

MEETING OF THE ASSEMBLY OF THE ACADEMIC SENATE

June 16, 2010
MINUTES OF MEETING

I. ROLL CALL OF MEMBERS

Pursuant to call, the Assembly of the Academic Senate met on Wednesday, June 16, 2010. Academic Senate Chair Henry Powell presided and called the meeting to order at 10:00 am. Senate Executive Director Martha Winnacker called the roll of Assembly members. Attendance is listed in Appendix A of these minutes.

II. MINUTES

ACTION: The Assembly approved the minutes of the April 21, 2010 meeting as noticed.

III. ANNOUNCEMENTS BY THE CHAIR

- Henry Powell, Chair of the Academic Assembly

Total remuneration study. Chair Powell announced that the total remuneration study has been drafted but not released. Its results show that total remuneration is not competitive for all employee groups, not just for faculty. UCFW reviewed the study's methodology and found it to be sound.

Timeline for review of Post-Employment Benefits (PEB) Task Force Report. Chair Powell noted that at the end of June, Randy Scott, the Executive Director of Talent Management and Staff Development in Human Resources, will provide the president with an executive summary of the recommendations of the PEB Steering Committee. In July, the Regents will hear about proposed rates for employer and employee contributions for next year, and a proposal addressing the amortization of the pension fund debt. Employee contributions are likely to rise to 3.5% with a 7% employer contribution in July 2011, and then again to a 5%/10% contribution in July 2012. In mid-August, the report will be released. In September, they will take action on those two items. In September and November they will hear presentations on the post-employment benefits options for the future recommended by the Task Force, and the president will make his recommendations to the Regents. A special Regents' meeting is likely to be scheduled in December at which the Regents may vote on these options. The Academic Assembly will meet on December 1. This timeline is subject to change.

Commission on the Future. Chair Powell stated that at the meeting of the Commission on the Future, Senate representatives were able to convey Senate positions due to the feedback and cogent analysis provided by the divisions and committees. Because of this feedback, the Senate played an influential role in the discussion. He addressed questions about why the Commission only addressed certain recommendations and about the origin of the "Expanded Recommendations." He noted that the Commission does not have bylaws or a set of procedures to govern its discussions and this was emblematic of the chaos that has characterized the Commission process. The Expanded Recommendations were not discussed at the Commission meeting. A member noted that the Assembly must guard against any body that would trespass on

the delegated authority of the Senate. Vice Chair Simmons stated that fortunately, the Senate response anticipated all of these recommendations, except semesterization. At the beginning of the meeting, the Senate response was distributed to the members. When the Senate took issue with the recommendations, they were not put forward for action. Several items were referred back to the Senate for development, giving us the responsibility and opportunity to address these issues. A member asked about the timeline and process for reviewing the new recommendations. Chair Powell stated that they will be distributed for review and the Senate will require adequate time for review before the Commission adopts any motions or and takes them to the Regents. He also anticipates that additional Commission meetings will take place in the fall. A member suggested that the Senate should recommend that the Working Groups be brought back into the process to review the new recommendations. He noted that some of the Extended Recommendations are iterations of the ones that the Working Groups considered and rejected. Chair Powell reported that the Commission made the following decisions: 1) to continue to explore the creation of online courses through a pilot program, which was approved by the Academic Council, contingent on obtaining external funding; 2) to develop strategies and mechanisms for increasing revenue from indirect cost recovery; 3) to ask the Senate to develop a plan for easing the transfer process; and 4) to rename “fees” as “tuition.” Members commented that the Commission has not put forth a long-term budgetary plan for maintaining the health of the university.

Transfer. Chair Powell stated that there is a perception in the legislature that it is difficult to transfer and that major prerequisites are different on all campuses. Two bills—SB 1440, which applies to the CSU, and AB 2302, which applies to UC—seem likely to pass. However, the real problem is capacity—UC already enrolls more transfer students than called for by the Master Plan. The president challenged the Senate to examine the transfer issue and to resolve whether there truly is a problem. Provost Pitts plans to convene faculty in popular majors to examine lower division programs and come to agreement within UC about core competencies. Simultaneously, the Intersegmental Committee of Academic Senates is planning to expand a common course identification project to identify common major prerequisites. Members engaged in a discussion of the advantages and problems with streamlining major prerequisites.

IV. ANNOUNCEMENTS BY THE PRESIDENT

Please see Appendix B for President Yudof’s remarks.

