

## ACADEMIC COUNCIL

Minutes of Meeting  
October 26, 2016**I. Consent Calendar**

1. Today's agenda items and their priority
2. Draft September Council Minutes
3. UCAADE updated salary equity analysis report and cover letter

**ACTION: Council approved the consent calendar.**

**II. Announcements from the Chair**

- o **Jim Chalfant, Academic Senate Chair**

Travel Risk Management: The University wants to improve its ability to locate faculty and students traveling abroad to better assist them in the event of a disaster or emergency. The Senate Chair will be asking several Senate committees to review a proposal to require faculty who lead students on international trips to register their itineraries with iJet, a risk services company that provides health and safety information about foreign countries personalized to individual travelers.

Parental Alumni Status on the UC Application: Earlier this year, UCOP proposed adding a place on the UC application for students to designate their parents' college of graduation and contact information. Based on feedback from BOARS, Regents, and other constituencies, the President agreed that the application should include a request for the parents' names, address, and email, but should not include the proposed questions about college of graduation.

Senate Review of Graduate Programs: Some campus administrators have questioned the need for systemwide Senate review of new graduate and professional degree programs over concern that the Senate review is unnecessarily lengthy and obstructive. Senate leaders have noted that CCGA reviewed its full slate of proposed programs last year in a timely manner, and rejected none.

Upcoming Policy Reviews: UCOP is preparing several policies for systemwide review, including new Presidential policies on Information Security, Policies, Unmanned Aircraft, and Nondiscrimination and Affirmative Action in Academic and Staff Employment. In addition, the Office of the Regents will be asking the Senate to evaluate Regents Standing Orders and Policies related to admissions and other areas in an effort to clarify and streamline the language of those policies and ensure they are appropriately situated in the University governance architecture.

**III. Systemwide Review of Proposed Revised APM Section 190, Appendix G, Program Description: Retirement Contributions on Academic Appointee Summer Salary**

Council reviewed responses from Senate divisions and systemwide committees to a set of [proposed technical revisions to APM 190, Appendix G](#). The changes are needed to change policy

for administering summer salary benefits so that retirement contributions associated with summer salaries will begin going into the 403(b) Plan rather than the DC Plan (DCP), effective November 1.

Senate reviewers expressed no objections to the revisions. Several reviewers noted the need for clear communication from UCOP about summer salary benefits and the 2016 Tier, and to ensure faculty have enough information about the changes to understand the potential effect of different investment choices and options on their retirement income.

**ACTION: A motion to approve the amendments was made and seconded. The motion passed unanimously. A summary letter will be sent to the Vice Provost for Academic Personnel.**

#### **IV. Clinical Affairs Task Force**

Council discussed a potential organizational framework for a new Senate Clinical Affairs Task Force, intended to increase the Senate's involvement in UC Health and ensure the communication of faculty perspectives about the quality of clinical services, education, and research in the context of the UC Medical Centers' expanding networks and affiliations. It was proposed that the Task Force include Senate division chairs (or designee) from each of the health sciences campuses, the chair of the UCFW Health Care Task Force, the Senate representative to the Health Services Committee of the Board of Regents, the chairs of UCORP and UCFW, and the chair and vice chair of the Senate. The group's first task would be to identify an initial set of topics and concerns.

**ACTION: Chair Chalfant and UCSF Division Chair Greenblatt will draft a charge for the Task Force for Council's review in November.**

#### **V. Proposed Senate Bylaw 125.B.14 (Health Services Committee of the Regents)**

Council reviewed a proposed amendment to Senate Bylaw 125 codifying the authority of the Council to select a Senate nominee to the Health Services Committee of the Board of Regents.

