UNIVERSITY OF CALIFORNIA   **ACADEMIC SENATE**

MEETING OF THE **A**SSEMBLY OF THE **A**CADEMIC **S**ENATE

June 12, 2013
MINUTES OF MEETING

I.   ROLL CALL OF MEMBERS

Pursuant to the call, the Assembly of the Academic Senate met on Wednesday, June 12, 2013. Academic Senate Chair Robert Powell presided and called the meeting to order at 10:00 am. Senate Executive Director Martha Winnacker called the roll of Assembly members and confirmed that there was a quorum. Attendance is listed in Appendix A of these minutes.

II.   MINUTES

ACTION: The Assembly approved the minutes of the April 10, 2013 meeting as noticed.

III.   ANNOUNCEMENTS BY THE CHAIR

Apportionment of the 2013-14 Assembly. Chair Powell noted that the apportionment of the Assembly for 2013-14 is enclosed in the agenda; campus representation has not changed.

Parliamentarian. Former Assembly parliamentarian Peter Berck is serving as pro tem parliamentarian in the absence of the regular parliamentarian.

SB 520. Chair Powell stated that the Senate continues to oppose SB520 (Steinberg), which would require UC to provide credit for online courses offered by third-party providers. Senate opposition is based on the principle that it would cede authority for courses to an external entity and promote privatization of the University. He noted that the university administration has worked closely with the Senate in opposing this bill. The bill has passed the Senate and will be considered by the Assembly over the summer. We expect the governor to veto it if it is passed. The other bill on online education, SB 547 (Block) is in suspension. The Academic Council convened in Sacramento and testified at a hearing to voice its collective opposition to these bills.

President's Search. The UCR Chancellor search is coming to a close and a candidate is likely to be recommended to the Regents in July. The search for a President is proceeding according to schedule. An Academic Advisory Committee comprised of the chair and vice chair of the Senate, one representative from each campus and one at-large member, has had significant input in advising the Regental search committee.

State Budget Update. The budget news is positive and includes a $125M base budget augmentation and $125M deferred tuition and fee buyout. The augmentation earmarks $10M for online education, funding for UCR School of Medicine, and initial funding for a new classroom building at UC Merced. In addition, lease-revenue bond debt on UC capital projects will be transferred to UC's budget and the University plans to restructure the debt at a lower rate in order to produce $80M in revenue annually for ten years. Last year the legislature, students and some labor unions opposed this proposal, so it is a victory that it is included in the budget this year. Speaker Perez also is supporting a scholarship plan that would provide grants to students from families with income up to $150K who do not qualify for financial aid. Finally, the governor has proposed a multi-year funding plan for UC, including an increase in the University's base budget over the next four years of 5%, 5%, 4% and 4%, respectively. While this is an improvement, it is not adequate to meet UC's mandatory costs, including funds for the employer contribution to UCRP.

The governor's proposed increase is contingent on UC maintaining current tuition levels.

UCRP. Chair Powell noted that a different set of rules for retirement will apply to employees hired after July 1 (the "new tier"). In addition, employee contributions to UCRP will increase from 5% to 6.5% and employer contributions will rise to 12%. Regental policy is that by July 1, 2018 there should be sufficient funding to cover the Annual Required Contribution (including unfunded liability, interest on the unfunded liability and Normal Cost), but UC is not on track to achieve that goal. Currently, there is an $11B unfunded liability which will accumulate interest at an expected 7.5%, increasing the liability by $750M per year unless we cover Normal Cost and the interest. The CFO proposed using excess liquidity in STIP to fund UCRP or to pay a portion of the interest on the unfunded liability. The finance and budget administrators at UCOP think this is a wise use, but the EVCs on the campuses have rejected it. UCFW will continue to raise this critical issue.

Faculty Welfare. There will be a 2% salary increase for faculty next year. UCFW had recommended 3% to off-set the employee contributions to UCRP, which will rise to 6.5% on July 1; faculty will still be 12 to 14% below the Comparison 8. Non-represented staff will receive a 3% raise, which UCFW supported. UCFW is advocating for a new total remuneration study of faculty. The last study was done prior to the resumption of employee contributions to UCRP.

