

VIDEOCONFERENCE MEETING OF ASSEMBLY OF THE ACADEMIC SENATE

February 9, 2022

MINUTES OF MEETING

I. ROLL CALL OF MEMBERS

Pursuant to the call, the Assembly of the Academic Senate met on Wednesday, February 9, 2022. Academic Senate Chair Robert Horwitz 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: The Assembly approved the minutes of December 8, 2021.

III. ANNOUNCEMENTS BY SENATE LEADERSHIP

- **Robert Horwitz, Chair**
- **Susan Cochran, Vice Chair**

Leadership Changes: Provost Brown and Vice Provost for Academic Personnel Carlson both will retire from the University at the end of the 2021-22 academic year. Systemwide Senate Executive Director Hilary Baxter is also retiring at the end of June.

UC Budget: The Governor’s January budget provides UC with a 7.7% increase in ongoing funding, and \$295 million in one-time funding for climate research, deferred maintenance, and energy efficiency projects. It also proposes a multi-year Compact that will provide annual 5% base budget adjustments through 2026-27, as long as UC makes progress on specific policy goals, including increasing California resident undergraduate enrollment on all campuses. The budget promises to pay for UCB, UCLA, and UCSD to reduce nonresident enrollment to the 18% policy cap over the next five years. The Governor’s budget also asks UC to double, by 2030, undergraduate credit hours generated through online courses compared to pre-pandemic levels.

Online Education: In addition to the Governor’s budget, several factors are pushing the expansion of online education, including increasing demand for access to UC and the limited physical capacity of campuses. Faculty are questioning assumptions by Regents and policymakers that online education will save money and that UC’s pandemic experience has prepared it for a major expansion of online education. The Academic Council has asked UCEP to develop guidelines for the review of fully online undergraduate degrees in anticipation of specific forthcoming proposals.

Labor Issues: The University and UAW have concluded initial discussions about which graduate students qualify for membership in a new GSR bargaining unit. The parties agreed that the union will include students who are UC employees paid through university research funds and grants and who provide a “service” to the University.

Senate Membership: The Senate has assembled an ad hoc group to consider a recommendation in a UC Health DEI report that the Senate grant membership to clinicians. The group will discuss the misplacement of clinicians in non-Senate health sciences series as one way to address the issue.

Academic Integrity: In March, the Regents will discuss the Senate’s request for an institutional response to faculty concerns about student cheating and faculty intellectual property theft facilitated by tutoring websites—and specifically, possible legal action and a new automated take-down request system to address stolen intellectual property.

Retiree Issues: The UC Retirement Administration Service Center is building a new system to better manage call volume, and restoring some in-person retirement counseling services. Senate leaders have asked UCOP to implement an ad-hoc cost-of-living adjustment in UCRP this year to help offset inflation for longtime retirees, and respond to concerns from faculty retirees having trouble navigating a new prescription plan.

Teaching Modalities: Disabled students and their allies are requesting universal access to remote learning and class recordings as an essential accommodation. UCAF is discussing the extent to which such requests may clash with faculty pedagogical decisions, and the academic freedom implications of policies that go beyond individual ADA accommodations and include a blanket requirement for recorded classes.

Department Political Statements: The Senate has released for systemwide review UCAF’s recommendations for addressing the freedom of campus academic departments to issue or endorse statements on political issues in the name of the department.

Future of Work: Senate leaders invited Chief Operating Officer Nava to the January Council meeting to discuss UC’s emerging philosophy around remote and hybrid work accommodations for staff. Faculty expressed concern that it has been difficult for some faculty to communicate effectively with home-based staff during the pandemic, and they cannot perform their jobs optimally without the in-person presence of key staff.

Transfer: A new subcommittee of the Intersegmental Committee of Academic Senates is discussing options for implementing Assembly Bill 928 and its mandate to establish a singular general education transfer pathway to UC and CSU. AB 928 requires ICAS to establish the pathway by May 2023 or relinquish responsibility for the project to administrators.

Innovation and Entrepreneurship: The Senate recommended that UC does not need to revise the APM to include consideration of innovation and entrepreneurship activities in faculty and promotion guidelines as recommended by the Regents Working Group on Innovation Transfer and Entrepreneurship.

