

ACADEMIC COUNCIL

**Minutes of Meeting
Wednesday, October 3, 2012****I. Senate Officers' Announcements****▪ Robert Powell, Academic Council Chair**

- 1. Report on ICAS meeting.** ICAS, the Intersegmental Committee of the Academic Senates, is a body of Senate leadership from all three segments of California public higher education. This year UC Senate Chair Bob Powell chairs ICAS. It met on September 28 in Sacramento. A major agenda topic was the implications of Proposition 30 for higher education. The three Senate chairs will work together in their personal capacities to draft joint op-eds supporting the ballot measure cooperate in other ways to advocate for public higher education. ICAS has an unprecedented opportunity to connect with state legislators on educational issues. Two new bills, SB 1052 and 1053 (Steinberg), which were signed into law, charge ICAS with setting up a repository of electronic textbooks for 50 courses, housed by CSU. The bills allocated \$5 M for this effort, contingent on raising philanthropic matching funds. ICAS is required to establish a board to oversee this task and must report on its progress by April 1, 2013. Members are just beginning this work. ICAS members also heard from representatives from the California Department of Education about the Smarter Balanced Assessment Consortium that will design K-12 assessments that align with the Common Core State Standards to be implemented beginning in 2014-15. In addition, this year ICAS will produce minor updates in the English and Mathematics Competencies for entering College Students in order to align with the new Common Core State Standards; it will begin an update of the Science Competencies, which were last revised in 1986. A subcommittee of ICAS is working to address differences between CSU and UC regarding the requirement of intermediate algebra as a prerequisite for transferrable quantitative courses. Finally, ICAS members will work together to ensure that changes to the WASC accreditation standards are acceptable and appropriate.
- 2. Items undergoing systemwide review.** Chair Powell briefly summarized the items out for systemwide review.
- 3. Special February 6 iLinc to discuss APM 600.** Chair Powell announced that a special teleconference is needed on APM 600 to meet administrative deadlines.

II. Approval of the Agenda

ACTION: The agenda was unanimously approved.

III. Consent Calendar

1. Approve reappointment of Michael Todd and Harry Tom to ACSCOLI.

ACTION: The consent calendar was unanimously approved.

IV. Laboratory Safety

ISSUE: In response to the death of a researcher as a result of an accident in a UC laboratory, the University and an individual faculty member were criminally charged. The University has since entered into a settlement agreement in order to have the charges against the institution dropped. As part of the settlement, it is taking a number of steps to improve safety, including drafting three systemwide policies on Laboratory Safety Training, Personal Protective Equipment, and Minors in Laboratories.

DISCUSSION: Chair Powell stated that in late June, charges against the Regents were dropped in exchange for the implementation of new safety procedures, some of which are required to be implemented within 60 days of the settlement. The terms of the settlement applied directly only to chemistry and biochemistry departments, but some campuses plan to extend the policies to all departments and UCOP intends to apply them more broadly than specified in the settlement and on a fast time scale. Faculty with joint appointments can be subject to different requirements for each department. Members discussed the critical importance of a clear set of safety protocols, but agreed that the policies not explicitly required by the settlement within a specific time frame should undergo a review with sufficient time allowed. A member suggested that ad-hoc committees made up of faculty members from the departments concerned should be convened, since Senate committees do not necessarily have the expertise to provide an informed opinion on laboratory safety procedures. UCFW's chair expressed concerns about the scope of the policies, their applicability to different departments, the cost to administer the guidelines, and shared governance in the rush to implement new policy. Chair Powell assured members that the University is supporting the faculty member involved in the case and is providing legal counsel to the extent permissible. A member suggested that the requirements should be implemented at the laboratory, not the departmental, level. A member reported that students hired to do literature reviews had been required to do X-ray training. Members agreed to authorize Chair Powell to revise the draft letter to reflect their concern about the safety of students, faculty and staff who work in laboratories, while stressing that faculty in these areas should be consulted in order to refine the policies and ensure that their scope is sensible and appropriate.

V. Privacy and Information Security

ISSUE: The Privacy and Information Security Initiative Steering Committee issued a draft report in June. Subsequently, the Senate members of the steering committee suggested revisions to ensure that its implementation reflects the values of academic freedom.

