

**ACADEMIC COUNCIL**

**Minutes of Meeting  
Wednesday, July 23, 2008**

**I. Announcements**

➤ **Michael T. Brown, Academic Council Chair**

- The Regents discussed the BOARS eligibility proposal at their July meeting; they requested informal seminars to make sure that they understand all of its details. BOARS chair Mark Rashid and Chair Brown will continue to be engaged next year. They are hoping to get CPEC 2007 data to make eligibility projections.
- The Regents also discussed the performance management review process. The faculty would like for principal officers (e.g., the President, the General Counsel, the Chief Compliance Officer, etc.) to be reviewed through this process, as well, in addition to being reviewed by The Regents, since they provide systemwide services.
- The Regents discussed the proposed salary policy for senior managers. The Regents' aim is to delegate so they do not have to directly review so many people (300 to 500).
- President Yudof is implementing an accountability study, including standard metrics like graduation rates and time to degree. He will wait on other measures until the Senate task forces complete their work. Chair Brown noted any accountability framework should be driven by a strategic plan.
- The Regents conditionally approved a School of Medicine at UC Riverside, in accordance with the Senate's recommendations that the School move forward only if funding is approved.

**II. Consent Calendar**

1. **Approval of the June 25, 2008 Minutes**
2. **Proposal for a School of Nursing at UC Davis**
3. **Re-establishment of CCGA Authority over Reviews of First-Professional Degree Proposals**
4. **Results of Program Review Practices Survey**
5. **Statement on American Indian Tribal Affiliation as a Factor in Undergraduate Admissions**
6. **Implementation of RE-89—Restrictions on Tobacco Company-Funded Research**
7. **Special Committee of the Academic Senate on Remote and Online Instruction and Residency**
8. **UCOPE Report regarding ESL Needs of Transfer Students**
9. **Proposal for a Master of Public Health at UC Irvine**
10. **Proposal for a Master of Public Policy at UC Irvine**
11. **Proposed revisions to Academic Personnel Policy 220-85-b, Professor Series; Academic Personnel Policy 335-10-a, Cooperative Extension Advisor Series; and Academic Personnel Policy 740-11-c, Leaves of Absence/Sabbatical Leave; and Proposed Rescission of Academic Personnel Policy 350, Postgraduate Research (e.g. Physicist)**

**ACTION:** The consent calendar was approved, with the exception of Items 3, 5, 6 and 10.

**III. Approval of the Agenda**

**ACTION:** The agenda was approved with the following changes: consent calendar items 3, 5, and 6 were placed under New Business and item 10 was postponed to a future meeting. Item XII, 'Proposal for Universitywide Centralization of Funding Allocation and Distribution to

**Divisions,’ will not be discussed. The requested action in Item XIV, ‘Proposal to Modernize the “D” Requirement,’ was amended to request that BOARS make a recommendation that the item go out for systemwide review.**

#### **IV. Graduate Student *In Absentia* Proposed Policy**

- **Bruce Schumm, CCGA Chair**

**ISSUE:** The graduate deans have proposed making a change to the graduate student *in absentia* fee policy, which would no longer allow leaves of absence for research (leaves of absence would remain possible for family or medical reasons). Instead, students would file for *in absentia* status, which would require them to pay 15% of registration fees. The concern is that the University does not receive state funds for students who are engaged in study and are in contact with their advisors, but are not enrolled. The majority of CCGA supported the proposal, but there was a strong minority opinion held by faculty in the Humanities, so CCGA wished to consult with Council. CCGA also has concerns about the policy’s impact on residency, and its restrictions on mentorship.

**DISCUSSION:** Members were interested in how many students currently take advantage of the existing leave of absence policy. Members also inquired about enforcement mechanisms, the fiscal impact of the policy, the administrative costs to the university, the extent to which students in different fields would take advantage of it, and whether non-residents would continue to be charged non-resident tuition. Council also discussed the appropriateness of the requirement that students must be conducting research outside the state in order to qualify for *in absentia* status. For instance, students could be conducting research within California that requires them to be away from campus. It was mentioned that “filing fee” and *in absentia* status may overlap; a comparison may be useful. It was also noted that students would benefit from the change, receiving health insurance and access to the libraries.