COVID Impacts on Faculty: The joint systemwide Working Group on Mitigating COVID-19 Impacts on Faculty is finalizing its second report. One of the first report’s most important recommendations is to incorporate Achievement Relative to Opportunity (ARO) principles in the merit and promotion process, to recognize caregiving responsibilities and other constraints that impeded faculty scholarly progress during the pandemic.

Discussion:

- An Assembly member noted that student advising is one example of a student-facing staff job that is equally effective in a remote format. Another member encouraged the Senate to advocate for eliminating tuition for academic graduate student researchers who are employees, to help UC compete for top graduate students.

IV. REPORTS OF STANDING COMMITTEES

A. Academic Council

1. Proposed Revision to Senate Regulation 478 [action]

At its January 2022 meeting, following two systemwide Senate reviews, the Academic Council approved revisions to Senate Regulation 478.B. The revision was proposed by the Board of Admissions and Relations with Schools (BOARS). It creates Intersegmental General Education Transfer Curriculum (IGETC) Area 7 – Ethnic Studies, an additional IGETC subject area that prospective California Community College transfer students can fulfill by completing an approved ethnic studies course. The revision also aligns UC with new state legislation requiring CSU to include an Ethnic Studies course in their general education curriculum for a baccalaureate degree. BOARS modified its initial proposal in response to feedback from the first systemwide review. The change involves reducing the number of required courses for IGETC Area 4 (Social and Behavioral Sciences) from 3 to 2 in order to accommodate a new Area 7 course without increasing the overall IGETC course total and to align with CSU’s plans. UCRJ found that the proposed changes are consistent with Senate Bylaws and Regulations. The changes will apply to the next IGETC review cycle, which is December 2022 for academic year 2023-24.

BOARS Chair Sorapure noted that UCRJ advised BOARS that the proposed language was potentially ambiguous, in that SR 478.B appears to use the words “must” and “should” interchangeably.

MOTION: Chair Sorapure made a motion to substitute the text noticed in the agenda with the following text to reflect a better grammatical construction. The motion was seconded.

B. IGETC Subject Requirements

7. Ethnic Studies. 1 course: 3 semester units, 4 quarter units. This course must be in ethnic studies or in a similar field provided that the course is cross-listed with ethnic studies.

Discussion: Questions were raised about whether Area 7 would satisfy individual UC campus diversity graduation requirements, the extent to which the course criteria and guidelines included with the proposal mandate specific ethnic studies content, and whether courses with ethnic studies content would be eligible for Area 7 even if they do not include one of the specific course prefixes listed as examples in the criteria/guidelines. There was also confusion about the relation of the IGETC proposal to a separate proposal currently under Senate review for a new A-G ethnic studies requirement for freshman admission.

Chair Sorapure noted that campuses will make local determinations about how ethnic studies courses satisfy campus diversity requirements, and the UCOP course articulation office will evaluate submitted course syllabi for Area 7 against the course criteria and competencies defined by UC faculty in the criteria/guidelines, not based on their prefix.

ACTION: The Assembly approved the motion in a vote of 46 to 0.

MOTION: A motion was made and seconded to approve the amendment to Senate Regulation 478 with the substituted text.

There was continued discussion of the concerns noted above, during which Chair Sorapure clarified that the criteria/guidelines do not prescribe ethnic studies content, but only establish general parameters.

ACTION: The Assembly approved the motion in a vote of 36 to 5.

IV. UNIVERSITY AND FACULTY WELFARE REPORT

▪ Jill Hollenbach, Chair, University Committee on Faculty Welfare

Chair Hollenbach noted that UCFW examines issues affecting the personal, professional, and economic welfare of UC faculty, and is particularly interested in considering these issues through an equity lens.

COVID and Campus Reopening: UCFW has been concerned about a lack of consistency across campuses in their approaches to fall reopening, the Omicron variant-generated increase in Covid incidence requiring pivot to remote instruction, and the transition back to in-person at the end of January. There also was no consensus approach to decisions about teaching modality, in-person instruction exemptions, student accommodations, and classroom safety measures. UCFW wants UC to develop systemwide guidance and criteria to guide decision-making in future surges.

Child/Dependent Care: In September, the Academic Council forwarded President Drake a UCFW resolution expressing support for new UC programs that better support faculty, staff, and students who have dependent care responsibilities. President Drake responded with a supportive letter detailing UC's existing efforts. The Council responded by forwarding a UCFW letter requesting a systemwide data collection effort that assesses dependent care availability across the campuses.

