

## **II. Minutes**

**UNIVERSITY OF CALIFORNIA**

**ACADEMIC SENATE**

### **REGULAR MEETING OF THE ASSEMBLY OF THE ACADEMIC SENATE Minutes of October 31, 2001**

#### **I. Call to Order/Roll Call of Members**

Pursuant to the call, the Assembly of the Academic Senate met at 10:00 a.m. on Wednesday, October 31, 2001 in Covell Commons in Sunset Village at UC Los Angeles.

Following the call to order, Assembly Chair Chand Viswanathan asked members to join him in a moment of silence in memory of those who had lost their lives on September 11.

Senate Executive Director María Bertero-Barceló called the roll of the Assembly; the meeting attendance is listed in Appendix A of these minutes.

#### **II. Minutes of the May 23, 2001 Meeting**

The minutes of the May 23, 2001 meeting of the Assembly were approved as written.

#### **III. Announcements by the President Richard C. Atkinson**

President Atkinson briefed the Assembly on selected topics from his discussion outline\* that had been distributed prior to his arrival, and Provost King gave an update on the Educational Doctorate. Following the briefing, the President and Provost took questions from the floor. Highlights from that discussion follow.

**Budget:** The Governor has indicated that he plans to ask for mid-year cuts in this year's budget. It is expected that negotiations with the Governor's Office will result in some cuts for the University but not at the 15% level as originally mentioned. For next year, the University will request an 11.5% increase, which will fund the basic Partnership and compensate for the funds lost in this fiscal year. Given the economic conditions of the state, however, it is not likely that the University will receive all of the 11.5%. Over the next several months, the University will be considering ways to cope with any significant cuts. This will be a topic for discussion at the Regents' meeting in November.

**Commission on Graduate Education:** The recent report from the Commission on the Growth and Support of Graduate Education notes that UC will need an additional \$215

million annually to fund growth and increase the University's ability to compete for the best graduate students. Given the economic environment, this report will not be presented to the Regents in November, as originally planned.

**Faculty Salaries:** The University received significantly reduced State funding for the 2001-02 salary programs. To partially mitigate this reduction, a proposal will be presented to the Regents in November to give eligible employees additional funds through a special retirement account called a Capital Accumulation Provision (CAP) accrual account, which will be funded from UCRS monies.

**Outreach Activities:** To date, the University has enrolled a total of 73,000 K-12 teachers in professional development programs covering all disciplines. This exceeds the original goal of 70,000. While legislation makes it difficult to collect comparative data on participant and non-participant teachers, the University believes that these programs have had a substantial impact on the teaching of reading in the early grades. There is anecdotal evidence from the Los Angeles area that significant increases have occurred in reading performance, which can be attributed, in part, to this effort.

**SAT Proposal:** The proposal to eliminate the SAT I, as a requirement for admission to UC, is being vetted through the Academic Senate. A recent report on the predictive validity and differential impact of the SAT I and SAT II at UC, which was distributed with the discussion outline, is an interesting study, and the President offered to take questions about it at the end of his report.

**Faculty Hiring and Gender Equity:** The State Audit examined the rate of women faculty hired, salaries at hire, and the rate hired versus the number of women in the national Ph.D. pool. Although improvements are needed, the report concluded that when the estimates of available doctoral recipients were adjusted to reflect the pool from which UC actually hires, the availability of women in the pool (33%) was much closer to the rate at which the University hires women professors (29%). The report also concluded that factors other than gender appear to cause any salary disparities that exist between male and female hires. In response to the audit recommendations, campuses are implementing new and strengthening existing practices to ensure equal opportunity for women.

**Mexico:** Historically the Mexican government tended to send its students to East Coast universities, but with the Governor's focus on strengthening relationships between California and Mexico, more students are coming to the University of California. Under the guidance of UC MEXUS there are currently 91 Mexican Ph.D. students enrolled at UC and a faculty exchange program is in place. The University is also in the process of identifying a facility in Mexico City that would serve as the equivalent of the London House.

**Dual Admissions Program (DAP):** Although the Regents approved DAP for implementation in Fall 2003, it will be delayed by one year because there is no State funding available for the program.

**Eligibility in the Local Context Program (ELC):** Instituted for the first time this past fall, ELC has been highly successful. Ninety-eight percent of California high schools are participating in this program.

