined by the primary work and activities of each Committee. Non-Senate faculty are encouraged to participate so far as their actions do not constitute votes for final actions (or advisory actions) in the name of the Senate proper. The Committee on Rules and Jurisdiction supports the idea that the various committees are best suited to determine to what degree their work results in actions on behalf of the Senate or is advisory to the University. In some cases, inclusion of non-Senate faculty is necessary and should be strongly encouraged, such as the inclusion of Health Sciences Clinical faculty on the Clinical Affairs Committee. As the Clinical Affairs Committee is unique to this campus and is primarily charged with providing information to the Divisional Senate and its Divisional Standing Committees, and as the Clinical Affairs Committee does not advise in the name of the Senate but makes “recommendations to other Senate agencies,” non-Senate Members may be voting Members.

The Committee on Rules and Jurisdiction therefore recommends that no action be taken by the Committee on Committees (COC) at present. However, the Committee recommends that the COC request that each Standing Committee of the San Francisco Division review their membership language in light of Systemwide Senate Bylaw 35.C.2 and, based on the work that is brought before each committee, suggest changes, as necessary or appropriate, to the Divisional Bylaws governing membership of their Committee to make explicit which faculty series’ members are eligible for committee membership.

Sincerely,

Jean Ann Seago, RN, PhD
Chair, Committee on Rules and Jurisdiction

Committee on Rules and Jurisdiction
Jean Ann Seago, PhD, RN, Chair
Theodora Mauro, MD, Vice Chair
Douglas Carlson, JD
Orlo Clark, MD
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Daniel Ramos, PhD, DDS
Anne Slavotinek, MD
Jean Olson, MD
Joanna Weinberg, JD, LLM (Adjunct Representative)
Merlin Larson, MD, (Clinical Representative)
Communication from the School of Pharmacy Faculty Council
Helene Lipton, PhD, Chair

January 11, 2007

Jean Ann Seago, RN, PhD, Chair
Committee on Rules and Jurisdiction

Dear Professor Seago,

The School of Pharmacy Faculty Council recently voted to adopt several changes to provisions in the Bylaws of the Faculty of the School of Pharmacy. The Faculty Council hereby requests that the Committee on Rules and Jurisdiction review the proposed amendments to ensure that they are consistent with the requirements of the Bylaws, Regulations, and Appendices of the University of California, San Francisco Division of the Academic Senate.

Enclosed for review by the committee, please find the Bylaws of the Faculty of the School of Pharmacy with track changes indicating the proposed amendments and a separate document stating the justifications for each amendment. It is our hope that we would receive the Faculty Council committee’s feedback in time to allow the proposed amendments to be submitted to the full faculty on February 1, 2007.

Thank you for bringing this matter forward in the Committee on Rules and Jurisdiction. We look forward to receiving your feedback.

Sincerely,

School of Pharmacy Faculty Council
Helene Lipton, PhD, Chair
Candy Tsourounis, PharmD, Vice Chair
Brian Alldredge, PhD
Patricia Babbitt, PharmD
Al Burlingame, PhD
Chris Cullander, PhD
Cathi Dennehy, PharmD
Steven Kahl, PhD
Tanja Kortemme, PhD
Lorie Rice, MPH
Mitra Assemi, PharmD
Chao Tang, PhD
Christopher Voigt, PhD
PART I. FUNCTIONS

1. The Faculty of the School of Pharmacy shall govern and supervise the School in accordance with San Francisco Divisional Bylaw 95 (Powers of the Faculties).

PART II. MEMBERSHIP AND VOTING ELIGIBILITY

2. The Faculty shall consist of (S.F. Divisional Bylaw 100):
   (a) The President of the University.
   (b) The Chancellor at San Francisco.
   (c) The Dean of the School of Pharmacy.
   (d) All members of the Academic Senate who are members of the departments of the School of Pharmacy.
   (e) One representative, a member of the Academic Senate, from each of the departments in other schools which offer courses necessary to satisfy requirements in the curricula of the School of Pharmacy. These members, recommended by their departments, shall be appointed by the Dean with the approval of the Faculty Council. They shall serve for one year and may be reappointed.

3. Instructors of less than two years service and non-Senate members of the Faculty responsible for instruction shall have the privilege of the floor and may vote.

PART III. OFFICERS

4. Chair. The Chair of the Faculty Council (Bylaw 15) shall serve as Chair of the Faculty.

5. Vice Chair. The Vice Chair of the Faculty Council shall serve as Vice Chair of the Faculty Bylaw 16).

PART IV. EXECUTIVE OFFICE OF THE SAN FRANCISCO DIVISION

6. A. The Chair shall preside at all meetings of the Faculty and of the Faculty Council. The duties of the Chair, when presiding, shall be restricted to the role of Presiding Officer, as described in the official parliamentary manuals of Sturgis and of Roberts. (See Appendix to these Bylaws.)

   B. The Chair shall consult with the Dean in arranging the agenda of meetings of the Faculty Council and of the Faculty.

7. The Vice Chair shall preside at meetings of the Faculty in the absence of the Chair.

PART V. DUTIES OF EXECUTIVE COMMITTEE

8. The Executive Office of the San Francisco Division provides professional, analytical, and administrative support; guidance; coordination; communication; and assistance (Division Bylaw (25). Its duties shall include:

   A. Maintaining proper records.

   B. Sending advance notice (call) for meetings and presentation to the Faculty, in advance of any meetings, of adequate information regarding matters to be considered.
C. Minutes of each Faculty Meeting.

D. Conducting all elections.

E. Keeping a valid roster of voting members of the Faculty.

PART VI. MEETINGS

9. Frequency. Meetings of the Faculty shall be held at least once each half-year (based on the start of the Fall term) and at such other times as the Faculty may determine, or upon written request of five members of the Faculty, or upon the call of any of its officers. (Also see Bylaw 11.)

PART VII. QUORUM

10. Quorum. Ten members of the Faculty shall constitute a quorum.

PART VIII. ORDER OF BUSINESS

11. All meetings of the Faculty shall be guided by the provisions of the San Francisco Divisional Bylaws 45, 50 and 55.

PART IX. FACULTY COUNCIL

12. Membership. The Faculty Council shall consist of seven elected and six ex-officio members. [Am. 5/6/2004]

A. Elected: There must be at least two members each from the Department of Pharmaceutical Chemistry, the Department of Biopharmaceutical Sciences, and the Department of Clinical Pharmacy.

B. Ex Officio: The ex officio members shall be: The Dean, the Assistant/Associate Dean for Academic Affairs, the Assistant/Associate Dean for External Affairs, the Assistant/Associate Dean of Student and Curricular Affairs, the Chair of the Admissions Committee, and the Chair of the Educational Policy Committee. [Amended 9/99]

13. Representatives

A. One representative to the Faculty Council shall be elected from among the faculty who are not members of the Academic Senate. This member shall be entitled to participate in the deliberations of the Council, and may vote. Such elected representatives must hold at least a half-time academic appointment in the School of Pharmacy.

B. The Student Body President of the School shall be invited to the Faculty Council Meetings.

14. Terms of Office

A. Each elected member and representative shall serve a term of two years.

B. There are four elected member seats to be filled in even numbered years and three in odd numbered years with normal terms of two years. Additional members shall be elected to serve terms of one year whenever needed to bring the total of elected members to seven. Since terms are staggered, one representative shall be elected each year (see Bylaw 18).

C. Terms of office shall start with the first day of September.

10/18/2006
15. Chair. The Chair shall be one of the elected members and shall be appointed by the Faculty Council. He/she shall be chosen and assume office at the earliest convenient meeting on or before the first day of instruction in the Fall term.

16. Vice Chair. The Vice Chair shall be appointed by the Faculty Council in the same manner as described in Bylaw 15.

17. Nominations and Elections.
   A. Nominations. Thirty days prior to the last Faculty meeting of the Spring term the Executive Office shall inform, in writing, each member of the Faculty that nominations to the Faculty Council must be submitted within ten days. Each nomination shall be in writing. The nominators' statements shall certify that the nominee or nominees will serve if elected. There must be at least two candidates nominated from each Department. The Faculty Council shall complete the slate of candidates if this requirement is not met.

   B. Elections. The Executive Office shall submit a ballot to each member of the Faculty not less than ten days before the last meeting of the Spring term. The outcome of the election shall be determined subject to the constraints of Bylaw 12A and shall either be announced at the last meeting of the Spring term or transmitted to the Faculty in writing. [AM. 5/6/2004]

   C. Representatives. Nominations for the election of a representative (Bylaw 13A) shall be conducted in the same manner as above except that the nominators and the electors shall be restricted to members of the faculty who are not members of the Academic Senate and who hold at least half-time academic appointments in the School of Pharmacy.

18. Vacancies.
   A. If a vacancy occurs among the elected faculty members or representatives, for any reason (for example, long-term illness, becoming an ex officio member, sabbatical leave), it shall be filled by the candidate who received the next largest number of votes in the most recent election, subject to the constraints of Bylaw 12A. It is the option of the originally elected member to resume the vacated seat when able to do so. [Am. 5/6/2004]

   B. Should no candidate be available from the most recent election to replace the vacancy (of an elected member or a representative), the Faculty Council shall appoint a replacement, who shall be confirmed at the next Faculty meeting. [AM. 5/6/2004]

   C. If an appointment is not confirmed by the Faculty, the Executive Office or the Chair shall conduct a special election. The election shall conform, in principle, to the procedures prescribed in Bylaws 17A and 17B and retain the ten-day nomination period. The total nomination and election processes shall be completed and the Faculty informed of the results in writing within three weeks from the date of the meeting at which the negative vote for confirmation occurred. [AM. 5/6/2004]

19. Meetings. The Faculty Council should meet as necessary and must meet at least once each regular term at the call of the Chair, the Dean, or any three members of the Council.

20. Quorum. A quorum shall consist of six members provided that among the six at least three are elected members and that the Dean or Associate Dean is present.

21. Order of Business. The order of business at meetings of the Faculty Council is as follows:

10/18/2006
22. Duties and Powers. In accordance with Divisional Bylaw 95, the government and supervision of each school is vested in the faculty concerned. The Faculty Council shall have the authority to act for the Faculty in the following matters:
(a) Approving petitions of students to graduate under suspension of regulations.
(b) Approving the award of degrees, certificates and honors at graduation.
(c) Exercising jurisdiction over scholastically disqualified students.
(d) Dismissing students for causes other than scholastic disqualification.
The Faculty Council shall aid the Dean at his/her request and shall make recommendations to the Faculty pertaining to matters concerning the government, the policies and curricula of the School. It shall report to the Faculty all germane actions and policy decisions, and give an account of its stewardship at appropriate times each year.

23. Mail Ballots. A mail ballot may be conducted via traditional mail or electronically. Proposals for mail ballots on curricular, policy, bylaws, or procedural matters that require approval of the Faculty of the School of Pharmacy before the next scheduled meeting and that originate from any of the standing committees, The Dean, or the officers of the Faculty, must be submitted to the Faculty Council. The Faculty Council may amend the proposed ballot, in consultation with the proposer, and must assure that, if appropriate, pro and con arguments are provided. If it is impossible to convene a quorum of the Faculty Council within the time required, the Chair of the Faculty (or the Vice Chair in his/her absence), after weighing the consequences of a delay, may act for the Faculty Council in implementing the proposed mail ballot. These options, which preclude the full discussion and the debate of a regularly constituted meeting of the Faculty, are justified only for emergency conditions or non-controversial matters. [Amended 7/99]

PART X. COMMITTEES (General Provisions)

24. The Chair of the Faculty Council, with concurrence of the Faculty Council, shall appoint the Standing Committees of the Faculty established by these Bylaws and shall also appoint to the Committees such Senate representatives as may be deemed necessary.

25. Special or ad hoc committees of the Faculty may be authorized by majority vote of the Faculty or the Faculty Council (see Bylaw 28). The Chair and the members of the ad hoc committee shall be appointed by the Chair of the Faculty subject to concurrence by the Faculty Council.

26. Tenure of Appointed Committees. Members of Committees shall be appointed to serve one year, starting with the first day of instruction in the Fall term. The tenure of an ad hoc extends only until the first day of instruction of the ensuing fall term unless a definite term is stated in the authorizing motion (S.F. Bylaws 90B and 101D).

27. Elected members of the Faculty Council are eligible for appointment to standing committees including the chair. Each Standing Committee may appoint such sub-committees as it deems necessary to conduct its business. The membership of sub-committees is not restricted to Senate members.

28. Educational Policy Committee. (Not less than five members including a Chair and Vice Chair.) This committee is charged with a continuing study of the long-range plans of the School as they relate to the needs
PROPOSED DRAFT - January 9, 2007

of the community and the profession of pharmacy. The committee shall maintain liaison with other long-
range planning bodies within the University.

This committee is also charged with continuous study of the curriculum leading to the Doctor of Pharmacy
degree and of the postgraduate professional programs in hospital pharmacy. It shall make recommendations to
the Faculty regarding any details of the curriculum and subsidiary questions including the initiation,
alteration, or discontinuance of courses of instruction. **All proposed substantive changes to the curriculum
must be submitted to the Committee for approval. All substantive actions of the Committee require approval
by the Faculty and must be submitted to the membership of the Faculty in writing at least five days prior to
faculty action.**

The Committee shall consider any matters in the jurisdiction of the Faculty submitted to it by the Faculty, any
officer or committee of the Faculty, the Dean, or any Department and shall report its findings and
recommendations to the Faculty. It is required to report to the Faculty at each regular meeting. All substantive
actions of the Committee require approval by the Faculty.

At least once each year, the Educational Policy Committee shall meet with the appropriate representatives of
the student body.

29. Other Standing Committees. (General Provisions). There shall be the following standing committees (not less
than three members each) and they shall formulate standards and policies designed to secure prompt,
continuous, and uniform fulfillment of their duties. Standards and policies so formulated shall be subject to
review and approval by the Faculty.

A. Admissions.

B. **Infrastructure/Informatics.**
The functions of the **Infrastructure/Informatics Committee** are to:
1. Periodically review and assess the status of the School’s infrastructure; when appropriate, make
   recommendations for improvement.
2. Monitor technological advances in informatics that are relevant to the School, its departments and divisions
   and their missions.
3. Advise the Dean on informatics-related issues identified to be important and relevant.
4. Act on behalf of the Faculty in making appropriate recommendations for information resources to the
   UCSF Library.

C. **Student Status and Honors.** [Amended 7/99]
This Committee shall be responsible for monitoring the academic progress of PharmD students and shall
make appropriate recommendations to the Dean. The Committee shall also be responsible for the awarding of
scholarships and prizes to the PharmD students.

D. **Laboratory Safety.**

30. The regulations of the Faculty governed by Divisional Bylaw 95 may be suspended by vote of the Faculty,
provided not more than three voting members present object to such suspension. The Chairman shall always
state the question as follows: "Those who object to a suspension of the Regulations will raise the right hand."

PART X. AMENDMENT OF BYLAWS

31. Subject to Bylaw 32, these Bylaws may be amended at any regular or special meeting of the Faculty or by a
mail ballot. A two-thirds vote of the votes cast is required for any amendment. Written notice of the
amendment accompanied by statements of the purpose and effect of the proposal shall be sent to each member of the Faculty at least five days prior to the vote (Senate Bylaws 85, 120 and 315).

32. A proposal for a major revision of these Bylaws can be voted on only at a meeting subsequent to its presentation as described in Bylaw 31.

PART XI MODIFICATION OF REGULATIONS

33. The Regulations of the School may be modified at any meeting of the Faculty provided the proposed modification has been distributed to the Faculty at least five days before the meeting. Approval requires a majority of the voting members present.

APPENDIX

Intent of Bylaws - Duties of Officers - Chair (Bylaw 7a):

"The President or head of an organization, whatever his title, usually has three roles - leader, administrator, and presiding officer." (Sturgis, p. 160)

A guiding principle was endorsed by the Faculty accompanying approval of these Bylaws, namely, to organize the government of the School of Pharmacy in such a manner as to have it exercise the powers and discharge the duties of academic administrative and faculty government jointly and in a unitary form of governance.