DISCUSSION: Senate Director Winnacker stated that two years ago President Yudof appointed a task force on privacy and information security due to concerns about information security that originated from the UC medical centers. The original draft proposed amending the Electronic Communications Policy to allow routine machine monitoring of electronic communications. UCLA faculty member Christine Borgmann, who is an expert on information management, security and privacy, turned the technical discussion toward more philosophical concerns. The report is being rewritten from a faculty-centric point of view, and recommends establishing a systemwide governance structure similar to the joint faculty-administrative privacy board at

UCLA. The report is due to the president by December 1. It is unclear whether there will be an opportunity for systemwide review of the report.

VI. Campus Climate Survey

ISSUE: Council received a briefing on a systemwide Campus Climate Survey.

DISCUSSION: Interim Diversity Coordinator Jesse Bernal described the purpose and structure of the survey. It is a census survey of all UC students and employees, including those at all ANR locations, the five medical centers, Lawrence Berkeley National Laboratory, UCOP, and the campuses. It will be conducted by an independent consulting firm headed by Dr. Sue Rankin of Pennsylvania State University. It includes opportunities to include qualitative comments and therefore will take anywhere between 13.5 minutes and 33.5 minutes to complete. Everyone answers a core set of questions, in addition to different questions asked of different segments of the population. For example, faculty will be asked questions about faculty hiring and promotion, the uses of APM policies around family leave policies, and salary equity. Each campus had the opportunity to include questions they developed, such as those asked in prior surveys so that they can do longitude analyses. Answers will be confidential and comments will be redacted; demographic indicators will be included in the final report, but no identifiers. Data from small units will be rolled into larger parent units in order to protect individual identities. Coordinator Bernal stated his desire to work with the Academic Senate to encourage faculty to respond, as Professor Rankin has found that the lowest response rates are among faculty. Each campus will get a location report broken out by constituency groups, and an aggregate report will be posted online in March 2013. The data will be owned by the University and will be housed at UCOP, accessible to all. For more information, including answers to frequently asked questions, see <http://Campusclimate.ucop.edu>.

VII. Campus Issues in the University Context

DISCUSSION: Budget. Members discussed what the Senate should recommend as funding priorities if Proposition 30 passes, including graduate student funding, and capital improvement of existing infrastructure and laboratories on older campuses. A member emphasized that priorities should be informed by a long-range planning strategy. Members expressed concern that the administration has not discussed a budget or enrollment plan if Proposition 30 does not pass. WASC. WASC has not responded to Council's letter objecting to WASC's proposal to collect benchmark data on graduate student degree completion and time to degree. Council discussed next steps. University Extension. Council discussed concerns at some campuses about the quality of online courses offered by University Extensions. At other campuses UNEX courses are high-quality and they are leading online initiatives. All credit-bearing online courses are vetted by Senate committees on courses. Self-Supporting Programs. Current policy states that state funds can not be used for SSPs. With the increase in SSPs, the policy needs to be revised to account for instances such as when a faculty member is partly supported by state funds and partly by other sources. The Senate should ensure the quality of SSPs and that they are accessible through adequate return to aid.

VIII. Consultation with Senior Management – Provost and EVP Dorr

DISCUSSION: Provost Dorr stated that she was asked to consider applying for the job of provost just as she was completing 13 years as dean of the Graduate School of Education and Information Studies at UCLA. She noted that her varied background provides her with a broad perspective. In addition to being a dean, she has extensive Senate service at the campus level as chair of UCLA's Graduate Council and UCLA Senate Divisional Chair, and at the systemwide level, as chair of CCGA and the Academic Council. Similarly, her academic background—as one of the few women undergraduate math majors and as a graduate student in psychology, both at Stanford—as well as her experience teaching at several private institutions (Stanford, Harvard and University of Southern California) prior to coming to UC, sparked her interest in creating climates where different perspectives are acknowledged and mistakes can be handled productively.

Provost Dorr stated that the president identified some priorities for her, including fostering productive, collegial relationships between the EVCs and Senate. Her own priorities include increasing the extent to which academic activities are front and center in discussions at UCOP about the future of the University; ensuring that constituencies understand what UCOP is doing and that the functions at the center are essential; and emphasizing to the Regents that quality and excellence define UC and are the goal for every campus. She noted that the draft 2013-14 budget explicitly funds key quality indicators (bringing faculty salaries up to the level of the Comparison 8, paying attention to instructional enhancements, reducing the student-faculty ratio).

Comment: Restoring competitive salaries should be a priority. The new total remuneration study must be done by an independent consultant, not in-house; the last one was in 2009, before employee contributions to UCRP resumed, and it is still being cited as evidence that employees have a good benefits package.