**ACTION:** CCGA will submit a recommendation to Council at a future meeting.

#### **V. Proposal for a Review Procedure for the Systemwide Review of a new Proposal for a Proposal for Systemwide School of Global Health**

- **Michael T. Brown, Academic Council Chair**
- **Bruce Schumm, CCGA Chair**
- **Keith Williams, UCEP Chair**

**ISSUE:** The Compendium does not address a review process for a systemwide school. The Compendium committees’ chairs have submitted two proposals for a review process for a proposal for a systemwide School of Global Health. The key question is whether divisions should have a plenary or advisory role in approving the review process. The proposal outlined by the School’s proponents would place plenary authority for approval of the proposal in the hands of a single body – the Council – with the Divisions playing an advisory role. An alternate approach would require approval from each division before the proposal could move forward.

**DISCUSSION:** Granting Council the authority to approve the School may make it easier to come to a resolution of any specific issues about which divisions are not in agreement, rather than risk demise of the project through the delay entailed in having multiple campuses come to agreement. Some members disagreed that Council should be the locus of authority; rather, the divisions involved should reach a compromise. It was noted that the standard Senate review process appears unidirectional, but there are multiple iterations and opportunities for divisions to improve upon a proposal. With respect to whether

the Compendium process for an MRU would be a good model, it was noted that this proposal involves teaching, which is under the purview of divisional Senates. There was particular concern that divisions offering classes have plenary authority over the curriculum and any teaching appointments, and that the structure of the new, systemwide ‘bylaw 55’ courses remains undefined. While campuses would not be required to provide any resources, they may have to provide credit for systemwide courses offered on another campus. It was noted that this proposal for a review procedure purposefully does not address specific issues of curricular implementation, which would be included in the actual proposal for the School; the review proposal serves merely as a procedural structure for the subsequent review. Campuses are also not required to participate in the systemwide School; if any campus objects to the form of the School on its campus, it can withdraw. One member remarked that a ‘systemwide’ school can consist of only two campuses. It was argued that while the two proposals are posed as competing statements on whether divisions should have plenary or advisory authority in approving the School, there is not necessarily a contradiction between ensuring that campuses have a veto on the form of their participation, and a process that would involve divisions and provide feedback. Council reached consensus that all divisions should have the opportunity to opine, and participating divisions should be able to shape the terms on which they participate.

**ACTION: Chair Brown will draft a proposal reflecting Council’s sentiments. The Compendium committee chairs will review it, and then it will be sent to Council via email for a vote before August 31<sup>st</sup>.**

**VI. Consultation with the Office of the President (OP) Senior Managers**

- **Mark G. Yudof, President**
- **Wyatt R. Hume, Provost and Executive Vice President, Academic Affairs**
- **Katherine N. Lapp, Executive Vice President, Business Operations**

**President Yudof**

- President Yudof has launched an accountability effort to measure institutional success. Eventually, each campus will have a profile, and accountability should be part of the strategic planning process at each campus.
- President Yudof announced that he has hired Alan Hoffman as Senior Vice President for External Relations, including strategic communications and government relations. He has asked Hoffman to write a strategic communications plan, explaining why the health of UC is critical to everyone in the state.
- President Yudof noted that The Regents considered BOARS’ eligibility proposal. He agrees that UC needs a better admissions policy. While he prefers a plan that is more easily described, he recognizes the issue’s complexity.
- President Yudof noted that he would like to restructure the relationship between The Regents and the President, returning to more traditional roles. He would prefer that the Board have more substantive meetings, focused on policy discussions around specific and major issues confronting the University.
- He also noted that The Regents approved the UC Riverside Medical School.
- President Yudof has consulted with the Chancellors about the appropriate role for OP.
- UC committed \$1 million in seed money for research partnerships with Canadian universities.

**Provost Hume**

The Regents approved the formation of a Limited Liability Corporation to study the feasibility of establishing a shared research facility at NASA Ames Research Center. The proposed UC Santa Cruz Silicon Valley Center would explore commercial development partnerships. Its educational partners

include Foothill-De Anza Community College District, Carnegie Mellon University, and Santa Clara University.

**EVP Lapp**

EVP Lapp did not have anything to report.

**Q&A**

**Q:** What is the status of ACA 5?

**A:** President Yudof stated that he fears that ACA 5 will politicize the pension fund. Retirement funds must have sophisticated, professional management. UC has proposed a larger advisory group with greater employee participation that could raise issues with The Regents, but could not set policy. He has asked The Regents to inform legislators about UC's position and to advocate against ACA 5.

**Q:** What role should UCOP play in terms of centrally funded multi-campus research enterprises?

**A:** President Yudof stated that a central office is best suited to be a facilitator. Funding for MRUs can lead to larger external grants. He said he needs to inventory current efforts and any problems before forming a plan. He is interested in seeing past studies by the Academic Senate of MRUs.