It is understood that the Faculty Council is de facto and de jure, a joint academic administrative advisory committee to the Dean and a faculty governance committee. The role of the Chair at meetings of the Faculty Council and the Faculty shall be defined as the role of "presiding officer." Serving in this capacity he/she shall be restricted by the description of that role given in the current edition of Sturgis’ *The Standard Code of Parliamentary Procedure*.

Other roles of the Faculty Chair are described in Bylaws 4, 6A, 18, 19, 23, 24, and 25.

Revised 7/13/88, 7/18/91, 6/28/96, 7/28/99, 9/7/99
PROPOSED CHANGES
BYLAWS OF THE FACULTY OF THE SCHOOL OF PHARMACY
(University of California, San Francisco)

#1. Part II. MEMBERSHIP AND VOTING ELIGIBILITY
Part II § 3

Statement of Purpose: We strongly believe that all faculty members, both Senate and non-Senate, should have the right to vote on all issues that come before the School of Pharmacy Faculty Council.

PROPOSED REVISION TO PART II § 3

Instructors of less than two years service and non-Senate members of the Faculty responsible for instruction shall have the privilege of the floor and may vote.

#2. Part IV. DUTIES OF OFFICERS

Statement of Purpose: The purpose of the addition of this title (“Executive Office of the San Francisco Division”) is to describe, more accurately, the information contained in Part IV.

PROPOSED REVISION TO PART IV:

PART IV. Add title EXECUTIVE OFFICE OF THE SAN FRANCISCO DIVISION.

#3. Part V. DUTIES OF EXECUTIVE COMMITTEE
Part IV § D

Statement of Purpose: This change was made to include all types of elections, including on-line ballots that are becoming more common.

PROPOSED REVISION TO Part V § D:

D. Conducting all elections (delete “which require mail ballots”)

#4. Part IX. FACULTY COUNCIL
Part IX § 13.A

Statement of Purpose: The change was made for grammatical clarity, and to re-affirm that all non-Senate faculty may vote on all issues brought before the School of Pharmacy Faculty Council.

PROPOSED REVISION TO Part IX § 13.A:

A. One representative to the Faculty Council shall be elected from among the faculty who are not members of the Academic Senate. This member shall be entitled to participate in the deliberations of the Council and may vote.
#5. Part IX. FACULTY COUNCIL
Part IX §14.B

**Statement of Purpose:** The correction to the number of elected members in odd years was done to reflect the change from eight members to seven (four on even years and *three* on odd years).

**PROPOSED REVISION TO Part IX § 14.B:**

B. There are four elected member seats to be filled in even numbered years and *three* in odd numbered years with normal terms of two years.

#6. Part IX. FACULTY COUNCIL
Part IX § (16)

**Statement of Purpose:** The purpose is to delete a statement that no longer applies to the School of Pharmacy Faculty Council.

**PROPOSED REVISION TO Part IX § (16):**

16. *The Secretary shall assume the chair, pro tem, until the Chair is selected.*

#7. Part IX. FACULTY COUNCIL
Part IX § 17.C

**Statement of Purpose:** The School of Pharmacy Faculty Council has voted against including the “Professional Research Series” as part of its membership. There are many other academic series; as a result, if we include academics in the Professional Research Series, we would have to include everyone else in the non-faculty academic series, (e.g., Academic Coordinators and Academic Administrators). Further, the School of Pharmacy currently has very few academics in the Professional Research series.

#8. Part IX. FACULTY COUNCIL
Part IX § (18)

**Statement of Purpose:** To delete a statement that no longer applies to the School of Pharmacy Faculty Council.

**PROPOSED REVISION TO Part IX § (18):**

18. *Secretary. The Secretary of the Faculty shall serve as Secretary of the Faculty Council.*

#9. Part IX. FACULTY COUNCIL
Part IX § 18C

**Statement of Purpose:** The purpose of the change from “with” to “to” was to correct a grammatical error.

**PROPOSED REVISION TO Part IX § (18):**

18. *C. The election shall conform, in principle, to (with) the procedures prescribed in Bylaws…..*
#10. Part IX. FACULTY COUNCIL  
Part IX § 23

**Statement of Purpose:** The purpose of the change from “submitted” to “proposer” was to correct a grammatical error.

PROPOSED REVISION TO Part IX § 23:

23. The Faculty Council may amend the proposed ballot, in consultation with the proposer (submitted), and must assure that, …

#11. Part X. COMMITTEES  
Part X § 28

**Statement of Purpose:** The purpose of the change in the last sentence in Part X, Item 28, paragraph 2 was to clarify the roles of the Educational Policy Committee.

PROPOSED REVISION TO Part IX § 28:

28. All proposed substantive changes to the curriculum must be submitted to the Committee for approval. All substantive actions of the Committee require approval by the Faculty and must be submitted to the membership of the Faculty in writing at least five days prior to the faculty action.

#12. Part X. COMMITTEES  
Part X § 29.B and B1-4

**Statement of Purpose:** Based on the results of a task force report, the School of Pharmacy Faculty Council has voted to expand the mandate of the Informatics Committee to include issues of infrastructure as well as informatics. In 29B, items 1-4 have been revised to reflect the roles and responsibilities of the Infrastructure/Informatics Committee.

PROPOSED REVISION TO Part IX § 29.B.1-4:

29. **B. Infrastructure/Informatics**  
The function of the Infrastructure/Informatics Committee is to:

29. B.1-4. Items #3 and #4 have been deleted

#13. Part X. COMMITTEES  
Part X § 29.C

**Statement of Purpose:** The purpose of the change to this title is to describe more accurately the current purpose and function of this committee.

PROPOSED REVISION TO Part X § 29.C:

29. C. Student *Status and Honors* (Welfare)
COMMUNICATION FROM THE CHAIR OF THE COMMITTEE ON RULES AND JURISDICTION
Jean Ann Seago, RN, PhD

January 22, 2007

Helene Lipton
Chair, School of Pharmacy Faculty Council
Campus Box

RE: Review of Proposed Amendments to the Bylaws of the School of Pharmacy

Dear Chair Lipton:

On January 22, 2007, the Academic Senate Committee on Rules and Jurisdiction reviewed the proposed modifications to the School of Pharmacy Bylaws submitted January 11, 2007.

The Committee approves the modifications as proposed with two significant exceptions. Changes made to Part II, Point 3, and Part IC, Point 13 conferring voting rights to members of the faculty who are not members of the Academic Senate, are in conflict with Systemwide Senate bylaws. The School of Pharmacy Faculty Council may not confer voting rights beyond those allowed by Systemwide Senate Bylaw Part I, Title IV, Section 35.C. Furthermore, to allow non-Senate members to vote on non-Senate actions, the School of Pharmacy Faculty Council Bylaws must provide explicit provisions.

To bring the School of Pharmacy Bylaws into agreement with Systemwide Bylaws, the Committee recommends the following modification to Part II, Point 3:

Instructors of less than two years service and non-Senate members of the Faculty responsible for instruction shall have the privilege of the floor and may vote on any actions other than final actions on any matter for the Academic Senate, or final actions that give advice to University officers or other non-Senate agencies in the name of the Senate.

The Committee recommends the following modification to Part IX, Point 13. A:

One representative to the Faculty Council shall be elected from among the faculty who are not members of the Academic Senate. This member shall be entitled to participate in the deliberations of the Council and may vote on any actions other than final actions on any matter for the Academic Senate, or final actions that give advice to University officers or other non-Senate agencies in the name of the Senate. Such elected representatives must hold at least a half-time academic appointment in the School of Pharmacy.

It should be noted that this additional language is taken directly from Systemwide Senate Bylaw 35.C.2 (http://www.universityofcalifornia.edu/senate/manual/blpart1.html#bl35).
With the inclusion of the language noted above, the Committee on Rules and Jurisdiction approves the Bylaws of the School of Pharmacy as amended and the bylaws may be brought to a vote for approval by the full faculty of the School of Pharmacy.

Should you have any questions regarding this ruling, you may contact me at jean.ann.seago@nursing.ucsf.edu or 502-6340.

Sincerely,

[Signature]

Jean Ann Seago, RN, PhD
Chair, Committee on Rules and Jurisdiction

Committee on Rules and Jurisdiction
Jean Ann Seago, PhD, RN, Chair
Theodora Mauro, MD, Vice Chair
Douglas Carlson, JD
Orlo Clark, MD
John Imboden, MD
Merlin Larson, MD
Daniel Ramos, PhD, DDS
Anne Slavotinek, MD
Joanna Weinberg, JD, LLM
SUBMISSION from the SAN FRANCISCO DIVISION

PROPOSED REVISION of ACADEMIC SENATE BLYAW APPENDIX VII:
PROCEDURE FOR STUDENT GRIEVANCE IN ACADEMIC AFFAIRS

This revision of Academic Senate Bylaw Appendix VII: Divisional Procedure for Student Grievance in Academic Affairs was approved by UCSF-RJ June 11, 2007, and approved by the San Francisco Division June 21, 2007.

PROPOSED REVISION OF PROCEDURE FOR STUDENT GRIEVANCE IN ACADEMIC AFFAIRS
EXECUTIVE SUMMARY

Following a charge from the UCSF Academic Senate Chair, the Academic Senate Committee on Rules and Jurisdiction has undertaken a year-long review and revision of Divisional Bylaws Appendix VII: Divisional Procedure for Student Grievance in Academic Affairs. The proposed revisions are the result of careful examination and deliberation, and are based on advice from and consultation of the School of Dentistry Faculty Council, the School of Medicine Faculty Council, the School of Nursing Faculty Council, the School of Pharmacy Faculty Council, the Graduate Council, Associate and Vice Deans of student affairs from each school, Academic Senate leadership, campus counsel, former members of an Ad Hoc Grievance Review Committee, and student associations. The membership of Committee on Rules and Jurisdiction includes representatives from all four schools and the Graduate Division, as well as Health Sciences Clinical and Adjunct faculty, the Parliamentarian, and the University Registrar.

These revisions are put forth to address the following concerns:

- This Procedure was last updated in 1997 and is inconsistent with practice, current law, and current policies.
- This Procedure is often internally inconsistent, ambiguous, and vague.
- This Procedure is often unnecessarily complicated, and ill-defined.
- Section 1.4, the Appeal Procedure, is seen by the administration as unduly onerous.
- Section 1.4, the Appeal Procedure, is poorly described, difficult for the faculty providing the oversight, and sufficiently vague and deficient as to invite abuse of the opportunity to extend the grievance process after a finding has been made.

Proposed Revisions
The Divisional Procedure has undergone revision for clarity, expediency, and efficacy. The original Procedure is attached as Exhibit 1. The Revised version is attached as Exhibit 2. A merged document using the compare-and-blackline feature is attached as Exhibit 3.
REPORT FROM THE COMMITTEE ON RULES AND JURISDICTION
Jean Ann Seago, PhD, Chair

REVISION OF DIVISIONAL BYLAW APPENDIX VII
DIVISIONAL PROCEDURE for STUDENT GRIEVANCE in ACADEMIC AFFAIRS
Submitted for a vote by the San Francisco Division, June 21, 2007

Executive Summary
Following a request from the administration of the School of Medicine, the Academic Senate Committee on Rules and Jurisdiction has undertaken a year-long review and revision of Divisional Bylaws Appendix VII: Divisional Procedure for Student Grievance in Academic Affairs. The proposed revisions are the result of careful examination and deliberation, and are based on advice from and consultation of the School of Dentistry Faculty Council, the School of Medicine Faculty Council, the School of Nursing Faculty Council, the School of Pharmacy Faculty Council, the Graduate Council, Associate and Vice Deans of student affairs from each school, Academic Senate leadership, campus counsel, former members of an Ad Hoc Grievance Review Committee, and student associations. The membership of Committee on Rules and Jurisdiction includes representatives from all four schools and the graduate division, as well as Health Sciences Clinical and Adjunct faculty, the Parliamentarian, and the University Registrar.

These revisions are put forth to address the following concerns:

- This Procedure was last updated in 1997 and is inconsistent with practice, current law, and current policies.
- This Procedure is often internally inconsistent, ambiguous, and vague.
- This Procedure is often unnecessarily complicated, and ill-defined.
- Section 1.4, the Appeal Procedure, is seen by the administration as unduly onerous.
- Section 1.4, the Appeal Procedure, is poorly described, difficult for the faculty providing the oversight, and sufficiently vague and deficient as to invite abuse of the opportunity to extend the grievance process after a finding has been made.

Proposed Revisions
The Divisional Procedure has undergone revision for clarity, expediency, and efficacy. The original (current) Procedure is attached as Exhibit 1. The Revised version is attached as Exhibit 2. A merged document using the compare-and-blackline feature is attached as Exhibit 3.
Context
In the Spring of 2006, Deborah Greenspan, Chair of the UCSF Academic Senate, received a request from David Irby, Vice Dean of Medical Education, School of Medicine for the Senate to review and update the Divisional Procedure for Student Grievance in Academic Affairs. The procedure, is set forth in Appendix VII of the divisional bylaws and falls under the jurisdiction of the Academic Senate.

Chair Greenspan passed on this request to the Committee on Rules and Jurisdiction. The Committee on Rules and Jurisdiction, Chaired by Joe Wiemels, met on June 27, 2006, to review the request and to discuss the issues involved. This meeting included David Irby, who had initiated the request, Carole Rossi, General Counsel of the Regents, and two faculty members who had served on an Ad Hoc Grievance Committee. The Committee on Rules and Jurisdiction recommended the formation of a task force to review the Academic Senate Divisional Procedure for Student Grievance in Academic Affairs and that this task force be charged with reviewing the existing divisional procedure, the pre-dismissal procedures within each school, to solicit recommendations for revision from interested parties, and to update the procedure to be consistent with other University policies and current legal requirements; and to address issues of scope, layers of appeal, and internal ambiguities.

During the transition meeting on July 21, 2006, the 2006-07 Academic Senate Committee on Rules and Jurisdiction, Chaired by Jean Ann Seago, was charged to act as its own task force to accomplish this goal. Over the course of the next ten months, the Committee on Rules and Jurisdiction has examined local policies and procedure, solicited input from various sources, and crafted the final version of Proposed Revision of Divisional Bylaws Appendix VII: Divisional Procedure for Student Grievance in Academic Affairs.

Procedure
The Committee on Rules and Jurisdiction (R&J) received a red-lined version of Appendix VII of well-researched proposed modifications from David Irby, Vice Dean of Medical Education, School of Medicine. This initial revision to the procedure was drafted by David Irby in cooperation with campus counsel and other administrators in other schools. R&J used this document as its starting point for review and solicitation of additional recommendations for revision. The Faculty Councils were chosen as the point of interaction with the Schools. The Committee on Rules and Jurisdiction solicited review and recommendations from the Faculty Councils of all four Schools and the Graduate Council on August 21, 2006. Both the original (current) Procedure and the red-lined version from David Irby were included in this Call. The Chair of the Committee also made herself available to address the meetings of the Faculty Councils on this issue. Students and members of the administration were asked to present their recommendations to their Faculty Councils for inclusion as part of the Council’s response to the Committee (after internal deliberation and approval). During this period, R&J also solicited and reviewed the internal pre-dismissal policies of each School.

After reviewing and evaluating the responses from all sources, on March 21, 2007 the Committee submitted Working Draft Revision Version 5 to the four Faculty Councils, the Graduate Council, the Graduate Students Association, and the Associated Students of the University of California, San Francisco. The Committee then carefully reviewed recommendations for modification and ultimately crafted the Final Revision of Divisional Bylaws Appendix VII: Divisional Procedure for Student Grievance in Academic Affairs.
It should be noted that not all recommendations were adopted as some were mutually exclusive, contrary to definition, or in conflict with existing bylaws, policies, regulations, or law. This Revision of the Procedure is designed to balance protection for the University and the Faculty with justice and due process for the students.

