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NOTICE OF MEETING
TELECONFERENCE OF THE ASSEMBLY OF THE ACADEMIC SENATE

Wednesday, April 21, 2010

10:00 am - 12:00 pm

Contact your divisional Senate office for the teleconference site.

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The next regular meeting of the Academic Assembly will be in Oakland on Wednesday, June 16, 2010.

Roll Call of Members
2008-09 Assembly Roll Call April 21, 2010

President of the University:

Mark Yudof (absent)

Kenneth Chew

David Kay

Academic Council Members:

Henry Powell, Chair

Daniel Simmons, Vice Chair

Christopher Kutz, Chair, UCB

Robert Powell, Chair, UCD

Judith Stepan-Norris, Chair, UCI

Robin Garrell, Chair, UCLA

Martha Conklin, Chair UCM

Anthony Norman, Chair, UCR

William Hodgkiss, Chair, UCSD

Robert Newcomer, Vice Chair, UCSF

Joel Michaelsen, Chair, UCSB

Lori Kletzer, Chair, UCSC

Sylvia Hurtado, Chair, BOARS

Farid Chehab, Chair, CCGA

Ines Boechat, Chair, UCAAD

Alison Butler, Chair, UCAP

Keith Williams, Chair, UCEP

Shane White, Chair, UCFW

Gregory Miller, Chair, UCORP

Peter Krapp, Chair, UCPB

Los Angeles (9 - 1 TBA)

Paula Diaconescu

Malcolm Gordon

Jody Kreiman

Timothy Lane

Duncan Lindsey

Susanne Lohmann

Purnima Mankekar

Joseph Nagy

Natik Piri

Merced (1)

Nella Van Dyke

Riverside (2)

Manuela Martins-Green

Albert Wang

San Diego (4)

Salah Baouendi

Timothy Bigby

Sandra Brown

Stephen Cox

Jason X-J Yuan

San Francisco (3)

David Gardner

Deborah Greenspan

Sandra Weiss

Berkeley (6)

Daniel Boyarin

Suzanne Fleiszig

James Hunt

Anthony Long

Mary Ann Mason

Pablo Spiller

Davis (6 – 1 TBA)

Joel Haas

Brian Morrissey

Krishnan Nambiar

John Oakley

David Simpson

Santa Barbara (3 – 1 TBA)

Chuck Bazerman

Richard Church

Santa Cruz (2)

Mark Carr

Marc Mangel

Irvine (4)

Hoda Anton-Culver

Luis Aviles

Secretary/Parliamentarian

Peter Berck

MEETING OF THE ASSEMBLY OF THE ACADEMIC SENATE

February 26, 2010
MINUTES OF MEETING

I. ROLL CALL OF MEMBERS

Pursuant to call, the Assembly of the Academic Senate met on Friday, February 26, 2010 via teleconference. Academic Senate Chair Henry Powell presided and called the meeting to order at 9:00 am. Senate Executive Director Martha Winnacker called the roll of Assembly members. Attendance is listed in Appendix A of these minutes.

II. MINUTES

ACTION: The Assembly approved the minutes of the October 14, 2009 meeting as revised and distributed after noticed, but prior to the meeting.

III. ANNOUNCEMENTS BY THE CHAIR

- Henry Powell

Chair Powell noted that this meeting of the Assembly is informational. The intent is to use the Assembly as a forum for broadening the conversation with senior leadership about the University's budget circumstances to include all of the divisions. Chair Powell also stated that he wished to provide advance information about two important consultations that will take place in the spring—systemwide discussions of recommendations related to UC post-employment benefits and of the recommendations expected to emerge from the Commission on the Future. He noted that he anticipates that the scheduled April meeting of the Assembly will take place by phone and that the scheduled June meeting will take place in person.

