

ACADEMIC COUNCIL

**Minutes of Meeting
July 25, 2012****I. Senate Officers' Announcements**

- *Robert Anderson, Academic Council Chair*
- *Robert Powell, Academic Council Vice Chair*
- *Martha Winnacker, Senate Executive Director*

1. Report on Regents meeting

Chair Anderson reported that the Senate Memorial was presented to the Regents in the context of the President's recommendation that they endorse California ballot measure Proposition 30 and that they subsequently endorsed Proposition 30. "Getting out the vote" is the next step.

2. UCR&J final ruling on Senate membership

Chair Anderson reported that the University Committee on Rules and Jurisdiction (UCR&J) submitted its final ruling on the UCSF Senate membership question. Consideration of written arguments from the Office of General Counsel did not cause the committee to change its findings. The rulings are effective immediately, and will be presented for information at the next Assembly meeting.

3. Other

Chair Anderson also reported that:

- a. The Committee on Academic Graduate Student Support (CAGSS) report has been transmitted to the administration, and the report of the joint Senate-administration graduate student working group will also be released soon. Each group came to the same conclusions on the facts, but reached different recommendations on the urgency of addressing the problem in the light of our overall budget problems.
- b. The Negotiated Salary Plan Pilot Proposal will be sent for systemwide review.

II. Approval of the Agenda

ACTION: The agenda was approved as noticed.

III. Consent Calendar

1. Approve draft June Council minutes
2. Endorse proposed changes to Compendium sections on undergraduate program discontinuances; forward to the provost, recommending adoption by the Academic Planning Council
3. Approve Masters of Professional Accountancy (M.P.Ac.) at Irvine

ACTION: The Consent Calendar was approved as noticed.

IV. Open Access Policy

- *Chris Kelty, UCOLASC Chair*

ISSUE: UCOLASC Chair Kelty outlined the goals and opportunities of the proposed Open Access (OA) Policy, as well as a strategy for realizing them. Writ large, Open Access entails world-wide unrestricted access to all scientific literature as made possible by the internet and digital publishing. Scholars, industry, artists, and the general public all stand to gain from maximum access to research and creative works. Even publishers and libraries would benefit from open access as workflow and complexity would be eased.

Under the present system, only those at universities that can afford subscriptions have access to significant bodies of scholarly information. It seems the high and rapidly rising cost of subscriptions is driven by publishing house profit margins of 30-40%, at a time when library budgets and subscriptions are slashed. The high publisher profits are unjustified when faculty provide all of the content and a preponderance of the labor needed in the publication process. At UC, over 600 journal subscriptions (7.5%) were canceled within the last year, even as UC scholars provided 12% of all published articles in *Nature*, to name a single example. Furthermore, prices for national journals are negotiated individually with each institution and prices are not publicly reported; last year UC spent a total of \$40M for subscriptions.

The current national trend is towards open access. Federal legislation from 2006 requires NIH-funded research to be published in OA fora; some disciplines have moved to OA-based journals, such as [PLoS](#) and the [Open Humanities Press](#); some status quo publishers are already exploring OA options, like the [Springer Open Pilot](#) and [SCOAP3](#); and 141 institutions of higher education have adopted policies similar to the one before the Council today.

UC has already taken steps toward achieving OA: in-progress negotiations with publishers include OA; faculty who are able to do so are encouraged to publish in OA venues. Development of the present plan signals a shift in the fundamental relationship between the academy and publishers.

The proposed OA policy does not threaten established faculty rights or responsibilities. Faculty would retain copyright, but grant the University a non-exclusive license to use deposited materials for any purpose itemized in the copyright statute, be it commercial or academic re-use. The policy would apply to any “scholarly articles” generated by faculty from the time of policy adoption forward; it would not be retroactive. Individual faculty may “opt-out” of the license grant without seeking permission, but would still be required to deposit all articles in the central repository; however, no enforcement mechanism is included. The system archive, [eScholarship](#), is already functional. There are no punitive actions included in the policy; oversight would be conducted by UCOLASC and the administration.