**Fee Waivers:** Although the President supports fee waivers for dependents of eligible faculty and staff, financial constraints will prevent this initiative from being implemented this academic year.

**Master Plan Review:** There is a move to change the University's funding formula in the Master Plan so that students coming to UC in the first two years would be funded at the community college rate and, at the junior and senior years, funded at the CSU rate. At the graduate level there would be a new formula. UC representatives have been working hard to make it clear why such a recommendation would be harmful to the University.

**Summer Instruction Expansion:** Full funding was received for summer instruction at Berkeley, Los Angeles, and Santa Barbara this past summer, and all three campuses reported a dramatic increase in their enrollments. Although support for the program remains strong in Sacramento, full summer funding for all of the campuses will take longer than initially planned because of the budget.

**UC Merced:** Although there continues to be strong support from the Legislature and from the Governor for UC Merced, the environmental issues are so complicated that there is some uncertainty about whether it will open in 2004 as scheduled.

**Education Doctorate:** The Provost reported that in recent negotiations with the CSU on their proposal to be allowed to offer the doctorate in education (Ed.D.) independently, the following agreement was reached: 1) CSU's initiative at the State level will be dropped. 2) A California Institute for Educational Leadership will be created, co-chaired by the UC Provost and his CSU counterpart that will have Senate members from both institutions. The Institute will have a start-up budget of \$4 million (\$2 million from each institution) to fund the development of new joint Ed.D. programs. The students in the joint programs will be UC students. They will be funded by the State for the marginal cost of instruction for UC. On a credit unit basis, the funding will be apportioned between the two institutions. 3) A needs assessment will be made of all state regions and ways will be found to serve those regions. It is expected that the budget will continue to be funded by the State. The President added that having this joint program in place would meet his commitment to increase the number of doctoral degrees awarded in education by UC, and that there is no longer a need for campuses to develop their own Ed.D. programs.

**Comprehensive Review:** The President presented a detailed account of the background on the Comprehensive Review proposal, in an effort to address concerns about the proposal being fast tracked. There was a group of State Legislators who felt strongly that comprehensive review should be included as part of RE 28 [resolution to repeal SP 1 and 2], when it went before the Regents last May. In the spirit of shared governance, the President refused to support this view, even though he favored comprehensive admissions. In

discussions with the then-Academic Council Chair, Michael Cowan, it was decided that it would be possible for the Senate to vet a comprehensive review proposal in time for it to come before the Regents in November 2001, if the relevant Senate Committees worked over the summer months. This timeline would allow those campuses that wanted to implement comprehensive review for this year's round of admissions to do so.

The President invited questions from the floor. In response, he (or Provost King) made the following additional comments:

The Legislature set aside \$750,000 for the implementation of the comprehensive review program. If the university does not move forward with the program, it will lose this money.

The University currently has a funding scheme that takes into account the full mix of graduate and undergraduate student levels and that provides strong support for graduate education. Disaggregating UC's budget by level would be disastrous to the University.

UC's fees for professional students are low by comparison to those of other public institutions. Fee increases where the university would return 50% of the amount to financial aid to ensure that low-income students have access to the University is a powerful incentive. This is one of the reasons why the President will continue to advocate for fee increases.

Educational fee waivers would be an effective faculty recruitment and retention tool for the University, but waivers will not be part of the proposed budget for next year because the preservation of the Partnership has a higher priority. The University will continue to keep fee waivers on its agenda. Funding for the program will have to come from the State.

One of the proposals that the Governor will put forward at an economic summit that he has planned is to use the University's construction projects as an economic stimulus for the State.

BOARS is in the process of reviewing the SAT proposal. The Senate will have to determine the mix of tests that it will recommend for student applicants. A writing sample from students is absolutely critical and one of the best success predictors for the University of California.

The Provost reported that he had sent a memorandum to the Academic Council Chair addressing questions that were raised at the October Council meeting on current law and the release of student information. Under existing law, all requests for information about students, including government inquiries about foreign students, are subject to the provisions of the Federal Educational Rights and Privacy Act (FERPA). It prohibits the release of certain categories of student records without prior student permission except for reasons of public health and safety. In legislation just approved, if an agency wants access to records, it must now go to a judge and obtain a ruling that will grant it access. The

University will have to adhere to the judge's ruling. To date, the number of such requests has been small. [The Academic Council Chair will forward a copy of the Provost's memorandum to Academic Senate members.]

