

# UNIVERSITY OF CALIFORNIA

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## NOTICE OF MEETING REGULAR MEETING OF THE ASSEMBLY OF THE ACADEMIC SENATE

Wednesday, December 10, 2008

10:00 am - 4:00 pm

California State University, East Bay

Oakland Professional Development & Conference Center

1000 Broadway, Suite 109, Classrooms 2 & 3 (OPDCC2)

Oakland, CA 94607

Tel. #: (510) 208-7001/987-9143

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## **I. Roll Call**

### **2008-09 Assembly Roll Call December 10, 2008**

#### **President of the University:**

Mark G. Yudof

#### **Academic Council Members:**

Mary Croughan, Chair  
Henry C. Powell, Vice Chair  
Mary Firestone, Chair, UCB  
Pablo Ortiz (alt. for Robert Powell, Chair, UCD)  
Jutta Heckhausen, Chair, UCI  
Michael Goldstein, Chair, UCLA  
Martha Conklin, Chair UCM  
Anthony Norman, Chair, UCR  
Daniel J. Donoghue, Chair, UCSD  
David Gardner, Chair, UCSF  
Joel Michaelsen, Chair, UCSB  
Quentin Williams, Chair, UCSC  
Sylvia Hurtado, Chair, BOARS  
Farid Chehab, Chair, CCGA  
Francis Lu, Chair, UCAAD  
Steven Plaxe, Chair, UCAP  
Stephen McLean, Chair, UCEP  
Helen Henry, Chair, UCFW  
James Carey, Chair, UCORP  
Patricia Conrad, Chair, UCPB

#### **Berkeley (5)**

Steven Beissinger  
Ralph Catalano  
Christopher Kutz (alt. for Suzanne M.J. Fleiszig)  
Anthony Long  
Pablo Spiller

#### **Davis (6)**

Brian Morrissey  
Krishnan Nambiar  
John Oakley  
Donald Price  
Birgit Puschner  
Daniel L. Simmons

#### **Irvine (4)**

Hoda Anton-Culver (absent)  
Kenneth Chew  
Susan Neuhausen (alt. for Jone Pearce)  
Shawn Rosenberg

#### **Los Angeles (9 - 3 TBA)**

Paula Diaconescu (absent)  
Robert G. Frank, Jr.  
Jonathan H. Grossman  
Margaret Haberland  
Jody Kreiman  
Natik Piri

#### **Merced (1)**

Jan Wallander

#### **Riverside (2)**

Manuela Martins-Green  
Mart L. Molle

#### **San Diego (4)**

Richard Attiyeh  
Salah Baouendi  
Stephen Cox  
Joel Dimsdale

#### **San Francisco (4)**

Dan Bikle  
Deborah Greenspan  
Wendy Max  
Sandra Weiss

#### **Santa Barbara (3 – 1 TBA)**

Richard Church  
Volker Welter

#### **Santa Cruz (2)**

Mark Carr  
Lori Kletzer

#### **Secretary/Parliamentarian**

Peter Berck

## REGULAR MEETING OF THE ASSEMBLY OF THE ACADEMIC SENATE

JUNE 11, 2008

**DRAFT** MINUTES OF MEETING**I. ROLL CALL OF MEMBERS**

Pursuant to call, the Assembly of the Academic Senate met by teleconference on Wednesday, June 11, 2008. Academic Senate Chair Michael T. Brown presided and called the meeting to order at 10:00 a.m. Senate Associate Director Todd Giedt 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 January 30, 2008 meeting and the February 20, 2008 meeting as noticed.

**III. ANNOUNCEMENTS BY THE PRESIDENT**

- **Robert C. Dynes**

President Dynes distributed his [Report to the Academic Assembly](#) electronically prior to the meeting.

**IV. ANNOUNCEMENTS BY THE PROVOST**

- **Wyatt R. Hume**

**REPORT:** Provost and Chief Operating Officer Hume reported that the Governor's May budget revision restores (if approved by the state Senate and Assembly) approximately \$98 million to UC's budget over cuts that had been proposed by the Governor in January, but it still leaves UC more than \$300 million short of the operating budget proposed by The Regents last fall, a 5% overall cut relative to UC's expectations. UC is mounting a vigorous advocacy campaign, both locally and statewide and in strong partnership with California State University and the California Community Colleges, to promote the importance of higher education. The campaign focuses on the negative effects of disinvestment in higher education on educational opportunity and the California economy. So far, the effort has been successful; indeed, the more favorable May budget should be attributed in part to efforts by the California business community to communicate the potential effect of the cuts on workforce preparation and innovation.

He said the Office of the President is working hard to meet, and exceed if possible, the 10% administrative savings target for UC set by The Regents, by restructuring UCOP to be more efficient and by identifying additional areas of intercampus administrative saving achievable through economies of scale. Campuses are being asked to prepare for additional reductions. Current financial circumstances make implementing a second year of the faculty salary scales plan a challenging prospect, but restoring faculty salary scales to health and competitiveness remains a high priority for the University, along with graduate student support. Finally, the report of the Undergraduate Work Team of The Regents Study Group on Diversity was presented in May to The Regents, who expressed enthusiasm for the report and a sense of urgency about diversity within the University. They asked the Senate and administration to act as aggressively as possible to address the problem.