Post-Employment Benefits

At the October Assembly meeting, a presentation was made on the unfunded liability facing the UC Retirement System. A Presidential Task Force on Post-Employment Benefits has been meeting over the past year to evaluate how UC should meet this challenge. Although Senate representatives have participated on the task force, the specific options it has considered have not yet been shared outside of the task force. In April, the Post-Employment Benefits Task Force will hold a series of public meetings on every campus to discuss the range of options it has been studying. Chair Powell reported that in May, he and Vice Chair Simmons will visit each campus to meet with Senate members to gather feedback on the options so that the Academic Council will be prepared to advise the President on what the Senate believes is good for the University. Prior to these tours, the committees on Faculty Welfare and Planning and Budget, and the Academic Council will have been briefed by senior administrators. These spring consultations are critical, because the Task Force will make recommendations to the President in June. We expect him to begin discussing the recommendations with the Regents in July. We also expect further consultation before the Regents take action. The June Assembly meeting will be an opportunity for the Senate's highest body to formally adopt a position if we have reached agreement and have sufficient information. Those recommendations will then be distributed for systemwide review. In September the Regents will set UCRP contribution rates for 2010-11. They may also consider some other recommendations regarding pension and benefits.

Commission on the Future Recommendations

The Commission on the Future will receive the first recommendations from its Working Groups next month. The Senate will be asked to comment and help shape those recommendations for the final version that will go to the Regents for information in May and for action in July. A second set of draft recommendations will be announced in June, discussed over the summer, and presented to the Regents in September. The Commission's website has been updated with a detailed calendar for the coming months. The Commission will meet on March 23, May 7, and June 15. The Senate will conduct its own review in the usual way, but Chair Powell stated that he hopes that members will use every opportunity to comment. The President has promised that no action items from the Commission will go to the Regents without full Senate review.

Advocacy. Chair Powell noted that the Senate has been actively involved in the University's advocacy efforts in Sacramento. Last month he spent three days meeting with legislators and their staffs about the crisis in higher education, in cooperation with student leaders and the leaders of the Academic Senates of CSU and the CCC. As the chair of the Intersegmental Committee of the Academic Senates (ICAS), he has testified at hearings of the state legislature's Joint Committee on the Master Plan for Higher Education. Senate and ICAS members also plan to participate in an intersegmental lobbying day on April 27. Chair Powell has encouraged the divisions to join with students in advocacy efforts. He appealed to every member of the Senate to consider how each individual can assist UC advocacy efforts, through both personal and campus efforts. UC is emphasizing that education is an investment in the future of California.

Chair Powell introduced Patrick Lenz, Vice President for Budget and Capital Resources, who reported that he has been meeting with members of the legislature's budget committees. He stated that the Legislative Analyst's Office (LAO) is recommending less funding for UC than the governor recommended. For example, they recommend not providing funds for student over-enrollment. VP Lenz stated that he will counter these suggestions at the budget committee meetings that begin in March. VP Lenz also offered his compliments to ICAS, as he received feedback from legislators that their meetings with ICAS members were valuable.

Reports from the LAO. Chair Powell mentioned that recent reports from the LAO have been critical of UC's new eligibility policy and for an alleged lack of coordination among the segments. He reported that he met with Steve Boilard of the LAO to clarify that there was extensive intersegmental consultation about UC's eligibility policy prior to its approval by the Regents, and that the leaders of the CSU and CCC submitted written testimony supporting the policy. He also described over thirty years of collaboration among the faculty of the three segments through ICAS. He reported that ICAS will continue outreach about its intersegmental efforts to the LAO and members of the legislature.

IV. ANNOUNCEMENTS BY THE PRESIDENT

Please see Appendix B for President Yudof's remarks.

VI. SPECIAL ORDERS [NONE]

VII. REPORTS OF SPECIAL COMMITTEES [NONE]

VIII. REPORTS OF STANDING COMMITTEES [NONE]

VIII. UNIVERSITY AND FACULTY WELFARE REPORT [NONE]

IX. PETITIONS OF STUDENTS [NONE]

X. UNFINISHED BUSINESS [NONE]

XI. NEW BUSINESS [NONE]

The meeting adjourned at 10:30 am.