Safety and Policing: UCFW is discussing President Drake's request to the Senate for recommendations on the design of a program to orient UC police to the UC community. The committee will propose a fellowship program for new recruits to engage in a year-long community-based project training experience.

TFIR: The Task Force on Investment and Retirement is monitoring UC pension investments to ensure continued viability of UCRP, and advocating for better communication and education for employees about pension options; the preservation of retiree health benefits; improved retirement counseling; a UCRP COLA for retirees; improved default savings fund choices; and a systemwide survey of UC employees' savings and retirement behavior.

HCTF: The UCFW Health Care Task Force is developing options for improved behavioral healthcare access for UC employees, advocating for infertility benefits, monitoring new health benefit offerings and problems, evaluating concerns from non-Senate clinical faculty, and advising on the management of UC Health systems, including the new affiliations policy.

Administrative Issues: UCFW is currently investigating problems with campus HR and financial systems that have delayed hiring and impacted faculty grant management. The committee is also advocating for new housing assistance to help faculty and other employees afford a home.

ARO Principles: Consideration of Achievement Relative to Opportunity principles in faculty merits and promotions is a key response to the pandemic. UCFW believes that implementing those principles permanently can help support a more humane and inclusive UC.

- An Assembly member asked Chair Hollenbach to elaborate on the issue of behavioral health access. She said the main problem is a lack of availability of providers within UC health plans, including many providers who are declining new UC patients, despite being listed in network.

The problem is particularly acute for providers specializing in care for adolescents and children.

V. ANNOUNCEMENTS BY SENIOR UNIVERSITY LEADERS

- **Michael Drake, President**
- **Michael T. Brown, Provost and Executive Vice President**
- **Nathan Brostrom, Executive Vice President and Chief Financial Officer**

Provost Brown said the University under President Drake is at the beginning of a revitalization. In addition to the state budget compact, there is a new appreciation for the economic and non-economic value of a UC degree, and increasing support for UC's need to grow, diversify, and support faculty and graduate students; maintain excellence, inclusive access, and affordability; and preserve academic leadership and shared governance.

President Drake acknowledged with sadness the brief shutdown of UCLA on February 1 following violent online threats by a former employee, an incident reflects a growing mental health crisis in the larger society. He noted that Michael Brown has announced his intention to step down as systemwide Provost at the end of this academic year. Provost Brown has contributed significantly to the University in myriad ways and will continue to advise President Drake on academic issues and special projects.

In his recent meeting with Governor Newsom, President Drake offered the University's help in addressing the climate crisis, and described UC's plans for sustainable capital and deferred maintenance projects as it moves toward its 2025 carbon neutrality goals and a fossil free future. He also emphasized UC's commitment to expanding access and equity, and the 2030 goals of adding 200,000 additional degrees, narrowing equity gaps in achievement, and growing and diversifying the faculty.

The August 2021 UC Community Safety Plan envisions a future in which people feel both protected and respected, where police harassment and violence against people of color is eliminated, and the campus community is safe. Campuses have formed work groups in response to the Plan's recommendations to collect and share campus safety data, and find alternatives for police vehicles and uniforms that will be consistent with a university environment.

CFO Brostrom noted that the Governor's higher education budget also provides \$750M for the affordable student housing grant program; twenty percent of which is reserved for UC campuses; and \$632M million in ongoing funding for the Middle Class Scholarship program. UC's budget priorities include funding for 5,000 past unfunded enrollments, and additional one-time funding for capital renewal. The University is preparing to issue new bonds to support student housing and seismic updates to the medical centers.

Discussion:

An Assembly member asked President Drake to comment on the future of the pandemic. Another expressed concern that campus responses have been inconsistent and encouraged UCOP to facilitate a more coordinated systemwide response to address future developments.

- President Drake responded that the winter surge in cases and hospitalizations is easing. Positive cases on UC campuses are declining, and most have returned to in-person instruction. He said he expects continued declines and a significant drop off by early March. He observed that appropriate behaviors, including booster vaccines and masking, help keep campuses safe. He said he expects campuses to maintain indoor mask mandates for the foreseeable future.