DISCUSSION: Members asked how the proposal would impact professional societies whose main source of revenue is publishing. Chair Kelty indicated that the SCOAP³ model could be easily adapted to many disciplines, and that many professional societies already allow their members to retain future publishing rights. Members also asked how many faculty participate in current OA programs, and Chair Kelty responded that current participation rates are between 30-40%. He added that strategies are in-place to increase deposit rates, but that education and moral persuasion will be more effective.

Members asked how much discretion authors would have to restrict reuse of their works deposited with eScholarship. Chair Kelty noted that eScholarship now offers a choice of four licenses, including one that allows faculty to prohibit non-commercial as well as commercial re-use or derivative use, among others. UCOLASC favors the broadest license, to encompass course readers and the like.

Members also inquired about a perceived rush to implement the policy. Chair Kelty indicated that if UC were to act quickly, it would send a significant message that UC is committed to OA and will be a leader; significantly, both the UK and the EU have announced that all their centrally-funded research will be published in OA sources starting in 2014. A secondary goal of the proposal is to educate faculty, and implementing a new policy would require faculty education. Members asserted, however, that the proposed policy contained flaws and that systemwide review could, in fact, strengthen the proposal.

ACTION: The proposed policy will be sent for systemwide review, with a response deadline in December or January.

V. UCD WASC Review

- *Linda Bisson, UCD Division Chair*

ISSUE: The Western Association of Schools and Colleges (WASC), the agency that accredits UC, is asking for degree completion and other related data on graduate programs as part of its reaccreditation processes. This year is the pilot year for WASC to do this kind of graduate program review, and the template has not yet been approved. UC Davis is the only R-1 institution in the pilot group. Many feel that UC Davis is not an appropriate campus to serve in the pilot, and Chair Bisson hopes the Academic Council will help convince WASC that a different approach needs to be devised to review graduate programs.

Hilary Baxter, lead system liaison to WASC, noted that UCLA included limited graduate program data in its recent review, but that the data were not required and were not comprehensive. UC has expressed to WASC its belief that the accreditation process must be flexible enough to differentiate between institutions, and that the Davis campus should not be penalized for not participating in a pilot program in a format that has not yet been approved or for not providing data to populate a draft template. Davis received the pilot template only because of the timing of its reaccreditation review. Counterpoint: UC already provides limited data on graduate completion rates to receive Title IV aid, and the University should be a good faith partner. UC will try to bring in peer institutions to help sway WASC.

DISCUSSION: Members asked if Davis' accreditation could be jeopardized as this discussion continues. Ms. Baxter indicated that UC has several representatives on the WASC Commission and that the Stanford provost is also a member. If UC acts as a system, UC can respond as a system and request dispensation for the Davis campus. Members voiced concern about being able to persuade WASC, citing the complexity of the undertaking and a history of fitful dialogue.

ACTION: Chairs Bisson and Goodhue, along with Ms. Baxter and Chair Anderson, will draft a letter of concern to be circulated for electronic approval.

VI. Consultation with the Office of the President – Senior Managers

- *Mark Yudof, President*
- *Aimée Dorr, Provost and Executive Vice President, Academic Affairs*
- *Nathan Brostrom, Executive Vice President, Business Operations*

Remarks:

President Yudof reported that the recent Board of Regents meeting was productive: with only one dissenting vote, the Board embraced Proposition 30. In September, alternate budget strategies will be presented as scenarios for consideration. If the ballot measure does not pass and trigger cuts are enacted, state support for UC will fall below \$2B, down from a high of \$3.4B.

Provost Dorr remarked that it was an honor and a pleasure to be back before the Academic Council, a seat in which she has not sat since she completed her term as Academic Council Chair in 1998-99. Provost Dorr's Senate service also includes chairing the UCLA graduate council, CCGA, and the UCLA division. From this faculty background and perspective, Provost Dorr acknowledges that greatness flows from the faculty. But the faculty must work with the administration to balance competing needs and strains on resources not just for academic quality, but also for access and affordability – to balance an administrator's efficiency with an educator's vision. Provost Dorr's experience in varying academic environments as well as decanal duties have prepared her well to serve the academic goals of the University and to leverage the power of working at the system level to provide local gains.