**Questions and Comments:**

**Question:** The recent review of the proposed guidelines for vendor relations highlighted two disparate views, which on the one hand seem to encourage faculty to interact with industry to further the dissemination of their research, and on the other hand, discourage medical sciences faculty from interacting with the pharmaceutical industry. How do we balance these views?

**Answer:** UC in no way wishes to inhibit interactions with industry that are proper, productive, and defensible under the California Fair Political Practices Act. We also do not want to encourage the acceptance of bribes, free trips, meals, or gifts, or other behavior that endangers the integrity of the research enterprise. UC policies include appropriate incentives and guidelines that ensure a proper way for faculty to benefit from those interactions.

**Question:** What is the status of the RFP for outsourcing the administration of the UC Retirement Plan (UCRP)? What standard will be used to assess responses, and is the decision to outsource final?

**Answer:** UC provides excellent service now, but it is also relatively expensive compared to industry standards. The goal of the bid process is to see if we can get an equally high quality of service at a lower cost. This goal is important at a time when we are trying to minimize administrative costs and curtail the re-start of contributions to UCRP. The decision about the bids will involve close consultation with the University Committee on Faculty Welfare (UCFW).

**Comment:** The UCFW Task Force on Investment and Retirement determined that UC provides a lower cost operation than is available elsewhere, and would question the assumption that privatization of benefits administration functions can be done more cheaply at the same level of service. Decentralization of UCOP will not necessarily save money and may create additional inefficiencies in the long run.

**Answer:** The pressure to lower administrative costs at UCOP will continue and we will decentralize processes if we find they can be administered more cheaply and efficiently at a campus or through a third party without damaging quality. I hope you are right about UCRP, but we may be able to realize \$3 million in permanent savings by outsourcing its administrative processes, which can be put to good use throughout the University.

**Question:** What is the status of proposed legislation regarding financial aid for undocumented students and protection of animal researchers?

**Answer:** We are optimistic that the student financial aid legislation will progress without a Governor's veto because there are no state funds involved. The approved animal research legislation was not as strong as we hoped, but we will continue working to strengthen it.

**Comment:** Thank you Provost Hume for being such a strong and constant advocate for faculty salaries and graduate student support.

**V. ANNOUNCEMENTS BY THE PRESIDENT-DESIGNATE**

- **Mark G. Yudof**

**REPORT:** President-Designate Yudof said he is looking forward to assuming the UC presidency on June 16, and noted that over time, he plans to visit each campus to meet with faculty, students, and administrators. He said as president of the world's premier public

University system, he sees no higher calling for himself than building upon UC's excellence, fulfilling its mission, expanding its impact, and communicating its importance to the state legislature and the people of California. He said the Office of the President should help facilitate the work of the campuses, encourage systemwide collaboration, and add value to the work of the faculty and staff on the campuses. He will need the support and advice of the faculty to carry through on these goals.

The President-Designate noted that he has been a strong proponent of affirmative action and diversity throughout his career – as dean of the University of Texas Law School, and as president of the University of Texas and the University of Minnesota. He will continue that commitment at the University of California. He has been briefed by the General Counsel on the constraints and possibilities for action within the context of Proposition 209. UC needs to work hard to increase both racial/ethnic and socioeconomic diversity on the campuses.

He takes institutional accountability very seriously and believes it is important for the University to view itself as accountable to students, parents, the people of California, and the legislature. UC should be prepared to provide coherent answers to questions about learning objectives and outcomes, and able to identify areas of success and areas that need improvement. He said he is very comfortable with UC's shared governance model and is looking forward to exchanging ideas with the faculty on a number of issues. He also noted the importance of keeping UC faculty salaries competitive with peer institutions for recruitment and retention purposes.

#### **Questions and Comments:**

Each division extended a welcome to President-Designate Yudof, and several asked questions.

**Question:** Do you have any thoughts about the current proposal before the Assembly to revise UC's freshman eligibility policy in the context of your experience with the University of Texas (UT)?

**Answer:** President Designate Yudof said he had not yet reviewed Council's proposed policy, but the Texas and California situations are very different. At UT, the top 10% of students are admitted through a local context program similar to UC's, but students may choose the campus they want to attend, which drives up the size of the entering class and precludes the use of affirmative action and a more holistic review process. He said he is comfortable with UC's referral system and looks forward to reviewing the proposal.

**Question:** Many of us are also concerned about a lack of diversity in the faculty. What are your views and have you thought about ways to increase faculty diversity?

**Answer:** It is vitally important to increase diversity within the context of Proposition 209. Establishing a critical mass of diverse faculty will help attract other diverse faculty. It is also critical for students to see diverse faculty in leadership roles as teachers, researchers, and administrators.

**Question:** UC Merced's funding model depends on enrollment, a marginal revenue model which does not take into account the high overhead costs associated with a start-up enterprise. What can UCOP do to help this fledgling campus?

**Answer:** I will be taking a close look at the UCM funding model with Vice President for Budget Patrick Lenz within the context of the current fiscal situation. As an emerging university, UCM has a plausible claim for additional resources, but other institutions do as well.

**Question:** What are your thoughts on the need to increase graduate student funding support?

**Answer:** I agree with the goal of increasing graduate funding, but all priorities may not be possible in the current budget climate. We should start by determining exactly where we need and want to be along with the cost of achieving that goal.

**Question:** UC will be frustrated in its attempts to diversify the student population if we are not more successful in preparing underrepresented minorities for UC. Does UC have a role to play in improving the K-12 pipeline?

