

## MEETING OF THE ASSEMBLY OF THE ACADEMIC SENATE

April 12, 2017

## MINUTES OF VIDEOCONFERENCE MEETING

**I. ROLL CALL OF MEMBERS**

Pursuant to the call, the Assembly of the Academic Senate met on Wednesday, April 12, 2017. Academic Senate Chair James Chalfant presided and called the meeting to order at 10:00 am. Senate Director Hilary Baxter called the roll of Assembly members and confirmed a quorum. Attendance is listed in Appendix A of these minutes.

**II. MINUTES**

**ACTION: The Assembly approved the minutes of the February 8, 2017 meeting as noticed.**

**III. ANNOUNCEMENTS BY THE CHAIR****▪ Jim Chalfant**

Nonresident Enrollment Policy: Leading up to the March Regents meeting, the Senate assumed that a compromise had been reached on the proposed undergraduate nonresident enrollment policy that would have allowed the three campuses currently above 20% – Berkeley, Los Angeles, and San Diego – to remain at their current levels. However, a week before the meeting, the Regents introduced a new 20% systemwide cap into the planned action item, and then changed the action item to a discussion item with a subsequent plan for action in May, to allow for more discussion with State legislators who wanted a smaller systemwide cap and immediate cuts at Berkeley, Los Angeles, and San Diego.

The Academic Council has been very concerned that a cap in any form would hurt campuses financially. Council believes that a systemwide cap would also stimulate an immediate race to the 20% limit, locking out campuses with low levels of nonresident enrollment from additional revenue opportunities, and affecting their ability to offer a UC-quality level of education. By providing unequal opportunities to achieve the same standard of quality, the policy would implement an explicit tiering of UC campuses.

The Council chair and vice chair have written letters to State legislators most opposed to nonresident enrollment, describing the Council's concerns about the harmful budgetary consequences of a cap and Council's alternative policy that would allow an individual campus to expand nonresident enrollments if it can show a precise benefit to residents on that campus, and limit nonresident enrollments on any campus where resident undergraduates are disadvantaged by further expansion. In addition, the policy would require annual systemwide enrollment plans for residents and nonresidents to follow from a sustainable financial plan that ensures UC quality on every campus.

*Discussion:* Assembly members expressed support for the Senate leadership's efforts to resist the tiering of UC campuses. There was also a concern that the alternative Council proposal should not open the door to micro-management of the campuses by UCOP and the Regents.

#### **IV. REPORTS OF STANDING COMMITTEES**

##### **A. Academic Council**

- **Jim Chalfant, Chair**

##### **1. Nomination and Election of the Vice Chair of the 2017-18 Assembly**

Chair Chalfant introduced UC Davis Professor of Philosophy and Linguistics Robert C May, the Academic Council's nominee for 2017-18 Assembly vice chair and 2018-19 chair. At Chair Chalfant's invitation, Professor May made a statement and left the videoconference. Chair Chalfant asked for any additional nominations from the floor, and hearing none, asked for any objections to Professor May's nomination. Hearing none, he moved that the Assembly give its consent to his election. The motion was seconded, and a roll call vote was taken.

**ACTION: The Assembly voted unanimously to elect Robert May vice chair of the 2017-18 Assembly.**

##### **2. Amendments to Senate Bylaw 630.D**

Following a systemwide Senate review, the Academic Council voted at its March 22, 2017 meeting to endorse a recommendation from the University Committee on Educational Policy (UCEP) to amend Senate Regulation 630.D, which governs residency requirements for the Bachelor's Degree, to recognize the Natural Reserve System (NRS) California Ecology and Conservation course as a systemwide course that can satisfy UC's senior residence requirement along with the Education Abroad Program (EAP), UC Washington, D.C., Program (UCDC), and the UC Center in Sacramento Program (UCCS).

UCEP Chair Knowlton noted that UCEP granted systemwide approval to the NRS California Ecology and Conservation course in November 2014. UCEP found that the course is a systemwide program that satisfies UC's senior residence requirement as stipulated in Senate Regulation 630. UCEP believes it is appropriate to add the course to the list of courses in SR 630 to allow it to come under the same guidelines.

**ACTION: A motion was made and seconded to approve the amendments. The motion passed unanimously in a voice vote.**

#### **V. ANNOUNCEMENTS BY UNIVERSITY SENIOR MANAGERS**

- **Janet Napolitano, President**
- **Aimée Dorr, Provost and Executive Vice President**
- **Nathan Brostrom, Executive Vice President and Chief Financial Officer**

Provost Dorr Retirement: Provost Aimée Dorr has announced her retirement from the University effective this summer. Senate Chair Chalfant is serving on the advisory committee that is leading the search for her replacement. The advisory committee will limit its search to internal UC

candidates. President Napolitano thanked Provost Dorr for everything she has done for the University, noting that she has been a great partner to the President on many issues, and that her experience, expertise, and leadership will be missed. Assembly members gave Provost Dorr a round of applause.