IV.   ANNOUNCEMENTS BY THE PRESIDENT

President Yudof. President Yudof stated that while UCOP has received 60 proposals to increase Professional Degree Supplemental Tuition, the governor is opposed to any tuition increase, as are some of the Regents. He has decided to review each of them and approve them on their merits. The governor and legislature have promoted a multi-year tuition increase with the proviso of a tuition freeze. If they raise UC's budget by only 4 or 5%, it will not be sufficient to meet mandatory cost increases and will lead to large tuition increases in a few years. He said overall, the University has weathered the budget crisis well. UC's rankings and faculty separations are in line with history, despite an $860M budget reduction.

Q: Could you elaborate on how you see the relationship between UC and the state legislature?
A: The Governor has been our principal defender. UC is not the legislature's first priority. However, very few areas received increases and UC did. We need to continue our advocacy; we are strongest when our constituent groups, students and faculty, work on behalf of the University.
Q: Why is the legislature pushing SB 520 when the universities are against it?
A: Senator Steinberg is concerned about students having access to courses. This is not an issue at UC. He did not consult with us before he announced the bill. Although he has amended it several times in response to critiques, it remains unacceptable to UC.
Q: UCOE does not pay attention to what is going on at the campuses. Funding for online education should be used to develop the courses, not for marketing, platforms or assessment.
A: I agree with many of your critiques. UCOE was not a success. Faculty opposed it and it was not managed well. The new funding for online education will go to the campuses, but there has to be accountability. We need a platform to deliver courses across the campuses. We also need a systemwide course catalog to ensure that those courses are articulated and count toward general education or major requirements. UCOE's role will be to facilitate registration and the catalog. Course content will be determined and approved by the campuses.
Q: What advice will you pass on to your successor?
A: It is an interesting and exciting place to work. The research and scholarship of the faculty is phenomenal. It is not top-down management; you need buy-in and collaboration. UC needs a reformer. The University can not look the same as it did 10 years ago, but at the same time, we need the right pace of change. We need to restrain bureaucracy at UCOP and continue to push for multi-campus research collaborations and to work on diversity in admissions.
Q: What is the future of the Division of Agriculture and Natural Resources? What is the goal of moving

much of the ANR administration to Davis?

A: The University is very deeply committee to ANR. It provides a connection between outstanding research and public outreach. ANR is under-appreciated in the legislature, since the bulk of the population is along the coast. ANR is being moved to Davis to be closer to the faculty and where the work is being done. Similarly, we moved the Education Abroad Program to UCSB and Continuing Education of the Bar to UCLA. They are more effective by being located on a campus.

Q: What is the future of health benefits?

A: UC pays 85 to 90% of employee health care costs. We are not sure how the Affordable Care Act will change things. We think it may provide good health benefits for our students. In terms of pension benefits, UC is better off than it would have been, largely because of the influence of the Senate.

Q: Do you support lowering graduate tuition once students have advanced to candidacy?

A: Politically, I do not think we can have lower tuition for graduate students than undergraduates. However, we need to examine non-resident graduate tuition in order to remain competitive.

Q: Do you think we do an adequate job of informing the public of the value of UC?

A: When I arrived, we did little; now we do quite a lot. We have started social media campaigns, sent advocates to Sacramento, and placed ads in locations like the Oakland airport. The theme of the advertising campaign is how your day is made better by UC.

Q: What is the future of Self-Supporting Programs?

A: Due to the budget crisis, campuses are looking for ways to generate revenue. There is great pressure to increase SSPs for financial, not academic, reasons. The provost and faculty are working on developing a policy for standards for SSPs.

Q: UC is the premiere University in the world for astronomy. Thank you or your support and vision of the Keck telescopes. Can you provide an update on the Thirty Meter Telescope?

A: The TMT project is proceeding well. I went to China with UCSB Chancellor Yang and met with the premier to secure China's investment of $150M. We are scheduled to sign the TMT agreement in two weeks. Our operating costs for Keck will decrease, and we can use those funds to invest in the TMT.