**Answer:** The relationship of the K-12 pipeline to higher education is absolutely critical. We cannot solve the access and diversity problems at UC without looking more closely at K-12. The University of Texas Institute for Public School Initiatives was created for just this purpose. UC needs to think more creatively and innovatively in this area, and I would like a very active role for the campuses and faculty. Whatever UC does should be practical and sensible and include appropriate accountability mechanisms that will measure progress in better preparing students.

**Question:** I am interested in diversifying faculty, staff, students, and administrators not only in terms of ethnic diversity but also gender diversity. Are all of these priorities on your agenda?

**Answer:** This is very high on my agenda, and I am glad you raised the gender issue. It is important that we have strong representation of women colleagues at every level on every campus and at UCOP. We should think together about how to better facilitate that process.

**Question:** You were quoted recently as saying that UC needs to do more with less and that we need to be more of a hybrid university with multiple revenue streams. Since 1990, however, we have already done more with 40% less state funding while increasing contracts and grants revenue and tripling private donations. How can UC avoid doing more and more this time while ending up with less state funding?

**Answer:** My article on the 'Hybrid University' was more descriptive than prescriptive. I don't like the idea of UC becoming more dependent on higher fees and private endowments, but I am cautious because I see similar national trends facing educational institutions in virtually all 50 states. I will do my best to be more of a presence in the legislature and to secure more state support. We also must do more to appeal directly to the people of California to explain the importance of higher education to the welfare of the state, and the role higher education plays in every aspect of their lives, even if they do not have a child enrolled at UC or any direct connection to a campus. But we may have to do modeling on other funding alternatives to maintain and enhance quality.

**Question:** You had experience at the University of Texas with the DOE lab bidding process and have some familiarity with the labs themselves. How do you view the transition to the LLC structure, the current fiscal difficulties and downsizing of personnel at the labs, and the shift in direction to an increased nuclear weapons manufacturing component at Los Alamos?

**Answer:** I am not optimistic that the funding situation will improve in the near term. UC has signed a contract and we will be held to that contract, but I would also be troubled by an

expansion of nuclear weapons manufacturing, which I differentiate from the necessity of safeguarding the nuclear weapons stockpile. I also want to make sure there is integration between the first rate science at the labs and the faculty on the ten campuses. I think that interaction is important and useful to both the labs and the campuses. If we are not doing a good job we need to come up with strategies for more integration.

**Comment** (from several campuses): We appreciate your comments about shared governance and look forward to working with you in the years ahead.

## **VI. ANNOUNCEMENTS BY THE ACADEMIC SENATE CHAIR**

- **Michael T. Brown**

Chair Brown noted that for questions, comments, and voting in the teleconference format, he would first poll Council members, and then Assembly members located at campus sites by division. He asked divisional chairs to introduce the speakers from their site, and added that Assembly meetings are open to the public, but only Senate member have a right to the floor and only Assembly members may vote or propose a motion. He asked that no Assembly member speak twice until all other members were given the opportunity to speak.

The Academic Assembly uses the *Sturgis Standard Code of Parliamentary Procedure* as its parliamentary authority, except in the case of a motion to divide the question, in which the Assembly uses *Robert's Rules of Order*.

## **VII. SPECIAL ORDERS**

### **Consent Calendar**

1. Santa Cruz Division Regulation 11 – Honors
2. Merced Division Regulation 75

**ACTION:** The Assembly approved the consent calendar as noticed.

## **VIII. REPORTS OF SPECIAL COMMITTEES (NONE)**

## **IX. REPORTS OF STANDING COMMITTEES**

### **A. Academic Council**

- **Michael T. Brown, Chair**

1. Nomination and Election of the University Committee on Committees (UCOC) Vice Chair (member-at-large) for 2008-2009 and Chair 2009-2010

**ISSUE:** Upon the recommendation of UCOC, Academic Council nominates UCSC Professor of Chemistry Joseph P. Konopelski to serve as the 2008-09 UCOC vice chair and succeed as chair in 2009-2010. In accordance with Senate Bylaw 150.A.1, the Assembly is required to name members-at-large.

**ACTION:** The Assembly approved the election of Professor Konopelski to serve as the 2008-09 UCOC vice chair and to succeed as the UCOC chair in 2009-10.

2. Ratification of the Oliver Johnson Awards Recipients

**ISSUE:** The Assembly is asked to ratify the Academic Council’s choices for the 2008 Oliver Johnson Award for Distinguished Service to the Academic Senate: UC Santa Barbara Professor of Political Science Gayle Binion and UC San Francisco Professor of Neurosurgery Lawrence “Larry” Pitts.

**DISCUSSION:** Chair Brown noted that Oliver Johnson was a UC Riverside professor of philosophy, former chair of the Riverside Senate Division (1963-66), and former chair of the systemwide Senate (1981-82). In 1996, Professor Johnson made a gift to the systemwide Senate to endow the award that bears his name, which is given every other year to honor a UC faculty member or members who have demonstrated outstanding and creative contributions to shared governance at the divisional and systemwide level.

**ACTION:** The Assembly ratified Gayle Binion and Lawrence “Larry” Pitts as the 2008 Oliver Johnson awards recipients.

### 3. Proposal to Reform UC’s Freshman Eligibility Policy

- Michael T. Brown, Academic Council chair
- Mark Rashid, BOARS chair

**REPORT:** Council Chair Brown reported that the Academic Council released BOARS’ original eligibility reform proposal for systemwide Senate review in August 2007. The review concluded in December, when Council asked BOARS to address Senate reviewing agencies’ questions and concerns. BOARS responded in February 2008 with a revised proposal, and in May, Council voted to approve and forward a revised version of that proposal to the Assembly. Chair Brown invited BOARS Chair Mark Rashid to summarize the BOARS proposal.