A: Provost Dorr said she would encourage Human Resources to conduct such a study, and to include prospective changes to medical benefits.

Comment: What aspects of Funding Streams are being reexamined? Why are we revisiting it before we implement rebenching? A three-year moratorium on changes would be reasonable to identify what works and what does not. Campuses need stability in order to plan.

A: Provost Dorr stated that both Funding Streams and rebenching are being implemented while circumstances are changing. Campuses are proposing changes and the result will be a negotiated compromise. She agreed that a moratorium would be a good idea.

Comment: The administration has not shared information about its plans for the budget if Proposition 30 fails. We would appreciate greater transparency.

A: Provost Dorr stated that she takes a straightforward approach and believes that accurate information is helpful. However, UCOP has to consider external audiences and needs to be careful, about the messages it puts out. The budget office is developing budgets for both scenarios, but these have not been presented to the president yet.

Q: Do you have any comments on enrollment management?

A: Provost Dorr responded that she has read the Senate suggestions. UCOP needs to figure out an enrollment baseline. After the election, UCOP will begin to consult with the campuses on a long-range enrollment plan. Some campuses want to grow without additional state funds.

Q: If Proposition 30 does not pass, how will decisions about cuts be made?

A: Provost Dorr said that she does not know how it will be done, but does know that the president will first examine UCOP's budget savings and that campuses will be able to choose how to apply any cuts.

IX. Preparation for Regent Varner

DISCUSSION: Chair Powell noted that Regent Varner is interested in reinvesting in the quality of the institution and creating a stable funding environment. He previously served as the chair of the Regent's Compensation committee, and understands the connection between compensation and quality. Council members suggested possible topics for discussion.

X. Implementation of the Robinson-Edley Report

ISSUE: The final report on the response to last fall's protests on UC campuses was released and an effort to implement the recommendations has commenced. Lynn Tierney, Associate Vice President for communications at UCOP, will coordinate this effort. She and Vice President and General Counsel Charles Robinson, a co-author of the report, discussed these plans.

DISCUSSION: The final Robinson-Edley report was released in mid-September. The report made 49 recommendations. AVP Tierney has a background in crisis communications, including as the media relations manager for the Port Authority of New York, spokesperson for Port Authority police (a decentralized, specialty force), as Deputy Commissioner of Fire Department, and as communications director for the FAA. AVP Tierney stated that her role will be to coordinate the changes, identifying any best practices at particular campuses, and determine whether certain policies should be implemented systemwide. She met with the Vice Chancellors for Administration, all of whom, with one exception, are responsible for the campus police. She asked them to review the recommendations and by mid-October determine how they would implement the recommendations on their campuses. She plans to consult with myriad campus groups from mid-September through mid-March, and implement recommendations from mid-March through mid-August.

Q: The report focuses on avoiding conflict and less on how to respond to events. Was the aim not to try to micromanage police tactics?

A: VP Robinson confirmed that the report did not aim to prescribe police actions. One of its themes was the need for the administration and the police to collaborate and it emphasizes de-escalation techniques. The best way to avoid conflict is to hire and train the right people and give them the right policies and tools.

Q: How have police tactics responded to this high-tech video-soaked world?

A: AVP Tierney stated that the campus police are developing a systemwide response protocol, defining a range of options, including creating select response teams with special training. VP Robinson added that the administration can also use technology to communicate with the larger student body, not just protest leaders. The report recommends that the police videotape events.

Q: What are you doing to create a climate where violent clashes do not happen?

A: VP Robinson replied that this is one of the key themes of the report. It recommends developing opportunities for campus constituencies to communicate with administrators and Regents so that they do not feel the need to protest at Regents' meetings.

Comment: During the Occupy movement, faculty engagement with students was extremely important to de-escalating situations. We anticipate major protests if Proposition 30 does not pass and there are large tuition increases.

A: AVP Tierney stated that the campuses are preparing for this, including doing educational seminars on the budgetary impact on the University if Proposition 30 is defeated.

Comment: At our campus over the past 5 years I have observed a trend in the police approach from one focusing on public safety to one emphasizing enforcement. That culture should be changed.

Q: Most acts of civil disobedience are spontaneous. Do your guidelines address that?

A: AVP Tierney stated that is a challenge. Campuses need to learn to use de-escalation techniques, such as identifying mediators in advance and establishing a team to manage sensitive issues that includes key administrators and holds them accountable. There is a lot to learn from emergency management principles, using incident command systems.