- He noted that institutions and communities all over the country have struggled with consistent and coordinated pandemic responses. UCOP has established best practices and guidelines, which campuses can use to determine the best course based on individual circumstances. UCOP has been firm about some things, such as the vaccine mandate, and flexible about others. UCOP will also compare campus outcomes to inform future best practice guidance.

An Assembly member asked President Drake to comment on how funding in the budget for employee salary increases will account for rising inflation rates.

- President Drake responded that the 2022-23 budget approved by the Regents addresses inflation as it was known in the fall. If inflation worsens significantly, the University will seek more funding in the May budget revision and in future budgets.

An Assembly member asked seniors leaders to comment on the University's fossil-free transition, and the expected state support for that transition.

- CFO Brostrom noted that the biggest impediment to the transition is campus dependency on natural gas power plants that still have years of useful life, but that every campus is looking at electrification as part of the transition, UCOP is developing an outline of required steps and projected costs. In the meantime, the University expects the state to help UC move to the more achievable, intermediate goal of carbon neutrality.

IV. REPORTS OF STANDING COMMITTEES

A. Academic Council, continued

2. Proposed Memorial to the UC Regents

At its December 15, 2021 meeting, the Academic Council voted to approve a proposed Memorial to the UC Regents and recommend to the Assembly that it initiate a ballot on the Memorial in accordance with Senate Bylaw 90. The Memorial was proposed by the ad hoc Systemwide Senate Task Force on the Climate Crisis. The Memorial reads: "The University of California Academic Senate petitions the Regents for investments in UC's infrastructure that will reduce on-campus fossil fuel combustion to 5% of current levels by 2030."

Bylaw 90 specifies that the Assembly may initiate Memorials to the Regents on matters of universitywide concern and that Memorials approved by the Assembly shall, within sixty calendar days of approval, be submitted by the Secretary/Parliamentarian of the Senate to an electronic ballot of all voting members of the Senate. If a majority of the voting members approve the proposed Memorial, the Assembly will forward it to the President for transmission to the Regents, as provided for in Regents Bylaw 40.1.

Executive Director Baxter clarified that the Memorial vote is based on the majority of total UC faculty systemwide, not a majority of campuses, although campus Senate offices will manage balloting, and the systemwide Senate will report the campus and systemwide votes.

Pro-Con Discussion:

In accordance with Bylaw 90 section B, statements for and against the Memorial were submitted to the Assembly prior to the meeting. Chair Horwitz asked UCSD Professor Eric Halgren to present the "pro" arguments and UCSB Senate Chair Susannah Scott to present the "con" arguments.

Professor Halgren noted that the current climate emergency demands large and immediate decreases in CO₂ emissions. UC's response to the crisis has been inadequate; its real emissions have not changed over the past decade and its current strategies of purchased carbon offsets and waste-generated methane that were supposed to be temporary measures are now the main solutions. These strategies are not additional, verifiable, or scalable, and they allow UC to avoid real emissions reduction. The University has a responsibility to help lead society's response to the climate crisis. UC is seen as a world leader in climate research, and it can be a moral and intellectual leader in implementing real solutions.

Professor Scott noted that the question is not whether the climate crisis is real, or if urgent action is needed, but whether the Memorial outlines the best way for UC to lead. UC's approach should be well-reasoned. Meeting the 5% target in the Memorial will require immediate capital investments in new CO₂-free physical plant operations that will cost more than \$5 billion. These investments will reduce UC's ability to address other critical capital needs, including deferred maintenance and seismic safety projects that are estimated to cost \$24 billion, and funding to build new classrooms and research buildings to support students and faculty. The Memorial also imposes systemwide action, even though campus needs vary and might be better served by allowing each to work toward net zero carbon emissions using local best practices.

In rebuttal, Professor Halgren noted that the proposed Memorial does not demand immediate capital investments and does not attempt to prioritize UC expenditures. The University is obligated to decrease carbon emissions to help save humanity, other species, and future generations. UC has recognized the need for electrification, but has not provided a budget for it. In addition, he said the Memorial would not interfere with the freedom of individual campuses to develop local approaches; however, working together as a system will support stronger lobbying efforts for funding, the sharing of best practices, and other advantages. He added that a 95% reduction in carbon emissions is technically possible, but the optimal specific approach to achieving that goal will require study.