Attest: Henry Powell, Academic Senate Chair

Minutes Prepared by: Clare Sheridan, Academic Senate Analyst

Attachments: Appendix A – Assembly Attendance Record, Meeting of February 26, 2010
Appendix B – Remarks of President Yudof to the Assembly of the Academic Senate

Appendix A – 2009-2010 Assembly Attendance Record, Meeting of February 26, 2010

President of the University:

Mark Yudof

Kenneth Chew

David Kay

Academic Council Members:

Henry Powell, Chair

Daniel Simmons, Vice Chair

Christopher Kutz, Chair, UCB

Robert Powell, Chair, UCD

Alan Barbour, Chair-elect, UCI

Robin Garrell, Chair, UCLA

Martha Conklin, Chair UCM

Anthony Norman, Chair, UCR

William Hodgkiss, Chair, UCSD

Robert Newcomer, Vice Chair, UCSF

Joel Michaelsen, Chair, UCSB

Lori Kletzer, Chair, UCSC

Sylvia Hurtado, Chair, BOARS

Farid Chehab, Chair, CCGA

Ines Boechat, Chair, UCAAD

Alison Butler, Chair, UCAP

Keith Williams, Chair, UCEP

Shane White, Chair, UCFW

Gregory Miller, Chair, UCORP

Peter Krapp, Chair, UCPB (absent)

Berkeley (6)

Daniel Boyarin

Suzanne Fleiszig

Fiona Doyle (alternate for James Hunt)

Avideh Zakhor (alternate for Anthony Long)

Mary Ann Mason

Pablo Spiller

Davis (6)

Joel Haas (absent)

Brian Morrissey

Brian Mulloney

Krishnan Nambiar

John Oakley

David Simpson

Irvine (4)

Hoda Anton-Culver (absent)

Luis Aviles (absent)

Los Angeles (9)

Paula Diaconescu

Malcolm Gordon

Jody Kreiman (absent)

Timothy Lane

Duncan Lindsey

Susanne Lohmann (absent)

Purnima Mankekar (absent)

Joseph Nagy

Natik Piri (absent)

Merced (1)

Nella Van Dyke

Riverside (2)

Manuela Martins-Green

Albert Wang

San Diego (5)

Carlos Waisman (alternate for Salah Baouendi)

Timothy Bigby

Sandra Brown

Stephen Cox

Jason X-J Yuan

San Francisco (3)

David Gardner

Deborah Greenspan

Sandra Weiss

Santa Barbara (3 – 1 TBA)

Chuck Bazerman

Richard Church (absent)

Santa Cruz (2)

Mark Carr

Marc Mangel

Secretary/Parliamentarian

Peter Berck

Appendix B

Remarks of President Mark G. Yudof Assembly of the Academic Senate Friday, February 26, 2010 Teleconference

TOLERANCE AND DIVERSITY ON CAMPUS

- I want to condemn recent incidents, one on-campus, one off-campus; behavior of very small number of students in each case which have created so much negative attention for UC and damage to UC community.
- Both are teachable moments and I commend Chancellor Drake and Chancellor Fox for working with their campus communities to make sure some good comes from each of these lamentable incidents.
- UC Irvine: Wrote personal letter of apology to Ambassador Oren.
- A university is a place where free inquiry and the open expression of views are to be cherished, valued and encouraged.
- Nowhere in the constitution is the “right” to suppress the speech of others protected.
- Those who abrogated Ambassador’s rights were arrested and will be subject to campus disciplinary proceedings.
- Fully support Chancellor Drake in his efforts to ensure that civil and reasoned discourse remains the hallmark of this university.
- Deeply pained by racist incident off-campus, involving, involving a small group of UC San Diego students who mocked the commemoration of Black History month. This was apparently followed last week by an offensive closed circuit TV broadcast. These acts offend not only the African-American community, but all who are dedicated to the principles of diversity and civility that must prevail on any campus.
- Chancellor Fox has instituted campus disciplinary proceedings and organized a campus teach-in. I agree with campus officials that the remedy for dangerous, offensive or extreme speech is more speech, not less. Chancellor Fox has my full support as the UCSD community recovers from the damage caused by these incidents.
- Both the Regents and I have issued public statements condemning the incidents and expressing our support for the way in which the Chancellors are handling the fallout.