**Justification**
The proposed modifications are presented to achieve the following goals expressed by faculty and administration:

- To modernize the outdated language of the Procedure to be consistent with current best practices and policies.
- To resolve issues of internal inconsistencies, ambiguity, and unintelligible language.
- To clarify parties, process and scope by clear definitions and descriptions.
- To resolve issues of unnecessary complexity and scope.
- To revise the Procedure, particularly Section 1.4 regarding Academic Senate review of the formal Procedure process, to address issues of clarity, complexity, and efficiency, and efficacy.

I. **Section 1.4 Grievance Procedure Review**

Section 1.4 Grievance Procedure Review (formerly the Appeal Procedure) is retained, therefore there is no need for a justification (a justification would have been required for its deletion). However, there has been substantial revision of this section. This section was also the subject of contention and debate so the Committee offers the following background related to the retention of this section.

Section 1.4 allows for a student to appeal to the Academic Senate if there is evidence that the dismissal procedure was not followed. Section 1.4 has never allowed for the appeal of the findings related to the grievance. The purpose of the section is to provide an external review to ensure that the formal procedure is followed. The proposed revisions to Section 1.4 make this explicit and states specific requirements by which a student may request a review. This request must be accompanied by evidence that the procedure was not followed before the Chair of the Academic Senate will proceed. By these revisions, the Committee hopes to eliminate gratuitous appeals.

Vice Deans in the School of Medicine and the School of Pharmacy requested the deletion of this Section and argued that this section added too much time and complexity to the process, and that the Dean should have the final word in student grievances without the involvement of the Academic Senate. The Members of the Committee and three of the four Faculty Councils were not in agreement with this assessment. While the School of Medicine Faculty Council ultimately allowed for the removal of the appeal procedure, they agreed to it only if some another means of ensuring faculty involvement and oversight was included. From the Communication of the School of Medicine Faculty Council:

> Since the Standing Order of the Regents 105.2 (a) deems Academic Senate Faculty responsible for determining conditions for admission, recommending candidates for degrees, and developing coursework, it follows that the Academic Senate Faculty should also bear the responsibility for participating in the student dismissal process. The minor changes proposed by the Faculty Council
reflect our interest in Senate consultation in the grievance procedure. We do not feel that this will unnecessarily prolong any procedure, and will provide involvement of a third party (the Academic Senate) in addition to the primary parties to the dismissal action (student and administration). We feel that Senate involvement in a consultative role will improve management of the student grievance procedure.

The School of Nursing Faculty Council and the School of Dentistry Faculty Council concurred with the recommendations of the Committee that Senate oversight and accountability of the Schools should be maintained.

It should be noted that while Section 1.4 has been retained, it has been done so only after significant revision. These revisions address the principle concerns expressed by the members of the administration who had originally called for the deletion.

While a review process may require time and work by the administration and the Academic Senate, Section 1.4 was ultimately retained for the following reasons:

- Allowing for a Review of the grievance procedure provides an added measure assurance of due process for the student.
- Including oversight by a party not directly involved in the grievance strengthens the claim of objectivity of the decision
- Review of the grievance procedure strengthens the position of the University should the grievance decision be reviewed by any outside agency or legal representative.
- As this is an Academic Senate Procedure, the Academic Senate should have oversight of the procedure.

II. Overall Changes
Because there were many edits made during the review process, this summary report will only highlight a few from the comparison document (Exhibit 3):

- Note that this procedure addresses two issues: academic dismissals and unlawful discrimination allegations. The language throughout the document reflects those two issues.
- Definitions were added and/or revised for clarity. Note that “Opposing Party” refers to grievances related to unlawful discrimination allegations and “Administrative Officer” refers to grievances related to academic dismissal.
- The Committee added guidance for students regarding how to use an informal process to resolve a dispute and clarification regarding what issues can and cannot be grieved.
- The timelines included are those suggested by Dr. Irby’s group.
- The Committee clarified the composition of the Ad Hoc Grievance Review Committee.
- The Committee clarified the roles of all parties in the grievance.
- The Committee clarified the role of the Graduate Division in the grievance Procedure.
APPENDIX VII
DIVISIONAL PROCEDURE FOR STUDENT GRIEVANCE IN ACADEMIC AFFAIRS

(As passed by the Representative Assembly of the S. F. Division on October 18, 1977)

1.0 PURPOSE

The purpose of this procedure is to allow for the resolution of student grievances in academic matters which result in injury to the student.

1.1 DEFINITIONS

1.10 STUDENT - must either be currently registered as a student at a campus of the University, or have been enrolled at the time of the alleged infraction.

1.11 REPRESENTATION - assistance to grievant in formal hearing process. May be of one or more of these types:

A. Legal counsel - includes attorneys and individuals with legal training.

B. Non-legal representation - any person without legal training.

C. Affirmative Action representation - for technical assistance.

1.12 AD HOC GRIEVANCE COMMITTEE (at the School level) - 3 faculty and 2 students.

1.13 SENATE AD HOC GRIEVANCE PROCEDURE REVIEW COMMITTEE (at the campus level) - 3 members of the Academic Senate appointed by the Committee on Committees.

1.14 PREPONDERANCE OF EVIDENCE - such evidence which, when weighed with that opposed, has more convincing force and the greater probability of truth.

1.15 PROVISION OF GRIEVANCE INFORMATION - this grievance procedure is designed for all student grievances except those specifically described in Section V, "Student Conduct and Discipline", in the University of California's Policies Applying to Campus Activities, Organizations, and Students, revised 10/29/73, pages 5-7. The Student Affairs Office of the School in which the student is registered is charged with the responsibility for evaluating the nature of students' grievances and for advising students on the proper course of action. If the alleged grievance involves allegation of any kind of discrimination, the Affirmative Action Office shall thereafter be actively involved in all review processes to provide technical assistance.

1.16 EMPLOYEE - an individual employed by the University, including faculty.

1.17 EXTENSION OF TIME - upon establishment of cause, the Chairperson of the Academic Senate may grant reasonable extensions of the time limits specified in the appeals procedure.

1.2 PROCEDURES - Informal
1.20 A student who believes that the University or any administrative subdivision or employee thereof has discriminated against him/her and that such action has resulted in injury to the student is encouraged to attempt to resolve the matter informally with either the party alleged to have committed the violation (e.g., course instructor), with the head of the department or unit in which the alleged violation occurred, or both. An informal resolution of the grievance can occur at any time.

1.3 PROCEDURES - Formal

1.30 In the event that informal resolution is unsuccessful, the student may lodge a formal grievance, as follows:

A. Within 30 days of the time at which the student could be reasonably expected to have knowledge of the alleged violation, or, when the violation occurs at the end of an academic quarter, within 30 days after the beginning of the succeeding academic quarter, the student may request a Chairperson or supervisor to inform the Dean of the School or appropriate Administrative Officer of the desire for a review.

B. The student will provide the Dean or Administrative Officer with a written statement within ten (10) working days after the student has informed a Chairperson or supervisor that he/she wishes a review. This statement will include the specific nature of the grievance, all pertinent supporting data, and the nature of the action requested by the student to redress the grievance.

C. Upon receiving written request for a review from the student, the Dean or Administrative Officer, within ten (10) working days, will request written materials from the employee involved. The Dean or Administrative Officer will promptly provide the employee with the student's written materials. The employee's materials will include responses to all points raised in the student's material and other pertinent data. The employee will provide the Dean or Administrative Officer with a written statement within ten (10) working days after receipt of the student's materials.

D. Upon receipt of the employee's statement, the Dean or Administrative Officer will promptly provide a copy of this to the student. E. The Dean or Administrative Officer will meet with the student and employee involved within ten (10) working days after receipt of material from the employee and attempt to resolve the alleged grievance.

1.31 In the event that the grievance is still unsuccessfully resolved after step 1.30 E has occurred, the student may request, within ten (10) working days after step 1.30 E, that the Dean or Administrative Officer convene an Ad Hoc Grievance Committee, the Chairperson of which is an Academic Senate member. The Ad Hoc Committee will meet with the student and employee for a formal hearing as soon as reasonable, but no later than ten (10) working days after being constituted as a committee.

1.32 CHARGE TO THE AD HOC GRIEVANCE COMMITTEE

A. The Chairperson of the Committee is responsible for convening the hearing and informing the principals of the procedures to be followed.

B. Both the student and the employee shall be present throughout the hearing(s).

C. Each party is responsible for the presentation of his/her own position.
D. The parties involved may have a lawyer or other representative present during the hearing(s).
(The employee will be represented by University counsel if the student retains legal counsel.)

E. The Committee, the student, or the employee may request other parties to present relevant information either in writing or in person at a hearing. The Committee will determine what is relevant information.

F. Hearing(s) will be recorded.

G. Hearing(s) may be open or closed. The Chairperson may permit an open hearing if both parties agree to a waiver of confidentiality. A reasonable number of members of the campus community may attend an open hearing(s), but may not participate in any manner in the hearing(s). If the hearing(s) is disrupted by observers, the Chairperson may close the hearing(s) to observers.

H. Exclusion of Witnesses - all witnesses but the employee and the student shall be excluded from the hearing, except during their testimony, at the request of either party.

I. The student shall have the right to:
   1. Be present throughout the hearing.
   2. Representation - the option to be assisted during the formal proceedings by a representative at the student's own expense.
   3. Present his/her evidence, including witnesses, first.
   4. Examine all witnesses presented by the University.

J. The employee has the right to:
   1. Be present throughout the hearing.
   2. Representation - (if the representative of the grievant has legal training, be represented by the Office of the General Counsel).
   3. Present evidence, including witnesses, in response to the student's presentation.
   4. Examine all witnesses presented by the student.

K. Rules of Evidence - evidence may be verbal or written, but must be limited to issues raised in the written complaint. Hearsay evidence is admissible only if corroborated. The Chairperson will exclude any irrelevant or unduly repetitive evidence. If the alleged grievance involves allegation of discrimination, the Committee will accept evidence and comments by the Affirmative Action Office.

L. The Ad Hoc Committee shall recommend action no later than ten (10) working days after completion of the hearing.

   1. If the recommendation is to change a grade in a course, then the Committee report shall go to the Chairperson of the Division for action as under SFR 775 F.
2. If the recommendation does not involve a change of grade, then the Committee report shall go to the Dean or Administrative Officer for implementation.

1.33 AGENDA FOR THE GRIEVANCE HEARING

A. Review of Rules of Procedure
B. Student will present a statement of grievance, additional remarks and desired outcome.
C. Committee seeks clarification and more facts if necessary.
D. Employee will present response to grievance, additional remarks and desired outcome.
E. Committee seeks clarification and more facts if necessary.
F. Presentation of witness(es) for student and their cross-examination.
G. Committee seeks clarification and more facts if necessary.
H. Presentation of witness(es) for employee and their cross-examination.
I. Committee seeks clarification and more facts if necessary.
J. Closing statements from both parties, beginning with student.

1.34 COMMITTEE REPORT

A. The Committee will meet and submit a written report to the person determined under 1.32 L no later than ten (10) working days after completion of the hearing(s).
B. Such a report shall contain findings of fact as to whether the alleged injury occurred and recommendations for an appropriate remedy. The findings shall be based on a preponderance of the evidence presented.
C. Lack of Committee consensus of final recommendation may be accompanied by a majority and a minority report. Each Committee member will sign the report to which he/she ascribes.

1.35 DISPOSITION OF REPORT AND RECOMMENDATION

A. The Dean or Administrative Officer will transmit the recommendation within two (2) workings days after receiving it to the person/group responsible for its implementation.
B. Both parties will receive a copy of the report and recommendations.
C. Recorded grievance proceedings will be kept in a locked file in the Dean's or Administrative Officer's office for three years.

1.36 EXTENSION OF TIME

Upon establishment of cause by either party to the grievance, the Chairperson of the Committee may grant reasonable extensions of time limits specified in this procedure.
1.4 APPEAL PROCEDURE

An appeal procedure may be initiated by the student if he/she is not satisfied that the established procedure has been followed at the School level. The student should contact the Student Affairs Office of the School in which he/she is registered for counseling about the appeals process. The student shall be advised that this appeal is a procedural review whose aim is to determine whether the proper procedures have been followed.

1.40 Within ten (10) working days after receipt of the Dean's or Administrative Officer's determination, the student will provide the Chairperson of the Academic Senate with a detailed statement of the appeal of the School's action and all pertinent data supporting the appeal.

1.41 Upon receiving these written statements from the student, the Chairperson of the Academic Senate, within ten (10) working days, will forward a copy of the student's written appeals statement to the Dean of the School in which the original review was conducted. The Dean or Administrative Officer will provide a written response to the Chairperson of the Academic Senate within ten (10) working days after receipt of the student's written appeals material.

1.42 Upon receipt of the Dean's or Administrative Officer's material, the Chairperson of the Academic Senate, within ten (10) working days, will provide a copy of this to the student.

1.43 The Chairperson of the Academic Senate will then request the Chairperson of the Committee on Committees to appoint within ten (10) working days a three (3) member Senate Ad Hoc Grievance Procedure Review Committee from a list of Academic Senate members designated at the beginning of the academic year for service on such Senate Ad Hoc Grievance Procedure Review Committees. If a representative from the University's Affirmative Action Office has participated in any phase of the grievance procedure thus far, the Senate Ad Hoc Grievance Procedure Review Committee is charged to seek continuing staff assistance from the Affirmative Action Office.

1.44 Within ten (10) working days after its constitution, the Senate Ad Hoc Grievance Procedure Review Committee will meet to review the process and procedure with which the School or administrative unit has dealt with the student's grievance. The Senate Ad Hoc Grievance Procedure Review Committee will review and decide whether the student's grievance has followed the procedure established for handling of grievances at the School level.

1.45 Committee Report

A. The Ad Hoc Grievance Procedure Review Committee will submit the written report to the Chairperson of the Academic Senate within ten (10) working days of its meeting

B. Lack of Committee consensus on the final recommendation may be accompanied by a majority and a minority report. Each Committee member will sign the report to which he/she ascribes.

1.46 DISPOSITION OF REPORT AND RECOMMENDATIONS

A. The Chairperson of the Academic Senate will transmit the report of the Ad Hoc Grievance Procedure Review Committee to the Dean of the involved School or the appropriate Administrative Officer within two (2) working days.
B. The Dean or Administrative Officer may accept, reject, or modify the Committee's recommended actions within fifteen (15) working days.

C. Both parties to the complaint and their representatives shall be immediately thereafter notified in writing of the Dean's or Administrative Officer's decision and provided with a copy of the report from the hearing body. The Dean's or Administrative Officer's decision is final and concludes the grievance procedures.

D. Recorded grievance proceedings will be kept in a locked file where other materials and the petition have been placed.

[en 18, October 1977]
APPENDIX VII DIVISIONAL PROCEDURE FOR STUDENT GRIEVANCE IN ACADEMIC AFFAIRS

1.0 PURPOSE
The purpose of this procedure is to allow for the timely resolution of student grievances related to academic dismissals and allegations of unlawful discrimination.