Nonresident Enrollment: The Regents delayed a planned action on a nonresident enrollment policy to May to allow time for more dialogue with members of the State Assembly. UC leaders are working with legislators to understand their concerns, and to communicate the important role nonresident tuition (NRT) plays in supporting the educational mission for all UC students and the detrimental impact of a cap below 20%, in hopes that an acceptable compromise can be identified. Some legislators do not accept that nonresidents do not take spaces away from funded CA residents and are proposing a very strict cap on nonresident enrollment. They have suggested that UC make up the lost revenue by increasing NRT by ten percent annually for five years. UC leaders emphasize that the Legislature's budget appropriation to UC is the key driver of resident enrollment, and that UC adds nonresidents only after it ensures a place for all eligible state-funded students. Moreover, the state in 2017 is providing UC with 34% less funding on per-student basis compared to 2000, adjusted for inflation. They also note that nonresident applications are down this year and additional price increases would affect demand even more.

Assembly members encouraged UC officials to describe the educational benefits of nonresident enrollment in the most precise terms possible – how NRT helps campuses enroll more California students, hire more faculty, offer more classroom and laboratory sections, reduce impact in specific majors, and bolster the systemwide financial aid pool.

Preventing Sexual Violence and Harassment: In March, the Regents approved revisions to University policies that implement recommendations from the Joint Committee of the Administration and Senate for strengthening and clarifying investigation, adjudication, and disciplinary procedures in cases of alleged sexual violence or sexual harassment (SVSH) involving faculty respondents. President Napolitano said that the revisions are important to UC's overall efforts to create and maintain an atmosphere free of harassment, exploitation, and intimidation. She thanked Assembly members for supporting the changes to APMs 015 and 016. To help prepare campuses for the July 1 implementation, UCOP has sent guidance to them on the expected composition and membership of local peer review committees charged with approving Title IX reports, the kind of cases those committees should consider, and protocols they should use. The University is also taking steps to inform the UC community about the "responsible employee" requirement, which obliges any UC employee, including faculty, to report incidents they become aware of to the Title IX Officer. The President has asked UC's new systemwide Title IX coordinator Kathleen Salvaty to oversee systemwide implementation of the changes.

Title IX Release: In response to a Public Records Act request, UC released redacted investigative reports on 113 Title IX cases from the past three years involving substantiated allegations against UC employees. Approximately 75% of cases involved staff and 25% involved faculty. The allegations ranged from inappropriate comments to assault, although the majority (54%) involved no physical contact between complainant and respondent. All fell under the old SVSH policy framework. As UC implements new policies and procedures, faculty are invited to share productive ideas for additional changes and improvements with Title IX Coordinator Salvaty.

International Travel and Security: The University’s systemwide international accident, medical, and security program provides services to all UC faculty, staff, and students traveling outside the US. The program, managed by the Office of Risk Services in conjunction with the campuses, provides pre-travel information and advice regarding health, safety, and security issues in different parts of the world; real-time updates and assistance for registered travelers; and emergency medical assistance and security response.

Following several tragic overseas events in 2016 involving UC students, UC commissioned an independent review of its international travel program. The Office of Risk Services has asked the Senate and other constituencies to consider the resulting recommendations, which include improving awareness and preparedness about travel to high-risk areas and developing a formal systemwide international travel security policy that includes a pre-travel registration requirement.

UC Budget Outlook: The University expects to receive a base budget adjustment of 4%, or \$132 million, and the third installment of Proposition 2 funding for UCRP that was committed under the budget framework agreement and included in the Governor’s January budget. UC also expects to receive funding for 2,500 new 2017-18 undergraduate enrollments, and has requested a continuation of Proposition 2 funding for UCRP, one-time monies for deferred maintenance, and funding for new graduate student enrollments. The University is monitoring how potential changes to federal budget policy and the Affordable Care Act could affect funding for the research enterprise and the medical centers. UC hopes the state will return to general obligation bonds and lease-revenue bonds as mechanisms to help finance capital growth and renewal on campuses.

PDSTs: Provost Dorr stated that modern circumstances require the University to be flexible and resourceful about securing revenue to support the academic enterprise. Professional Degree Supplemental Tuition (PDST) is one important means of supporting graduate and professional programs. The Regents approved a new PDST policy in March. The revised policy allows the Regents to approve PDSTs on a multi-year basis instead of annually, removes a fixed cap on PDST increases, allows programs to set fees based on fees charged at both comparison private and public institutions; and requires programs to show they are meeting diversity goals.

Teaching Professor: UCOP recently released for systemwide review [proposed revisions](#) to APMs 285, 210-3, 133 and 740, related to the current “Lecturer with Security of Employment” (LSOE) faculty series. The revisions propose a new name for the series, “Teaching Professor,” with enhanced expectations for teaching excellence and professional and scholarly achievement.

