

**Minutes of Meeting**  
**Wednesday, November 20, 2013**

**I. Senate Officers' Announcements**

- A. President Napolitano has announced several initiatives that include areas within the Senate's purview or interest, such as optimizing research and technology transfer; enhancing Community College student transfer to UC; and supporting academic graduate education.
- B. ICAS will receive \$1M over two years from the Hewlett and Gates Foundations to fund the California Open Educational Resources Council, which will oversee the implementation of SB 1052, determine a list of the 50 most widely taken lower division courses, and identify open source course materials for them. The funding will be matched by the state. Three faculty members from each segment serve on the Council.
- C. The joint Senate-administration committee overseeing planning for a total remuneration study will hear bids for performing the study in mid-December.
- D. The ILTI cross-campus registration website is now live and students are enrolling.
- E. TFIR is developing a statement on the ballot proposition championed by Chuck Reed, the mayor of San Jose, proposing to allow public employers to change the terms of retirement plans of existing employees for future service if the plan is funded at less than 80%. It would be a constitutional amendment that would negate the vested rights doctrine. UC is included in the draft proposition. Moreover, if the final language of the proposition includes retiree health, it will apply to UC, since we do not pre-fund retiree health.

**II. Approval of the agenda**

**ACTION: The agenda was approved as noticed.**

**III. Consent Calendar**

**ACTION: Council appointed Harold Monbouquette (UCLA) and Steven Glaser (UCB) to be members of ACSCOLI for a term of three years and approved the draft October Council minutes as noticed.**

**IV. Update on Regents Meeting**

**DISCUSSION:** Chair Jacob reported that he and Provost Dorr gave a presentation on support for academic graduate students at the November Regents meeting and were asked to give a presentation in March proposing possible solutions. The provost will establish a Senate-administrative group to develop proposals. They later had substantive discussions with several individual Regents on this topic. These Regents understand that requiring graduate students to pay non-resident tuition taxes grants, diminishes the competitiveness of faculty grant applications and impacts UC's ability to attract the best students. However, Governor Brown and Speaker Perez pointed out that the state has competing priorities and the "reality" is that UC is unlikely to receive any additional funding. During the budget presentation, several Regents raised the inequity that the state does not contribute to UC's pension while it contributes to CSU

and the CCC pensions, which, in turn, has a significant effect on UC's budget. Some Regents also challenged the notion that UC should give up on advocacy.

## **V. Preparation for the meeting with the president**

*Minutes were not taken for this part of the meeting.*

## **VI. Consultation with UCOP Leadership**

President Napolitano. President Napolitano reported that she attended her first Regents meeting and proposed several initiatives, including: 1) convening a group to examine the underlying cost structures that define tuition needs, recommend tuition levels and reduce volatility; 2) increasing transfer rates, and ensuring adequate outreach and counseling; 3) achieving net energy neutrality by 2025; and 4) finding ways to better support basic research and move it toward application. She stated that she will ensure that faculty are involved in developing these initiatives. She also reported progress in discussions with labor unions, noting that she has personally met with the leaders of the major unions. UC has reached a four-year agreement with the nurses, although it still must be approved by its membership and in part by the Regents. UPTE has agreed to go back to the bargaining table in early December and will not strike in the meantime. AFSCME, however, is on a one-day strike. UC invited them back to the bargaining table before the holidays. She asked about the progress of the work group on the Moreno report recommendations. Chair Jacob stated that he has gathered information on campus processes, the work group will meet next week and Council will discuss its recommendations on December 11. President Napolitano noted that this is mainly a faculty matter and she is depending on this group for leadership.

Council engaged in an extended discussion of transfer with the president. Members noted that transfer varies according to discipline (e.g., science and engineering students need more support and many prerequisites are not available at all community colleges); increasing upper division enrollment will increase costs; transfers can not be increased by UC working alone, and that the community colleges will need additional funding to create the appropriate courses; the CCCs serve several missions and many do not focus on preparing students for transfer; BOARS' role is essential because they set the conditions for admission and should be central to the development of any proposals; many campuses are at capacity already and have no room for additional students, and unfunded freshmen, who are disproportionately from low-income and diverse backgrounds, could be displaced by transfers. A member asked for a numerical goal for increasing transfer students. President Napolitano said she realizes that capacity is an issue, and she will be meeting with CCC Chancellor Brice Harris soon to join forces. She wants to ensure that applying is easier and that UC provides support services. She also wants to increase outreach to community colleges that do not traditionally send transfer students, which may increase diversity. A Council member emphasized that the issues vary from region to region and from discipline to discipline and urged her to find local solutions for the different campuses. President Napolitano replied that transfer has caught the attention of the legislature and that UC should take ownership of the issue and craft solutions that are acceptable to and appropriate for the University. Council members offered ideas that have worked on their campuses, such as Summer Bridge Programs. A member noted that physical capacity, such as inadequate laboratory space, limits UC's ability to accommodate increased numbers of students across the system. Chair Jacob stated that the Senate is ready to be engaged in this initiative, including BOARS (admissions), UCPB (resource implications) and UCEP (articulation).

