

## ACADEMIC COUNCIL

**Minutes of Teleconference Meeting  
April 27, 2016****I. Consent Calendar**

1. Today's agenda items and their priority
2. Draft Council minutes of March 30, 2016
3. Appointment of the 2016-19 Assembly Parliamentarian, George J. Matthey

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

**II. Senate Officer's Announcements**

- **Dan Hare, Academic Senate Chair**
- **Jim Chalfant, Academic Senate Vice Chair**
- **Hilary Baxter, Academic Senate Executive Director**

Parental Alumni Status on UC Application: Senate Chair Hare recently forwarded the President a letter from BOARS about a UCOP proposal to add a place on the UC application for students to designate their parents' UC alumni status. BOARS is concerned that asking for the information will encourage a misperception that there is a "legacy" element to UC admissions, and could discourage certain student populations from applying to UC. The President has delayed consideration of the proposal for one year, to allow time to address BOARS' concerns.

Legislation: Senators Canella and Lara recently introduced Senate Constitutional Amendment 1, which would place before the voters a measure to reduce the terms of UC Regents from 12 years to 4 years, and cap total years of service at 16 years. A two-thirds majority of both houses would be required to place the measure on the ballot; a simple voter majority would pass it into law.

Op-Eds: Two former BOARS chairs collaborated on a newspaper op-ed piece that responds to assertions made in the state audit report that UC faculty lowered admissions standards to admit more nonresidents. The UCR Senate Division chair is also preparing an op-ed piece in response to the audit report.

**III. President's Response to the Joint Committee Report**

The President has responded to the [final report](#) of the Joint Committee of the Administration and Academic Senate charged with reviewing the University's processes and procedures for handling cases of sexual harassment and violence involving faculty. The President accepted several of the report's recommendations, but also asked the Committee to reconvene and provide additional recommendations in six areas by July 31.

Chair Hare noted that the report indicated that 76% of allegations against faculty brought to the Title IX office were either found to be unsubstantiated or were settled through early resolution without a formal investigation; however, the Committee was not charged with examining the

decisions and processes of Title IX offices. The new recommendations include better integration of parallel investigations of faculty sexual misconduct cases, better communication with the Chancellor's office about the progress and outcomes of those investigations, the development of a Peer Review Committee on each campus to review proposed discipline and make final decisions regarding early resolutions, and the establishment of a five-month total time frame for investigation and adjudication of cases. The Joint Committee will need substantial input from groups likely to be affected by the recommendations, including Title IX and academic personnel officers. Chair Hare has also asked University Committee on Privilege and Tenure (UCPT) to review the President's recommendations, particularly those related to improving Privilege and Tenure processes.

Discussion: Council members noted that the proposed Peer Review Committees might better serve in an advisory capacity to the chancellor to avoid undercutting the chancellor's authority. It was noted that the Joint Committee should balance the desire to increase the speed of investigations with the need to maintain reasonable timelines that ensure thorough and fair processes.

#### **IV. UCP&T memo to Department Chairs on Campus Climate and P&T Processes**

UCPT has prepared a memo to department chairs on the topic of campus climate and the Academic Senate privilege and tenure process. The letter reviews the responsibilities of department chairs in cases of sexual violence and harassment, bias, and discrimination based on racial and ethnic background, and discrimination for arbitrary and personal reasons.

The memo notes that department chairs are responsible for supporting faculty who wish to file grievances and to initiate disciplinary actions with the administration when warranted. UCPT understands that the systemwide Senate does not have a direct communication line to the department chairs, and has asked Council to ask the Provost to initiate distribution of the memo through the campus EVCs.

Discussion: There was general agreement that the memo will help inform department chairs about the tools available to them and the procedures they are obliged to use under certain circumstances, and will promote quicker, more appropriate action. It was noted that campuses have multiple avenues for resolving complaints and initiating disciplinary processes; the memo should encourage department chairs to consult divisional bylaws to confirm the available mechanisms.

**ACTION: A motion was made and seconded to approve distribution of the letter to the Provost with amendments discussed by Council. The motion passed with one no vote and one abstention.**

#### **V. Vendor Changes for UC Medical Plans in 2017**

##### **o Robert May, Chair, UCFW Health Care Task Force**

The University recently announced that beginning in 2017, Anthem Blue Cross will replace Blue Shield as the third-party administrator for UC's self-funded health plans—UC Care and the UC Health Savings Plan. UC selected Blue Shield as the initial administrator for UC Care in 2014,

but performance issues and cost structures made Blue Shield less competitive when the plans went out for re-bid. Anthem has addressed several issues UC identified as problems in the 2014 bid, particularly related to the consumer interface. Anthem has one of the largest provider networks in the state and will also administer behavioral health benefits for the non-Medicare plans. The changes will be transparent and mostly administrative. There will be no changes to the structure or benefits of the self-funded plans, to “Tier 1” providers or plans, or to other UC health plans. Accommodations will be made for UC employees who are negatively affected during the transition. Faculty who experience unusual problems should contact their campus health care facilitator.

## **VI. Updates on Local Cybersecurity Discussions**

Vice Chair Chalfant noted that UC’s five health systems selected an outside vendor, FireEye, to provide additional cybersecurity solutions beyond those provided at the systemwide level by Fidelis. UCOP will require all University locations to participate in the systemwide threat-detection program, but will allow campuses to choose whether to adopt the additional cybersecurity capabilities of FireEye based on their local security needs and priorities. UCOP will not mandate that campuses adopt FireEye, and it expects decisions to be made in local shared governance consultation with faculty.