1.1 DEFINITIONS
A. ACADEMIC AFFAIRS - broadly defined to include all the competencies (knowledge, skills, and professional behaviors) that must be mastered in order to demonstrate satisfactory performance in all the requisite standards of the curriculum.
B. AD HOC HEARING COMMITTEE – Three faculty and two students.
C. ADMINISTRATIVE OFFICER – Dean or designee of the Dean to represent the School or Graduate Division and the University. If the student is registered in the Graduate Division, the Administrative Officer is the Dean or designee of the Dean of the Graduate Division. If the student is not registered in the Graduate Division, the Administrative Officer is the Dean or designee of the Dean of the School in which the student is registered.
D. AFFIRMATIVE ACTION REPRESENTATION - for technical assistance to all participants in unlawful discrimination complaints.
E. ARBITRARY and CAPRICIOUS- Absence of a rational connection between the facts and circumstances of the case and the choice made; an action not based upon consideration of relevant factors.
F. BRIEF – A concise, written summary of facts and arguments in a case.
G. DAYS - The term “days” means working days based on UCSF’s academic and administrative calendar.
H. EMPLOYEE - an individual employed by the University, including a faculty member.
I. GRADUATE DIVISION- encompasses all graduate academic degree programs and all graduate students in the Schools. This entity has the responsibility for the administration of graduate degree programs. The Dean of the Graduate Division is the institutional official responsible for the administration of UCSF affairs in accordance with academic policies established by the Academic Senate and the Graduate Council.
J. OPPOSING PARTY – for grievances involving unlawful discrimination, employee who is alleged to have engaged in the unlawful discrimination.
K. PARTIES – The grievant and the University’s representative for academic dismissals or Opposing Party (employee) for unlawful discrimination grievances.
L. PREPONDERANCE OF EVIDENCE - such evidence that, when weighed against that opposed, has more convincing force and the greater probability of truth.
M. PRE-HEARING CONFERENCE- a meeting of relevant parties that occurs prior to the hearing in order to agree upon the specific issues to be decided by the Ad Hoc Hearing Committee and procedural matters such as hearing schedule and duration, exchange and order of witnesses and documents, and other evidentiary matters.
N. PROVISION OF GRIEVANCE INFORMATION - this grievance procedure is designed for all student grievances except those specifically described in Section V, "Student Conduct and Discipline", in the University of California's Policies Applying to Campus
Activities, Organizations, and Students, revised 10/29/73, pages 5-7. The Student Affairs Office of the School in which the student is registered, or the Graduate Division if the student is registered in the Graduate Division, is charged with the responsibility for evaluating the nature of students’ grievances and for advising students on the proper course of action. If the alleged grievance involves allegation of any kind of discrimination, the Affirmative Action Office shall thereafter be actively involved in all review processes to provide technical assistance.

O. REPRESENTATION - assistance to grievant in formal hearing process. May be of one or more of these types:

1. NON-LEGAL REPRESENTATION - any person without legal training.
2. LEGAL COUNSEL - includes attorneys and individuals with legal training.

P. SCHOOL - one of the professional schools.

Q. STUDENT - must either be currently registered as a student at a campus of the University, or have been enrolled at the time of the alleged infraction.

R. UNIVERSITY - University of California

1.2 INFORMAL PROCESS

Informal Process for Unlawful Discrimination Complaints that Do Not Involve an Academic Dismissal

A student who believes that the University or any administrative subdivision or employee thereof has discriminated against him/her and that such action has resulted in injury to the student is encouraged to attempt to resolve the matter informally with the party alleged to have committed the violation (e.g., course instructor), the head of the department or unit in which the alleged violation occurred, or both. An informal resolution of the grievance can occur at any time.

Informal Process for Academic Matters related to Academic Dismissal

Grievance procedures related to academic dismissal are appropriate only in cases in which the student believes bias or wrongdoing by a faculty member has occurred. Grievances are not the same as disagreements. A student cannot grieve an assigned grade, for example, merely because the student disagrees with the grade.

1.3 FORMAL PROCEDURES

Formal Procedure for Academic Dismissals and Unlawful Discrimination Complaints

In the event that informal resolution for a discrimination complaint is unsuccessful or the student has been dismissed, the student may lodge a formal grievance, as follows:

A. Within 20 days of the time at which the student is dismissed or could be reasonably expected to have knowledge of the alleged unlawful discrimination, the student may request the Dean of the Graduate Division (for any graduate student) or the Dean of the School (for non-graduate students) to conduct a formal review. This request must be made in writing. In the case of a graduate student, the Dean of the Graduate Division may request that the Dean of the School conduct the formal review. The Dean will appoint or assume the role of the Administrative Officer to conduct the formal review.

B. Within 15 days after the request for a formal review, the student will provide the Administrative Officer of the School or Graduate Division with a written complaint that includes the specific nature of the grievance, all pertinent supporting data and documents, and the nature
of the action requested by the student to redress the grievance. In the case of a dismissal, the written complaint must explain concisely why the student believes the University’s decision was arbitrary and capricious, and should address each specific reason for the dismissal set forth in the dismissal notice.

C. After receiving the written complaint from the student, the Administrative Officer will take appropriate action depending upon the nature of the grievance.

1. For a Dismissal Grievance. The Administrative Officer will convene an Ad Hoc Hearing Committee within a reasonable time. The Administrative Officer will consult with the Faculty Council Chair to provide an opportunity for the Faculty Council to designate a representative to the Ad Hoc Review Committee (this representative would be one of the three faculty on the Committee).

2. For a Discrimination Grievance.
   a) The Administrative Officer will promptly provide the Opposing Party with the student's written complaint and will request a written response from the Opposing Party. Within 15 days after receiving the student's complaint, the Opposing Party will provide the Administrative Officer with a written response that will include information regarding all points raised in the student's written complaint and any other supporting data and documents.
   
   b) Upon receipt of the Opposing Party’s written response, the Administrative Officer will promptly provide a copy to the student.
   
   c) Within 15 days of the student’s receipt of the written response from the Opposing Party, the Administrative Officer will meet with the student and Opposing Party and attempt to resolve the grievance.
   
   d) If the grievance is not resolved within 15 days of the meeting, the student may request, in writing, that the Administrative Officer convene an Ad Hoc Hearing Committee.

D. Upon establishment of cause by either party to the grievance, the Dean of the School or the Graduate Division may grant reasonable extensions of the time limits specified in the procedure.

1.31 CHARGE TO THE AD HOC HEARING COMMITTEE
A. The Ad Hoc Hearing Committee shall be composed of three faculty members, one of whom must be from a different School, who are knowledgeable about student education but who have not been involved in the dismissal process or discrimination complaint, plus two students. These students will be selected by the Dean.

B. The Chair of the Committee is responsible for convening the hearing and informing the Parties of the procedures to be followed. The Committee Chair will handle all procedural matters during the pendency of the hearing.
C. The student and the Administrative Officer or Opposing Party must be present throughout the hearing(s), even when represented. Except for good cause, as determined by the Ad Hoc Hearing Committee, the failure of the student to appear in person at the hearing will be deemed a voluntary withdrawal of his/her complaint. The failure of the Administrative Officer or the Opposing Party to appear in person will result in postponement of the hearing until relevant parties can be present.

D. Each party is responsible for the presentation of his/her own position.

E. The student may have non-legal representation or legal counsel present during the hearing(s), at his/her own expense. (The School, Graduate Division, or Opposing Party will be represented by University counsel if the student retains legal counsel.) If the student retains legal counsel, he/she shall notify the Chair of the Ad Hoc Hearing Committee ten (10) days prior to the pre-hearing conference or twenty (20) days prior to the hearing.

F. The Committee, the student, the Administrative Officer, or the Opposing Party may request that other parties present relevant information either in writing or in person at the hearing. The Committee will determine which information is relevant.

G. The Committee may, at its discretion, request that an attorney from the Office of the General Counsel be appointed to provide independent legal counsel to the Committee. This attorney shall not vote in the Committee’s deliberation process.

H. The Hearing will ordinarily be held within forty-five (45) days of receipt of the student request to conduct a formal review (as defined in Section 1.3.A). Unless otherwise agreed by the Parties (as defined in Section 1.1) and the Chair of the Committee, the student and his/her advocate(s), if any, will meet at least fifteen (15) days prior to the Hearing at a pre-hearing conference with the Committee Chair. The Parties and the advocates will meet to agree upon the specific issues to be decided by the Committee as well as procedural matters such as hearing schedule and duration, exchange and order of witnesses and documents, and other evidentiary and procedural matters. Absent a showing of good cause, these issues will be limited to the reasons stated in the written notice of dismissal and the student’s written response to the notice of dismissal. If the parties are unable to reach an agreement on the issues to be decided, the Committee Chair will determine the issues to be reviewed.

I. At least seven (7) days prior to the Hearing, or at another date agreed to by the Parties and the Chair of the Committee, all documents to be introduced as evidence at the hearing and names of all witnesses shall be exchanged. With the exception of rebuttal witnesses and documents used in rebuttal, any witnesses not named and documents not exchanged seven days before the hearing may, at the Committee Chair’s discretion, be excluded from the Hearing.

J. Unless the student and all involved employees of the University agree to an open hearing, the hearing will be closed. All materials, reports and other evidence introduced and recorded during the course of a closed proceeding may not be disclosed until the final resolution of the complaint except as may be required by applicable law. The Parties and advocates will at all times have the right to attend the hearing but witnesses shall appear only during their testimony. If the grievance
involves allegation of unlawful discrimination, the Committee will accept evidence and comments by a representative of the Affirmative Action Office.

K. The hearing will provide an opportunity for each party to present evidence and to cross-examine witnesses. The Committee Chair has broad discretion regarding the admissibility and weight of evidence and is not bound by federal or state rules of evidence. The Committee Chair will rule on all questions of procedure and evidence and has the right to limit rebuttal evidence at his/her discretion.

L. The hearing will be audio recorded by the University unless both parties agree to share the cost of a court reporter, or one party elects to pay the entire cost for the court reporter in order to have a transcript for its own use, in which case the other side may purchase a copy of the transcript for half the cost of the court reporter and transcription, plus any copy costs. The student may listen to the audio recording and may purchase a copy of it. The Dean will be the custodian of the audio recording and/or any stenographic records and will retain the recording for five (5) years from the time the Dean’s decision becomes final.

M. In the case of the dismissal, the student has the burden to prove by a preponderance of evidence (documentary and testimonial) that the dismissal was arbitrary and capricious. In the case of unlawful discrimination, the student has the burden to prove by a preponderance of evidence that the alleged unlawful discrimination occurred and to describe the remedy sought.

1.32 AGENDA FOR THE HEARING

A. Review of Rules of Procedure

B. Student will present a statement of grievance, additional remarks and desired outcome.

C. Committee seeks clarification and more facts if necessary.

D. Administrative Officer or Opposing Party will present a response to grievance, additional remarks and desired outcome.

E. Committee seeks clarification and more facts if necessary.

F. Presentation of witness(es) for student and their cross-examination.

G. Committee seeks clarification and more facts if necessary.

H. Presentation of witness(es) for the University or Opposing Party and their cross-examination.

I. Committee seeks clarification and more facts if necessary.

J. Closing statements from both parties, beginning with student.
K. At the discretion of the Committee, briefs may be submitted. The Committee Chair will determine the appropriate briefing schedule (if any), and if appropriate, reasonable extensions to the hearing.

1.33 COMMITTEE REPORT

A. The Committee will meet and submit a written report to the Administrative Officer no later than 15 days after the hearing is completed or briefs are filed.

B. In the case of academic dismissal, the report shall contain findings of fact and will recommend to the Dean to uphold or not to uphold the dismissal. The report will recommend upholding the dismissal if the Committee finds that the student has not met his/her burden to establish by a preponderance of the evidence that the School’s decision was arbitrary and capricious. In the case of unlawful discrimination, the report shall contain findings of fact as to whether the alleged discrimination occurred and recommendations for a remedy if appropriate.

C. Lack of Committee consensus of final recommendation may be accompanied by a majority and a minority report. Each Committee member will sign the report to which he/she subscribes.

D. Upon establishment of cause by either party to the grievance, the Chair of the Ad Hoc Hearing Committee may grant reasonable extensions of the time limits specified in the procedure.

1.34 DISPOSITION OF REPORT AND RECOMMENDATION

A. The Committee will present its written report to the Dean. The Dean will accept the report, remand it back to the Committee for further consideration or reject the report. The recommendations of the Committee are advisory to the Dean, whose decision is final. The Dean will inform the Ad Hoc Hearing Committee of his/her decision. In the case of a student registered in the Graduate Division, the convening Dean shall forward a copy of the final recommendation to the other relevant Dean.

B. Within 15 days of the decision, the Dean will transmit the decision and/or recommendations to the student and the person/group responsible for its implementation.

C. The student, Administrative Officer or Opposing Party will receive a copy of the report and recommendations.

D. Recorded grievance proceedings, the petition and other material will be kept in a locked file in the Dean's office for five years.
1.4 GRIEVANCE PROCEDURE REVIEW

A grievance procedure review may be initiated by the student if he/she is not satisfied that the grievance procedures were followed. The student should contact the Graduate Division or the Student Affairs Office of the School in which he/she is registered for counseling about the grievance procedure review. The student shall be advised that this grievance procedure review is a procedural review to determine whether the procedure set forth in Section 1.3 was followed. This grievance procedure review does not review the merits of the grievance or the findings of the Ad Hoc Committee.

1.40 Within ten (10) days after receiving the Dean's decision, the student must provide the Chair of the Academic Senate with (1) a written statement specifically citing the procedures set forth in Section 1.3 that the student alleges the University did not follow and (2) all pertinent supporting data and documents. The Chair of the Academic Senate may dismiss the request for review if the student does not comply with the requirements of this section.

1.41 Within ten (10) days after receiving the written request for review and supporting data and documents, the Chair of the Academic Senate will forward a copy of the student's written request for review and supporting data and documents to the Dean of the School or Graduate Division in which the original grievance was conducted. Within ten (10) days after receipt of the student's written request for review and supporting data and documents, the Dean will provide a written response to the Chair of the Academic Senate.

1.42 Within ten (10) days after receiving the Dean's written response, the Chair of the Academic Senate will provide a copy of the response to the student and request that the Chair of the Committee on Committees appoint a three (3) member Senate Ad Hoc Grievance Procedure Review Committee. The members will be selected from a list of Academic Senate members designated at the beginning of the academic year for service on such Senate Ad Hoc Grievance Procedure Review Committees. If a representative from the University's Affirmative Action Office has participated in any phase of the grievance procedure thus far, the Senate Ad Hoc Grievance Procedure Review Committee is charged with seeking continuing staff assistance from the Affirmative Action Office.

1.43 Within ten (10) days after its constitution, the Senate Ad Hoc Grievance Procedure Review Committee will meet to review and decide whether the University followed the procedure set forth in Section 1.3.

1.44 For good cause, the Chair of the Academic Senate may grant reasonable extensions of the time limits specified in the grievance procedure review.

1.45 Senate Ad Hoc Grievance Procedure Review Committee Report

A. Within ten (10) days after meeting to review the procedures, the Senate Ad Hoc Grievance Procedure Review Committee will submit a written report to the Chair of the Academic Senate.
B. Lack of Committee consensus may be accompanied by a majority and a minority report. Each Committee member will sign the report to which he/she subscribes.

1.46 DISPOSITION OF REPORT AND RECOMMENDATIONS

A. Within two (2) days after receiving the report, the Chair of the Academic Senate will transmit the report of the Senate Ad Hoc Grievance Procedure Review Committee to the Dean of the School or Graduate Division.

B. Within fifteen (15) days after receiving the report, the Dean may accept, reject, or modify the Committee's recommended actions.

C. Parties to the complaint and their representatives shall be immediately notified in writing of the Dean's decision and be provided a copy of the report from the Senate Ad Hoc Grievance Procedure Review Committee. The Dean's decision is final and concludes the grievance procedures.

D. Recorded proceedings, the petition and other material will be kept in a locked file for 5 years by the Office of the Academic Senate.
APPENDIX VII

DIVISIONAL PROCEDURE FOR STUDENT GRIEVANCE IN ACADEMIC AFFAIRS

1.0 PURPOSE
The purpose of this procedure is to allow for the timely resolution of student grievances related to academic dismissals and allegations of unlawful discrimination.

1.1 DEFINITIONS

A. ACADEMIC AFFAIRS - broadly defined to include all the competencies (knowledge, skills, and professional behaviors) that must be mastered in order to demonstrate satisfactory performance in all the requisite standards of the curriculum.

B. AD HOC HEARING COMMITTEE - Three faculty and two students.

C. ADMINISTRATIVE OFFICER – Dean or designee of the Dean to represent the School or Graduate Division and the University. If the student is registered in the Graduate Division, the Administrative Officer is the Dean or designee of the Dean of the Graduate Division. If the student is not registered in the Graduate Division, the Administrative Officer is the Dean or designee of the Dean of the School in which the student is registered.

D. AFFIRMATIVE ACTION REPRESENTATION - for technical assistance to all participants in unlawful discrimination complaints.