BUDGET

- We’ve seen a few small but significant steps in the right direction since we last spoke.
- The governor’s 2010-2011 spending plan proposes restoring \$370 million for UC.

- That includes \$51.3 million to fund enrollments –an important step, given that UC now enrolls more than 15,000 students unsupported by state funds.
- The Governor’s plan also includes funding for the Cal Grant entitlement program to cover the recently approved mid-year and 2010-11 student fee increases. This allows us to continue to provide financial aid to students who need it most.
- Cal Grants are a high priority for UC and we will work to ensure that funding for them is in the final state budget.
- We deeply appreciate the governor’s actions and his clear recognition of the vital contributions public higher education makes to California, but his plan still falls short of what UC needs to preserve quality and access.
- UC is still seeking a \$913 million restoration of State funds in 2010-11 in order to sustain its commitments to students and families, and all Californians. The \$370 million proposed is 40 percent of this request.
- If provided, a \$913 million restoration would bring UC funding back to the level it had in the 2007-08 budget and would also address critical funding gaps for enrollment and for the UC Retirement plan (though it would still not meet the University’s full funding needs.)
- The Governor has also proposed enacting a constitutional amendment for public higher education that would set funding for UC and CSU at a minimum of 10 percent of the State’s General Fund budget.
- The Governor’s proposal advances one option in the conversation around restoring the values and priorities that have made California great.
 - The Governor has focused the discussion exactly where we want it: on the tremendous return on investment that UC delivers to California.
- While we recognize the Legislature would develop the specifics of the Governor’s plan, as well as explore other funding options, we believe it is critical to develop a stable funding stream for the institutions best positioned to lift our state from recession. We intend to continue working with the Legislature on the Governor on this important issue.

ADVOCACY

- We will also continue a sustained and vigorous advocacy campaign in Sacramento.
 - Shortly after the Governor released his budget, we alerted our 200,000-plus advocates to contact their legislators, asking that they support our full \$913 million request. I also released a video to all members of the community asking for their involvement. Such messages will be coming more frequently and consistently.
 - I met with the Governor and with legislative leaders to press our case. In addition, I’ve spoken a number of times to President Pro-Tem Steinberg and I had an engaging conversation with Speaker-Designate Perez. They, like Speaker

Bass, get it. They are in a horrible fiscal environment, but they fully understand the critical need to preserve the best public higher education system in the world.

- I have also begun the process of meeting with gubernatorial candidates to stress the importance of higher education.
- Those steps will make a difference. But I am reminded of something my Rabbi said: A leader is no substitute for an engaged community. I probably spend 80 percent of my time in one form or another on advocacy. We are operating in a budget climate that we all know is brutal. But to win this one, I am going to need all the troops, all our stakeholders – alumni, students, faculty, staff, parents, the business and scientific communities— amplifying our message: UC is not out of the woods yet; in fact we are far from it.
- While students are marching on the Capitol on Monday, I, along with several of our Regents and Chancellors, will be making our case inside with the Governor and with lawmakers.
- On April 27, the 50th anniversary of the Master Plan, we are planning a joint advocacy day in Sacramento with our colleagues from the CSU and community college systems. We expect this to be a major event.
- You know this already, but I would greatly welcome participation from the faculty as we advocate for the funds needed to preserve the access and quality of this institution.