Chair Rashid noted that admission to UC should be consistent with the following principles: it should be awarded primarily on the basis of academic achievement; assessment of this achievement should be based on multiple sources of evidence and should account for the circumstances in which it occurred; and all of California’s college-ready students, regardless of circumstances, should be afforded the opportunity to have their qualifications fairly and accurately assessed for purposes of admission.

The distinctive feature of UC admissions is the concept of “eligibility,” which the state guarantees to the top 12.5% of California high school graduates who complete the required “a-g” course pattern and a pattern of standardized testing, and meet a GPA/test score index. Currently, students gain admission to UC by submitting applications to individual campuses, which conduct a comprehensive review and offer admission to the most competitive students. UC-eligible students who are not accepted to any campus are granted an additional guarantee of referral admission to a campus with space, although in recent years, only UCR and UCM have extended a referral offer, and less than 1% of freshmen accept the offer.

UC grants eligibility on the basis of successful navigation of a complex set of rules and regulations, rather than on the basis of academic performance, which means that UC denies many excellent students a review for technical reasons that have little bearing on academic merit and that often relate to a lack of educational opportunity in individual high schools. Failure to conform to a single rule – for example, missing the SAT II or one course in the a-g pattern –

renders a student ineligible and essentially invisible to UC. Ineligibility alone is not a sound basis on which to exclude students. Each year about 15% of the applicant pool is ineligible; despite the fact that the pool contains many students with GPAs over 3.5. It is notable that students in this pool are more ethnically and geographically representative of the state.

BOARS has proposed a new eligibility pathway – “Entitled To Review” (ETR). All students meeting minimum markers of college readiness would be designated ETR and invited to apply. Their applications would be comprehensively reviewed based on current processes in place on the campuses. A subset of the ETR pool would receive an additional referral guarantee. The proposal also recommends eliminating the SAT Subject test as a strict requirement for admission, based on evidence that Subject test scores do not help predict freshman success; however, individual campuses and programs would still be able to recommend specific Subject tests.

BOARS’ initial proposal called for retaining guaranteed referral only through the Eligibility in a Local Context pathway at its present level of 4%, and eliminating the statewide eligibility pathway. The Senatwide review of that proposal, however, showed that many faculty regard guaranteed referral as important, although few students use it. BOARS’ February revision took this into account by expanding the referral guarantee to a subset of ETR students who are either in the top 5% of graduating seniors statewide, or in the top 12.5% of graduates from their school. BOARS estimates that due to significant overlap, the 12.5x5 index will confer a guarantee of admission to about the top 10% of California high school graduates.

Chair Rashid said the referral guarantee under ETR will not exclude students; rather, it will help increase UC’s presence in high schools throughout the state, emphasize the importance of excelling in the local context, encourage students to prepare for UC, and broaden the expectation, particularly in low API schools, that a UC education is possible. There are concerns that ETR will cause academic quality to decline and leave good students from UC’s top feeder schools without a guarantee, but these concerns are unwarranted. Few good students from top schools use or benefit from the guarantee, and most will still earn ETR status and will be admitted to individual campuses on the basis of their records. In addition, the proposal will enhance student quality by broadening the pool of freshman applicants visible to campuses. UC will receive more applications, some of them from very deserving students, which will increase the selectivity of the entire system. In sum, eligibility as it is currently constructed, is not serving UC well. The proposal before the Assembly is the product of great academic effort. It opens the doors to all college-ready applicants to have their credentials fairly assessed. The evidence is that it will have a positive impact on access, diversity, fairness, and quality.

Chair Brown noted that nine Senate divisions and four systemwide committees responded during the systemwide review. There was general support for BOARS’ goals and broad support for two of the three main features of the proposal: the implementation of ETR and the elimination of the Subject test requirement. There was some uncertainty and skepticism, however, about the proposed referral guarantee structure. Some reviewers worried that the 12.5x5 index was too drastic a departure from current practice. Others requested more data clarifying the possible impacts on student quality and diversity. There were also concerns about the fiscal impact of implementation, the fact that projections were based on 2003 CPEC data, and the difficulty explaining the complex proposal to the public. At its May meeting, the Academic Council voted

12-7 to endorse a compromise proposal that would institute the ETR admissions pathway, eliminate the SAT Subject test requirement, and establish an initial modified admissions referral guarantee structure of 9% within-school and 9% statewide. It would also commit BOARS to annual and five year evaluation of its academic and fiscal impacts.

Chair Rashid added that BOARS still considers the 12.5x5 index optimal, but accepts 9x9 as a reasonable compromise. He read a resolution passed by BOARS: “BOARS unanimously endorses 9x9 as a compromise in the interest of gaining faculty support for advancing the principles embodied in BOARS’ eligibility reform proposal.” He also said the claim that 9x9 is unfavorable to African-American students deserves close scrutiny. While it is true that the number of African-Americans receiving a referral guarantee is predicted to decrease by 37% versus 24% overall, that decline represents only about 12 students who would still be guaranteed a review under ETR. In addition, many students who were previously invisible to UC, including African Americans, will now have a chance to be admitted under ETR.