E. ARBITRARY and CAPRICIOUS- Absence of a rational connection between the facts and circumstances of the case and the choice made; an action not based upon consideration of relevant factors.

F. BRIEF – A concise, written summary of facts and arguments in a case.

G. DAYS - The term “days” means working days based on UCSF’s academic and administrative calendar.

H. EMPLOYEE - an individual employed by the University, including a faculty member.

I. GRADUATE DIVISION- encompasses all graduate academic degree programs and all graduate students in the Schools. This entity has the responsibility for the administration of graduate degree programs. The Dean of the Graduate Division is the institutional official responsible for the administration of UCSF affairs in accordance with academic policies established by the Academic Senate and the Graduate Council.

J. OPPOSING PARTY – for grievances involving unlawful discrimination, employee who is alleged to have engaged in the unlawful discrimination.

K. PARTIES – The grievant and the University’s representative for academic dismissals or Opposing Party (employee) for unlawful discrimination grievances.

L. PREPONDERANCE OF EVIDENCE - such evidence that, when weighed against that opposed, has more convincing force and the greater probability of truth.

M. PRE-HEARING CONFERENCE- a meeting of relevant parties that occurs prior to the hearing in order to agree upon the specific issues to be decided by the Ad Hoc Hearing Committee and procedural matters such as hearing schedule and duration, exchange and order of witnesses and documents, and other evidentiary matters.

N. PROVISION OF GRIEVANCE INFORMATION - this grievance procedure is designed for all student grievances except those specifically described in Section V, “Student Conduct and Discipline”, in the University of California's Policies Applying to Campus
Activities, Organizations, and Students, revised 10/29/73, pages 5-7. The Student Affairs Office of the School in which the student is registered, or the Graduate Division if the student is registered in the Graduate Division, is charged with the responsibility for evaluating the nature of students' grievances and for advising students on the proper course of action. If the alleged grievance involves allegation of any kind of discrimination, the Affirmative Action Office shall thereafter be actively involved in all review processes to provide technical assistance.

O. REPRESENTATION - assistance to grievant in formal hearing process. May be of one or more of these types:

1. NON-LEGAL REPRESENTATION - any person without legal training.

2. LEGAL COUNSEL - includes attorneys and individuals with legal training.

P. SCHOOL - one of the professional schools.

Q. STUDENT - must either be currently registered as a student at a campus of the University, or have been enrolled at the time of the alleged infraction.

R. UNIVERSITY - University of California

1.2 INFORMAL PROCESS

Informal Process for Unlawful Discrimination Complaints that Do Not Involve an Academic Dismissal

A student who believes that the University or any administrative subdivision or employee thereof has discriminated against him/her and that such action has resulted in injury to the student is encouraged to attempt to resolve the matter informally with the party alleged to have committed the violation (e.g., course instructor), the head of the department or unit in which the alleged violation occurred, or both. An informal resolution of the grievance can occur at any time.

Informal Process for Academic Matters related to Academic Dismissal

Grievance procedures related to academic dismissal are appropriate only in cases in which the student believes bias or wrongdoing by a faculty member has occurred. Grievances are not the same as disagreements. A student cannot grieve an assigned grade, for example, merely because the student disagrees with the grade.

1.3 FORMAL PROCEDURES

Formal Procedure for Academic Dismissals and Unlawful Discrimination Complaints

In the event that informal resolution for a discrimination complaint is unsuccessful or the student has been dismissed, the student may lodge a formal grievance, as follows:

A. Within 20 days of the time at which the student is dismissed or could be reasonably expected to have knowledge of the alleged unlawful discrimination, the student may request the Dean of the Graduate Division (for any graduate student) or the Dean of the School (for non-graduate students) to conduct a formal review. This request must be made in writing. In the case of a graduate student, the Dean of the Graduate Division may request that the Dean of the School conduct the formal review. The Dean will appoint or assume the role of the Administrative Officer to conduct the formal review.

B. Within 15 days after the request for a formal review, the student will provide the Administrative Officer of the School or Graduate Division with a written complaint that includes the specific nature of the grievance, all pertinent supporting data and documents, and the nature of the alleged violation.
of the action requested by the student to redress the grievance. In the case of a dismissal, the written complaint must explain concisely why the student believes the University's decision was arbitrary and capricious, and should address each specific reason for the dismissal set forth in the dismissal notice.

C. After receiving the written complaint from the student, the Administrative Officer will take appropriate action depending upon the nature of the grievance.

1. For a Dismissal Grievance. The Administrative Officer will convene an Ad Hoc Hearing Committee within a reasonable time. The Administrative Officer will consult with the Faculty Council Chair to provide an opportunity for the Faculty Council to designate a representative to the Ad Hoc Review Committee (this representative would be one of the three faculty on the Committee).

2. For a Discrimination Grievance.  
   a) The Administrative Officer will promptly provide the Opposing Party with the student's written complaint and will request a written response from the Opposing Party. Within 15 days after receiving the student's complaint, the Opposing Party will provide the Administrative Officer with a written response that will include information regarding all points raised in the student's written complaint and any other supporting data and documents.

   b) Upon receipt of the Opposing Party’s written response, the Administrative Officer will promptly provide a copy to the student.

   c) Within 15 days of the student’s receipt of the written response from the Opposing Party, the Administrative Officer will meet with the student and Opposing Party and attempt to resolve the grievance.

   d) If the grievance is not resolved within 15 days of the meeting, the student may request, in writing, that the Administrative Officer convene an Ad Hoc Hearing Committee.

D. Upon establishment of cause by either party to the grievance, the Dean of the School or the Graduate Division may grant reasonable extensions of the time limits specified in the procedure.

1.31 CHARGE TO THE AD HOC HEARING COMMITTEE

A. The Ad Hoc Hearing Committee shall be composed of three faculty members, one of whom must be from a different School, who are knowledgeable about student education but who have not been involved in the dismissal process or discrimination complaint, plus two students. These students will be selected by the Dean.

B. The Chair of the Committee is responsible for convening the hearing and informing the Parties of the procedures to be followed. The Committee Chair will handle all procedural matters during the pendency of the hearing.
C. The student and the Administrative Officer or Opposing Party must be present throughout the hearing(s), even when represented. Except for good cause, as determined by the Ad Hoc Hearing Committee, the failure of the student to appear in person at the hearing will be deemed a voluntary withdrawal of his/her complaint. The failure of the Administrative Officer or the Opposing Party to appear in person will result in postponement of the hearing until relevant parties can be present.

D. Each party is responsible for the presentation of his/her own position.

E. The student may have non-legal representation or legal counsel present during the hearing(s), at his/her own expense. (The School, Graduate Division, or Opposing Party will be represented by University counsel if the student retains legal counsel.) If the student retains legal counsel, he/she shall notify the Chair of the Ad Hoc Hearing Committee ten (10) days prior to the pre-hearing conference or twenty (20) days prior to the hearing.

F. The Committee, the student, the Administrative Officer, or the Opposing Party may request that other parties present relevant information either in writing or in person at the hearing. The Committee will determine which information is relevant.

G. The Committee may, at its discretion, request that an attorney from the Office of the General Counsel be appointed to provide independent legal counsel to the Committee. This attorney shall not vote in the Committee’s deliberation process.

H. The Hearing will ordinarily be held within forty-five (45) days of receipt of the student request to conduct a formal review (as defined in Section 1.3.A). Unless otherwise agreed by the Parties (as defined in Section 1.1) and the Chair of the Committee, the student and his/her advocate(s), if any, will meet at least fifteen (15) days prior to the Hearing at a pre-hearing conference with the Committee Chair. The Parties and the advocates will meet to agree upon the specific issues to be decided by the Committee as well as procedural matters such as hearing schedule and duration, exchange and order of witnesses and documents, and other evidentiary and procedural matters. Absent a showing of good cause, these issues will be limited to the reasons stated in the written notice of dismissal and the student’s written response to the notice of dismissal. If the parties are unable to reach an agreement on the issues to be decided, the Committee Chair will determine the issues to be reviewed.

I. At least seven (7) days prior to the Hearing, or at another date agreed to by the Parties and the Chair of the Committee, all documents to be introduced as evidence at the hearing and names of all witnesses shall be exchanged. With the exception of rebuttal witnesses and documents used in rebuttal, any witnesses not named and documents not exchanged seven days before the hearing may, at the Committee Chair’s discretion, be excluded from the Hearing.

J. Unless the student and all involved employees of the University agree to an open hearing, the hearing will be closed. All materials, reports and other evidence introduced and recorded during the course of a closed proceeding may not be disclosed until the final resolution of the complaint except as may be required by applicable law. The Parties and advocates will at all times have the right to attend the hearing but witnesses shall appear only during their testimony. If the grievance
involves allegation of unlawful discrimination, the Committee will accept evidence and comments by a representative of the Affirmative Action Office.

K. The hearing will provide an opportunity for each party to present evidence and to cross-examine witnesses. The Committee Chair has broad discretion regarding the admissibility and weight of evidence and is not bound by federal or state rules of evidence. The Committee Chair will rule on all questions of procedure and evidence and has the right to limit rebuttal evidence at his/her discretion.

L. The hearing will be audio recorded by the University unless both parties agree to share the cost of a court reporter, or one party elects to pay the entire cost for the court reporter in order to have a transcript for its own use, in which case the other side may purchase a copy of the transcript for half the cost of the court reporter and transcription, plus any copy costs. The student may listen to the audio recording and may purchase a copy of it. The Dean will be the custodian of the audio recording and/or any stenographic records and will retain the recording for five (5) years from the time the Dean’s decision becomes final.

M. In the case of the dismissal, the student has the burden to prove by a preponderance of evidence (documentary and testimonial) that the dismissal was arbitrary and capricious. In the case of unlawful discrimination, the student has the burden to prove by a preponderance of evidence that the alleged unlawful discrimination occurred and to describe the remedy sought.

1.32 AGENDA FOR THE HEARING

A. Review of Rules of Procedure

B. Student will present a statement of grievance, additional remarks and desired outcome.

C. Committee seeks clarification and more facts if necessary.

D. Administrative Officer or Opposing Party will present a response to grievance, additional remarks and desired outcome.

E. Committee seeks clarification and more facts if necessary.

F. Presentation of witness(es) for student and their cross-examination.

G. Committee seeks clarification and more facts if necessary.

H. Presentation of witness(es) for the University or Opposing Party and their cross-examination.

J. Committee seeks clarification and more facts if necessary.

J. Closing statements from both parties, beginning with student.

Deleted: The Ad Hoc Committee shall recommend action no later than ten (10) working days after completion of the hearing.

Deleted: 1. If the recommendation is to change a grade in a course, then the Committee report shall go to the Chairperson of the Division for action as under SFR 775 F.

Deleted: 2. If the recommendation does not involve a change of grade, then the Committee report shall go to the Dean or Administrative Officer for implementation.

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K. At the discretion of the Committee, briefs may be submitted. The Committee Chair will determine the appropriate briefing schedule (if any), and if appropriate, reasonable extensions to the hearing.

1.33 COMMITTEE REPORT

A. The Committee will meet and submit a written report to the Administrative Officer no later than 15 days after the hearing is completed or briefs are filed.

B. In the case of academic dismissal, the report shall contain findings of fact and will recommend to the Dean to uphold or not to uphold the dismissal. The report will recommend upholding the dismissal if the Committee finds that the student has not met his/her burden to establish by a preponderance of the evidence that the School’s decision was arbitrary and capricious. In the case of unlawful discrimination, the report shall contain findings of fact as to whether the alleged discrimination occurred and recommendations for a remedy if appropriate.

C. Lack of Committee consensus of final recommendation may be accompanied by a majority and a minority report. Each Committee member will sign the report to which he/she subscribes.

D. Upon establishment of cause by either party to the grievance, the Chair of the Ad Hoc Hearing Committee may grant reasonable extensions of the time limits specified in the procedure.

1.34 DISPOSITION OF REPORT AND RECOMMENDATION

A. The Committee will present its written report to the Dean. The Dean will accept the report, remand it back to the Committee for further consideration or reject the report. The recommendations of the Committee are advisory to the Dean, whose decision is final. The Dean will inform the Ad Hoc Hearing Committee of his/her decision. In the case of a student registered in the Graduate Division, the convening Dean shall forward a copy of the final recommendation to the other relevant Dean.

B. Within 15 days of the decision, the Dean will transmit the decision and/or recommendations to the student and the person/group responsible for its implementation.

C. The student, Administrative Officer or Opposing Party will receive a copy of the report and recommendations.

D. Recorded grievance proceedings, the petition and other material will be kept in a locked file in the Dean's office for five years.
1.4 GRIEVANCE PROCEDURE REVIEW

A grievance procedure review may be initiated by the student if he/she is not satisfied that the grievance procedures were followed. The student should contact the Graduate Division or the Student Affairs Office of the School in which he/she is registered for counseling about the grievance procedure review. The student shall be advised that this grievance procedure review is a procedural review to determine whether the procedure set forth in Section 1.3 was followed. This grievance procedure review does not review the merits of the grievance or the findings of the Ad Hoc Committee.

1.4.0 Within ten (10) days after receiving the Dean's decision, the student must provide the Chair of the Academic Senate with (1) a written statement specifically citing the procedures set forth in Section 1.3 that the student alleges the University did not follow and (2) all pertinent supporting data and documents. The Chair of the Academic Senate may dismiss the request for review if the student does not comply with the requirements of this section.

1.4.1 Within ten (10) days after receiving the student's request for review and supporting data and documents, the Chair of the Academic Senate will forward a copy of the student's written request for review and supporting data and documents to the Dean of the School or Graduate Division in which the original grievance was conducted. Within ten (10) days after receipt of the student's written request for review and supporting data and documents, the Dean will provide a written response to the Chair of the Academic Senate.

1.4.2 Within ten (10) days after receiving the Dean's written response, the Chair of the Academic Senate will provide a copy of the Dean's response to the student and request that the Chair of the Committee on Committees appoint a three (3) member Senate Ad Hoc Grievance Procedure Review Committee. The members will be selected from a list of Academic Senate members designated at the beginning of the academic year for service on such Senate Ad Hoc Grievance Procedure Review Committees. If a representative from the University's Affirmative Action Office has participated in any phase of the grievance procedure thus far, the Senate Ad Hoc Grievance Procedure Review Committee is charged with seeking continuing staff assistance from the Affirmative Action Office.

1.4.3 Within ten (10) days after its constitution, the Senate Ad Hoc Grievance Procedure Review Committee will meet to review and decide whether the University followed the procedure set forth in Section 1.3.

1.4.4 For good cause, the Chair of the Academic Senate may grant reasonable extensions of the time limits specified in the grievance procedure review.

1.4.5 Senate Ad Hoc Grievance Procedure Review Committee Report

A. Within ten (10) days after meeting to review the procedures, the Senate Ad Hoc Grievance Procedure Review Committee will submit a written report to the Chair of the Academic Senate.
B. Lack of Committee consensus may be accompanied by a majority and a minority report. Each Committee member will sign the report to which he/she subscribes.

1.46 DISPOSITION OF REPORT AND RECOMMENDATIONS

A. Within two (2) days after receiving the report, the Chair of the Academic Senate will transmit the report of the Senate Ad Hoc Grievance Procedure Review Committee to the Dean of the School or Graduate Division.

B. Within fifteen (15) days after receiving the report, the Dean may accept, reject, or modify the Committee's recommended actions.

C. Parties to the complaint and their representatives shall be immediately notified in writing of the Dean's decision and be provided a copy of the report from the Senate Ad Hoc Grievance Procedure Review Committee. The Dean's decision is final and concludes the grievance procedures.

D. Recorded proceedings, the petition and other material will be kept in a locked file for 5 years by the Office of the Academic Senate.

[en 18, October 1977]
materials. The employee's materials will include responses to all points raised in the student's material and other pertinent data. The employee will provide the Dean or Administrative Officer with a written statement within ten (10) working days after receipt of the student's materials.

D. Upon receipt of the employee's statement, the Dean or Administrative Officer will promptly provide a copy of this to the student. E. The Dean or Administrative Officer will meet with the student and employee involved within ten (10) working days after receipt of material from the employee and attempt to resolve the alleged grievance.