**Comment:** Reconnecting with state government and the legislature is crucial. While UC has a limited budget for public relations, it can do a better job publicizing its needs and accomplishments. What do you think about promoting a major scholarship fund drive?

**A:** President Yudof responded that while he can provide leadership, fundraising is a campus job. He intends to focus on public relations, noting that he had his own radio show in Minnesota and did a 13-part public television series in Texas.

**Q:** If the state budget process continues to be dysfunctional, can the University "lag" the budget by a year, rather than hope that the state will fund all admitted students?

**A:** EVP Lapp responded that the Compact with the state anticipated 2% enrollment growth this year; UC has complied with that. If we were to renegotiate the Compact, we could consider it. President Yudof added that while this is a sensible suggestion from a budgetary standpoint, it is not effective to threaten the legislature with enrollment cuts; this strategy has backfired in other states.

**Q:** Have The Regents responded to the Academic Senate's report on "disengaged" faculty?

**A:** President Yudof has not received any response from them on this issue.

**Comment:** The restructuring of Academic Affairs is not clear. Campuses are especially concerned with retaining those aspects of UCOP that serve the system. How is it proceeding and to what extent will the Academic Senate be consulted on the restructuring?

**A:** President Yudof remarked that the process is obscure because it is not yet underway; in the next six weeks he will focus on it. Because the University has never reviewed these functions, they are all under review. He has asked the Chancellors which services could be better managed by the campuses, which should be managed by UCOP, and which may be centrally administered, but more appropriately housed on a campus. He will consult with the Senate Chair and Vice Chair, and would welcome formal comments from the Senate detailing which functions it considers essential.

**Q:** One great success of UCOP is keeping the peace between campuses in the distribution of resources. Will UCOP's analytic power and institutional memory be undermined by restructuring?

**A:** President Yudof remarked that this is one of UC's great strengths. At the analytic level, UCOP can serve as a neutral arbiter. He will play a central role in advocating to the legislature issues of common interest. He recognizes that some centralized services have worked very well; he will try to preserve that functionality.

**Q:** What is the status of Year 2 of the faculty salary plan?

**A:** President Yudof stated that he has made no decisions because UC does not have a budget yet.

**Comment:** The Academic Senate is very concerned that UC Merced is funded appropriately to establish a UC-quality institution.

**A:** President Yudof remarked that he is very impressed that the Senate has taken an institutional perspective on safeguarding the interests of a particular campus. However, he cannot make a categorical statement that Merced's needs will be put before those of other campuses.

**Comment:** Chair Brown presented a plaque to Provost Hume as a token of the faculty's esteem on behalf of the Academic Assembly.

## **VII. General Discussion**

**DISCUSSION:** A member commented that while accountability data should be accessible, particularly at a public university, it is essential that it not be used to make invidious comparisons between campuses or as a basis for allocating resources. It is also vital that the collection of data be guided by a strategic plan, not *vice versa*. UC can improve its public image by making such data transparent, as well. Another commented that given the dismal budget outlook for the next few years, the Senate should think strategically about its priorities.

## **VIII. There was no item VIII in the agenda as written.**

## **IX. UCFW Items—Executive Session**

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

### **1. UCFW Recommendations Regarding Changes to the Housing Finance Programs**

**ACTION:** Council unanimously endorsed UCFW's recommendation to support all proposed changes to the housing finance programs, pending revisions for consistency in UCFW's cover letter. It also endorsed UCFW's additional recommendations that the joint subcommittee continues to monitor the loan programs and receive data concerning loans.

### **2. Proposed Assembly Constitutional Amendment No. 5**

### **3. Faculty Salary Update**

### **4. UCRP Administration Outsourcing**

### **5. UCRP Buyback Concerns**

**ACTION:** Council endorsed UCFW's recommendation to support the proposed changes, making the UCRP Service Credit Buyback Policy more flexible (15 in favor, 3 abstentions).

## **X. Restructuring – UCPB Restructuring Memo – Executive Session**

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

**ACTION:** Council did not endorse the memo as written.

## **XI. Task Force on Academic Senate Membership—Executive Session**

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

**ACTION:** Council unanimously approved (with two abstentions) the task force charge and composition, with Dan Simmons (UCD) suggested as an additional at-large representative, and Linda Bisson (UCD) suggested as Chair. A correction to the Standing Order number in the charge [to 105.1(a)] was also made.