**IV. Announcements by the Chair**  
**Chand R. Viswanathan**

December 5 Assembly Meeting. Four Assembly meetings have been scheduled for this academic year in anticipation of an increased workload. If, by the end of this meeting, there is an indication that a December meeting is not necessary, the Chair will ask for permission from the Academic Council to cancel the December meeting and notify the Assembly members.

**V. Special Orders**  
**Consent Calendar**  
**Variance to Senate Regulations Requested by the Davis Division**

The Faculty of the School of Medicine proposed to modify the grading procedures from a letter grade based system to an honors/pass/fail system in order to bring the UC Davis School of Medicine into conformity with the other medical schools in the UC system. At its June 5, 2001 meeting, the Davis Representative Assembly approved the amendment. On behalf of the Assembly, the amendment was approved by the Academic Council at its July 2001 meeting.

**VI. Reports of Special Committees (none)**

**VII. Reports of Standing Committees**

**Academic Council**  
**Chand Viswanathan, Chair**

Report on new degree titles approved by the Academic Council (information)

On behalf of the Assembly, the Academic Council approved the following degree titles at its July and August meetings: DPTSc at UCSF for a joint doctoral program in Physical Therapy Sciences between UCSF and Cal State University, San Francisco; the M.Ed. at UC San Diego for a Program in Teacher Education; and the M.Ed. at UC Riverside for a Master's of Education Program.

**Board of Admissions and Relations with Schools**  
**(BOARS) Dorothy Perry, Chair**  
Approval of Comprehensive Admissions Policy (action)

At its October 10, 2001 meeting, the Academic Council unanimously approved (with one abstention) the Comprehensive Admissions Policy as proposed by BOARS. The approval included the provision that the Policy would be reviewed five years following its implementation by a methodology to be developed by BOARS. Chair Viswanathan noted that the BOARS Chair now brings before the Assembly a motion to approve the Comprehensive Admissions Policy, as amended in Distribution Item 1. He read the motion as follows:

**Resolved: that the Assembly approve BOARS' recommendation to institute a system of comprehensive review of applicants for undergraduate admission. Assembly approval is contingent upon the understanding that the process of comprehensive review be evaluated under a methodology to be developed by BOARS and that the results of the BOARS evaluation be reported to the Academic Council within five years of the implementation of comprehensive review.**

Chair Viswanathan invited BOARS Chair Perry to provide additional background on the proposal. Professor Perry stated that BOARS had met in a series of meetings over the summer so that there would be an opportunity for the university to initiate comprehensive review with the Fall 2001 admissions cycle, if approved. In drafting the final proposal, BOARS consulted widely with both Systemwide and Divisional Senate Committees as well as with representatives from campus admissions staffs because they are responsible for putting together the operational plans. Following the events of September 11, BOARS voted to make an additional change. That change is found in the wording of Principle #6 on page 88 in the Call. It now reads:

"The admissions process should select students of whom the campus will be proud, and who give evidence that they will use their education to make contributions to the intellectual, cultural, social, and political life of California, the United States, and the broader International community."

In a brief slide presentation, Professor Perry stressed that if the Assembly were to approve the Comprehensive Admissions proposal, it would: 1) eliminate the tiered system of review, and 2) put faculty back in control of the University's admissions policy. The following would not change:

- eligibility in the local context
- the fourteen selection criteria
- the systemwide admit pool
- the primary focus on academic achievement and preparation
- the determination by the campuses on how the criteria are applied

Professor Perry noted that the most often repeated concern about the proposal is that by removing the tiered system, the academic quality of students would be compromised. BOARS believes that the academic quality of students would not only be maintained but enhanced by the elimination of the tiered system.

Following her presentation, Professor Perry moved that the Assembly adopt the motion, as contained in Distribution Item 1 of the meeting. The motion was seconded, and Chair Viswanathan called for a discussion on the motion. Comments offered during the discussion included:

Why is there such an urgency in putting through this proposal? If the University of California truly wants a good admissions policy, there should be a more deliberative and thoughtful process. A better way would have been for each campus to develop its own comprehensive review plan and then have those reviewed by BOARS.

The problem with comprehensive admissions policies is that they can be perceived as subjective and arbitrary. Comprehensive review may also be portrayed as a way for the University to circumvent Proposition 209. It should be stressed that adoption of this policy will not change UC eligibility rules.