**DISCUSSION:** Chair Brown opened discussion on the main motion to endorse the following Academic Council recommendations:

1. Implement ETR and eliminate the Subject-exam requirement for Fall 2012 freshman admission;
2. For Fall 2012 admission, implement an initial, modified guarantee structure based on 9% within-school and 9% statewide criteria (yielding an approximately 9.7% guarantee rate overall);
3. Commit BOARS to annual and five-year evaluations and reporting of academic and fiscal impacts; and
4. Based on the results of these ongoing studies, BOARS should periodically consider recommending adjustments to the guarantee structure.

**Question:** Chair Rashid, how does the proposed policy improve on what you termed the “arcane” aspects of the current system?

**Answer:** Two inflexible aspects of the current policy – failure to take the SAT subject test and a deficiency in the a-g requirements – create problems for students, particularly students who get off the a-g track early in high school. ETR calls for completion of 11 of 15 a-g requirements with a 2.8 or better GPA by grade 11. ETR students would still be expected to complete the full set of 15 required a-g courses prior to enrolling, and failure to do so would be grounds for cancellation of admission, but that would not be automatic as it is now.

**Question:** At a time when UC is expanding its dependence on the local context, it seems ironic that we would not ask for more Subject tests. Also, how will 9.7% be received by the public who are used to seeing 12.5%?

**Answer:** After taking other factors into account, the Subject tests contribute negligibly to our ability to predict who will do well at UC. 9.7% is the proportion of California graduates who would receive guaranteed referral under the proposal. It has nothing to do with yield and does not take into account the additional ETR pathway by which students can apply and be admitted.

**Question:** How does ETR’s GPA requirement take into account the Honors GPA “bump”?

**Answer:** Currently, the GPA bump counts up to eight semesters of Honors level coursework for purposes of eligibility. ETR sets a 2.8 unweighted GPA as the minimum qualification that

entitles the student to a review. BOARS feels comprehensive review is the more appropriate context in which to consider Honors course taking patterns.

In response to other questions, Chair Rashid noted that he expects students in the top 14 or 20% of good feeder schools would likely be admitted under comprehensive review in the current manner. Chair Brown noted that the five-year evaluation would be a more comprehensive overview of implementation than the annual evaluation.

UC Riverside Divisional Chair Cogswell introduced a motion to adjourn the teleconference and schedule an in-person Assembly meeting at a later date to discuss the proposal. He also requested a more detailed proposal with certain predictive data about 9x9 that had been distributed to Academic Council at its May meeting, but which had not been distributed to the Assembly. There was a request for Professor Cogswell to clarify intent. It was also noted that tabling the motion to adjourn would allow the rest of the Assembly meeting to continue. Chair Brown noted that *tabling* the discussion would still allow the proposal to be brought off the table at a later point in the meeting under new business; he said another option would be to *move to postpone* the discussion to a specific date and time. Professor Cogswell said his intent was to postpone discussion to a later date. The motion was restated as a motion to postpone the discussion to the next in-person meeting of the Assembly. The motion was seconded.

Those in favor of the motion noted that the controversy around Council's action and the critical nature of eligibility policy requires face-to-face discussion. There were also concerns that the data in question show poor outcomes for URM populations relative to others. Professor Rashid said the data was a 9x9 simulation based on 2003 CPEC data, which characterized the guaranteed referral pool only, not admitted students. It was noted that hard copies of the proposal and all relevant links, including data seen by Council, had been sent by express mail to Assembly members prior to the meeting. One member noted that it could be difficult to schedule a Special in-person Assembly meeting, with a quorum, before the end of the year. There was concern that meeting in 2008-09 would involve a new set of Council and Assembly representatives and without the accumulated expertise of the current members. Council Vice Chair Croughan noted that The Regents are adamant about improving diversity and are looking forward to reviewing the Senate's proposal at their July meeting. It was noted that 2007 CPEC data will not be available until Fall 2008.

Vice Chair Croughan moved to divide the main motion so that recommendations 1, 3, and 4 could be considered separate from recommendation 2. She noted that the debate centers around Council's recommendation 2 for a specific guarantee structure, while recommendations 1, 3, and 4 are more broadly supported. It was noted that the motion to divide the main question on the floor takes precedence above all other motions on the floor. The motion to divide was seconded.

**ACTION:** The motion to divide the question failed by a vote of 19 in favor and 29 opposed, with 1 abstention.

A motion was introduced and seconded to close debate on the motion to postpone. The motion will need 2/3 vote to pass.

**ACTION:** The motion to close debate on the motion to postpone carried by a vote of 49 in favor, 1 opposed, with 1 abstention.

**ACTION:** The motion to postpone debate on the main question failed by a vote of 13 in favor and 37 opposed, with 1 abstention.

Members speaking in favor of the main motion noted that ETR and the elimination of the SAT Subject test requirement are the most important elements of the proposal and broadly supported, while the 9x9 referral guarantee construct is the least important. That said, 9x9 represents an excellent compromise between those who favor the 12.5x5 index and those who want to proceed more cautiously. BOARS and the Senate will be able to revisit the construct and readjust as necessary. Those speaking against the motion noted concerns about the uncertain effect the proposal will have on entering classes, particularly on ethnic and socioeconomic diversity, concerns that ETR will create a two-tier admissions system, and concern that student quality will suffer, at least on some campuses.

**ACTION:** The main motion to endorse the Academic Council recommendation carried by a vote of 38 in favor and 12 opposed.