**ACTION: A motion was made and seconded for Council to approve the amendment to Bylaw 125. The motion passed unanimously. The amendment will be transmitted to the Assembly for final approval.**

#### **VI. UCEP Report on Reexamination of Alternative Credit – Credit by Examination** o **Barbara Knowlton, UCEP Chair**

As part of the Senate's response to the programmatic initiatives in the budget agreement with Governor Brown, UCEP was asked to review alternative means of earning credit that may help reduce time to degree. As part of this effort, UCEP reviewed the use of the Credit by Examination option ([Senate Regulation 620](#)), which provides a way for students to earn credit for a course based on their performance on an exam.

UCEP found that all campuses make a Credit by Examination option available to students and share several restrictions in common, including a prohibition on its use by native speakers of a foreign language seeking credit for a course in that language. UCEP found that students use the Credit by Examination infrequently, and although there are circumstances where its use is appropriate, the Committee does not support its expansion over concerns that an exam is only rarely an appropriate substitute for the educational experience gained in a full course.

UCEP also identified several inconsistencies in the way Credit by Examination is applied across UC campuses. Most notably, some campuses permit a letter grade upon successful completion of an exam, while others allow credit only on a Pass/No Pass basis. Campuses also set different restrictions on the number of total credits and credits per term students can earn by examination, and several campuses require students to earn a minimum GPA and/or a minimum number of units before attempting credit by exam.

The UCEP report recommends a number of best practices to eliminate these inconsistencies: 1) removing restrictions on an instructor's ability to award a letter grade for an examination; 2) establishing a ten percent cap on the number of degree units that can be earned by examination; and 3) removing restrictions on minimum GPA and units before a credit by examination attempt is permitted.

**ACTION: Council agreed to forward UCEP's report to Provost Dorr.**

## **VII. Executive Session**

## **VIII. Consultation with Senior Managers**

- **Janet Napolitano, President**
- **Nathan Brostrom, Executive Vice President and Chief Financial Officer**
- **David Alcocer, Director, Operating Budget, Budget Analysis & Planning**

November Regents Meeting: In November, EVC Brostrom and Director Alcocer will present financial statements for FY 2016, a preliminary 2017-18 University budget focused on expenditures, a three-year financial sustainability plan, and an in-depth overview of UC's financial aid and affordability programs. The Regents' Consulting Actuary will present annual actuarial valuations of UCRP and of the University's Retiree Health Benefit Program, and the Davis, Santa Barbara, and San Diego campuses will make presentations on their finances.

The 2016 financial statements will reveal a \$2 billion decline in the University's net position—the result of poor investment performance and a decreased retiree health position brought about by mandated changes in the discount rate. UCRP's funded ratio fell from 84% to 78% in 2016 due to the Plan's failure to achieve the assumed return rate of 7.25%, though the funded ratio increased from 82% to 83% on an actuarial basis, an effect of smoothing.

The expenditures in the 2017-18 budget assume the full \$18,000 marginal cost of educating an additional 5,000 undergraduates; salary increases for faculty and staff; 4-5% cost increases for

employee and retiree health benefits; capital funding and debt service; and \$50 million for reinvestments in academic quality.

Budget and Enrollment: Budget discussions will continue in January when the Regents review a proposed policy on nonresident enrollment and a possible tuition adjustment. UC plans to add 2,500 California resident undergraduates and 900 graduates in 2017-18. UC will ask the Governor to fund the new graduate enrollments and will be working to advance his appreciation for UC's research and graduate education missions. The policy on nonresident enrollment will include appropriate glide paths to any reduced targets in order to minimize budget disruptions.

International Travel Protections: President Napolitano asked UC's Chief Risk Officer to review the University's programs and services related to the medical care, personal security, and evacuation of students, faculty, and staff working or studying abroad. The review found that UC has a variety of services, but does not always have enough information about travel itineraries to locate University personnel if an emergency develops. A new travel policy will encourage campuses to register travelers, and require such registration if students are involved.