Council then turned to the Composite Benefits Rate proposal. UCFW Chair Hare stated that there was little substantive consultation with the Senate expert committees (UCFW and UCPB). The current proposal includes four options, one of which assesses retirement benefits on summer salary, which is not covered compensation. Even the best of the four options, "Option B," assesses a health care deduction on faculty on summer salaries even though a 9-month faculty appointment already provides 12 months of health benefits. Faculty think that composite benefits rates are a good idea, but object to having too few employee categories that do not reflect varied circumstances. A member suggested modeling a large number of rates, and then aggregating those most similar. Members emphasized that charging high benefits rates also harms the faculty's ability to fund graduate students and post-doctoral fellows. Moreover, the terms of grants are set and one can not shift funds to cover other costs. A member noted that both UCB and UCD negotiated reasonable plans with the federal government, demonstrating that more flexible rate structures are possible. UCSF has hired a consultant to model and program their own CBR rates into UC Path, reflecting the complexities of the Health Sciences Compensation Plan. A Council member commented that in general, the Vice Chancellors for Planning and Budget and the Executive Vice Chancellors agree with the Senate's assessment. President Napolitano ensured Council that faculty concerns will be considered. A member suggested that the president also address restructuring and increasing indirect cost rates; charging for benefits not received should not be done to compensate for inadequate indirect cost recovery. Public universities traditionally have had lower ICR than privates due to support from the state. Now that state investment in capital facilities has diminished, the University should revisit the issue, taking into consideration that federal agencies treat ICR differently and that higher rates across the board could negatively affect some types of grants.

Chair Jacob said that Council is also concerned with the roll-out of UC Care. President Napolitano replied that she has personally been in negotiations with providers in Santa Barbara and hopes to deliver positive news soon. She noted that many letters she has received on the topic are based on inaccurate information. A member noted that Human Resources rolled out the information piecemeal, creating a lot of anxiety on the campuses, and the details changed after the beginning of Open Enrollment. UCFW has compiled questions that it has received and forwarded them to Human Resources. President Napolitano said she would make sure the questions are answered and posted on a public FAQ. She also noted that there will be a grace period of three months for people to change their enrollment.

## **VII. UCEP Items Under Discussion**

**DISCUSSION:** UCEP Chair Tim Labor briefed Council on a proposal for amending SR 760 that UCEP is discussing in order to comply with new requirements mandated by the Department of Education and implemented by WASC. WASC wants UC to more clearly describe the manner in which credits are awarded. This requirement was presumably spurred by concerns about the proliferation of qualitatively uneven for-profit online courses. UCEP is considering minor changes that respond to the underlying concerns.

Chair Labor also briefed Council on UCEP's draft guidelines for systemwide course approvals to help determine whether a course should receive a systemwide designation. He noted that systemwide course approval has been conflated with online courses, but actually applies to other courses, as well. ILTI's emphasis on campus approval should temporarily alleviate these

concerns. UCEP hopes to forward a proposal to Council for consideration at its December meeting.

In addition, UCEP is discussing the proposed “hub” or central catalog and articulation database; issues related to the Student Transfer Achievement Reform Act (SB 1440) that required CSU and the CCCs to collaborate on establishing AA degrees for transfer; divisional GE/major articulation processes; and the Online Instruction Pilot Project Evaluation Final Report.

### **VIII. Transfer Issues**

**ISSUE:** BOARS Chair George Johnson summarized his testimony at a hearing held by the state Assembly Committee on Higher Education on transfer. Council also discussed the Senate’s role in the President’s initiative to increase transfer rates and the success of transfer students.