V. SPECIAL ORDERS [NONE]

VI. REPORTS OF STANDING COMMITTEES [NONE]

A. Academic Council

1. UCR&J ruling on Senate Regulation 474 **[INFORMATION]**
2. Nomination and Election of 2010-11 UCOC Vice Chair.
ACTION: Assembly unanimously approved the election of the UCOC Vice Chair as noticed.
3. Ratification of Council’s recommendation for Senate parliamentarian.
ACTION: Assembly unanimously approved the appointment of the Senate parliamentarian as noticed.
4. Ratification of 2010 Oliver Johnson Awardee.
ACTION: Assembly unanimously approved the recipient of the 2010 Oliver Johnson Award as noticed.

5. Announcement of Senate representative to UCRS Advisory Board **[INFORMATION]**
6. Notification of apportionment of 2010-11 Academic Assembly Representatives **[INFORMATION]**
7. 2010-11 Assembly meeting dates **[INFORMATION]**
8. Academic Council Recommendation to UC Commission on the Future

Chair Powell stated that the Academic Council's recommendation to the Commission on the Future will be distributed to the Senate for formal systemwide review. Given the magnitude of the budget problem and the university's \$14 billion liability for post-employment benefits, both of which will have a negative impact on the university's programs and operating budget, the Council recommended a) downsizing the University by temporarily downsizing the faculty and staff; b) foregoing new building and capital projects that are not absolutely essential for safety or core academic programs (such as at UC Merced); and c) ensuring that any new programs have a long-term funding stream or identify offsetting cuts in positions or programs to fund the new program. He noted that the Council vote was very close (8 to 7 with 2 abstentions). The recommendations stem from the principle that the University's guiding priority should be the maintenance of the quality of the research faculty, which establishes the prestige of the university. He noted that if that were lost, it would be very difficult to rebuild a quality faculty or the reputation of the University. He noted that many faculty are uncomfortable with stressing faculty remuneration as a priority over other UC employees, but the job of the Senate is to stand up for the interests of the faculty, and to protect the University. This recommendation is a short-term, tactical solution to protect the faculty and the University. The campus EVCs believe that it is more effective to use funds for recruitment and retention; this effectively means downsizing the faculty through attrition, rather than planning. It also means a reduction in research productivity that will have a negative impact on the quality of educational programs. The faculty must shape how downsizing proceeds. He noted that the University must make difficult choices, and the Senate should play a role by providing specific recommendations and advice. The Council recommendation is meant to begin this conversation. He hopes to get advice from the divisions about the specific impacts and implications of the recommendation for the campuses if it were to be implemented.

9. Los Angeles Division's recommendation.

UCLA Divisional Chair Robin Garrell introduced their division's Statement of Academic Senate Values and Recommendations. She stated that UCLA division developed this in response to problematic aspects of the Academic Council resolution, namely: 1) It does not reflect the views of the divisional chairs; 2) It overemphasizes faculty remuneration; 3) It too rigidly constrains capital construction, not allowing for the construction of projects that are funded by private donors or the federal government, and does not make an explicit exception for meeting the needs of UC Merced; 4) It was weakly endorsed, undermining its message; and 5) It does not reflect consensus on many issues among the faculty. The UCLA Statement aims to be broader and more nuanced and to find common ground among the divisions. It also is less aggressively self-serving by including staff as central assets to the University. It provides more leeway for capital projects, including spending funds for such things as establishing laboratories for new faculty. She asked the Assembly to endorse the UCLA Statement for submission to the president.

Assembly members discussed both the Council recommendation and the UCLA statement. A member noted that the UCLA statement includes a moratorium on new buildings, but not on capital projects (defined as construction spending in excess of \$750K), while the Council

resolution on capital projects is merely a recommendation, not a statutory provision. Vice Chair Simmons stated that Council needs opinions on the impact of implementing these recommendations on individual campuses. A member asked whether the UCLA statement should be considered as one response among many to the Council resolution, and asked about the opinions of other divisions. A member argued that the Assembly should not endorse either of the recommendations, but instead should send both out for review. Since the president referred the Council resolution back to the Senate, we have the opportunity to revise it and incorporate other suggestions from the campuses. Vice Chair Simmons spoke in favor of this approach, stating that the Council recommendation was meant to introduce a discussion of the difficult choices facing the University, and to put these stark choices before the Commission. UCLA Division Chair Garrell agreed to a substitute motion to send both documents for systemwide review. Several members spoke in support of the motion, noting that it would provide an opportunity to discuss and refine the recommendation, incorporating positive aspects of both documents. A member noted that there is tension between the Senate as an advocate for the faculty and the Senate as a participant in shared governance concerned with the good of the University. However, in this case, what is good for the faculty is critically important for the University. A member commented that in any recommendation about downsizing, it is important to allow flexibility. Some members spoke against the motion, arguing that the UCLA statement is merely a divisional position, and does not have equal status with a Council resolution. Vice Chair Simmons stated that a recommendation that emerges as a result of systemwide review will be stronger, and can be brought to the December 2010 Assembly meeting for consideration.