Q: There is intrinsic mistrust between certain constituencies, e.g., students of color, and the police. How do you deal with that?

A: VP Robinson noted that the administration, not the police, should be the face of the university. They must work to build trust prior to an event.

Q: How can the Senate provide input? Should we review the report or wait and review specific policies that are proposed?

A: VP Robinson replied that not all of the recommendations will be implemented. Some of them will be memorialized in policy, and Senate input would be appropriate and welcome.

XI. Rebenching Briefing

ISSUE: Council received a briefing on rebenching to prepare for the systemwide review.

DISCUSSION: UCPB Chair Bernard Minster stated that the University began to reform its budgetary practices with the institution of Funding Streams, in which funds generated on a campus stay on that campus, and central activities are supported by a flat tax. However, Funding Streams did not address the distribution of state funds. “Rebenching” addresses this phase of budgetary reform. It is a more fair and transparent mechanism to distribute state funds. Over the years, the distribution process became complex and opaque. The administration plans to implement rebenching using new funding, only, and will not redistribute current base budgets, over a period of six years, bringing all campuses up to the current highest level of per-student funding. It will allocate state funds based on enrollment and on a weighted student basis. A penalty will be assessed to campuses falling below enrollment targets. UCM and UCSF will be treated as special cases, given their student populations. Rebenching should yield greater budgetary predictability and allow campuses to plan. Chair Minster noted that the Rebenching Task Force did not address what to do in years in which there are budget cuts.

XII. Consultation with Senior Management – EVP Nathan Brostrom

Budget

EVP Brostrom said that after the election, he would like to engage the Council in discussions of a longer-term vision. He stated that the multi-year budget plan that the University proposed last year failed because it was focused solely on numbers, and instead should focus on quality and education and what it costs to achieve this.

Q: What is the plan if Proposition 30 fails?

A: EVP Brostrom responded that the University would need a double digit tuition increase mid-year, and assuming that next year’s budget is flat or lower, there could be double digit increases next year. In addition, we would try to bridge some of the gap through debt restructuring and accelerating asset management strategies and we would propose cuts to OP. We would not pass on

any unallocated cuts to the campuses. It would be a lean budget, covering costs, with no funding for quality initiatives.

Q: What if Proposition 30 fails and the Regents refuse to pass the size of the tuition increase we need?

A: EVP Brostrom replied that UCOP would either have to pass on unallocated cuts, or employ one-time measures such as borrowing.

Q: What is the plan for financial aid?

A: We would fully fund the return-to-aid program at its current level this year, but it is unclear if we could continue to fund at 33%. In addition, we are developing initiatives to replace some of that money.

Q: Is there any effort to establish a more rational tuition increase policy?

A: EVP Brostrom replied that this is one of the main reasons why the University is trying to establish a multi-year budget agreement with the state. Although the University could not contractually commit to a particular plan for tuition increases, both the University and families would have more certainty.

Q: Why should we expect the governor and legislature to honor a long-term commitment?

A: EVP Brostrom replied that if Proposition 30 passes, they will have the revenues to make that commitment.

Comment: The reason UC succeeded in making past compacts was because it could argue for more money based on a long-range enrollment plan to compensate for additional students educated in Tidal Wave II. If we do not get the funding to educate those already over-enrolled, we should reduce enrollment. CSU has set a precedent by reducing enrollment without seeking the approval of the legislature.

A: EVP Brostrom replied that it is a much more compelling argument for funding is to lead with a vision of optimism about what we can do for the state.

Rebenching/enrollment management

Q: Is it wise to revisit funding streams with rebenching just starting? There should be a moratorium on changes for three years to see how it works.

A: EVP Brostrom said that if any changes in funding streams were implemented, they would be done in conjunction with rebenching.

Q: Enrollment management is a critical part of rebenching. Is your office developing a plan to address enrollment management, and how can the Senate play a role? What is the timeframe for implementation?

A: EVP Brostrom stated that the Senate will be fully consulted on any plan. Part of the challenge will be to define a student who counts toward rebenching, a penalty rate, and incentives. We intend to create a long-range enrollment plan for many reasons and will complete it in this academic year. Chair Powell added that the BOARS, UCEP and UCPB chairs will begin to meet on this topic soon.

XIII. New Business

Council did not have any new business to discuss.

Meeting adjourned at 3:30 pm

Attest: Robert Powell, Academic Council Chair

Minutes prepared by Clare Sheridan, Principal Committee Analyst