The fourteen selection criteria should be reexamined because many are vague and because there are questions about how they are weighted and how they are applied. For example, "special projects" as a criterion is vague, and it is not clear that the recommended 4.0 cap on the GPA is preferable to an uncapped GPA.

Will the funding for the implementation of comprehensive review continue to be a separate budget item?

During the five-year review process, the University should ensure that it is continuing to admit a diversity of students.

**There being no further discussion, Chair Viswanathan called the question on the main motion by asking for a show of hands. The motion was approved by a vote of 42 yes, 0 no and 3 abstentions.**

Chair Viswanathan thanked all of the faculty members, BOARS, and the BOARS Chair for their diligence in getting the motion passed. The proposal will be sent to the Regents for consideration at their November 14, 2001 meeting.

**Professor Mays asked that the record reflect the Senate's quick response to the President's request for action on this proposal. Due largely to the hard work of the BOARS Chair and members, this proposal came before the Assembly in record time.**

**Committee on Privilege & Tenure (UCP&T)  
George Blumenthal, Immediate Past Chair, UCP&T  
Jodie Holt, Chair, UCP&T**

Approval of Revisions to Academic Personnel Manual (APM) Section 015 and new APM Section 016 (action)

The Assembly was asked to approve revisions to the Academic Personnel Manual's section 015, and to approve a new, related APM section, 016. With Regental approval, the

President will issue the revised APM-015 and APM-016 as University policy. Chair Viswanathan asked Professor George Blumenthal to present the proposal.

Currently APM-015 includes both the Code of Conduct and the disciplinary procedures. The proposal before the Assembly would separate these into two sections. One would encompass only the Code of Conduct (APM-015), and the other the disciplinary procedures (APM-016). These changes were presented to the Assembly on an informational basis last February. Since then, comments were received from the campuses, and many were incorporated into the document. It has gone through a formal review at the systemwide, divisional, and administrative levels.

The most important change in the proposed APM-016 is in the range of disciplinary procedures that are available for the discipline of faculty members. There are currently four potential disciplines for faculty misconduct: Dismissal from the University; Demotion; Suspension without Salary; and Written Censure. It is proposed that this list is increased by two additional sanctions:

Denial or Curtailment of Emeritus Status.

Rationale: None of the current disciplinary procedures apply to emeriti. To include this additional sanction would provide both a sanction that could be used against the emeriti and provide some protection for the emeriti.

Temporary Decrease in Salary (without demotion) for some specified period of time.

Rationale: Since most disciplinary proceedings, are not factors in deciding on promotion, there are only three possible disciplines available – being fired, suspended without salary, or censured. This sanction would provide an intermediate option.

For APM-015, there are a number of technical changes proposed. The main area of change is found in Part III of the Code. The updated version contains two lists of procedures for campuses -- a mandatory list and a recommended list. It is hoped that the campuses will reexamine their own procedures and make them consistent with the new Code of Conduct, should it pass the Assembly and Regents.

**Professor Blumenthal moved that the Assembly vote to endorse the proposed revisions to APM 015 and the new APM 016 as they appear on pages 115 to 154 of the Call. The motion was seconded and Chair Viswanathan called for a discussion of the proposal.**

During the discussion, Professor Blumenthal was asked for clarification on some of the proposed changes.

**Chair Viswanathan called the question on the motion to approve for adoption the proposed revisions to the Academic Personnel Manual (APM) Section 015 and the new APM Section 016 by asking for a show of hands. The motion was approved by a vote of 43 yes, 0 no, and 2 abstentions.**



### **VIII. Petitions of Students**

Chair Viswanathan acknowledged the receipt of a Petition from UC Berkeley students and faculty. The Petition called for the immediate elimination of the SAT and to increase underrepresented minority student enrollment.

**A motion was made and seconded to forward the Petition to BOARS, as a point of information. Chair Viswanathan called the question on the motion by asking for a show of hands. The motion was approved by a vote of 38 yes, 2 no, and 4 abstentions.**

### **IX. Unfinished Business (none)**

### **X. University and Faculty Welfare Report Renee Binder, Chair, University Committee on Faculty Welfare**

Professor Binder reported on UCFW's agenda for this academic year. The items include: Parking, Faculty Housing, Rising Costs of Health Care for Faculty and Staff, Childcare, Benefits to Domestic Partners, Retirement with a special focus on the Health Sciences Faculty, and Educational Fee Waivers. An important part of UCFW's charge is to continue to advocate for the various initiatives, including Fee Waivers and Domestic Partners, until they are approved and funded. The Committee is also available to give UCFW's perspective on issues that might be under consideration by other Senate Committees. In response to questions taken from the floor, Professor Binder offered these additional comments.