V.   ANNOUNCEMENTS BY THE PROVOST

Innovative Learning Technology Initiative. The Governor earmarked $10M of UC's budget augmentation for online courses that are available across campuses. Provost Dorr said that she has worked closely with the Senate Chair and Vice Chair to craft a grants program that is responsive to these external requirements, but protects and preserves UC quality and UC faculty decisions about what is best for UC students. Together, with a great deal of faculty input, they have produced a document describing the program that combines the governor's requirements for the $10M and the priorities outlined by the participants in the meetings on online education that Provost Dorr hosted in the spring. Approximately 200 faculty, students, staff and administrators who are engaged in online education attended. This input was consolidated and another meeting with division chairs, EVCs, committee chairs from relevant Senate committees and staff was held to produce the final document enclosed in the Notice of Meeting. They have also almost finished providing feedback on the 125 Letters of Intent received and they intend to send an RFP soon. The criteria for ILTI emphasizes undergraduate, high-enrollment courses, courses that would be attractive across campuses that count for GE or major credit across campuses, and that could be offered frequently. She is aiming to figure out how to provide GE or major credit in a way that respects each campus' processes.

Q: What intellectual property agreement is required?

A: The campuses will handle intellectual property issues. The Office of General Counsel will provide a primer on standard IP agreements. UCOP will not hold the IP.

Q: This year we got $10M for this initiative. Is there any commitment from UCOP to continue the effort if the governor does not continue to fund it?

A: The budget language indicates that we should submit a proposal for the 2014-15 budget. UCOP will support the hub even if the $10M is not approved.

Q: How do you envision the face-to-face portion a hybrid course?

A: The faculty will describe what they want to do. The online element is what is being produced, not the entire course. These elements will then be available for other faculty to use.

Q: What is the process by which the hub will be designed, procured or staffed?

A: We are constituting a committee that has undergraduate deans, student affairs, registrars, etc., to discuss the functionality that should be part of the hub.

Q: How will you ensure that the courses will attract students?

A: We will place higher priority on proposals that provide firm indications that other campuses would use the course and give credit for it. If it is a course that is already taught on another campus, we will examine how often it is taught, enrollment, wait lists, etc.

Q: How will you decide between chemistry classes proposed by faculty on different campuses?

A: We may ask the proposers to collaborate. If there already is an online chemistry course, we will not rule out funding another course.

Q: How will courses be approved across campuses?

A: This is one of the challenges of orchestration. We want to ensure that there is a high probability that a course will be approved, but we will not wait for that process to occur. For courses that look promising, some funds will be allocated to pursue a preliminary assessment of the possibility for approval before we fully invest in them.

Q: Will any of the funds be used for infrastructure needs on campuses?

A: Yes. But if we provide funding for infrastructure, the campuses will have to verify their uses of them, e.g., instructional designers.

Q: Many faculty will not want to adopt the online elements of courses developed by other people. IN addition, some departments jealously guard who can teach a course.

A: This is why we will not fund a course unless we have departmental agreements. Some departments have restrictive cultures; others do not.

Q: What is the timeline for the hub?

A: We are launching a beta-hub, but the actual hub will not be ready for a year.

Academic Performance Indicators. Provost Dorr said that at a recent Regents meeting, both the governor and the chair of the Board of Regents suggested that in order to save money, faculty should teach more. His May budget proposal includes a set of measures that would have to be met in order for UC to receive increased funding in years 2-4 of the Governor's 4-year plan. In response, she worked closely with the Senate leadership and the president to reframe the narrative away from workload to performance and outcomes. At the May Regents meeting, she made a presentation that described the full range of faculty work, including teaching, and provided data on student outcomes, including time to degree, percentage of students who graduate, student opinion of their academic experiences, indicators on graduate students, and comparisons to public and private AAUs. The president, provost and EVP of Business Operations met with the governor and his advisors to discuss the written report prior to the Regents meeting. At the meeting, the governor asked good questions, such as what are predictors of time to degree and how can we make it possible for undergraduates to graduate in four years and help students who are less prepared succeed in college. In the fall, Provost Dorr plans to work closely with faculty to identify meaningful measures.

Comment: I was disappointed with the use of the old data on faculty workload. The student/faculty ratio is an aspect of faculty workload and should be included as a quality indicator.

A: We tried to get more recent data, but do not have it and time studies are expensive. We succeeded in moving the discussion from courses to Student Credit Hours. I agree that we need to emphasize quality.

Q: Have you been able to determine the impact of students changing majors in their time-to-degree?