**DISCUSSION:** Chair Johnson stated that a number of groups, including the Campaign for College Opportunity (authors of SB 1440), other external advocacy groups, and the CCC and CSU Senate Chairs spoke about progress on implementing SB 1440. They have developed 20 Transfer Model Curricula (with 10 under discussion) to standardize transfer degrees. Over 5,000 students graduated last year with AA degrees for transfer. Chair Johnson and UC Associate Vice President for Undergraduate Admission Steve Handel also testified about UC’s efforts to streamline transfer. The Chair of the Assembly Higher Education Committee, Das Williams, clearly believes that UC is not doing enough in this arena. A panel of students made thoughtful comments about ways in which UC can streamline the process, e.g., updating ASSIST, which already is being done. UC is also developing an online transfer academic planner that will enable students to enter different scenarios. The students said the process is not as daunting as it is made out to be. Chair Johnson said there is likely to be legislation on transfer and UC wants to shape it. A group from Admissions and State Governmental Relations has been meeting with representatives from the Senate to discuss ideas for potential legislation. Finally, BOARS plans to hold a meeting in Sacramento in February to meet with legislators and discuss UC admissions and transfer issues.

### **IX. Moreno Report**

**ISSUE:** Council members provided information and perspectives from their divisions and committees to inform the working group crafting a response to the Moreno report.

**DISCUSSION:** A member pointed out that the option of informal resolution is outlined in existing grievance and disciplinary procedures and the vast majority of cases are resolved in this way. It is rare for a matter to be escalated to a Privilege and Tenure hearing and we have no data on how many cases were resolved by the EVCs; these should be tracked to ensure that there are not systemic problems. Because personnel actions are private, consequences are not necessarily visible. Some divisions have established a single reporting hotline or office that serves to direct people with complaints to the appropriate place. APM 245 requires department chairs to submit an annual report describing their efforts to ensure equal opportunity; this is not always done. Members discussed how all Senate committees can contribute to this effort. UC must address a campus climate that may cause discomfort, but does not result in an egregious incident leading to a formal complaint process. One division includes diversity in departmental reviews and if it is found to be problematic, includes someone from outside the department on hiring committees. The Senate should partner with the administration to find creative ways to attract diverse faculty, such as spousal and cluster hires.

## **X. Merit Review Work Group**

**ISSUE:** At its May 2012 meeting, Academic Council, on the advice on UCAP, agreed to form a work group to look at the changing teaching and publication context in merit reviews. For several reasons, UCOC did not address this item until last year. While this working group was successfully populated, they were unable to identify and appoint a chair.

**DISCUSSION:** Several division chairs stated that their Committees on Academic Personnel are handling this issue. At one division, departments write their own standards as a faculty so the determination of what qualifies as appropriate scholarship does not depend on the dean. Council unanimously decided not to convene a special work group.

## **XI. Executive Session**

*Minutes were not taken for this portion of the meeting.*

## **XII. Final Robinson-Edley Report**

**ISSUE:** The September 2012 “Robinson-Edley” report reviewed existing policies and practices regarding the University’s response to demonstrations and civil disobedience and recommended best practices to inform the University’s responses in the future. The campuses have now implemented these recommendations, and Associate Vice President of Communications Lynn Tierney briefed Council on a draft of a final report that details campus actions.

**DISCUSSION:** AVP Tierney said that the original report’s 49 recommendations focused on communications between and appropriate roles for administrators, faculty, staff, students, and police, including when and how to use force, who makes that decision, and the process leading up to it. She noted that the situations at UC happened in the midst of a nationwide discussion about crisis management and police tactic as a result of the Occupy movement. The Chancellors have appointed a single point of contact on the campus and this group has met monthly over the past year to share best practices to address each recommendation. Every campus has now submitted documentation that they have implemented all of the recommendations.

Approximately 10 of the recommendations have systemwide implementation implications and are being addressed in the same way across the campuses (e.g., Event Response Teams will receive the same training). Training was provided by the Monterey Naval Postgraduate School to the Chancellors, police chiefs and three other people from each campus chosen by the chancellors. In addition, over 600 campus personnel, such as Vice Chancellors of Student Affairs and campus emergency counselors, were trained. The draft report will be sent to the campuses and the Senate for comment in early December and they will publish a final report by January 1. It will be presented to the Board of Regents at their January or March meetings.

## **XIII. New Business**

*Council did not discuss any new business.*

Meeting adjourned at 4:30 pm

Attest: Bill Jacob, Academic Council Chair

Minutes prepared by Clare Sheridan, Principal Committee Analyst