III. ANNOUNCEMENTS BY THE CHAIR

- **Henry Powell**

IV. ANNOUNCEMENTS BY THE PRESIDENT [NONE]

V. SPECIAL ORDERS [NONE]

VI. REPORTS OF STANDING COMMITTEES [NONE]

A. Academic Council

- **Henry Powell, Chair**

1. Nomination and Election of the Vice Chair of the Assembly for 2010-2011 (action)

Senate Bylaw 110. A., which governs the election of the Vice Chair of the Assembly, states: “The Assembly elects a Vice Chair who is a Senate member from a Division other than that of the incoming Chair, to assume office the following September. The Academic Council submits a nomination. Further nominations may be made by the Assembly members from the floor, and on written petition by twenty-five Senate members. The Vice Chair also serves as Vice Chair of the Academic Council. The following year the Vice Chair becomes Chair of the Assembly and the Academic Council. Neither the Chair nor the Vice Chair may serve as a Divisional Representative.” In accordance with this bylaw, the Academic Council is submitting its nomination of Professor Robert Anderson for the 2010-2011 Vice Chair of the Assembly. Professor Anderson was selected as the Council’s nominee at its February 24, 2010, meeting. Professor Anderson’s qualifications and personal statement are as follows:

ROBERT M. ANDERSON
Brief CV

Education:

B.Sc., University of Toronto 1973 (Mathematics)

Ph.D., Yale University 1977 (Mathematics)

Employment:

Princeton University (Assistant Professor of Economics and Mathematics 1978-82,
Associate Professor 1982-83)

University of California at Berkeley (Associate Professor of Economics and
Mathematics 1983-87, Professor 1987-2010, Coleman Fung Professor of
Risk Management 2007-10)

Chair, Department of Economics, 1989-92, 1996-97

Awards and Honors:

Alfred P. Sloan Research Fellow, 1982

Fellow of the Econometric Society, 1987

Berkeley Faculty Service Award, 2009

University of California Academic Senate Service:

Presidential Task Force on Post-Retirement Benefits, 2009-10

Work group on potential outsourcing of UCRS administration, 2008

Academic Council Representative to the UCRS Advisory Board, 2002-10

Chair, Task Force on Investments and Retirement, UCFW, 2002-10
Ad hoc Senate work group on Total Remuneration Studies, 2005-09
UCFW, 1995-99, 2002-10 (Vice Chair 1997-98; Chair 1998-99)
Academic Council, 1998-99
UCFW Subcommittee on Affirmative Action 1992-93
(prepared proposal for domestic partner benefits)

Berkeley Division of the Academic Senate (selected service):

Committee on Academic Planning and Resource Allocation
(Berkeley version of UCPB); “Gimlet Group” (joint Administration-Senate
task force on budget transparency), 2009-10
Parliamentarian, Berkeley Division, 1996-2005
Committee on Faculty Welfare, 1994-2009 (Chair 1995-97)

ROBERT M. ANDERSON
Statement of Senate Challenges and Priorities

The University of California is in the midst of an unprecedented budget crisis. The University has weathered previous budget shortfalls relatively well, because each began from a base of relatively generous state funding and was limited in duration. However, as UCPB has documented, state funding failed to recover from the reductions in the early 2000s, leaving UC relatively poorly funded as we entered the 2008-09 recession. Student-faculty ratios had grown, increasing faculty workload and decreasing the quality of education. Moreover, as UCAP and UCFW have pointed out, the wages and Total Remuneration of faculty and many other employee groups were already substantially uncompetitive before we entered the recession. Consequently, the effects of the current reduction in state funding have been devastating. Moreover, because the recovery in state tax revenues is likely to be slow, and the state budget allocation process is gridlocked, we will likely not see a return to previous levels of state funding for many years, if ever.