ACTION: Assembly voted to send both the UCLA statement and the Academic Council's recommendation to the Commission on the Future to the divisions and committees for systemwide review and comment.

10. Discussion of Senate response to the Commission on the Future

Assembly members engaged in a wide ranging discussion of issues raised by the Commission on the Future. One member expressed concern about the recommendations that the Academic Council conditionally approved; the Senate must ensure that its concerns are addressed in the implementation phase. Vice Chair Simmons stated that the Senate's voice was authoritative at the Commission meeting, and the administration recognized that the Senate is responsible for implementing the recommendations that are within Senate purview. Members also expressed concern about the scope and tone of the Expanded Recommendations. It is not clear when or if the Commission will discuss the new recommendations.

VIII. UNIVERSITY AND FACULTY WELFARE REPORT

UCFW Chair Shane White reported that the report of the Task Force on Post-Employment Benefits will be released soon. Faculty members serving on the Task Force are concerned that the updated total remuneration study shows that UC's salary and benefits are uncompetitive across all employee groups, and that under the proposed new tiers for retirement benefits, the University will be unable to recruit and retain faculty. He noted that Assistant Professors are the most disadvantaged group of all of the groups modeled. He stated that UCRP requires 20% of covered compensation; since the state currently is refusing to pay into the system (even though it pays into CalSTRS and CalPERS), the employer portion most likely will be provided by borrowing money from the University's own funds (the Short Term Investment Pool) at a lower

rate than available on the market. Chair Powell urged Assembly members to attend campus PEB briefings and to educate themselves about the options when the report is released.

IX. PETITIONS OF STUDENTS [NONE]

X. UNFINISHED BUSINESS [NONE]

XI. NEW BUSINESS [NONE]

The meeting adjourned at 4 pm.

Attest: Henry Powell, Academic Senate Chair

Minutes Prepared by: Clare Sheridan, Academic Senate Analyst

Attachments: Appendix A – Assembly Attendance Record, Meeting of June 16, 2010
Appendix B – Remarks of President Yudof to the Assembly of the Academic Senate

Appendix A – 2009-2010 Assembly Attendance Record, Meeting of June 16, 2010

President of the University:

Mark Yudof

Academic Council Members:

Henry Powell, Chair

Daniel Simmons, Vice Chair

Christopher Kutz, Chair, UCB

Robert Powell, Chair, UCD

Judith Stepan-Norris, Chair, UCI

Robin Garrell, Chair, UCLA

Martha Conklin, Chair UCM

Anthony Norman, Chair, UCR

William Hodgkiss, Chair, UCSD

Elena Fuentes-Afflick, UCSF

Joel Michaelsen, Chair, UCSB

Lori Kletzer, Chair, UCSC

Sylvia Hurtado, Chair, BOARS

Farid Chehab, Chair, CCGA

Ines Boechat, Chair, UCAAD (absent)

Alison Butler, Chair, UCAP (absent)

Keith Williams, UCEP

Shane White, UCFW

Gregory Miller, Chair, UCORP

Peter Krapp, Chair, UCPB

Berkeley (6)

Daniel Boyarin (absent)

Suzanne Fleiszig (absent)

Fiona Doyle (alternate for James Hunt)

Anthony Long (absent)

Paula Faas (alternate for Mary Ann Mason)

Pablo Spiller (absent)

Davis (6)

Joel Haas

Brian Morrissey

Brian Mulloney

Krishnan Nambiar

John Oakley

David Simpson (absent)

Irvine (4)

Sheryl Tsai (alternate for Hoda Anton-Culver)

Luis Aviles

Kenneth Chew

David Kay

Los Angeles (9 - 1 TBA)

Paula Diaconescu

Malcolm Gordon

Jody Kreiman (absent)

Timothy Lane (absent)

Duncan Lindsey (absent)

Susanne Lohmann

Purnima Mankekar (absent)

Joseph Nagy

Natik Piri (absent)

Merced (1)

Nella Van Dyke

Riverside (2)

Manuela Martins-Green

Albert Wang

San Diego (4)

Salah Baouendi (absent)

Timothy Bigby

Sandra Brown

Stephen Cox (absent)

San Francisco (3)