1.31 In the event that the grievance is still unsuccessfully resolved after step 1.30 E has occurred, the student may request, within ten (10) working days after step 1.30 E, that the Dean or Administrative Officer convene an Ad Hoc Grievance Committee, the Chairperson of which is an Academic Senate member. The Ad Hoc Committee will meet with the student and employee for a formal hearing as soon as reasonable, but no later than ten (10) working days after being constituted as a committee.

1.32 CHARGE TO THE AD HOC GRIEVANCE COMMITTEE

A. The Chairperson of the Committee is responsible for convening the hearing and informing the principals of the procedures to be followed.

B. Both the student and the employee shall be present throughout the hearing(s).

C. Each party is responsible for the presentation of his/her own position.

D. The parties involved may have a lawyer or other representative present during the hearing(s). (The employee will be represented by University counsel if the student retains legal counsel.)

E. The Committee, the student, or the employee may other parties to present relevant information either in writing or in person at a hearing. The Committee will determine what is relevant information.

F. Hearing(s) will be recorded.

G. Hearing(s) may be open or closed. The Chairperson may permit an open hearing if both parties agree to a waiver of confidentiality. A reasonable number of members of the campus community may attend an open hearing(s), but may not participate in any manner in the hearing(s). If the hearing(s) is disrupted by observers, the Chairperson may close the hearing(s) to observers.

H. Exclusion of Witnesses - all witnesses but the employee and the student shall be excluded from the hearing, except during their testimony, at the request of either party.

I. The student shall have the right to:

1. Be present throughout the hearing.
2. Representation - the option to be assisted during the formal proceedings by a representative at the student's own expense.

3. Present his/her evidence, including witnesses, first.

4. Examine all witnesses presented by the University.

J. The employee has the right to:

1. Be present throughout the hearing.

2. Representation - (if the representative of the grievant has legal training, be represented by the Office of the General Counsel).

3. Present evidence, including witnesses, in

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K. Rules of Evidence - evidence may be verbal or written, but must be limited to issues raised in the written complaint. Hearsay evidence is admissible only if corroborated. The Chairperson will exclude any irrelevant or unduly repetitive evidence. If the alleged

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The Dean or Administrative Officer will provide a written response to the Chairperson of the Academic Senate within

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appeals material.

1.42 Upon receipt of the Dean's or Administrative Officer's material, the Chairperson

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will provide a copy of this to the student.

1.43 The Chairperson

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the process and procedure with which the School or administrative unit has dealt with the student's grievance. The

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review and decide whether the student's grievance has followed the procedure established for handling of grievances at the School level.

1.45 Committee Report

A. The Ad Hoc Grievance Procedure Review Committee will

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within ten (10) working days of its meeting
COMMUNICATION FROM THE SAN FRANCISCO DIVISION
Deborah Greenspan, DSc, DBS, Chair

June 22, 2007

John Oakley, JD
Professor and Chair, Academic Council
University of California Academic Senate
1111 Franklin Street, 12th Floor
Oakland, CA  94607-5200

Dear Chair Oakley,

Attached please find a series of bylaw changes for the San Francisco Division for review and approval by UCRJ. The San Francisco Division submits the following:

1. Bylaw modifications proposed by the Graduate Council to the Bylaws of the UCSF Division of the Academic Senate, Chapter VI Faculties and Committees, Section III Standing Committees of the San Francisco Division, 125 Graduate Council. These modifications were reviewed and approved by UCSF-RJ June 27, 2006, and approved by the San Francisco Division June 21, 2007.

2. Variance to Senate Regulation 750 (under San Francisco) proposed by the Committee on Courses of Instruction. This variance was reviewed and approved by UCSF-RJ June 27, 2006, and approved by the San Francisco Division June 21, 2007.

3. Revision of Divisional Bylaw Appendix VII: Procedure for Student grievance in Academic Affairs. This revision was approved by UCSF-RJ June 11, 2007, and approved by the San Francisco Division June 21, 2007.

It is necessary to the ongoing work of the San Francisco Division that these bylaw changes be considered by UCR&J and formalized as soon as possible. If you have any questions or if we can assist you in any way, please feel free to contact Wilson Hardcastle, Senior Analyst, at whardcastle@senate.ucsf.edu, (415) 476-4245. Thank you.

Sincerely,

Deborah Greenspan, DSc, BDS
Chair, UCSF Academic Senate

cc: Jean Ann Seago, PhD, Chair UCSF Academic Senate Committee on Rules and Jurisdiction
Maria Bertero-Barcelo, Executive Director, UC Academic Council

enclosures: Proposed Modification to UCSF Bylaw 125 Graduate Council
UCSF Proposed Variance to Regulation 750
UCSF UCRJ Revision of Bylaw Appendix 7
COMMUNICATION FROM THE CHAIR OF THE COMMITTEE ON RULES AND JURISDICTION
Joseph Wiemels, PhD, Chair

June 27, 2006

Deborah Greenspan, DSc, BDS
Chair, UCSF Academic Senate
Campus Box 0764

RE: R&J Approval of Proposed Modifications to Academic Senate Bylaw Chapter VI, Section III, 125: Graduate Council

Dear Chair Greenspan:

On June 27, 2006, the Academic Senate Committee on Rules and Jurisdiction (R&J) reviewed the changes proposed by the Graduate Council to Academic Senate Divisional Bylaw Chapter VI, Section III, 125: Graduate Council. The proposed changes expand the Graduate Council membership from 10 to 13, and require that at least two members have medical degrees. The proposed changes also allow for a designated member other than the Chair to serve as a member of the University Coordinating Committee on Graduate Affairs. Lastly, the modifications clarify that the Assistant Dean for Graduate Academic Affairs of the San Francisco Graduate Division is a non-voting, ex-officio member of the Graduate Council.

The Committee approves these changes to Divisional Bylaw Chapter VI, Section III, 125: Graduate Council, and recommends that the modifications be brought before the Division at its next meeting for a formal vote and approval.

Yours sincerely,

Joseph Wiemels, MD
Chair, Committee on Rules and Jurisdiction
UCSF Academic Senate

enclosures/ Communication from Graduate Council (June 22, 2006)
Justification for UCSF Graduate Council Bylaw Change (April 20, 2006)

cc: Farid Chehab, Chair of the Graduate Council
Communication from the Graduate Council
Farid Chehab, PhD, Chair

June 22, 2006

Joseph Wiemels, PhD, Chair
Committee on Rules and Jurisdiction
Box 0560

RE: Proposed Bylaw Changes: 125 Graduate Council

Dear Dr. Wiemels:

The Graduate Council recently voted to adopt a change to provisions in the Bylaws and Regulations of the San Francisco Division of the Academic Senate relating to the Graduate Council. The Council hereby requests that the Committee on Rules and Jurisdiction (Committee) review the proposed amendment to ensure that it is consistent with the requirements of the Bylaws, Regulations, and Appendices of the University of California, San Francisco Division of the Academic Senate.

Enclosed for review by Rules and Jurisdiction, please find the tracked changes indicating the proposed amendments, as well as the justification for the proposed changes to the Bylaws of the Graduate Council.

We would greatly appreciate consideration of this matter at the upcoming meeting on June 27, 2006.

Sincerely,

Graduate Council
Farid Chehab, PhD, Chair
Catherine Waters, RN, PhD, Vice Chair
Brian Black, PhD
Barbara Gerbert, PhD
Holly Kennedy, CNM, PhD, FACNM
Jeff Lansman, PhD

David Saloner, PhD
Kimberly Topp, PhD
Ben Yen, MD, PhD
Dennis Nielson, MD, PhD
Fred Schaufele, PhD
Chris Voight, PhD
JUSTIFICATION FOR UCSF GRADUATE COUNCIL BYLAW CHANGE

At its meeting of April 20, 2006, the Graduate Council approved the following:

The Graduate Council proposes the following changes to its Bylaws:

1. That the membership be increased to 13.
2. That two of its members be UCSF faculty with Medical Degrees.
3. That the appointment to the Systemwide Coordinating Committee on Graduate Affairs (CCGA) can be either the Chair of Graduate Council or other designated member, as determined by the Committee on Committees.
4. That the Secretary of the Council serves as an ex-officio non-voting member.

These changes are proposed to allow the Graduate Council to have the full complement of representative faculty when reviewing graduate programs and performing its duties and to manage the increased workload of the Graduate Council. The designation of an alternate member of the committee, other than the Chair to serve as representative to the CCGA is necessary to better coordinate the representative from UCSF with the required two-year CCGA term.

DRAFT AMENDMENT TO DIVISION BYLAWS

Chapter VI. Faculties and Committees
Section III. Standing Committees of the San Francisco Division
125. Graduate Council

A. Membership: This Committee shall consist of thirteen (13) voting members appointed for staggered three-year terms. At least two members shall have Medical Degrees. The selection of membership shall reflect appropriately the departments, Schools, and graduate curricula of the Division, which offer work toward higher degrees; and the Dean of the Graduate Division, ex officio member, who shall not serve as Chair or Vice Chair. The Chair, or other designated member shall serve as a member of the University Coordinating Committee on Graduate Affairs (CCGA). At the invitation of the Graduate Council, representatives of the Graduate Student Association and of the Postdoctoral Scholars’ Association, the Associate Dean of the Graduate Division, and the Assistant Dean of Postdoctoral Affairs may serve as ex officio non-voting members. The Assistant Dean for Graduate Academic Affairs of the San Francisco Graduate Division shall act as the Secretary of the Council and as ex-officio non voting member, who is authorized to refer any or all questions, including petitions of students and postdoctoral scholars, to the appropriate Council committees or to the Council. [Am 15 April 91, 1 Sep 03]
SUBMISSION from the SAN FRANCISCO DIVISION

PROPOSED MODIFICATION to ACADEMIC SENATE BYLAW 125

This Bylaw modification proposed by the Graduate Council to the Bylaws of the UCSF Division of the Academic Senate, Chapter VI Faculties and Committees, Section III Standing Committees of the San Francisco Division, 125 Graduate Council, was reviewed and approved by UCSF-RJ June 27, 2006, and approved by the San Francisco Division June 21, 2007.

PROPOSED CHANGES TO DIVISIONAL BYLAW 125 (GRADUATE COUNCIL)
EXECUTIVE SUMMARY

The Graduate Council proposed modifications to the Bylaws of the UCSF Division of the Academic Senate, Chapter VI Faculties and Committees, Section III Standing Committees of the San Francisco Division, 125 Graduate Council.

Justification: The proposed changes, reviewed and approved by the Committee on Rules and Jurisdiction, modify the Bylaws pertaining to the Membership of the Graduate Council as follows:

1. That the membership be increased to 13.
2. That two of its members be UCSF faculty with Medical Degrees.
3. That the appointment to the Systemwide Coordinating Committee on Graduate Affairs (CCGA) can be either the Chair of Graduate Council or other designated member, as determined by the Committee on Committees.
4. That the Secretary of the Council serves as an ex-officio non-voting member.

These changes are proposed to allow the Graduate Council to have the full complement of representative faculty when reviewing graduate programs and performing its duties and to manage the increased workload of the Graduate Council. The designation of an alternate member of the committee, other than the Chair to serve as representative to the CCGA is necessary to better coordinate the representative from UCSF with the required two-year CCGA term.

The full proposed Bylaw language and justification are attached.
JUSTIFICATION FOR UCSF GRADUATE COUNCIL BYLAW CHANGE

At its meeting of April 20, 2006, the Graduate Council approved the following:

The Graduate Council proposes the following changes to its Bylaws:

1. That the membership be increased to 13.
2. That two of its members be UCSF faculty with Medical Degrees.
3. That the appointment to the Systemwide Coordinating Committee on Graduate Affairs (CCGA) can be either the Chair of Graduate Council or other designated member, as determined by the Committee on Committees.
4. That the Secretary of the Council serves as an ex-officio non-voting member.

These changes are proposed to allow the Graduate Council to have the full complement of representative faculty when reviewing graduate programs and performing its duties and to manage the increased workload of the Graduate Council. The designation of an alternate member of the committee, other than the Chair to serve as representative to the CCGA is necessary to better coordinate the representative from UCSF with the required two-year CCGA term.

DRAFT AMENDMENT TO DIVISION BYLAWS

Chapter VI. Faculties and Committees
Section III. Standing Committees of the San Francisco Division
125. Graduate Council

A. Membership: This Committee shall consist of thirteen (13) voting members appointed for staggered three-year terms. At least two members shall have Medical Degrees. The selection of membership shall reflect appropriately the departments, Schools, and graduate curricula of the Division, which offer work toward higher degrees; and the Dean of the Graduate Division, ex officio member, who shall not serve as Chair or Vice Chair. The Chair, or other designated member shall serve as a member of the University Coordinating Committee on Graduate Affairs (CCGA). At the invitation of the Graduate Council, representatives of the Graduate Student Association and of the Postdoctoral Scholars’ Association, the Associate Dean of the Graduate Division, and the Assistant Dean of Postdoctoral Affairs may serve as ex officio non-voting members. The Assistant Dean for Graduate Academic Affairs of the San Francisco Graduate Division shall act as the Secretary of the Council and as ex-officio non voting member who, The secretary is a non-voting non-member and is authorized to refer any or all questions, including petitions of students and postdoctoral scholars, to the appropriate Council committees or to the Council. [Am 15 April 91, 1 Sep 03]
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I. Admission Requirements

A. To be admitted to graduate standing, applicants must:
   1. hold a bachelor's degree, or its equivalent, from an accredited institution;
   2. be evaluated and accepted for admission by the faculty of a graduate program and the Dean of the Graduate Division.

B. Applicants from non-English speaking countries must, in addition, demonstrate proficiency in English. For example, by obtaining the minimum score of 550 on the Graduate Council test of English as a Foreign Language or an equivalent exam, or by completing one year of study with a GPA of 3.00 in a college or university in the United States.

II. Registration

A. Graduate students must register and meet the requirements for registration as set forth in ASR 540-544.
   1. Each student must file a study list with the Registrar by the published deadline each quarter.
   2. Graduate students whose research or study requires them to remain off campus throughout the quarter may apply to register in absentia. Students who register in absentia pay one half of the University registration fee and the full education fee.

B. A student who does not register must petition for leave of absence or withdrawal, or be subject to administrative withdrawal or dismissal.

C. A student returning to registered status after a leave of absence must petition for readmission.

D. A student who is unable to pursue full-time graduate study for reasons of occupation, family responsibilities, or health may petition for classification as a part-time student. However, doctoral students in candidacy may not be classified part-time.
   1. Classification as a part-time student is subject to approval by the graduate adviser and the Dean of the Graduate Division.
   2. Part-time status is granted for a period of one academic year subject to renewal each year prior to Fall Quarter.
   3. Part-time students are limited to a total of six units on the study list each quarter.

E. Every graduate student must register for and complete at least four units of course work for a specified number of quarters in order to meet the requirements for academic residence. The academic residence requirement for the Master's degree is three quarters; for a doctoral degree, six quarters. (see VI B, VII A, IX A, X A)
F. A student who has completed all requirements for the degree, with the exception of filing the dissertation or thesis or taking the comprehensive examination, may apply for filing fee status in lieu of registration in accordance with University policies on filing fee. **A student may only have one quarter in filing fee status.**

III. Courses

A. Courses are classified according to the Regulations of the Academic Senate, San Francisco Division.

1. Courses in the 200 series are normally reserved for students registered in graduate status.
2. Courses in the 100 series may be accepted for credit toward a graduate degree if approved by the graduate adviser.
3. Courses in the 300 series refer to work in teaching methods or practice and may be accepted toward a graduate degree.
4. Courses in the 400 series may not be accepted toward a graduate degree.

B. Instructors are required to assign specific grades for all graduate students and must file course reports with the Registrar at the end of each quarter.