4. Apportionment of Representatives to the Assembly, 2008-2009 (information)

5. Assembly Meeting Schedule, 2008-2009 (information)

**B. University Committees on Committees (UCOC)**

- Jerry Powell, chair  
Appointments of the 2008-2009 systemwide Senate Committee chair and vice chairs.

**ACTION: Members received items 4 and 5 as information.**

**VII. UNIVERSITY AND FACULTY WELFARE REPORT (none)**

**VIII. PETITIONS OF STUDENTS (none)**

**IX. UNFINISHED BUSINESS (none)**

**X. NEW BUSINESS (none)**

The meeting adjourned at 2 p.m.

Attest: Michael T. Brown, Academic Senate Chair

Minutes Prepared by: Michael LaBriola, Academic Senate Analyst

Attachment: Appendix A –Assembly Attendance Record, Meeting of June 11, 2008

## **Appendix A - 2007-2008 Assembly Attendance Record, Meeting of June 11, 2008**

### **President of the University:**

Robert C. Dynes

### **Academic Council Members:**

Michael T. Brown, Chair  
Mary Croughan, Vice Chair  
William Drummond, Chair, UCB  
Linda F. Bisson, Chair, UCD  
Timothy Bradley, Chair, UCI  
Elizabeth Ligon Bjork, Chair, UCLA  
Shawn Kantor, Chair UCM  
Thomas Cogswell, Chair, UCR  
James W. Posakony, Chair, UCSD  
David Gardner, Chair, UCSF  
Joel Michaelsen, Chair, UCSB  
Quentin Williams, Chair, UCSC  
Mark Rashid, Chair, BOARS  
Bruce Schumm, Chair, CCGA  
Pauline Yahr, Chair, UCAAD  
James Hunt, Chair, UCAP  
Keith Williams, Chair, UCEP  
James Chalfant, Chair, UCFW  
James Carey, Vice Chair, UCORP (alt. for Jose Wudka, Chair, UCORP)  
Christopher Newfield, Chair, UCPB

### **Berkeley (6)**

Steven Beissinger  
Tom Bruns (alt. for Ralph Catalano)  
Paula S. Fass  
Mary Firestone (alt. for Suzanne M.J. Fleiszig)  
Stephen Mahin  
Theodore Slaman

### **Davis (6)**

Matthew K. Farrens  
Donald Price  
Birgit Puschner  
Margaret Rucker  
Daniel L. Simmons  
Jeffery Weidner

### **Irvine (4)**

Gian Aldo Antonelli  
Calvin Morrill  
Alka Patel

### **Los Angeles (8)**

Christopher C. Baswell  
Paula Diaconescu  
Arvan Fluharty  
Robert G. Frank, Jr.  
Margaret Haberland  
Jody Kreiman  
Steven Loza

### **Merced (1)**

Jian-Qiao Sun

### **Riverside (2)**

Leonard (Len) Nunney (alt. for Carol J. Lovatt)  
Mart L. Molle

### **San Diego (4)**

Richard Attiyeh  
Joel Dimsdale  
Charles Perrin  
Andrew T. Scull

### **San Francisco (4)**

Dan Bikle  
Barbara Gerbert  
Deborah Greenspan  
Lawrence Pitts

### **Santa Barbara (3)**

Richard Church  
Barbara Prezelin  
Volker Welter

### **Santa Cruz (2)**

Kathy Foley  
Lori Kletzer

### **Secretary/Parliamentarian**

Jean Olson (alt. for Peter Berck)

**III. ANNOUNCEMENT BY THE CHAIR (oral report)**

- **Mary Croughan**

**IV. ANNOUNCEMENT BY THE PRESIDENT (oral report)**

- **Mark G. Yudof**

**V. SPECIAL ORDERS**

**A. Consent Calendar**

**1. Approval of Proposed Amendment to Senate Bylaw 337 - Privilege and Tenure: Divisional Committees – Early Termination Cases**

In accordance with Senate Bylaw 116. Authority of the Assembly – Part II. E. “The Assembly is authorized to approve modifications to the University Academic Senate legislation. Written notice of any proposed changes to the legislation shall be distributed as provided for by Senate Bylaw 120.B. The notice for each proposed change must include existing and proposed texts and a statement of the purpose and intended effect of the proposed change. Except for Bylaws marked “[Protected -- see Bylaw 116.E]”, modification of Bylaws requires the approval of two-thirds of all voting member of the Assembly present...Modifications of legislation shall take effect immediately following approval unless a different date is specified or required.”

The following proposed amendment to Senate Bylaw 337 was approved by the Academic Council at its June 25, 2008 meeting, was found to be consonant with the Code of the Academic Senate by the University Committee on Rules and Jurisdiction (UCR&J), and was endorsed by the University Committee on Privilege and Tenure (UCP&T).

**ACTION REQUESTED: Approve the proposed amendment to Senate Bylaw 337.**

**JUSTIFICATION:**

The Berkeley Divisional Rules and Election Committee originally proposed the amendment because the present wording of SB 337 may unintentionally remove the right of a grievant to a hearing before a Committee on Privilege and Tenure regarding early termination. Specifically, it leaves open the possibility that practical time constraints of committee deliberations (e.g., if an early termination grievance is submitted shortly before the committee adjourns for the summer) could deprive a non-Senate faculty member of the right to appeal under any authority.