Senate division chairs summarized discussions underway on the campuses. They noted that campuses are encouraged by UCOP’s added openness, and most are satisfied with the current level of shared governance. Campuses are facilitating faculty involvement in cybersecurity conversations in different ways – through faculty advisory committees, working groups, and joint committees. A recent ransomware attack at one campus created a new sense of urgency about the need to adopt more comprehensive cybersecurity.

## **VII. Consultation with Senior Managers**

### **o Aimée Dorr, Provost & Executive Vice President, Acad. Affairs**

Grad Slam: UC Grad Slam 2016 was held April 22 at LinkedIn in San Francisco. The systemwide competition featured the winners of individual campus Grad Slams, in which graduate students summarize their research for a general audience in three minutes. The event helped highlight the wide range of research being done by UC graduate students.

Faculty Salaries: The President has asked the Chancellors to implement a 3% salary program for faculty and other non-represented academic appointees effective July 1, 2016. The plan is similar to the one implemented last year: 1.5% will be allocated as an across-the-board increase to the academic salary scales, and the remaining 1.5% through a discretionary salary program designed by the campus. The President’s letter affirms the centrality of the peer review merit and advancement system in judging faculty quality, and recognizes the importance of maintaining salary scales that have a meaningful connection to the rank and step system.

Campuses are expected to apply the discretionary 1.5% to address issues of inequity, compression, and inversion, as well as salary disparities that may exist by discipline, title series, or campus. They may also use it to increase the off-scale portion of salary when permitted by campus policy. Campuses may not use discretionary funds for recruitment. For faculty on the

Health Sciences Compensation Plan (HSCP) the 1.5% across the board increase will apply to the X and X' portion of salary; however, there is no expectation of further discretionary awards for HSCP faculty. Deans and other academic administrations with satisfactory performance are eligible for 1.5% increases and an additional 1.5% for merit-based performance. UCOP expects UC locations to report outcomes related to total dollars used for discretionary purposes and total number of faculty receiving discretionary increases.

Alumni Status on UC Application: BOARS and other groups have expressed concern about a proposal to add a question to the UC application about parental UC alumni status. UCOP believes the information will help enhance development prospects with UC alumni whose children are admitted to UC, and will also help UC craft communications that more effectively handle disappointment in alumni donors whose children are not admitted. There will be language on the application affirming that the information can play no role in the admissions process. The President is enthusiastic about the proposal, but has decided to delay implementation for a year to better develop the plan and a communications strategy.

Discussion: Council members noted that the fundraising performance alone is not sufficient to determine a dean's eligibility for a merit increase. Members also noted that UC should demonstrate clearly that it is not moving to "legacy" admissions, and must avoid any appearance that there is a legacy aspect to admissions.

### **VIII. Review of Discretionary 2015-16 Faculty Salary Actions**

Last year, UCOP asked campuses to set aside a pool of money for faculty salary increases equivalent to 3% of compensation. Campuses were directed to apply 1.5% of the pool as an across-the-board increase to total salary, and 1.5% to address four discretionary areas: inequity, exceptional merit, inversion, and compression. Council members reviewed a UCOP report on actions taken by campuses to allocate the discretionary portion of the increase, and division chairs discussed the use of the money on their campuses.

It was noted that the majority of discretionary awards were directed to address salary inequity. At least one campus viewed inequity in terms of disparities within the UC system and applied the entire discretionary portion across the board to help address overall inequity in relation to other UC campuses. Other campuses applied a portion of the increase across-the-board and a portion to specific areas. Some campuses performed complex analytics to determine a distribution rubric, and/or drew upon findings in local faculty salary equity studies to address cases where negative salary differences were found for women and URM faculty.

Senate consultation was an element of most, but not all campus approaches to developing an implementation plan and eligibility criteria. One exception was Riverside, where little consultation occurred. On the other end of the spectrum, the Berkeley Budget Committee sustained significant involvement throughout the implementation process. On most campuses, deans, vice provosts, equity advisors, and other administrators participated in decision-making. Several division chairs expressed satisfaction with the overall consultation process and outcomes; however, there was also concern that in some cases deans permitted individual schools to opt-out of the discretionary program. It was noted that UCOP's plan to reduce reporting requirements next year may complicate efforts to maintain transparency.

## **IX. Executive Session**

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Meeting adjourned at 1:00 pm

Minutes prepared by Michael LaBriola, Principal Committee Analyst

Attest: Dan Hare, Academic Council Chair

ACADEMIC COUNCIL

Minutes of Teleconference Meeting  
May 4, 2016

**I. Executive Session – Davis Division Issues**

The Academic Council met by teleconference in executive session to discuss events related to the chancellor at the Davis Division and actions taken by Davis Division of the Academic Senate.

The following motion was made and seconded:

*“The Academic Council of the University of California requests that President Napolitano conduct an expedited review of the policies and procedures that govern compensated outside professional activities undertaken by the University's Senior Management Group employees (as defined in Regents Policy 7707) and, in consultation with the Academic Senate, implement any needed changes in those policies as soon as possible.”*

**ACTION: The motion passed unanimously with two abstentions.**

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Meeting adjourned at 10:30 am  
Minutes prepared by Michael LaBriola, Principal Committee Analyst  
Attest: Dan Hare, Academic Council Chair