One instance ripe for system leveraging is online education. In time, OE will expand available courses to matriculated students across campuses, and it will be done well. Expanded access also underlies the Regents' decision to review UC's professional degree supplemental tuition (PDST) policy. The Regents will hold a budget "retreat" in September, and Provost Dorr welcomes the opportunity to learn more about rebenching and funding streams. She encourages members of the Council to submit additional, creative and out-of-the-box budget management ideas to her office for discussion at the retreat. The ideas do not need to have been vetted prior to submission; the exercise is to challenge traditional thinking. Provost Dorr needs to receive suggestions by mid-August.

Q&A:

Q: Council Chair Anderson inquired how the Senate could best help vet the ideas the budget brainstorming exercise will generate.

A: Provost Dorr clarified that the immediate invitation was to submit ideas for robust discussion. EVP Brostrom noted that the discussions will be structured to provide a more holistic budget portrait, rather than isolated discussion of single budget items.

He added that rebenching will be launched in the fall, but with some changes to the implementation plan: Discussions suggest that ~20% of the new state funding be redirected and that it go only to the "neediest" campuses. It is also proposed to use current allocation levels as the basis for allotting this 20%, as well as for any subsequent changes to funding levels this year.

Q: A member asked what the proposed changes to the funding streams model were, and what role the Senate can play in their evaluation.

A: EVP Brostrom replied that the funding streams assessment was conducted on a pilot basis and that six campuses have submitted proposals, in addition to one from his office. EVP Brostrom's current proposal is to tie the funding streams assessment to the current campus share of state allocation, in contradistinction to the previous method of imposing a low flat rate on all campus expenditures. For example, in one proposal, if a campus gets 20% of the state's allocation, it would be liable for 20% of the total funding streams assessment.

Q: How would the medical centers' payments be determined?

A: It is handled by student weighting.

Q: But state monies go to the medical schools, not the medical centers. That can give some stakeholders a "free ride" since they are funded outside of the core state budget, but they clearly benefit from central services, like the Office of General Counsel. Alternatively, if campuses with large auxiliary enterprises can tax them, their general campuses will pay a lower rate, giving them a disproportionate advantage over sister campuses.

A: The proposal defines only the total amount a campus is responsible for paying. It does not control how the campus collects its payment, especially since some funds cannot be utilized for this purpose.

Q: A member noted that not all possible budget ideas that go before the Regents at their retreat should be given equal credibility. Another member noted that the Regents would benefit from any help the Senate can provide since current budget reports are still highly technical and difficult to understand; for example, functions funded by one location but administered by another will require clarification.

A: Provost Dorr agreed that precision in the reports will be necessary.

Q: Council Vice Chair Powell noted that the Regents agenda included a precise list of the impacts the budget cuts are having and are expected to have in the future on UC's academic environment. How did the Regents respond to these impacts?

A: EVP Brostrom reported that the Regents remarked on the gap between faculty separations and faculty hires. Unfortunately, many reports to the Regents understate these impacts in order to protect morale, and the Regents seldom hear about academic quality concerns during the public comment periods.

Rejoinder: Vice Chair Powell stated his intention to invite more Regents and chancellors to the Council. President Yudof suggested that subsets of Council members could also be effective envoys to individual Regents.

Q: A member asked in what other ways campus conditions could be reported to the Regents, suggesting that a careful strategy would be needed to be more effective.

A: President Yudof concurred, noting that only the faculty can provide on-the-ground perspectives. He added that he expects the Regents to welcome more tangible reports of campus conditions. Provost Dorr agreed that academic impacts from reductions in staff, TAs, and mentors compound and may not be evident to many. EVP Brostrom observed that the student leadership has reported concerns over academic quality and tuition volatility, distinct from overall tuition levels.

Q: A member noted that the legislature's rejection of debt restructuring plans prevented the University from realizing significant savings.

A: EVP Brostrom indicated that one-time, short-term bridging measures were being investigated to ensure that campuses remain liquid.

Q: Vice Chair Powell noted that proposals to limit UCRP contributions to a level below the Annual Required Contribution to UCRP would ease the budget problem in the short run but greatly exacerbate it in the medium and long run. He encouraged the senior leaders to attend an upcoming Task Force on Investment and Retirement (TFIR) meeting to hear more of the faculty perspective on this issue.

A: EVP Brostrom indicated that he and CFO Taylor are scheduled to attend the August TFIR iLinc videoconference.

