

## MEETING OF THE ASSEMBLY OF THE ACADEMIC SENATE

April 13, 2016

## MINUTES OF TELECONFERENCE MEETING

**I. ROLL CALL OF MEMBERS**

Pursuant to the call, the Assembly of the Academic Senate met on Wednesday, April 13, 2016. Academic Senate Chair J. Daniel Hare presided and called the meeting to order at 10:00 am. Senate Director Hilary Baxter called the roll of Assembly members and confirmed a quorum. Attendance is listed in Appendix A of these minutes.

**II. MINUTES**

**ACTION: Assembly approved the minutes of the February 10, 2016 meeting as noticed.**

**III. ANNOUNCEMENTS BY THE CHAIR****▪ J. Daniel Hare**

New Pension Tier: The Regents approved the President's recommendation for a new pension plan that caps pensionable earnings at the limit set by the Public Employees Pension Reform Act (PEPRA) for UC employees hired on or after July 1, 2016. New employees will have a choice between two retirement plan options: a stand-alone 401(k)-style Defined Contribution (DC) plan, or a Defined Benefit pension plan with the PEPRA cap and a 401(k)-style supplemental benefit. The plan responds to the Academic Council's recommendation to offer faculty a DC supplement that begins on the first day of hire and the first dollar earned. Some policymakers and members of the UC community have expressed concern about the inclusion of a DC option; however, no employee will be required to accept the DC plan.

Statement Against Intolerance: The Regents adopted a policy statement of [Principles Against Intolerance](#) after accepting a last minute amendment to the Statement's pre-ambule proposed by the University Committee on Academic Freedom (UCAAF) and endorsed the Academic Council. The amendment clarified that "anti-Semitic forms of anti-Zionism" rather than "anti-Zionism" should be considered discrimination, to distinguish anti-Semitism from anti-Zionism, a political viewpoint protected under the First Amendment.

UC Transfer Pathways: Eleven more UC Transfer Pathways have been approved and added to the systemwide Pathways website, in addition to the ten existing Pathways. In addition, the Senate has developed a procedure for adding smaller, specialized majors on specific campuses to an existing Pathway, in recognition that the Pathways may provide sufficient pre-major preparation for related majors. UC has started the work of analyzing and addressing gaps in articulation for specific courses in the Pathways between each of the California Community Colleges and the nine undergraduate UC campuses.

CLEP Exam Review: The Senate has identified groups of faculty from each campus who will review seven College Level Examination Program (CLEP) exams for possible UC credit.

Joint Committee on Faculty Discipline: The Joint Committee submitted its final report to the President on April 4. It concludes that although existing policies are fundamentally sound, they need to be better understood by faculty, students, and administrators. The Committee is also recommending that the University work toward greater systemwide alignment of campus Title IX processes, Chancellor's discipline processes, and Senate Privilege and Tenure processes.

Budget Audit: A state audit released on March 29 criticizes UC's nonresident admission practices and the "compare favorably" standard for nonresident admission. It claims that UC has admitted many nonresidents with lower qualifications than California residents based on GPA and test scores; that UC deliberately lowered admissions standards to replace revenue lost in the budget crisis; and that UC is failing to meet the CA Master Plan provision related to nonresident admission. The audit argues that UC should have responded to the state budget cuts with more aggressive cost savings programs. The President's [response](#) to the Auditor and UC's report [Straight Talk on Hot-Button Issues](#) counter the assertions by noting that UC is meeting its Master Plan obligation to all state-funded California residents, and that campuses evaluate applicants on 14 comprehensive review factors, not only GPA and SAT. UC also notes that the audit is based on an outdated interpretation of the 1960 Master Plan standard for nonresident admission. Language in the 1960 Master Plan stating that nonresidents should be in the "upper half of those ordinarily eligible" was dropped in the 1987 revision, and is no longer relevant in the context of comprehensive review and increased selectivity.

Discussion: BOARS Chair Aldredge stated that campuses have interpreted the compare favorably standard as requiring the average qualifications of residents and nonresidents admitted to a campus to be comparable. He added that the Auditor posits that there has been no official revision of the 1960 Master Plan, only subsequent proposed recommendations that were never formally adopted.

An Assembly member observed that UC campuses do not share identical disciplinary procedures for cases of faculty accused of misconduct. Senate Chair Hare stated that campuses have separate investigation and hearing processes. The main variation relates to Title IX processes. In some cases the reporting lines for and oversight of the Title IX office are unclear, although the vast majority of cases are settled before reaching the P&T hearing stage.