David Gardner

Deborah Greenspan

Sandra Weiss

Santa Barbara (3 – 1 TBA)

Gayle Binion (alternate for Richard Church)

Henning Bohn (alternate for Chuck Bazerman)

Santa Cruz (2)

Mark Carr

Marc Mangel (absent)

Secretary/Parliamentarian

Peter Berck

Appendix B – Remarks of President Yudof to the Academic Assembly

- Thank you very much, Harry. It's a pleasure to be with you all again. I know these have been uncertain and unsettling times for all of us lately, but fortunately we've had some good news out of Sacramento since we last met.
- The Governor introduced a favorable May revise, restoring \$305 million cut from last year's budget, along with \$51 million for enrollment funding and full funding for Cal Grants.
- Both the Assembly and the Senate said they too wanted to make higher education a priority. Though they differed on the details, this is a big shift for us – the state is starting to get its priorities in order.
- That is, truly, huge progress for the University.
- We remain mindful of the difficult choices to be made during the budget process, especially with regards to social programs, but we now find ourselves in an enviable position.
- Our position is the result of strong advocacy over the past year. More than 13,000 emails went to legislators in support of the Governor's revise for UC. Our rally days, like March 1 with the students and April 27 with leaders from all three segments were hugely successful. And the individual work being done on a person-to-person basis – by me, by chancellors, by faculty, business leaders and student leaders – both in Sacramento and in our local communities around the state has made a difference.
 - I'd like to thank Harry for the strong priority he has placed on faculty advocacy.
Your voices have made a difference.
- For the past year or so, we've been in crisis mode: compelled to take a series of desperate and temporary measures to dig our way out of a billion dollar hole.
- We're now at the point where we can –and must—look over the horizon and come up with some long term, sustainable ways of operating.

EFFICIENCIES

- As you know, we've already done much: restructuring UC's debt, improving strategic sourcing and e-procurement, seeking energy efficiencies, reorganizing the Office of the President.
- That's only the beginning. Over the next five years, I believe we can redirect hundreds of millions of dollars annually from administrative costs to the core academic and research missions of the university.
- There are many reasons why we must do this. Most immediately, the art of administration is the elimination of all excuses. It's our job to clear the landscape and prepare the platform by which our wonderful faculty and researchers and students perform their daily magic. The faculty are the backbone of this university and too many of you have seen your departments adversely affected by budget cuts. We owe it to you to redirect every dollar possible to the teaching and research missions you lead.
- These efficiencies we'll be talking about and chasing are not about shrinking the University. They are about preparing it to maintain its brilliance –much as a farmer pruning his trees or vines, to prepare them for robust and fruitful growth in the next season.
- None of this can happen without the full cooperation and collaboration of ten chancellors, CUCSA, represented groups, faculty, members of the community. There is much we can learn from each other and greater efficiencies to be found across many campuses working together.
 - For that reason, I've asked Nathan Brostrom and Peter Taylor to go to the campuses, to meet with their colleagues and consult with their partners. I hope that working together, we can find and test the best ideas with each other, find areas of collaboration and opportunity and push the boundaries of the project as far as possible.
- I know that seeking efficiencies has been the rage in the business world for years. There are those who will ask what's taken us so long. Here's why: Not all organizations, especially those in the social sector, can be run like businesses. This suggests by no means we shouldn't borrow from the best practices of the best businesses, but the fact is,

what we offer cannot be priced at a profit. Our metric is how we fulfill our public mission: to educate Californians, to generate new knowledge, to provide healthcare for all, including the needy.

- We're a special type of organization, trying to nurture creative thinkers, to educate students, to turn out the professionals, teachers and other leaders of our society. We are a relatively flat organization with shared governance. Our campuses have a great deal of autonomy. We have immensely complex social and legal responsibilities. In an era of scarcity, our goal must be to preserve the quality of the institution.
- My ultimate vision is that we're more accessible to Californians, in particular to low-income students; that we serve more students; that we make Herculean efforts to reflect the demography of our state, that we preserve not only the values, but also of the outcomes we have produced for the last century and a half. The question is how do we preserve those outcomes in an era of scarcity?

COMMISSION ON THE FUTURE

- The Commission on the Future is looking into these questions and is now deep into its work. We met earlier this week to review the first round recommendations submitted by the working groups, the Academic council and others.
- I forwarded the Academic Council's recommendations and your letter directly to the Commission.
- Commission examined your recommendations, including one to downsize the university. Others included enhancing the transfer, improving time to degree, establishing a multi-year fee schedule for students and continuing to explore online instruction.
- I'm happy to discuss these or any other topics of interest with you.