In rebuttal, Professor Scott challenged the claim that UC had not reduced real emissions over the past decade. She said Scope 2 emissions have decreased 56% since 2013 (61% since 2009), due to part to the UC clean power plan. Scope 1+2 emissions have decreased 17% in the period 2013-19. In the past decade, the size of the campuses has increased significantly. The emissions intensity (per square foot) has decreased by 29% between 2009 and 2019. She emphasized that there is no source of 100% renewable energy currently available to UC to substitute for natural gas. The University needs to have a thorough and transparent discussion about trade-offs and sacrifices before taking dramatic action on electrification.

Next Steps:

The discussion exceeded the time allocated on the agenda for the meeting. Given the importance of the topic, members proposed postponing action until the April 13 Assembly meeting.

MOTION: A motion was made and seconded to postpone discussion and action to April 13.

Discussion: Members expressed concern that the timeline for a ballot initiated in April would make it difficult for faculty on semester campuses to participate in an informed campus vote before the end of the term in mid-May

MOTION: Chair Horwitz proposed an amendment to the motion, to explore the possibility of scheduling a Special Meeting of the Assembly before the April meeting to continue the discussion. The motion was seconded.

Discussion: Parliamentarian Dickson noted that the Senate bylaws give the Assembly Chair the authority to call a Special Meeting of the Assembly.

ACTION: The amended motion passed. The main motion passed.

VI. SPECIAL ORDERS

A. Consent Calendar [NONE]

VII. NEW BUSINESS [None]

VIII. SPECIAL ORDERS [None]

IX. REPORTS ON SPECIAL COMMITTEES [None]

X. PETITIONS OF STUDENTS [None]

XI. UNFINISHED BUSINESS [None]

The meeting adjourned at 1:05 pm

Minutes Prepared by: Michael LaBriola, Assistant Director, Academic Senate

Attest: Robert Horwitz, Academic Senate Chair

Attachments: Appendix A – Assembly Attendance Record, Meeting of February 9, 2022

Appendix A – 2021-2022 Assembly Attendance Record, Meeting of February 9, 2022

President of the University:

Michael Drake

Academic Council Members:

Robert Horwitz, Chair
Susan Cochran, Vice Chair
Ronald Cohen, Chair, UCB
Richard Tucker, Chair, UCD
Joanna Ho, Chair, UCI
Jody Kreiman, UCLA Chair
LeRoy Westerling, Chair, UCM
Jason Stajich, Chair, UCR
Tara Javidi, Chair, UCSD
Steven Cheung, Chair, UCSF
Susannah Scott, Chair, UCSB
David Brundage, Chair, UCSC
Madeleine Sorapure, Chair, BOARS
Andrea Kasko, CCGA Chair
Daniel Widener, Chair, UCAADE
Francis Dunn, Vice Chair, UCAP (alt for John Kuriyan, Chair)
Mary Lynch, Chair, UCEP
Jill Hollenbach, Chair, UCFW
Karen Bales, Chair, UCORP
Kathleen McGarry, Chair, UCPB

Berkeley (5)

Emily Ozer
Mary Ann Smart (alt for Nathan Sayre)
Martha Olney
Rosemary Joyce
Dean Toste

Davis (6)

Javier Arsuaga
Joe Chen
Yufang Jin (absent)
Hans-Georg Mueller
Robert Powell
Judith Van de Water (absent)

Irvine (4)

Elliott Currie
Michael Cooper
Naomi Morrisette
Bonnie Ruberg

Los Angeles (8)

Carol Bakhos (absent)
Hiram Beltran-Sanchez
Nicholas Brecha
Patricia Ganz (absent)
William Hsu (absent)
Ann Karagozian (absent)
Eleanor Kaufman
Shane White

Merced (1)

Justin Yeakel

Riverside (2)

Jonathan Eacott (alt for Peter Chung)
David Biggs

San Diego (5)

Mariana Cherner
Douglass Forbes
Paolo Cessi
Virginia de Sa
Kamau Kenyatta (absent)

San Francisco (4)

Stella Bialous
Dyche Mullins
Janice Tosh (alt for Jae-Woo Lee)
Pamela Den Besten (absent)

Santa Barbara (3)

Cynthia Kaplan
Daniel Montello
Elizabeth Perez

Santa Cruz (2)

Patricia Gallagher
Susan Strome

Secretary/Parliamentarian

Andrew Dickson