A: Yes. That is one of the correlates of longer time to degree (double majors were not correlated). I will be working with Institutional Research to review a study they did a few years ago with one cohort, and will discuss doing it again. The Undergraduate Deans emphasized that it should be tallied by quarters or semesters enrolled, not by year. We also have data by major and by demographic predictors. We need to

do more to help students who take longer to get their degrees.

Q: Why does the University of Virginia do so well on certain measures?

A: The demographics of UVA's student body are different. They have very few Pell grant (low income) students. We also have 10 campuses, some of which educate students who come from very disadvantaged backgrounds. We will tell the story of UC's incredible success with low-SES students at the Regents meetings.

V. SPECIAL ORDERS

  A. **Annual Reports.** Chair Powell noted that these three annual reports are presented as information, only, as required by Bylaw 120.D.3. All other annual reports were submitted to the Assembly at its first meeting of the year, as required.

VI. REPORTS ON SPECIAL COMMITTEES [NONE]

VII. REPORTS OF STANDING COMMITTEES

  A. **BOARS Recommendation to Adjust Statewide Admissions Index [ACTION]**

BOARS Chair George Johnson said that in 2009 when the new admission policy was adopted, BOARS discussed the appropriate balance between the statewide index and Eligibility in the Local Context. It decided the top 9% statewide of public high school graduates and the top 9% in each school would be guaranteed admission. The policy went into effect for applications for the 2012-13 year. In 2012, the index captured 10.5% of public high school graduates, and in 2013, it captured just over 11% of graduates. Clearly, the index is not accurate. BOARS proposes to recalibrate it based on the applicants for 2012 and 2013. If UC had used the proposed new index in 2013, it would have captured 9% of graduates. Approximately 2,100 applicants would no longer have been in the referral pool. The referral guarantee is for admission to a campus at which space is available, and only 2% (approximately 200 students) of those offered a referral enroll. The impact that a new index would have on the diversity of the applicant pool varies by category.

A: What is the potential impact of a new index on students who are applying now?

A: BOARS proposes to put the new index in place for fall 2014, so it would affect entering juniors, which is sufficient notice.

Q: How will this change long-term enrollment planning?

A: It may become a problem when Merced is no longer able to accept referrals, and that may be very soon. However, that is a separate issue; the University needs to discuss what to do about the guarantee. What BOARS proposes today is a technical fix to the index to capture the 9% that we intended.

Q: What effect will the change have on transfer students?

A: That is an interesting question. We have not examined whether students who are in the referral pool go to the CCCs or go to other institutions. Transfer students do have the option of the transfer guarantee if they meet the eligibility criteria.

Q: What percent of students meet the index but do not get admitted to the school of their choice?

A: 80% of students in the statewide index and ELC applicants were admitted to a campus to which they applied. 96% of those who qualified for both the ELC and Statewide pools were admitted to a campus to which they applied.

Q: Most of those eligible for the referral guarantee do not enroll. How much of an issue is the over-supply of guarantees?

A: It is not a big issue for many students, but it is a salient political issue. Comment: It would be helpful to extend the implementation timeline. Is there a downside to delaying it by a year?

A: BOARS is open to an amendment.

Comment: This is about GPA, not about course prerequisites, so it may not need to be delayed. We are

correcting a mistake and should do it now, as we have been admitting too many students.

A: We are changing the number of students who are eligible to be in the referral pool. Strong students will still be admitted at the same rate even if they are not eligible in the local context. It will change the distribution of the referral pool, not the distribution of admissions.

ACTION: Assembly approved BOARS' recommendation to adjust the systemwide admissions index.

    B.   BOARS Proposed Amendments to SR 478 [ACTION]

The proposal is to amend SR 478, replacing SciGETC with a new option that aligns with the state law (SB 1440) that requires that CSU accept Associate degrees for transfer and also mandated that they accept IGETC. Since SciGETC was not mentioned in the legislation, the Intersegmental Committee of the Academic Senates (ICAS) drafted a variant of IGETC for STEM majors. BOARS chose to rewrite the regulation to make it parallel to SR 424, the regulation on freshman admissions. It is less detailed than the current SR 478, broadly defining the subject areas and leaving the details of implementation to UCOP. At the April Council meeting, Senate divisions provided additional feedback, which has been incorporated in the proposal under consideration by Assembly.

ACTION: The proposed amendments passed by majority voice vote.

