June 4, 2015

Todd Giedt, Executive Director
UCSF Academic Senate Office
500 Parnassus Avenue, MUE 231
San Francisco, CA  94143

Re: Divisional Bylaw 140A: Committee on Academic Freedom: Membership

Dear Executive Director Giedt:

Pursuant to Division Bylaw 120(B)(5), the Committee on Rules & Jurisdiction reviewed Divisional Bylaw 140A to interpret what “Clinical Professor” meant for the UCSF Division of the Academic Senate Committee on Academic Freedom. Committee members discussed on the May 27, 2015 conference call.

Bylaw in question reads:

- **Divisional (UCSF) Bylaw 140A: Membership:** This Committee shall consist of five or six members, with a representative from each of the Schools of the Division and one representative from the Clinical Professor or Adjunct Professor series. If the Division Representative to the University Committee on Academic Freedom is not one of these five members, the Committee shall consist of six members, with the Division Representative serving as a voting ex officio member. [Am 1 Sep 03]

Examining the historical context of this bylaw, as provided by Ex Officio Member Carlson, when this bylaw was last amended in 2003, the Clinical Professor title at that time encompassed both paid and volunteer faculty. Subsequent to 2003, the Clinical Professor series was redefined in APM 279 to refer to volunteer faculty, and the Health Sciences Clinical Professor series was created (APM 278) to refer to salaried appointees.

The clear intent of the bylaw at that time was to include both paid and volunteer faculty because the bylaw referred to a title that included both categories of faculty. The bylaw could have excluded volunteer Clinical Professor faculty, but it did not.

The Committee on Rules & Jurisdiction interpreted “Clinical Professor” broadly, aiming to be as inclusive of all faculty series who could be defined as falling into that category. Bylaw 140A should be read to include Clinical Professor, and Health Sciences Clinical Professor appointees.

Further, as no mention is made that the Committee on Academic Freedom members who are representatives from each School should be from a particular faculty series, the Committee on Rules & Jurisdiction also proposes that faculty in the Clinical X Series could be broadly defined as “Clinical Professor”. As such, it proposes they also be included as one of the potential clinical committee members.
The proposed amendments to Divisional Bylaw 140A read as follows:

- **Divisional (UCSF) Bylaw 140A:** Membership: This Committee shall consist of five or six members, with a representative from each of the Schools of the Division and one representative from the Clinical Professor, Clinical X, Health Sciences Clinical, Clinical Professor, or Adjunct Professor series. If the Division Representative to the University Committee on Academic Freedom is not one of these five members, the Committee shall consist of six members, with the Division Representative serving as a voting ex officio member. [Am 1 Sep 03, Am 4 June 15]

The proposed amendments must be approved by a vote of the Division, and subsequently reviewed by the University Committee on Rules & Jurisdiction before they may go into effect.

Sincerely,

**Committee on Rules & Jurisdiction**
Jae-Woo Lee, MD, Chair
Catherine Waters, RN, PhD, FAAN, Vice Chair
Gary Armitage, DDS
Michele Bloomer, MD
Marek Brzezinski, MD, PhD

**Ex Officio Members**
Douglas Carlson, JD
Anne Slavotinek, MD, PhD