UCFW developed a proposal last year for phased retirement so that faculty could cut back their service incrementally. Because of the increasing enrollment, the University's focus is on recruitment and retention, not retirement. That is why VERIP will not be made an option at this time.

The recent Task Force Report on Childcare is available from the Office of Human Resources & Benefits, Office of the President. Contact Lubbe Levin at [Lubbe.Levin@ucop.edu](mailto:Lubbe.Levin@ucop.edu) for a copy. Professor Binder encouraged campuses to take advantage of the President's offer to provide matching funds for campus childcare programs.

Issues regarding sabbatical leaves should be brought to the campus committee on Privilege and Tenure.

**XI. New Business**

There has been no assessment of the impact of asking students to submit five SAT II scores. A member requested that this issue be considered by BOARS. BOARS Chair Perry agreed to make is part of the Committee's discussion on the SAT.

The meeting was adjourned at 3:00 p.m.

Attest: Chand Viswanathan  
Chair, Assembly of the Senate

CV/BM

\*Distributed at the meeting:

- 1) President Atkinson's discussion outline for the October 31, 2001 meeting\*
- 2) October 29, 2001 Report – UC and the SAT: Predictive Validity and Differential Impact of the SAT I and SAT II at the University of California

Distribution Item I: Revised Motion before the Assembly: Approval of Comprehensive Admissions Policy

Distribution 2: BOARS modification to Principle #6 as passed at their October 12, 2001 meeting.

\*Meeting distributions are available at the  
Academic Senate's Office, 1111 Franklin Street, 12<sup>th</sup> Floor  
Oakland, California

## Appendix A

### 2001-2002 Assembly Attendance Record, Meeting of October 31, 2001

**President of the University:**

Richard Atkinson

**Academic Council Members:**

C.R. Viswanathan, Chair  
Gayle Binion, Vice Chair  
David Dowall, Chair, UCB  
Jeffery Gibeling, Chair, UCD  
James Given, Chair, UCI  
John Edmond, Chair, UCLA  
Irwin Sherman, Chair, UCR  
Michael Bernstein, Chair, UCSD  
Daniel Bikle, Chair, UCSF  
Richard Watts, Chair, UCSB  
George Blumenthal, Chair, UCSC  
Barbara Doshier, Chair, UCAP (absent)  
Charles Perrin, Chair, CCGA  
David Dooley, Chair, UCEP  
Dorothy Perry, Chair, BOARS  
Renee Binder, Chair, UCFW  
Alan Jackman, Chair, UCPB

**Berkeley (7)**

James Bartolome  
Steven Beckendorf (absent)  
Steven Botterill  
John McWhorter (absent)  
Daniel Melia  
Jeffrey Riegel (absent)  
Howard Shelanski (absent)  
Lowell Dittmer (Alt.)  
Shmuel Oren (Alt.)

**Davis (6)**

Lester Ehler (absent)  
Dallas Hyde (absent)  
Jerry Powell  
Evelyn Silvia  
Jessica Utts (absent)  
Philip Yager  
Ryken Grattet (alt.)  
Sharon Hietala (alt.)  
Margaret Rucker (alt.)

**Irvine (4)**

James Danziger  
Joseph F. Dimento  
Alexei A. Maradudin  
William Sirignano

**Los Angeles (9)**

Kathryn Atchison  
Dalila Corry  
Robert Ettenger  
Lillian Gelberg  
Seymour Levin  
Vickie Mays  
Jose Moya  
Jane Valentine  
Shi Zhang

**Riverside (2)**

Bajis Dodin  
R. Erwin Taylor

**San Diego (4)**

Ellen T. Comisso (absent)  
Jeanne Ferrante  
Kim R. MacConnel  
Donald F. Tuzin (absent)  
Ben Williams (alt.)

**San Francisco (3)**

Mary Croughan-Minihane (absent)  
Patricia Benner  
Barry Massie (absent)

**Santa Barbara (3)**

Michael Gerber  
Dan Little (absent)  
(1 TBA)

**Santa Cruz (2)**

Alison Galloway  
Susan Schwartz

**Secretary/Parliamentarian**

Peter Berck