1. Grading
   a. Letter grades are reported as follows:
      1. A = excellent
      2. B = good
      3. C = fair
      4. D = barely passing
      5. F = failure
      6. I = incomplete
      7. IP = In progress
   b. Pass-fail grades are reported as follows: S, satisfactory or U, unsatisfactory. The grade S shall be awarded only for work that would otherwise receive a grade of B or better; the grade U is assigned whenever a grade of C, D, or F would otherwise be given.
   c. Grade points per unit are as follows:
      1. A = 4
      2. B = 3
      3. C = 2
      4. D = 1
      5. F = 0
      6. I = undetermined

2. The following courses are graded only S/U: 220, 221, 250, 298, 299, and 300. (215 Lab Rotation may be approved as an exception.) In other 200 series courses, S/U grading may be offered as an option for graduate students.

3. A maximum of six units of course work for which S/U grading is elected may be used toward the unit requirements for a graduate degree.

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1 For courses extending more than one quarter.
4. A course in which a student receives a grade of D or F cannot count as part of the unit requirement for a graduate degree, but is calculated in the total grade point average.

5. Courses graded S are counted toward satisfaction of the unit requirement but are not calculated in the grade point average.

6. The grade I is assigned when a student's work is of passing quality but incomplete for good cause. An incomplete grade must be removed within one calendar year. If it is not removed, the grade of F will be assigned.

V. Standards of Scholarship

A. Graduate students must maintain a cumulative grade point average of 3.00 (B) in their programs of graduate study and must make satisfactory progress toward the degree as defined by the faculty of the degree program.

B. Students who fail to maintain a 3.00 grade point average or fail to make satisfactory progress toward the degree are subject to dismissal by the Dean of the Graduate Division after consultation with the faculty of the degree program.

C. Each graduate program must establish a mechanism for reviewing student progress toward the degree. Any deficiency or failure to meet standards should be discussed with the student and confirmed in writing. The Graduate Program is required to conduct a written annual review of each graduate student.

VI. Committees for Higher Degrees

A. Committees appointed to supervise the research and writing of the thesis or dissertation, or to conduct the doctoral qualifying examination or comprehensive examination for the master's degree, are composed of members of the San Francisco Division of the Academic Senate.

   1. Appointment of persons who are not members of the San Francisco Academic Senate requires administrative approval of the Dean of the Graduate Division.

   2. In no case, may a non-Senate person be appointed as the chair of a committee for a graduate degree. A non-Senate person may serve as co-chair provided that the other co-chair is a member of the Senate.

VI. Requirements for the Master's Degree

A. Students may earn a master's degree under one of two plans.

   1. Plan I.

      a. Thirty units and a thesis are required.
      b. A minimum of twelve units must be taken in graduate (200 series) courses in the major subject. Of these, no more than eight units numbered 250 may be applied toward the degree.
      c. The thesis constitutes the results of an original investigation of a problem. It should be carried out in the same systematic and scholarly way as investigations of greater magnitude, such as a doctoral dissertation. No unit credit is given for the thesis.

   2. Plan II.

      a. Thirty-six units and a comprehensive examination in the major subject are required.
b. A minimum of eighteen units must be taken in graduate (200 series) courses in the major subject. Of these, no more than twelve units numbered 250 may be applied toward the degree.

c. The comprehensive examination should demonstrate the student's mastery of the major field and ability to think critically. The nature and matter of the examination are determined by the faculty of the degree program.
   1. A student who fails the comprehensive examination is allowed to take a second examination after a suitable period of additional preparation.
   2. A student who fails a second comprehensive examination is no longer eligible to receive the Master's degree.

B. Three quarters of academic residence are required for the Master's degree.

C. Advancement to candidacy must take place not later than the first day of the last quarter during which the student will be registered.
   1. At least one quarter in registered student status must elapse between advancement to candidacy and conferral of the degree
   2. Candidacy for the Master's degree lapses if a student has not completed requirements for the degree within five quarters after advancement to candidacy.

D. Committees appointed to supervise the research and writing of the thesis, or to conduct the comprehensive exam must have at least three members.

E. Up to six quarter units of credit for work taken elsewhere may be applied towards a master's degree. For course work completed at another campus of the University of California, up to one-half of the program (15 to 18 units) may be accepted for transfer. Otherwise, all course work for the Master's degree must be done in residence.
   1. A student must be registered as a graduate student for at least one quarter before petitioning for transfer of credit.
   2. Units accepted for transfer must have been earned in graduate status.
   3. Students enrolled in an articulated BS-MS program may transfer up to six units of 200 series course work taken during the quarter immediately prior to graduate standing for credit toward the master's degree.
   4. Work that formed part of the program for a degree previously conferred may not be applied toward a current degree program.
   5. Courses taken in a university extension division may not be accepted for transfer.

F. Students who hold a bachelor's degree and who are pursuing the M.D. degree in the UCSF School of Medicine may earn a Master's degree under the following conditions, known as the Medical Student's Option:
   1. The candidate’s primary registration must be as a graduate student for one of the first two years of the medical school curriculum.
   2. Besides the work for the M.D. degree, 15 to 18 units of graduate courses (depending on whether Plan I or Plan II is selected) must be completed in addition to the thesis or comprehensive examination.
3. The Master's degree must be in one of the graduate programs in the School of Medicine.
4. Medical students who wish to pursue the Master's degree must gain admission to the program of their choice and obtain permission of the Associate Dean of the School of Medicine.

G. Students who hold a bachelor's degree and who are pursuing the D.D.S. degree in the UCSF School of Dentistry may earn a Master of Science degree in Oral and Craniofacial Sciences under the following conditions:

1. The candidate's primary registration must be as a graduate student for three quarters.
2. Besides the work for the D.D.S., 30 units of graduate courses must be completed in addition to the thesis.
3. Dentistry students who wish to pursue the Master's degree must gain admission to the Oral and Craniofacial Sciences program.

VII. Requirements for the Doctor of Philosophy Degree

A. Six quarters in residence are required for the Ph.D. degree. A student must register for a minimum of three quarters after advancing to candidacy, as part of the six quarter residency requirement.

B. Foreign Language Requirement

1. Departments and Graduate Groups may establish a language requirement at their discretion.
2. In a program where there is a foreign language requirement, it must be satisfied prior to advancement to candidacy.

C. Qualifying Examination

1. The purpose of the qualifying examination is to demonstrate that the student has an adequate knowledge of the field and the specialty, knows how to use academic resources, and is capable of conducting independent research for a dissertation.
   a. To be eligible for examination, a student must have completed at least one quarter in residence and must have a grade point average of 3.00 or above in all courses taken in graduate standing.
   b. The examination may be oral or written, or both, and may be given in several parts or in one session, at the discretion of the committee.
   c. A student must be registered at the time the examination is given.
2. A committee of four faculty is nominated by the department and approved by the Dean of the Graduate Division to administer the examination.
   a. At least one member of the committee must be from outside the student's major department or graduate program.
   b. The qualifying examination committee may not be chaired by the person who will be the chair of the student's dissertation committee. (At the program's option, the dissertation chair may not be a member of the qualifying examination committee.)
3. At least one meeting of the whole committee must be held to discuss the results before a report is made to the Dean of the Graduate Division.
   a. In the case of a divided vote, individual members of the committee must state reasons for the affirmative and negative votes. The matter is then referred to the Administrative Committee of the Graduate Council for a final decision.

4. If a student fails the examination, the committee must make a recommendation for or against a second examination.
   a. The committee must be the same as for the original examination.
   b. When the examination is a failure in all areas, the re-examination must be on all subjects involved.
   c. A partial failure, in which a student passes some parts but not others, will also count as a first examination. Re-examination after partial failure may be restricted to those areas in which the original performance was unsatisfactory.
   d. A third examination is not permitted.

D. Advancement to Candidacy

1. A student may be admitted to candidacy after successful completion of the qualifying examination, provided that there are no other deficiencies, such as incomplete grades.
2. An application for candidacy, indicating the subject of investigation for the dissertation and the proposed committee to guide the research and pass on the merits of the dissertation, must be filed with the Dean of the Graduate Division.
3. At least three quarters in registered student status must elapse between advancement to candidacy and conferral of the degree.
4. Candidacy for the doctoral degree lapses if a student has not completed requirements for the degree within four years after advancement to candidacy, i.e., 12 quarters, excluding summers.
5. Upon lapse of candidacy, a petition for reinstatement must be accompanied by a recommendation from the faculty of the student's degree program on whether a new qualifying examination is required.

E. Dissertation

1. The dissertation is a work of independent research or scholarship that makes an original contribution to knowledge in an academic discipline. It demonstrates the candidate's mastery of research methods and ability to pursue an independent investigation, and should be of sufficient depth and quantity to be published.
2. A committee of at least three members of the faculty is nominated by the student and approved by the student's advisor and the Dean of the Graduate Division.
3. The committee oversees the student’s research and approves the dissertation.
4. The committee may conduct a final oral examination which deals with the validity of the dissertation research.
5. One copy of the dissertation must be submitted to the Graduate Division by the last day of the quarter in which the degree is conferred.
VIII. Candidate in Philosophy (C.Phil.)
A. The degree of Candidate in Philosophy may be awarded to a student in candidacy for the Ph.D. who has completed all requirements except the dissertation.
B. A recommendation for award of the C. Phil. presumes that the student is in good standing and qualified to progress to the Ph.D.

IX. Student Academic Petitions and Grievances
A. Students may petition the Dean of the Graduate Division for individual exceptions to academic regulations.
   1. If a petition is denied by the Dean, the student has the right to request further consideration by the Administrative Committee of the Graduate Council.
   2. The Dean of the Graduate Division may refer a student petition to the Administrative Committee at his/her discretion.
B. Resolution of student grievances in academic matters shall be in accordance with "Procedures for Student Grievance in Academic Affairs" adopted by the San Francisco Division, October 18, 1977. (see attached)

May 2005
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IX. Student Academic Petitions and Grievances
I. Admission Requirements

A. To be admitted to graduate standing, applicants must:
   1. hold a bachelor's degree, or its equivalent, from an accredited institution;
   2. be evaluated and accepted for admission by the faculty of a graduate program and the Dean of the Graduate Division.

B. Applicants from non-English speaking countries must, in addition, demonstrate proficiency in English. For example, by obtaining the minimum score set by the Graduate Council on the test of English as a Foreign Language or an equivalent exam, or by completing one year of study with a GPA of 3.00 in a college or university in the United States.

II. Registration

A. Graduate students must register and meet the requirements for registration as set forth in ASR 540-544.
   1. Each student must file a study list with the Registrar by the published deadline each quarter.
   2. Graduate students whose research or study requires them to remain off campus throughout the quarter may apply to register in absentia. Students who register in absentia pay one half of the University registration fee and the full education fee.

B. A student who does not register must petition for leave of absence or withdrawal, or be subject to administrative withdrawal or dismissal.

C. A student returning to registered status after a leave of absence must petition for readmission.

D. A student who is unable to pursue full-time graduate study for reasons of occupation, family responsibilities, or health may petition for classification as a part-time student. However, doctoral students in candidacy may not be classified part-time.
   1. Classification as a part-time student is subject to approval by the graduate adviser and the Dean of the Graduate Division.
   2. Part-time status is granted for a period of one academic year subject to renewal each year prior to Fall Quarter.
   3. Part-time students are limited to a total of six units on the study list each quarter.
   4.

E. Every graduate student must register for and complete at least four units of course work for a specified number of quarters in order to meet the requirements for academic residence. The academic residence requirement for the Master's degree is three quarters; for a doctoral degree, six quarters. (see VI B, VII A, IX A, X A)
F. A student who has completed all requirements for the degree, with the exception of filing the dissertation or thesis or taking the comprehensive examination, may apply for filing fee status in lieu of registration in accordance with University policies on filing fee. A student may only have one quarter in filing fee status.

III. Courses

A. Courses are classified according to the Regulations of the Academic Senate, San Francisco Division.

1. Courses in the 200 series are normally reserved for students registered in graduate status.
2. Courses in the 100 series may be accepted for credit toward a graduate degree if approved by the graduate adviser.
3. Courses in the 300 series refer to work in teaching methods or practice and may be accepted toward a graduate degree.
4. Courses in the 400 series may not be accepted toward a graduate degree.

B. Instructors are required to assign specific grades for all graduate students and must file course reports with the Registrar at the end of each quarter.

1. Grading
   a. Letter grades are reported as follows:
      1. A = excellent
      2. B = good
      3. C = fair
      4. D = barely passing
      5. F = failure
      6. I = incomplete
      7. IP = In progress\(^1\)
   b. Pass-fail grades are reported as follows: S, satisfactory or U, unsatisfactory. The grade S shall be awarded only for work that would otherwise receive a grade of B or better; the grade U is assigned whenever a grade of C, D, or F would otherwise be given.
   c. Grade points per unit are as follows:
      1. A = 4
      2. B = 3
      3. C = 2
      4. D = 1
      5. F = 0
      6. I = undetermined

2. The following courses are graded only S/U: 220, 221, 250, 298, 299, and 300. (215 Lab Rotation may be approved as an exception.) In other 200 series courses, S/U grading may be offered as an option for graduate students.
3. A maximum of six units of course work for which S/U grading is elected may be used toward the unit requirements for a graduate degree.

\(^1\) For courses extending more than one quarter.
4. A course in which a student receives a grade of D or F cannot count as part of the unit requirement for a graduate degree, but is calculated in the total grade point average.

5. Courses graded S are counted toward satisfaction of the unit requirement but are not calculated in the grade point average.

6. The grade I is assigned when a student's work is of passing quality but incomplete for good cause. An incomplete grade must be removed within one calendar year. If it is not removed, the grade of F will be assigned.

IV. Standards of Scholarship

A. Graduate students must maintain a cumulative grade point average of 3.00 (B) in their programs of graduate study and must make satisfactory progress toward the degree as defined by the faculty of the degree program.

B. Students who fail to maintain a 3.00 grade point average or fail to make satisfactory progress toward the degree are subject to dismissal by the Dean of the Graduate Division after consultation with the faculty of the degree program.

C. Each graduate program must establish a mechanism for reviewing student progress toward the degree. Any deficiency or failure to meet standards should be discussed with the student and confirmed in writing. The Graduate Program is required to conduct a written annual review of each graduate student.

V. Committees for Higher Degrees

A. Committees appointed to supervise the research and writing of the thesis or dissertation, or to conduct the doctoral qualifying examination or comprehensive examination for the master's degree, are composed of members of the San Francisco Division of the Academic Senate.

1. Appointment of persons who are not members of the San Francisco Academic Senate requires administrative approval of the Dean of the Graduate Division.

2. In no case, may a non-Senate person be appointed as the chair of a committee for a graduate degree. A non-Senate person may serve as co-chair provided that the other co-chair is a member of the Senate.

VI. Requirements for the Master's Degree

A. Students may earn a master's degree under one of two plans.

1. Plan I.
   a. Thirty units and a thesis are required.
   b. A minimum of twelve units must be taken in graduate (200 series) courses in the major subject. Of these, no more than eight units numbered 250 may be applied toward the degree.
   c. The thesis constitutes the results of an original investigation of a problem. It should be carried out in the same systematic and scholarly way as investigations of greater magnitude, such as a doctoral dissertation. No unit credit is given for the thesis.

2. Plan II.
   a. Thirty-six units and a comprehensive examination in the major subject are required.
b. A minimum of eighteen units must be taken in graduate (200 series) courses in the major subject. Of these, no more than twelve units numbered 250 may be applied toward the degree.

c. The comprehensive examination should demonstrate the student's mastery of the major field and ability to think critically. The nature and matter of the examination are determined by the faculty of the degree program.
   1. A student who fails the comprehensive examination is allowed to take a second examination after a suitable period of additional preparation.
   2. A student who fails a second comprehensive examination is no longer eligible to receive the Master's degree.

B. Three quarters of academic residence are required for the Master's degree.

C. Advancement to candidacy must take place not later than the first day of the last quarter during which the student will be registered.
   1. At least one quarter in registered student status must elapse between advancement to candidacy and conferral of the degree
   2. Candidacy for the Master's degree lapses if a student has not completed requirements for the degree within five quarters after advancement to candidacy.