## **XII. Proposal for Universitywide Centralization of Funding Allocation and Distribution to Divisions**

**ACTION:** This issue was postponed to a future meeting.

## **XIII. PostYourTest.com**

**ISSUE:** [PostYourTest.com](http://PostYourTest.com) is an internet company that posts on its web site old exams and exam keys. The website will remove an exam at faculty request, but that puts the burden on the faculty member to continuously monitor multiple websites. The principal concern is that these sites violate the instructor's copyright. Chair Brown has made a request to the Office of General Counsel (OGC) for more information regarding the feasibility and advisability of UC taking legal action.

**DISCUSSION:** It was noted that several issues are involved: copyright, academic integrity, and fairness to students who do not see the exams. It was suggested that any response should be a systemwide one, and that there are three options: 1) Have faculty members assign the copyright to the University, which can then sue; 2) The University could file a class action suit on behalf of the faculty; 3) Take no legal action, but inform faculty of the issue and how to deal with it on an individual basis. Members questioned whether the cost would outweigh the benefits, and expressed concerns about whether enforcement could hurt the University's image.

## **XIV. Proposal to Modernize the “D” Requirement**

**ISSUE:** The Davis Division has requested a systemwide review of expanding UC's “d” laboratory science admission requirement to include earth, environmental and space sciences. BOARS' previous recommendations on the matter were not reviewed systemwide. The action requested is for BOARS to make a recommendation that the item go out for systemwide review.

**DISCUSSION:** It was noted that BOARS has reviewed this subject several times in the recent past, and that sending it out for systemwide review would give any decision legitimacy and authority. Several members raised concerns that freshman earth sciences courses often are not of UC quality. Other members argued that courses about life around us can provide a more accessible, effective way of introducing fundamental concepts in biology and chemistry. It was remarked that while the current language of the “d” requirement does not preclude such courses from qualifying, the guidelines note that they are more likely to be approved as electives, essentially discouraging high school teachers from designing courses in this area. BOARS' chair noted that his committee would welcome help in wording the requirement to allow robust earth sciences courses. A member averred that asking BOARS to recommend that the item go out for systemwide review interferes with its authority to determine a recommendation.

**ACTION:** Council voted unanimously to refer the issue to BOARS to reassess the “d” requirement and deliver a report by the December 2008 Council meeting.

## **XV. Senate Self-Study Proposal**

**ISSUE:** Given many changes at UCOP, a proposal for a Senate Self-Study to be conducted by a “Task Force on Senate Effectiveness” was submitted.



**DISCUSSION:** Members agreed that while the idea is a good one, it is unfair to pass this on to next year's Council, which may have other priorities. It was suggested that the Senate Executive Directors could discuss it.

**ACTION:** This item was referred to the Senate Directors and Chairs and Vice Chairs for discussion at their retreats and possible consideration at Council next year.

**XVI. Ongoing Agenda Item: “Senate Issues/Topics of Concern”**

*Members did not have any special issues of concern.*

**XVII. New Business**

**1. Statement on American Indian Tribal Affiliation as a Factor in Undergraduate Admissions.**

**ISSUE:** In response to a request from the Council of Vice Chancellors of Student Affairs, BOARS determined that membership in a federally recognized American Indian tribe should be considered a “plus factor” in undergraduate admissions and that such consideration is consistent both with Proposition 209 (according to the OGC), and with the list of “special circumstances” outlined in Selection Criterion 13 of the Guidelines on Undergraduate Admission.

**DISCUSSION:** It was asked why the University should accommodate political classifications in its admissions policy. BOARS’ Chair Rashid responded that it already does so (e.g., veteran status). Chair Rashid added that the effect on numbers of admits would be very small, but it would be a recruiting tool for this population.

**ACTION:** Council endorsed BOARS’ recommendation that membership in a federally recognized American Indian tribe should serve as a “plus factor” in admissions with a vote of 14 in favor, 1 opposed, and 3 abstentions.

**2. Implementation of RE-89—Restrictions on Tobacco Company-Funded Research.**

**ACTION:** Council unanimously endorsed UCAF’s recommendations that: 1) members of local Councils on Academic Freedom serve as *ex-officio* representatives on campus scientific review panels addressing research proposals for funding from tobacco companies; and 2) UCAF monitor the implementation of RE-89 and report its findings to Academic Council by the end of 2008-09.

**3. Re-establishment of CCGA Authority over Reviews of First-Professional Degree Proposals**

**ACTION:** Council unanimously endorsed CCGA’s request, with a minor revision.

Meeting adjourned at 4:30 p.m.

Attest: Michael T. Brown, Academic Council Chair

Minutes prepared by Clare Sheridan, Policy Analyst