Under current policy, if the administration proposes to terminate a faculty member before the end of his or her appointment, the faculty member may request an early termination hearing with P&T to protest that decision. If the hearing does not commence before the term actually expires however, there is, in effect, no early termination, but rather a non-renewal of the faculty member’s appointment. Bylaw 337 states that a grievance for a non-renewal may then be brought under Bylaw 335 for Senate faculty and in APM 140 for non-Senate faculty. The proposed new language would guarantee faculty an early termination

hearing regardless of timing, so long as they request it before the end of their appointed term.

## **PROPOSED AMENDMENT TO SENATE BYLAW 337**

### **337. Privilege and Tenure: Divisional Committees -- Early Termination Cases (En 23 May 01)**

#### **A. Jurisdiction**

In cases of proposed termination of a Senate or non-Senate faculty member before the expiration of the faculty member's appointment, or in cases where a tenured faculty member faces termination for incompetent performance, or for other faculty members whose right to a hearing before a Senate committee is given by Section 103.9 or 103.10 of the Standing Orders of The Regents (Appendix I) (hereafter collectively referred to as early termination), the faculty member may request a hearing before a Divisional Privilege and Tenure Committee. The committee shall then conduct a hearing on the case to determine whether, in its judgment, the proposed early termination is for good cause and has been recommended in accordance with a procedure that does not violate the privileges of the faculty member. Resolution of the dispute, either through negotiation or mediation, is permissible and appropriate at any stage of these proceedings. No Senate or non-Senate faculty member may be terminated prior to the expiration of an appointment without having an opportunity for a hearing before the Divisional Privilege and Tenure Committee. ~~If the hearing has not commenced by the end of the faculty member's term of appointment, the faculty member no longer has a right to an early termination hearing pursuant to this bylaw. Instead,~~ **So long as the faculty member requests a hearing before the end of his or her appointment, the Divisional Privilege and Tenure Committee shall appoint a Hearing Committee and proceed according to Section B below. If the faculty member fails to request a hearing before the end date of the appointment in question,** the faculty member may seek a grievance hearing by grieving the non-reappointment pursuant to Senate Bylaw 335 in the case of Senate faculty or the Academic Personnel Manual in the case of non-Senate faculty.

#### **2. Variance to SR 780/Irvine Division Regulation A365-Change of Grade**

At its February 27, 2008 meeting, the Academic Council approved the Irvine Senate's request for a variance to [Senate Regulation 780](#) in order to allow Associate Deans to direct the Registrar to change students' grade basis from Pass/No Pass to a grade in exceptional situations. Council's approval was provisional, in accordance with [Senate Bylaw 125.B.6](#), which states that "if a proposed Divisional Regulation, which has been submitted to the Assembly of the Academic Senate for approval, is at variance with Universitywide Regulations and cannot be included in the agenda of a regular Assembly meeting to be held within sixty calendar days after Divisional action, the Academic Council, with the advice of the appropriate University Senate committees, is authorized to approve provisionally such proposed Regulations. Such approval is effective until the end of the next following term in which a regular Assembly meeting is held. Such approval must be reported to the Assembly. [See [Bylaw 115.F](#) and [Bylaw 206.D](#)] (CC 9 March 05)."

**PROPOSED ACTION: Approval of the request for a variance to Senate Regulation 780, which would allow for changes of grade basis from Pass/No Pass to a grade in exceptional situations.**

**JUSTIFICATION:**

The proposed change was a result of a student grievance made by a student who transferred to another university and was denied credit for a course from that institution because it only awards credit for courses taken for letter grades. The Council of Chief Academic Advisors and the Associate Deans agreed to accept the authority to change the grade basis with the understanding that this would be done in exceptional circumstances, only. The Council on Student Experience and Chair of the Divisional Senate endorsed the revision.

**ACTION REQUESTED: Approval of the following proposed variance:**

Article 3. Grades

780

3. Irvine

A365. Grade Basis—Associate Deans are authorized, in response to a student’s written request, to direct the Registrar to change the grade basis for a course after the student has completed the course under the pass/no pass option. This authority applies only to exceptional situations and to courses offered as either graded or P/NP and may only be used to change the basis from P/NP to graded, never from graded to P/NP. When this exception is allowed, the grade “P” shall convert to “C” and “NP” to “F”.

**3. Variance to SR810A/Irvine Division Regulation A385- Normal Progress Requirement**

At its February 27, 2008 meeting, the Academic Council approved the Irvine Senate's request for a variance to [Senate Regulation 810A](#) in order to allow UCI students to have the units and grade points of courses taken through Access UCI: Concurrent Enrollment transferred to their record when they have been admitted or readmitted to regular student status. Council’s approval was provisional, in accordance with [Senate Bylaw 125.B.6](#).

**PROPOSED ACTION: Approval of the request for a variance to Senate Regulation 810A, which would allow UCI students to have units and grade points of courses taken through Access UCI transferred to their record when they have been admitted or readmitted to regular student status.**

**JUSTIFICATION:**

The proposed change would allow students taking regular UCI courses through Access UCI: Concurrent Enrollment to have grade points, in addition to units, counted on a student’s record when that student either is admitted or readmitted. Students participating in this program take UCI courses on the same terms as regular UCI students. While it would apply to all participants (high school and transfer students), it would particularly

benefit disqualified students who are working to raise their grade point averages for readmission.