Chancellor Searches: The Senate chair and vice chair are serving on search advisory committees for the UC Berkeley and UC Davis chancellors. A faculty subcommittee is identifying and vetting lists of potential candidates for each search, and UCOP is providing implicit bias training for the advisory committees. The full advisory committee will interview finalists. Faculty may submit nominations to the Senate leadership.

Discussion: Council members questioned UC's capacity to absorb more enrollments and noted that the University is not offering the same academic experience compared to a generation ago. The student-faculty ratio has risen dramatically. Undergraduates have fewer opportunities to interact with research faculty, to participate in small group discussions, and to work in research laboratories. On some campuses, a lack of parking is interfering with faculty achieving their teaching and research mission. Even full funding of the agreed-upon figure for marginal cost of enrollment does not cover needed improvements to campus infrastructure. There are also concerns that the University is allowing quality to slip just as it opens its doors to more underrepresented students.

Council members remarked that it is also challenging to make a case for declining quality when UC's national rankings and graduation rates remain high. They also asked whether UC could use public-private partnerships (P3) to fund the construction of new classrooms and laboratories.

The President noted that demand for a UC education is growing. The University needs to find the right balance between growth and capacity to preserve quality and advance UC's commitment to its public mission. The enrollment of 5,000 new undergraduates was an aggressive goal that benefited access and diversity. UC will work with faculty to ensure that students have access to the same quality of education as their predecessors. She invited Council to identify quantitative measures that can serve as proxies for quality, and to opine about the right undergraduate-to-graduate enrollment ratio. She said UC must also emphasize how its educational mission is unique and differs from CSU.

The President acknowledged that UC has substantial capital needs and noted that P3 is not usually an appropriate funding mechanism for classrooms and laboratories, because those facilities lack an income stream. By reserving P3 for housing, UC can focus its debt capacity on other areas. She noted that the University is working with CSU on a possible ballot initiative related to capital funding for the higher education systems, and working to identify additional outside funding sources. The President noted that the University engages in innovation and entrepreneurship activities to benefit the state. She believes its long-term health depends on expanding the traditional, dichotomous funding model of state funding and tuition, to a four-part model that includes philanthropy and return on intellectual capital.

## **IX. Joint Meeting with the Council of Vice Chancellors**

The Council of Vice Chancellors (COVC) and Provost Dorr joined the meeting to discuss issues of common interest to the faculty and campus administrators, including the consequences of adding 5,000 additional undergraduates in fall 2016, and 2,500 more in each of the next two years; the anticipated policy defining a limit on nonresident undergraduates; alternative revenue strategies; and the need to restore and enhance quality.

Chair Chalfant noted that faculty are deeply concerned about the effect of the enrollment mandate on the physical and educational capacity of the campuses. Faculty are not opposed to enrollment growth, but they also see first-hand how enrollment pressures and inadequate state funding have combined to erode quality. Faculty are aware that the state is not funding the additional enrollments at full marginal cost, much less at a level that would support the University's capital needs for the renewal and construction of laboratories, dormitories, classrooms, and other facilities needed to accommodate student growth. He noted that faculty want to help administrators develop better advocacy strategies and advise them on the use of funding set aside in the UC budget for "reinvestments in quality."

UCLA EVC Waugh said the EVCs share the faculty's concerns. They recognize that the state's failure to adequately fund the University hurts students and hinders campus efforts to increase the size of the faculty. He agreed that UC needs more effective strategies for increasing state support and funding. He noted that every campus is pursuing alternative sources of revenue, including self-supporting programs (SSPs). Some campuses view SSPs as flexible, long-term revenue sources (similar to nonresident tuition revenues) that can be used to fund faculty lines and other priorities; however, it is clear that a few SSPs do not replace the lost core state funding campuses need to maintain quality.

Provost Dorr noted that the Academic Planning Council (APC) facilitates conversations among campuses about how their individual five-year academic plans affect the system and address state needs. The APC created the *Enrollment Principles to Guide Long-Range Enrollment Planning* document in May 2014 to provide operational guidance around a series of principles related to the University's commitment to undergraduate access, diversity, quality, nonresident enrollment, and its graduate education mission.