#### **IV. ANNOUNCEMENTS BY THE PROVOST**

- **Aimée Dorr**

State Audit Hearing: The Joint Legislative Audit Committee received a copy of [Straight Talk on Hot-Button Issues](#) prior to the Committee's April 6 hearing on the Auditor's report. UC's Chief Financial Officer and its Associate Vice President for Undergraduate Admissions represented UC at the hearing and refuted the Auditor's claims about nonresident admission and enrollment. The UC team highlighted problems with the audit's methodology and noted that the University guarantees a place at UC to all eligible California residents, a promise it does not extend to nonresidents. Moreover, the University expects campuses to enroll nonresidents only after they enroll their share of state-funded residents. The UC representatives also emphasized that UC

campuses have dramatically increased the admission and enrollment of CA resident undergraduates who are Pell Grant recipients, first-generation college-goers, and underrepresented minorities, over the past decade. They also discussed the University's commitment to enrolling 10,000 new California resident undergraduates over the next three years, including 5,000 this year, with growth concentrated at UCB, UCLA, and UCSD, the three campuses with the highest nonresident enrollment. The UC team also stated that most of the administrative staffing growth at UC has occurred in the Health Sciences and is supported by non-State funds. During the hearing some legislators expressed support for the University's position and questioned the basis for the audit, but others are expected to introduce bills that attempt to address issues identified by the Auditor.

Enrollment Plan: UC campuses admitted 15% more California resident freshmen this year, positioning the University to meet its goal for enrollment growth. The University's 2016-17 enrollment plan divides the responsibility for growth across the campuses, and assigns freshmen and transfer targets to each campus based on their typical rates of yield. The systemwide plan also calls for aggressive increases in summer enrollment, as well as additional winter and spring quarter admissions, as needed. UCOP and the campuses are also discussing strategies for accommodating the additional enrollments, which include increasing the number of students assigned to a dormitory room, identifying new and temporary housing facilities, expanding and reorganizing course schedules, and increasing online course offerings.

Discussion: Assembly members observed that UC has agreed to accept new resident undergraduates at half the marginal cost rate of \$10K per student, a rate that already underestimates the true cost of education. The enrollment growth will be difficult for campuses to absorb, and the funding rate is unsustainable over the long term. UC classrooms are already oversubscribed and campuses have few options for accommodating new students. Many students will be unable to secure the classes they need for a timely graduation unless campuses identify new space and hire additional faculty. Provost Dorr noted that time-to-degree is a component of every discussion about enrollment growth. UCOP recognizes that the enrollment plan poses challenges to timely graduation, and is working with the campuses on plans for accommodating the teaching demand with new ladder-rank faculty and graduate students. UCOP is diverting funds to campuses formerly used for nonresident financial aid to help meet their total cost of instruction needs.

Budget Framework Initiative: UC has completed several of the initiatives required of it in the budget framework agreement with the Governor, including the identification of transfer pathways for the top 21 majors, three-year degree pathways for 10 of the 15 most popular majors, new online courses for undergraduates, enhanced time-to-degree advising, and data to better identify at-risk students. Other initiatives are ongoing, including the enhanced use of summer session, efforts to reduce upper division major requirements, the piloting of activity-based costing, and the use of adaptive learning technology. Additional work is also ongoing to inform students and counselors about the UC Transfer Pathways, and to ensure that every pathway can be achieved by any California Community College student.

## **V. REPORTS OF STANDING COMMITTEES**

### **A. Academic Council**

▪ **J. Daniel Hare, Chair**

**1. Nomination and Election of the Vice Chair of the 2016-17 Assembly**

Chair Hare introduced UC Los Angeles Professor of Dentistry Shane White, the Academic Council's nominee for 2016-17 Assembly vice chair and 2017-18 chair. At Chair Hare's invitation, Professor White made a statement and left the room at the Los Angeles division. Chair Hare asked for any additional nominations from the floor, and hearing none, asked for any objections to Professor White's nomination. Hearing none, he moved that the Assembly give its unanimous consent to his election.

**ACTION: The Assembly voted unanimously to elect Shane White vice chair of the 2016-17 Assembly.**

**2. Ratification of the 2014 Oliver Johnson awardees**

Chair Hare stated that the Oliver Johnson Award for Distinguished Senate Service is presented every other year to a Senate member or members in recognition of lifetime service to the Academic Senate, outstanding and creative contributions to faculty governance, and exceptional abilities in working with different University constituents. The award is governed by procedures adopted by the Academic Council, in which each Senate division is asked to nominate a candidate and the University Committee on Committees selects two names to forward to Council. Council then selects an awardee or awardees from the two nominations it receives, and asks the Assembly to ratify the choice. This year, Council voted to honor both UCOC nominees—UCB Professor Robert Anderson and UCSD Professor Katja Lindenberg.