D. Committees appointed to supervise the research and writing of the thesis, or to conduct the comprehensive exam must have at least three members.

E. Up to six quarter units of credit for work taken elsewhere may be applied towards a master's degree. For course work completed at another campus of the University of California, up to one-half of the program (15 to 18 units) may be accepted for transfer. Otherwise, all course work for the Master's degree must be done in residence.
   1. A student must be registered as a graduate student for at least one quarter before petitioning for transfer of credit.
   2. Units accepted for transfer must have been earned in graduate status.
   3. Students enrolled in an articulated BS-MS program may transfer up to six units of 200 series course work taken during the quarter immediately prior to graduate standing for credit toward the master's degree.
   4. Work that formed part of the program for a degree previously conferred may not be applied toward a current degree program.
   5. Courses taken in a university extension division may not be accepted for transfer.

F. Students who hold a bachelor's degree and who are pursuing the M.D. degree in the UCSF School of Medicine may earn a Master's degree under the following conditions, known as the Medical Student's Option:
   1. The candidate’s primary registration must be as a graduate student for one of the first two years of the medical school curriculum.
   2. Besides the work for the M.D. degree, 15 to 18 units of graduate courses (depending on whether Plan I or Plan II is selected) must be completed in addition to the thesis or comprehensive examination.
3. The Master's degree must be in one of the graduate programs in the School of Medicine.
4. Medical students who wish to pursue the Master's degree must gain admission to the program of their choice and obtain permission of the Associate Dean of the School of Medicine.

G. Students who hold a bachelor’s degree and who are pursuing the D.D.S. degree in the UCSF School of Dentistry may earn a Master of Science degree in Oral and Craniofacial Sciences under the following conditions:
   1. The candidate’s primary registration must be as a graduate student for three quarters.
   2. Besides the work for the D.D.S., 30 units of graduate courses must be completed in addition to the thesis.
   3. Dentistry students who wish to pursue the Master’s degree must gain admission to the Oral and Craniofacial Sciences program.

VII. Requirements for the Doctor of Philosophy Degree

A. Six quarters in residence are required for the Ph.D. degree. A student must register for a minimum of three quarters after advancing to candidacy, as part of the six quarter residency requirement.

B. Foreign Language Requirement

   1. Departments and Graduate Groups may establish a language requirement at their discretion.
   2. In a program where there is a foreign language requirement, it must be satisfied prior to advancement to candidacy.

C. Qualifying Examination

   1. The purpose of the qualifying examination is to demonstrate that the student has an adequate knowledge of the field and the specialty, knows how to use academic resources, and is capable of conducting independent research for a dissertation.
      a. To be eligible for examination, a student must have completed at least one quarter in residence and must have a grade point average of 3.00 or above in all courses taken in graduate standing.
      b. The examination may be oral or written, or both, and may be given in several parts or in one session, at the discretion of the committee.
      c. A student must be registered at the time the examination is given.
   2. A committee of four faculty is nominated by the department and approved by the Dean of the Graduate Division to administer the examination.
      a. At least one member of the committee must be from outside the student's major department or graduate program.
      b. The qualifying examination committee may not be chaired by the person who will be the chair of the student's dissertation committee. (At the program’s option, the dissertation chair may not be a member of the qualifying examination committee.)
3. At least one meeting of the whole committee must be held to discuss the results before a report is made to the Dean of the Graduate Division.
   a. In the case of a divided vote, individual members of the committee must state reasons for the affirmative and negative votes. The matter is then referred to the Administrative Committee of the Graduate Council for a final decision.

4. If a student fails the examination, the committee must make a recommendation for or against a second examination.
   a. The committee must be the same as for the original examination.
   b. When the examination is a failure in all areas, the re-examination must be on all subjects involved.
   c. A partial failure, in which a student passes some parts but not others, will also count as a first examination. Re-examination after partial failure may be restricted to those areas in which the original performance was unsatisfactory.
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D. Advancement to Candidacy

1. A student may be admitted to candidacy after successful completion of the qualifying examination, provided that there are no other deficiencies, such as incomplete grades.
2. An application for candidacy, indicating the subject of investigation for the dissertation and the proposed committee to guide the research and pass on the merits of the dissertation, must be filed with the Dean of the Graduate Division.
3. At least three quarters in registered student status must elapse between advancement to candidacy and conferral of the degree.
4. Candidacy for the doctoral degree lapses if a student has not completed requirements for the degree within four years after advancement to candidacy; i.e., 12 quarters, excluding summers.
5. Upon lapse of candidacy, a petition for reinstatement must be accompanied by a recommendation from the faculty of the student's degree program on whether a new qualifying examination is required.

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1. The dissertation is a work of independent research or scholarship that makes an original contribution to knowledge in an academic discipline. It demonstrates the candidate's mastery of research methods and ability to pursue an independent investigation, and should be of sufficient depth and quantity to be published.
2. A committee of at least three members of the faculty is nominated by the student and approved by the student’s advisor and the Dean of the Graduate Division.
3. The committee oversees the student’s research and approves the dissertation.
4. The committee may conduct a final oral examination that deals with the validity of the dissertation research.
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1 If a petition is denied by the Dean, the student has the right to request further consideration by the Administrative Committee of the Graduate Council.
2 The Dean of the Graduate Division may refer a student petition to the Administrative Committee at his/her discretion.

B. Resolution of student grievances in academic matters shall be in accordance with "Procedures for Student Grievance in Academic Affairs" adopted by the San Francisco Division, October 18, 1977. (see attached)

May 2005
COMMUNICATION FROM THE CHAIR OF THE COMMITTEE ON RULES AND JURISDICTION
Joseph Wiemels, PhD, Chair

June 27, 2006

Deborah Greenspan, DSc, BDS
Chair, UCSF Academic Senate
Campus Box 0764

RE: R&J Approval of Variance to Senate Regulation 750 to Include Health Sciences Clinical Professor, Clinical Professor, and Clinical Instructor Series in the List of Eligible Teaching Series

Dear Chair Greenspan:

On June 27, 2006, the Academic Senate Committee on Rules and Jurisdiction (R&J) reviewed the Variance to Academic Senate Regulation 750 proposed by the Academic Senate Committee on Courses of Instruction. The existing Regulation and Variances were enacted prior to July 1, 2005, and do not include Health Sciences Clinical or Clinical faculty titles. UCSF clinical faculty provide a necessary and essential component of clinical instruction in all four schools.

The proposed Variance to Senate Regulations reads as follows:

2. San Francisco
   750. B. Health Sciences Clinical Professors of any rank, Clinical Professors of any rank, Health Sciences Clinical Instructors and Clinical Instructors may give courses of any grade.

The Committee approves this Variance and recommends it be brought before the Division at its next meeting for a formal vote and approval. When this Variance is ultimately submitted to the University Committee on Rules and Jurisdiction (UCRJ), this Committee recommends that the transmittal include the suggestion that this Variance may be required for other campuses with health sciences schools, and that the Divisional R&J requests that UCRJ consider making appropriate changes at the systemwide level.

Yours sincerely,

Joseph Wiemels, MD
Chair, Committee on Rules and Jurisdiction
UCSF Academic Senate

enclosures/ Communication from Committee on Courses of Instruction (April 10, 2006)
   Proposed Draft Variance for Senate Regulation 750 (April 10, 2006)

cc: Eileen Grady, Chair of the Committee on Courses of Instruction
COMMUNICATION FROM THE COMMITTEE ON COURSES OF INSTRUCTION
Eileen Grady, PhD, Chair

April 10, 2006

Joseph Wiemels, PhD, Chair
Committee on Rules and Jurisdiction
Box 0560

Dear Dr. Wiemels:

At its meeting of March 30, 2006, the Committee on Committee on Courses of Instruction voted to recommend that a proposed new Variance be added to the Regulations of the Academic Senate (Senate Regulation 750), which would include Health Sciences Clinical Professors of any rank, Clinical Professors of any rank, Health Sciences Clinical Instructors, and Clinical Instructors in the list of eligible teaching titles. We are hereby transmitting for review by the Committee on Rules and Jurisdiction, the proposed language of the Variance to Academic Senate Regulation 750 and the Committee’s justification.

The existing Regulation and Variances were enacted prior to July 1, 2005, and do not include Health Science Clinical or Clinical faculty titles. Health Sciences Clinical Professors of any rank, Clinical Professors of any rank, Health Sciences Clinical Instructors, and Clinical Instructors (collectively referred to as “UCSF clinical faculty”) are faculty who have appointments at UCSF and who may have professional practices at UCSF or elsewhere, but who also teach courses at UCSF. UCSF clinical faculty provide a necessary and essential component of clinical instruction in all four schools at UCSF.

The Committee on Courses of Instruction requests this variance because there are many faculty at UCSF in the Health Science Clinical and Clinical series who prepare and teach courses. As a result, during each course approval cycle, the Committee must take a separate action to approve each Health Sciences and/or Clinical faculty member as an “instructor of record” on an exceptional basis. The Committee is not aware of a single instance in which it has rejected a request for a Health Sciences Clinical or Clinical faculty member to teach a course. It is common knowledge at UCSF that UCSF clinical faculty have an integral role in teaching at UCSF. We request this change so that the UCSF clinical faculty can be formally recognized for their teaching roles and so that the Committee can operate in a more efficient and effective manner as we look to potentially automating the course-approval process. Including Health Science Clinical and Clinical faculty in the list of eligible teaching titles will regularize practices that currently must be handled on an exceptional basis.

The Senate Office has informed us that this is the sequence of approvals that must take place:

1) Review and comment by Divisional Rules and Jurisdiction Committee
2) Divisional Vote**
3) Systemwide (UC) Rules and Jurisdiction Committee Review**
4) UCSF Division Chair requests Academic Council to put matter on Agenda for the Assembly of the Academic Senate
5) If Assembly of Academic Senate is not scheduled to meet within 60 days of receiving UCSF Division Chair’s request, then the Academic Council can act on behalf of the Assembly to approve the proposed variance.
   ** The Division Chair and Secretary should be consulted with respect to whether to first submit the proposed amendments to the UCSF faculty for a Division vote or to forward the requested variance to UC Rules and Jurisdiction prior to taking a Division vote.

Thank you in advance for your assistance in this important matter. We look forward to receiving your feedback.

Sincerely,

Committee on Courses of Instruction
Eileen Grady, Chair
Don Kishi, Vice Chair
Abbey Alkon, Member
Douglas Carlson, Registrar and Committee Secretary
Tony Hunt, Member
Heidi Kirsch, Member
Adam Lloyd, Member
Lynda Mackin, Member
Matija (Boris) Peterlin, Member
Arienne Teherani, Member
Christian Vaisse, Member

Enclosures
Attachment I: Proposed Variance and Justification to Academic Senate Regulation 750

cc: Deborah Greenspan, DSc, BDS, Chair, UCSF Academic Senate w/ attachments
    Mary Malloy, MD, Secretary, UCSF Academic Senate w/attachments
PROPOSED DRAFT VARIANCE FOR SENATE REGULATION 750

ACTION REQUESTED:

That the Academic Senate APPROVE and ADD the following variance to Senate Regulation 750:

2. San Francisco

750. B. Health Sciences Clinical Professors of any rank, Clinical Professors of any rank, Health Sciences Clinical Instructors and Clinical Instructors may give courses of any grade.

Justification

Health Sciences Clinical Professors, Health Sciences Clinical Instructors, Clinical Professors and Clinical Instructors (collectively referred to as “UCSF clinical faculty”) are faculty who have appointments at UCSF and who may have professional practices at UCSF or elsewhere, but who also teach courses at UCSF. UCSF clinical faculty provide a necessary and essential component of clinical instruction in all four schools at UCSF.

Clinical faculty titles are described in APM section 278 (Health Sciences Clinical Professor Series) and APM 279 (Clinical Professor Series). These APM sections went into effect on July 1, 2005. Faculty in the Health Sciences Clinical Professor series are salaried appointees in the health sciences who, in addition to teaching may participate in patient care, in University or public service and scholarly or creative activities. Faculty in the Clinical Professor series at UCSF are community volunteer clinicians who regularly teach in the areas of application of clinical patient care. Of particular note is that UCSF faculty with appointments in the Health Sciences Clinical Professor series at 50% or greater, frequently function in a parallel capacity to Ladder Rank, Clinical X or In-Residence (Senate) faculty who, in addition to clinical duties also conduct research, contribute to creative scholarly activities, publish and participate in Senate, University and public service. Faculty in the Health Science Clinical Professor with appointments of 50% or less, Clinical Professor, Health Science Clinical Instructor or Clinical Instructor series, at UCSF also contribute substantially to teaching at UCSF and may also contribute to clinical, research or other creative work, much like adjunct professors who contribute primarily to teaching and have a limited responsibility for research or other creative work.

Senate Regulation 750, which lists eligible teaching titles, was enacted prior to July 1, 2005, and does not include either the Health Science Clinical Faculty or the Clinical Faculty titles. Therefore, in order to comply with existing Senate Regulations, the Committee on Courses of Instruction must approve each clinical faculty member as an instructor of record on an exceptional basis when courses are submitted and taught by UCSF clinical faculty. Because UCSF clinical faculty are such a large and essential component of the teaching faculty at UCSF, the Committee regularly must take additional exceptional actions when considering courses for approval. Since the Committee is not aware of a single instance in which it has rejected a request for a clinical faculty member to teach a course, and given the unique and essential
function which UCSF clinical faculty has with respect to teaching operations, the Committee seeks approval of the recommended variance. The Committee strongly believes that approval of this variance will not only increase efficiency and improve the practices of the Committee’s work, but will also acknowledge the substantial role of the teaching responsibilities of the UCSF clinical faculty and at the same time decrease the number additional actions the Committee must take to grant exceptions for courses taught by UCSF clinical faculty.

Submitted by:

COMMITTEE ON COURSES OF INSTRUCTION
Eileen Grady, Chair
Don Kishi, Vice Chair
Abbey Alkon, Member
Douglas Carlson, Registrar and Committee Secretary
Tony Hunt, Member
Heidi Kirsch, Member
Adam Lloyd, Member
Lynda Mackin, Member
Matija (Boris) Peterlin, Member
Ariane Teherani, Member
Christian Vaisse, Member
SUBMISSION from the SAN FRANCISCO DIVISION

PROPOSED VARIANCE to ACADEMIC SENATE REGULATION 750

This Variance To Academic Senate Regulation 750, proposed by the UCSF Committee on Courses of Instruction, was reviewed and approved by UCSF-RJ June 27, 2006, and approved by the San Francisco Division June 21, 2007.

PROPOSED VARIANCE TO ACADEMIC SENATE REGULATION 750
EXECUTIVE SUMMARY

The Committee on Courses of Instruction proposed the following Variance to Senate Regulation 750 (under San Francisco):

B. Health Sciences Clinical Professors of any rank, Clinical Professors of any rank, Health Sciences Clinical Instructors and Clinical Instructors may give courses of any grade.

Summary of Justification:

Health Sciences Clinical Professors, Health Sciences Clinical Instructors, Clinical Professors and Clinical Instructors (collectively referred to as “UCSF clinical faculty”) are faculty who have appointments at UCSF and who may have professional practices at UCSF or elsewhere, but who also teach courses at UCSF. UCSF clinical faculty provide a necessary and essential component of clinical instruction in all four schools at UCSF.

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The formal proposal and justification are attached.
PROPOSED DRAFT VARIANCE FOR SENATE REGULATION 750

ACTION REQUESTED:

That the Academic Senate APPROVE and ADD the following variance to Senate Regulation 750:

2. San Francisco

750. B. Health Sciences Clinical Professors of any rank, Clinical Professors of any rank, Health Sciences Clinical Instructors and Clinical Instructors may give courses of any grade.

Justification

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Tony Hunt, Member
Heidi Kirsch, Member
Adam Lloyd, Member
Lynda Mackin, Member
Matija (Boris) Peterlin, Member
Arianne Teherani, Member
Christian Vaisse, Member
# Meeting Attendance Record – Committee on Rules & Jurisdiction 06-07

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