Members of the COVC noted that they have encouraged UCOP to develop a systemwide long-range enrollment plan based on individual campus plans, and to use that plan to guide short- and

middle-term enrollment strategies. However, it has been difficult for UCOP to develop a comprehensive systemwide plan in the context of uncertain state budgets and capital funding. The COVC believes that a long-range plan must be grounded in the academic requirements and visions of the campuses and therefore forged in partnership with the Academic Senate.

COVC members noted that campuses are concerned that a mandatory cap or reduction in nonresident enrollment would create a budget gap on at least three campuses. It was agreed that the University should oppose unsustainable state mandates related to enrollment and marginal cost funding, and that UC should focus the public discourse on the higher education funding gap, the importance of graduate and professional education, and UC's efforts to promote access and diversity from the undergraduate level through the graduate and faculty pipeline. It was noted that the University's consistently high national rankings and graduation rates may lead lawmakers to assume campuses have an unlimited capacity to absorb new enrollments without a subsequent effect on quality. It was agreed that it would be helpful to identify quantitative measures that can serve as a proxy for quality, such as the student-faculty ratio, time to degree, access to research experiences, and ability to get one's first-choice major. It was also noted that some lawmakers respond to anecdotes – real stories by real students – more than data. A Council member lamented that just as the state is calling on UC to open its doors to more residents and underprivileged students, the state's own funding priorities appear to favor the prison industry over higher education.

It was noted that California needs a new vision for higher education, and perhaps a new Master Plan. It was suggested that the University outline two possible long-term enrollment scenarios—one delivered with the current level of state funding, and one with a traditional UC-level of quality delivered with adequate state funding. There was concern that in the end, UC may be forced to lower its expectations for quality and even fundamentally restructure the academic enterprise to accept the reality that state funding will never be restored.

It was noted that faculty want more information about how campuses are using the \$50 million set aside in the UC budget for “reinvestments in quality.” UCOP has suggested that campuses may want to use some of the funding to hire additional faculty or increase support for graduate students. COVC members noted that the systemwide budget line item for quality reinvestments does not necessarily translate into a specific campus discretionary fund for that purpose, but some campuses have responded by setting aside money for new faculty lines and other priorities. Council members suggested campuses do more to document how they are using the money.

## **X. Peer Review Committees**

Last year, the President established a systemwide Peer Review Committee (PRC) to advise her on appropriate actions in cases of sexual harassment /violence involving members of the Senior Management Group. She later asked chancellors to appoint campus PRCs to advise chancellors on incidents involving faculty. Chair Chalfant invited Senate division chairs to compare observations about campus actions to create these committees.

Provost Dorr noted that UCOP expects the committees to function consistently across campuses, but has not proposed a specific or identical structure for them. The PRC is not a decisive body,

and can only recommend actions. Chair Chalfant added that UCPT has raised concerns about the potential to bring a second disciplinary action against a faculty member for the same conduct for which the faculty member has already been sanctioned by the formal hearing process or by early resolution agreement—a kind of “double jeopardy.”

Division chairs described several different structures proposed for PRCs, including one composed of students, faculty, and staff (“community advisory committee”) to advise the chancellor; one composed of faculty with experience in grievance cases chosen by the chancellor’s office; one involving the Senate P&T committee or a subset of the P&T committee, chosen by the Senate that would review charges recommended by the administration; and one using the Senate Charges committee as the PRC to review substantiated cases and recommend discipline. Most campus PRCs are intended to review negotiated/early resolution settlements; giving them the power to potentially recommend overturning settlement decisions.

## **XI. Executive Session**

-----  
Meeting adjourned at 4:30 pm

Minutes prepared by Michael LaBriola, Principal Committee Analyst

Attest: Jim Chalfant, Academic Council Chair