Compounding the budget problem is UC’s 20-year addiction to draining the surplus in the University of California Retirement Plan (UCRP). UCRP, whose “normal cost” is 17% of employee wages, has been enormously helpful in recruiting and especially retaining employees. The surplus is now gone, and UCRP has become substantially underfunded. Contributions will restart on 4/15/10, but the planned contributions are far too small: the proposed 2009-10 UC budget contains a hidden \$2 Billion structural deficit, which is the expected growth in the funding shortfall as a result of inadequate contributions.

UCOP and the Regents must come to grips with the reality we face. As UCPB and UCFW have repeatedly complained, UC’s planning continues on a business-as-usual basis. New buildings and programs continue to be approved, even though we do not have a realistic budget plan for the current people and programs. Trivia like converting to semesters or internet instruction are not a cure. Reducing salaries and benefits will only accelerate the erosion of quality. We need a realistic plan.

In a crisis of this sort, it is common for people to start fighting with each other. I saw this first hand at Berkeley last fall, with faculty angrily denouncing each other, the President, the Regents, the Chancellor, and in some cases, the Senate. The lack of budget transparency is a major problem. All ten campuses are convinced they are being robbed, so tensions between campuses have escalated. Lab scientists are convinced that the overhead they generate is being stolen. Humanities faculty are underpaid and overworked, and they are convinced that it is because state funds are subsidizing the sciences. Health Sciences faculty receive little state support, but face pressure to see more and more patients.

The more energy we waste on infighting, the less energy we can devote to solving the budget problem. We need better advocacy with taxpayers; in particular, we need to work with staff and students to make the case for adequate state funding. We need to raise more private money, we need to reduce costs through greater efficiency, and we need to prioritize. We need to recognize that what is good for Riverside is not automatically bad for UCLA, it may actually be very good for UCLA, and vice versa. The ten campuses are diverse, and their interests are never perfectly aligned, but it is not a zero-sum game: we must stick together, if we are to hope for progress.

A strong systemwide Academic Senate, speaking with one voice, is UC's last and best hope. It would be an honor to serve as Senate Vice Chair, working closely with Dan Simmons and the Academic Council. I believe I can be effective in helping the Senate to unite to present a powerful voice for the faculty of this great University.

ACTION REQUESTED: Election of the 2010-2011 Assembly Vice Chair

VI. REPORTS OF STANDING COMMITTEES [CONTINUED]

A. Academic Council

2. Proposed repeal of [Senate Regulation 764](#) (action)

In May 2009 UCEP recommended to the Academic Council the repeal of Senate Regulation 764, which states "Credit in special study courses for undergraduates is limited to five units per term."

Justification. UCEP noted that no definition of special study courses is given, leading to great variations in its application across campuses, and that five campuses have obtained variances to the regulation. It also suggested that the regulation is too restrictive for modern pedagogy. Finally, most campuses have divisional regulations addressing this issue. Eight divisions (UCB, UCD, UCI, UCLA, UCR, UCSB, UCSC, and UCSD) and one committee (BOARS) responded to the request for systemwide review. All divisions endorsed the proposal that campuses should determine the policy regarding the number of credits allowed for special study, and seven campuses explicitly endorsed repealing SR 764. BOARS had no objection to the repeal. At its February 24, 2010 meeting, the Academic Council unanimously endorsed repealing SR 764.

ACTION REQUESTED: Repeal Senate Regulation 764

3. Recommendations of the Commission on the Future Working Groups (discussion).

The five working groups of the Commission on the Future have issued their first round of recommendations. A formal Senate review is underway, with comments due May 28. Assembly members may use the attached response template to help prioritize those recommendations on which it will be most productive to exchange views during this early stage of the review (**see attached response template**).

VII. REPORTS ON SPECIAL COMMITTEES

VIII. UNIVERSITY AND FACULTY WELFARE REPORT [NONE]

IX. PETITIONS OF STUDENTS [NONE]

X. UNFINISHED BUSINESS [NONE]

XI. NEW BUSINESS