**ACTION: The Assembly ratified the nominations of Professors Katja Lindenberg and Robert Anderson as the 2016 recipients of the Oliver Johnson Award.**

**VI. NEW BUSINESS**

The Davis Division introduced a motion supporting the possibility of conducting a confidential ballot vote at Assembly meetings conducted in a teleconference format. It was noted that the motion is not related to any item of today's items of business. The Senate office agreed that it would investigate potential mechanisms for enabling confidential electronic voting that can authenticate eligible voters and accommodate alternates.

**ACTION: The motion was seconded and was passed unanimously by voice vote as follows:**

*Whereas*, the option to require vote by ballot is a fundamental element of parliamentary procedure, and

There currently exists no known practicable method for voting by ballot in a teleconference environment,

*Be it resolved that*, a procedure be implemented to enable voting by ballot during teleconference meetings of the Assembly and Academic Council, and

That this procedure be consistent with Bylaw 95.A.2, which states, “For electronic voting, the appropriate Secretary shall utilize a system which verifies each voter’s identity and which maintains security.”

**VII. UNIVERSITY COMMITTEE ON FACULTY WELFARE REPORT [None]**

**VIII. SPECIAL ORDERS**

**A. Consent Calendar [None]**

**IX. REPORTS ON SPECIAL COMMITTEES [None]**

**X. PETITIONS OF STUDENTS [None]**

**XI. UNFINISHED BUSINESS [None]**

The meeting adjourned at 12:00 pm

Minutes Prepared by: Michael LaBriola, Academic Senate Analyst

Attest: J. Daniel Hare, Academic Senate Chair

Attachments: Appendix A – Assembly Attendance Record, Meeting of April 13, 2016

## Appendix A – 2015-2016 Assembly Attendance Record, Meeting of April 13, 2016

### President of the University:

Janet Napolitano (absent)

### Academic Council Members:

J. Daniel Hare, Chair

James Chalfant, Vice Chair

Robert Powell, Chair, UCB

Andre Knoesen, Chair, UCD

Alan Terricciano, Chair, UCI

Leobardo Estrada, Chair, UCLA

Cristian Ricci, Chair, UCM

Jose Wudka, Chair, UCR

Robert Continetti, Chair, UCSD

Ruth Greenblatt, Chair, UCSF (absent)

Kum-Kum Bhavnani, Chair, UCSB (absent)

Donald Brenneis, Chair, UCSC

Ralph Aldredge, Chair, BOARS

Valerie Leppert, Chair, CCGA

Colleen Clancy, Chair, UCAAD (absent)

Michael Stenstrom, Chair, UCAP

Tracy Larrabee, Chair, UCEP

Calvin Moore, Chair, UCFW

Judith Habicht Mauche, Chair, UCORP

Shane White, Chair, UCPB

### Berkeley (5)

Alexis T. Bell

Peter R. Glazer (absent)

Kris Gutierrez

Miryam Sas (absent)

Theodore Slaman

### Davis (6)

William Casey

Andrea J. Fascetti

Richard Tucker

Robert L. Powell

Chris van Kessel

Fran Dolan

### Irvine (4)

Joyce Keyak (alt for Sameer Ashar)

David Kay

Karamet Reiter (absent)

Timothy Tait

### Los Angeles (8)

Roman Koropecjy

Dorothy Wiley

Purnima Mankekar (absent)

Hanna Mikkola (absent)

Ninez Ponce

E. Richard Stiehm (absent)

Frank Petrigliano (absent)

Christopher Tilly (absent)

### Merced (1)

Robin Maria DeLugan (absent)

### Riverside (2)

Mary Gauvain

Jodi Kim

### San Diego (5)

Nadine George

Grant Goodall

Joanna McKittrick

Gail Heyman

Gentry Patrick (absent)

### San Francisco (4)

Farid Chehab (alt for Marek Brzezinski)

John Feiner

Steven Cheung (alt for David Saloner)

Laura Wagner

### Santa Barbara (3)

Charles Akemann (absent)

Eric Matthys

Xiaorong Li (absent)

### Santa Cruz (2)

Olof Einarsdottir

Dorian Bell

### Secretary/Parliamentarian

George J. Matthey