    C.   Academic Council [ACTION]

        1.   Nomination and Election of the 2013-14 UCOC Vice Chair

ACTION: The Assembly unanimously elected Edwina Barvosa (UCSB) as 2013-14 UCOC Vice Chair.

        2.   Ratification of 2013-16 Secretary/Parliamentarian

ACTION: The Assembly unanimously ratified G.J. Mattey (UCD) as its Secretary/Parliamentarian.

        3.   Amendments to APM 015

The proposed amendment to APM 015 responds to a U.S. Supreme Court ruling that the First Amendment allows public employees to be disciplined for criticizing their employer in public. Attorneys representing the University later used this argument in a lawsuit between the University and a member of the faculty. The attorneys argued that the faculty member could be sanctioned for his stance at a faculty meeting. UCAF then took up the issue and began the long process of bringing this revision of the APM to acknowledge an academic freedom right to speak on institutional issues even if they are not protected by the First Amendment. It establishes a clear principle that faculty have the right to engage publicly and in shared governance with institutional issues. The proposed amendments to APM 035 provide additional nuance to the prohibition on gender-based discrimination and adds a reference to military service that is now protected by law.

ACTION: Assembly approved the amendments to APM 015 and 035.

VIII.   UNIVERSITY AND FACULTY WELFARE REPORT [NONE]

IX.   PETITIONS OF STUDENTS [NONE]

X.   UNFINISHED BUSINESS [NONE]

XI.   NEW BUSINESS [NONE]

The meeting adjourned at 4:00 pm.

Attest: Robert Powell, Academic Senate Chair
Minutes Prepared by: Clare Sheridan, Academic Senate Analyst

Attachments: Appendix A – Assembly Attendance Record, Meeting of June 12, 2013

Appendix A – 2012-2013 Assembly Attendance Record, Meeting of June 12, 2013

President of the University:
Mark G. Yudof

Academic Council Members:
Robert Powell, Chair
William Jacob, Vice Chair
Christina Maslach, Chair, UCB
Bruno Nachtergaele, Chair, UCD
Peter Krapp (alt. for Mary Gilly, Chair, UCI)
Linda Sarna, Chair, UCLA
Peggy O'Day, Chair, UCM (absent)
Jose Wudka, Chair, UCR
Guy Masters, Chair, UCSD
Farid Chehab (alt. for Robert Newcomer, UCSF)
Eric Matthys (alt. for Kum-Kum Bhavnani, Chair, UCSB)
Joe Konopelski, Chair, UCSC
George Johnson, Chair, BOARS
Ruth Mulnard, Chair, CCGA
Manuela Martins-Green, Chair, UCAAD
Harry Green, Chair, UCAP
John Yoder, Chair, UCEP
Daniel Hare, Chair, UCFW
Mike Kleeman, Chair, UCORP
Bernard Minster, Chair, UCPB

Berkeley (5)
Whitney Davis (absent)
Allen Goldstein
Jennifer Johnson-Hanks
Jeffrey Perloff
Patricia Zambryski

Davis (6)
Trish Berger
Theodore DeJong (absent)
Richard Grotjahn
Ahmet Palazoglu
Joe Kiskis (alt. for Saul Schaefer)
Jeffrey Williams

Irvine (4)
Elliott Currie
Christopher Leslie (absent)
Carrie Noland (absent)

Craig Walsh (absent)

Los Angeles (8)

Troy Carter (via phone, alt for Malcolm Gordon)
Jennifer Krull (via phone)
Timothy Lane (via phone)
Alan Laub
Susanne Lohmann
Joseph Nagy
Monica Smith (via phone)
Richard Steinberg (absent)

Merced (1)
Wolfgang Rogge (absent)

Riverside (2)
Richard Luben (absent)
Bahram Mobasher

San Diego (5)
John Hildebrand (absent)
Eduardo Macagano (absent)
Douglas Magde
Jan Talbot
Eric Watkins (absent)

San Francisco (4)
Jacque Duncan
Janice Lee
Errol Lobo (absent)
Robert Nissenson

Santa Barbara (3)
Vicki Scott (alt. for Ralph Archuleta)
Claudio Fogu (via phone)
Aranye Louise Fradenburg (via phone)

Santa Cruz (2)
Donald Brenneis
Joel Ferguson

Secretary/Parliamentarian
Peter Berck