Q: Chair Anderson noted that two reports on graduate student support will soon be issued. Both reports agree on the facts that UC's net stipends lag significantly, that UC is nearly alone in the AAU in charging out-of-state tuition to grants, and that UC's international graduate student numbers lag competitors by 1/3. The recommendations differ, however, in the urgency in addressing the situation. The Senate feels that stronger central leadership is required, especially since the central funding crisis has exacerbated the problems.

Q: A member asked about the status of faculty and staff pay increases.

A: President Yudof answered that the raises were in jeopardy. Until the actual budget is known (after the November ballot measure), he can not take any action on pay increases. President Yudof remains committed to maintaining faculty merit increases. EVP Brostrom noted that faculty merit increases awarded this year would not start being paid until the 2013-14 fiscal year.

Q: What role can the faculty play in advocating for Proposition 30?

A: President Yudof encouraged Council members to exhort their friends and family, neighbors and colleagues, to vote.

VII. Enrollment Management

1. UCPB Resolution

- *Jim Chalfant, UCPB Chair*

2. Principles for Enrollment Management

- *Jim Chalfant, UCPB Chair*
- *Susan Gillman, UCSC Division Chair*
- *Bill Jacob, BOARS Chair*
- *Jose Wudka, UCEP Chair*

ISSUE: Chair Chalfant summarized the UCPB resolution, noting that enrollment management should be part of budget management discussions. To that end, UCPB proposes requiring campuses to develop long-range enrollment plans, coordination by UCOP, a UCOP role in setting system priorities for reallocating funds freed by conversion of programs to self supporting, adding a section on program conversion to the Compendium, and central coordination of enrollment shifts as a consequence of

conversion. He highlighted items 4 and 6 as outlines of how to use monies freed up from conversions.

DISCUSSION: Members wondered if the resolution should be more aspirational, suggesting that the bullets on self-supporting programs (SSPs) were too detailed for a statement of principle. Chair Chalfant agreed, but noted that this committee was constrained by shifting directives on funding allocations. Nonetheless, other members agreed that long-term enrollment planning should be included and that the resolution would benefit from greater contextualization.

Members also asked what benefit central enforcement of enrollment targets would bring. Chair Anderson noted that only the central offices can negotiate with the state, and that academic goals must be considered when determining enrollment targets, not just demographics and finances.

Members suggested that the second item should be discussed before the UCPB resolution since it provides greater context. Chair Gillman concurred, but added that specific principles for SSPs should be included in writing. Members agreed, but noted that the principles should be principles; to wit, they should describe goals and processes for decision-making, not how to manage the current crisis. Enrollment management presumes a plan that is being followed, but such a plan is difficult to discern in these reports.

The reports' authors noted that academic planning is a separate exercise and beyond the purview of this report. However, since processes are moving forward elsewhere in the University, the Senate needs to state its position, even if only targeted on a limited, fiscal basis. Furthermore, Senate processes will preclude the issuance of additional statements until after the current decision-making cycle has elapsed.

ACTION: Chairs Chalfant, Gillman, Jacob, and Wudka will revise their statement and circulate it for an electronic vote.

VIII. Faculty Diversity

1. UCAP Letter on APM 210-1.d.

- *Katja Lindenberg, UCAP Chair*

2. Faculty Diversity Working Group Report

- *Robert Anderson, Council Chair*

ISSUE: The Council response to the Faculty Diversity Working Group Report is not yet fully formed; today's discussion will augment the distributed draft letter. Chair Lindenberg noted that "diversity" had not been defined contextually within the report, perhaps leading some respondents to evaluate the report by criteria not envisioned by the authors. The University Committee on Academic Personnel (UCAP) consulted with its sister committee, the University Committee on Affirmative Action and Diversity (UCAAD) in discussing the appropriate interpretation of APM-210. Both committees agreed that diversity-related research, teaching and service should be rewarded equally with research, teaching and service that is not diversity related; diversity-related activities should be neither undervalued nor privileged in the merit review process. The two committees had not yet reached agreement on the appropriate way to clarify that interpretation of APM 210.