Framework for UC Growth and Support: UCOP will host a systemwide all-campus meeting at UC Irvine on April 17 to discuss the 2040 enrollment scenarios submitted by UC campuses as part of the Framework for UC Growth and Support project. Campuses will present their individual 2040 vision plans and describe the resources they would need to meet them.

*Q: What is the potential timing for a lease-revenue bond?*

A: The state is unlikely to issue a bond during Governor Brown’s administration, so we will need to wait until the 2019 Legislative session. However, there has been talk of placing a P-16 General Obligation bond measure on the 2018 California ballot.

*Q: Does the University have policies in place to help UC employees traveling abroad who are denied re-entry to the United States due to immigration issues? Would UC help such employees access legal services?*

A: We are handling these issues on a case-by-case basis. We recently helped one undergraduate student get back into the country from a study abroad program in France. We intend to do more outreach to students, faculty, and staff by encouraging them to inform us in advance about intended travel.

*Q: Does UC have a policy to guide how employees should respond to a potential border request for the surrender of UC-issued electronics, especially if they include sensitive information like patient records and IRB data?*

A: There is no easy answer to that question. We will consider it and follow-up later with systemwide advice.

*Q: Are faculty who are interested in moving from the LSOE series to the Teaching Professor series in danger of losing their pre-2016 pension status. Will the Teaching Professor affect the Health Sciences clinical series?*

A: The current policy assumes that the faculty member would apply for transfer into the new title. We will look into this more, but because the transfer would not involve a break in service it is unlikely to be an issue. The Teaching Professor title would be available to clinical departments, although most are likely to choose a clinical series.

An Assembly member noted that the dramatic increase in LSOE hiring on at least one campus (0% to 44% of all new Senate hires in a few years) has decreased the role of the department in their evaluation, and shifted that authority to the administration.

**VI. NEW BUSINESS [None]**

**VII. UNIVERSITY COMMITTEE ON FACULTY WELFARE REPORT [None]**

**VIII. SPECIAL ORDERS**

**A. Consent Calendar [None]**

**IX. REPORTS ON SPECIAL COMMITTEES [None]**

**X. PETITIONS OF STUDENTS [None]**

**XI. UNFINISHED BUSINESS [None]**

The meeting adjourned at 12:00 pm

Minutes Prepared by: Michael LaBriola, Academic Senate Analyst

Attest: Jim Chalfant, Academic Senate Chair

Attachments: Appendix A – Assembly Attendance Record, Meeting of April 12, 2017

## Appendix A – 2016-2017 Assembly Attendance Record, Meeting of April 12, 2017

### President of the University:

Janet Napolitano

### Academic Council Members:

James Chalfant, Chair

Shane White, Vice Chair

Robert Powell, Chair, UCB

Rachael Goodhue, Chair, UCD

William Parker, Chair, UCI

Susan Cochran, Chair, UCLA

Susan Amussen, Chair, UCM

Dylan Rodriguez, Chair, UCR (absent)

Kaustuv Roy, Chair, UCSD

Ruth Greenblatt, Chair, UCSF

Henning Bohn, Chair, UCSB

Olof Einarsdottir, Chair, UCSC

Henry Sanchez, Chair, BOARS (absent)

Kwai Ng, Chair, CCGA (absent)

Amani Nuru-Jeter, Chair, UCAAD

Theofanis Tsoulouhas, Chair, UCAP

Barbara Knowlton, Chair, UCEP

Lori Lubin, Chair, UCFW

Isaac Martin, Chair, UCORP (absent)

Bernard Sadoulet, Chair, UCPB

### Berkeley (5)

Alexis T. Bell

Kristie Boering

Lisa Alvarez-Cohen (alt for Peter R. Glazer)

Christopher Kutz

Jennifer Bussell (alt for Miryam Sas)

### Davis (6)

William Casey

Stephanie Dungan (absent)

Robert L. Powell

Brenda Schildgen

Scott Stanley

Richard Tucker

### Irvine (4)

John Dobrian

Karamet Reiter (absent)

Timothy Tait (absent)

Henry Weinstein (absent)

### Los Angeles (8)

Roman Koropecjy

Purnima Mankekar (absent)

Hanna Mikkola (absent)

Frank Petrigliano (absent)

Ninez Ponce

E. Richard Stiehm

Dorothy Wiley (absent)

Kym Faull

### Merced (1)

Patricia LiWang

### Riverside (2)

Thomas Cogswell (absent)

Jodi Kim

### San Diego (5)

Lorraine Pillus

Anna Joy Springer

Nadine George (absent)

Gail Heyman

Gentry Patrick (absent)

### San Francisco (4)

Marek Brzezinski

John Feiner

Leah Karliner

Laura Wagner

### Santa Barbara (3)

Bjorn Birnir

Julie Carlson

Andrew Norris

### Santa Cruz (2)

Kimberly Lau

Dorian Bell

### Secretary/Parliamentarian

George J. Matthey