DISCUSSION: Vice Chair Powell observed that a high degree of agreement was evident, and that several paths forward exist, including amending APM 210-1.d., revising

the UCAP white paper, or developing implementation guidelines. Members noted that the white paper, once finalized, should be posted as a record for future Senates.

ACTION: Chair Anderson will draft a revised letter, reflecting today's discussion, and circulate it for an electronic vote.

IX. Report of Subcommittee on Senate Membership

- *William Parker, Chair Subcommittee on Senate Membership*

UPDATE: Chair Parker reported that the subcommittee is investigating the list of privileges that accrue to faculty in Senate titles, and what would be needed to extend those privileges to other, non-Senate, titles. The subcommittee has compiled a list of the privileges and the authorities governing each, but has not yet reached consensus on specific recommendations.

DISCUSSION: Chair Newcomer asked where in the 3 tasks of the subcommittee charge the current activities fell. Chair Parker replied that the subcommittee was still undertaking the first task, and upon its completion, will determine whether to go on to tasks 2 and 3. The subcommittee will continue its work through the rest of the summer.

X. Intellectual Property Concerns in UCOE

- *T. Guy Masters, UCSD Division Vice Chair*

ISSUE: The San Diego division wants to ensure that colleagues at other campuses have the same understanding regarding the copyright assignment implications of participation in UCOE: namely, that the faculty member is agreeing to allow his or her product to be used by the University as it sees fit.

DISCUSSION: Chair Parker indicated that the same rights are granted by faculty who teach summer sessions at the Irvine campus: successor faculty have the right to modify the course. Chair Anderson noted that math departments impose syllabi to ensure consistency across sections. A member asked if the UC could "sell" courses to other online education providers, but was told no, the faculty retain copyright, granting UC only a non-exclusive license.

ACTION: The question will be referred to UCAF, UCAP, UCFW, UCEP, and CCGA for further investigation.

XI. University Committee on Computing and Communications (UCCC)

- *Robert Anderson, Council Chair*

ISSUE: The Assembly considered the recommendation by Council and UCOC to discontinue UCCC. The Assembly referred the matter back to Council, with instructions to consider formation of an information technology committee as an alternative to UCCC

DISCUSSION: Vice Chair Powell suggested a directed, strategic engagement with the University Committee on Committees (UCOC) to ensure that committee leadership possesses in-depth systemwide perspective. Members also suggested having committee proponents submit agenda items or suggested amendments to the committee charge. Members asked if quorum were a problem at the committee's meetings; Executive Director Winnacker reported that a quorum is usually achieved, but not necessarily maintained throughout an entire meeting.

ACTION: Chair Anderson and Vice Chair Powell will discuss with UCOC criteria for the appointment of the Chair and Vice Chair of UCCC.

XII. Proposal for funding of charrette planning efforts

- *Robert Powell, Council Vice Chair*
- *Martha Winnacker, Senate Executive Director*

ISSUE: Chair Anderson, Vice Chair Powell, and Chair Jacobson attended a “charrette” (from the French, meaning “cart”) at UCSB to envision UC in 2050. The organizers now propose that the Senate sponsor its own “charrette” series at its many locations. The process, derived from the Ecole des Beaux Arts, is intended to synthesize a coherent plan incorporating the wishes and insights of many diverse participants.

DISCUSSION: Members agreed that the idea was compelling, but wondered if it was appropriate for addressing the immediate crises before the Council. Chair Jacobson noted that the process is more visionary than practical, and Chair Parker agreed, adding that charging a group to envision the future could be a valuable exercise so long as it is part of a larger academic planning effort. Additionally, focusing on the future could expand thinking about the present.

Executive Director Winnacker observed that the Senate office does not have the budget or staff to manage a competitive grants process, as proposed, and members noted that external funding might be available. Other members noted that this process might be a useful framework for the Regents’ budget retreat. Still other members suggested that the Senate should eschew duplicative efforts, and focus on strategic, rather than tactical, plans.

ACTION: The Council will communicate its encouragement to the charrette organizers, and ask to be kept informed of their progress.

XIII. New Business

The Council thanked Chair Anderson for his exemplary service.

Meeting adjournment: 4:05 p.m.

Minutes prepared by Kenneth Feer, Senior Policy Analyst

Attest: Robert Anderson, Academic Council Chair