**ACTION REQUESTED: Approval of the following proposed variance:**

Title II. Courses

Chapter 5. University Extension Credit Courses

Article 3. Degree Credit for Courses

1. Irvine

810 (A)

A385. Normal Progress Requirement (Undergraduate)

(E)Access UCI: Concurrent Enrollment

UCI students will have the units and grade points of courses taken through Access UCI: Concurrent Enrollment transferred to their record when they have been admitted or readmitted to regular student status.

**V. SPECIAL ORDERS (continued)**

**B. Legislative Ruling 10.08—Jurisdiction of Divisional Privilege and Tenure Committee**

A divisional Privilege and Tenure (P&T) committee has jurisdiction to hear the grievance of an Academic Senate member asserting retaliation in violation of the University's Whistleblower Protection Policy, provided that "the allegations as stated in the written grievance, if true, would constitute a violation of the faculty member's rights and privileges." [SB 335 (B).2] If no faculty right or privilege would have been violated, then P&T does not have jurisdiction to hear the grievance.

Inasmuch as having an at-will administrative appointment is neither a right nor a privilege of Academic Senate members, a divisional Privilege and Tenure Committee does not have jurisdiction to hear a grievance that is asserted with regard to the loss or withdrawal of such an appointment.

However, if the grievant were to allege that concomitant with the loss/withdrawal of his/her at-will administrative position there was a violation of that person's faculty rights or privileges and gave adequate indication in the written grievance of the respect in which this were so, then P&T would be required, as with all other complaints, to consider "whether or not the grieving Senate member has made out a prima facie case" [SB 335 (B).2] and to proceed accordingly.

## V. SPECIAL ORDERS (continued)

### C. Annual Reports (2007-08)

#### ACADEMIC COUNCIL ANNUAL REPORT 2007-08

**TO THE ASSEMBLY OF THE ACADEMIC SENATE:** The Academic Council is the administrative arm of the Assembly of the Academic Senate and acts in lieu of the Assembly on non-legislative matters. It advises the President on behalf of the Assembly and has the continuing responsibility through its committee structure to investigate and report to the Assembly on matters of Universitywide concern. The Academic Council considered more than sixty initiatives, proposals, and reports during the 2007-08 year. The final recommendations and reports issued by the Academic Council in 2007-08 can be found on the [Academic Senate website](#). Matters of particular import for the year are noted below.

#### **BUDGETARY ISSUES**

Given the state's budgetary woes, funding concerns were paramount for a range of programs and initiatives and were central to the Council's deliberations. In March, Council endorsed UCPB's [Report on the Cuts Proposed by California Governor Arnold Schwarzenegger](#), which recommended that 1) the University will establish a minimum cost of instruction no lower than the current, already-reduced, 2007-08 level, and will take the necessary steps to sustain its public investment per student, adjusted annually to reflect actual costs; 2) make clear to all branches of government and to the public that in order to maintain these already-reduced levels of per-student support, the University will in the near future need to respond to cuts by limiting enrollments; and 3) urge the President to disclose the true level of fees required to fund The Regents' Fall 2007 proposed budget and thereby maintain the current quality of a UC education (estimated in this report to be around \$10,500 by 2008-09), and to engage in a systematic campaign to rebuild statewide support for public funding of higher education. Council also endorsed an urgent [request](#) to Provost Hume for immediate support for the Science and Math Initiative. The Council continues to be concerned that funding for UC Merced is inadequate. It issued a [statement](#) that recommended 1) prioritizing UCM's two capital projects; 2) funding its students at a higher cost of instruction (\$12,500 per student); and 3) developing a strategic budgetary plan.

#### **FACULTY WELFARE**

Council's top priority continues to be the funding of the faculty salary plan. In March, it issued a [statement](#) affirming "the critical importance and urgency of bringing UC faculty salary scales into parity with those of comparable public and private institutions." In light of the state budget difficulties, it also issued [Priorities for Funding Year Two of the Faculty Salary Plan](#), in which the Senate placed fully funding Year 2 of the Faculty Salary Plan as the University's top budget priority. Council also looked into the issue of 'non-progressing' or 'disengaged' faculty members, and, through the agency of the University Committee on Academic Personnel, produced a [report](#) that concluded that this number is exceedingly small—at less than 1% of 4,300 faculty across the entire University system who were facing review during the period under study. Council also urged against micro-managing the salary scale adjustments in any way that would impede

bringing the scales to market, that could impair the role of the salary scale/merit review system in performance management, or that could take away from CAP's ability to perform its duties.

Council was proactive in the governance of the UC Retirement Program (UCRP), taking a [position](#) supporting the resumption of employee contributions to UCRP, conditional on equivalent salary increases. Council also strongly [opposed](#) ACA 5, a proposal to create a new governing board for UCRP composed largely of employees. It also endorsed making more flexible the opportunity to buy back UCRP service credit following a leave without pay. Lastly, it forwarded the following principles regarding UCRP administrative outsourcing: Plans to outsource: 1) should be justified on the basis of efficiency, effectiveness and cost; 2) should result in no diminution of the high quality of currently provided services; 3) providing employee information to a third party could increase the risk of security breaches and unauthorized disclosure of confidential information; 4) there should be no cost increases associated with outsourcing such services; and 5) outsourcing should in no way affect UC's role in the design of benefits plans.

### **GRADUATE EDUCATION**

In April, Council endorsed a *Proposal for Modified Regulations and Guidelines Governing the Participation of Graduate Students in Delivering University Instruction*. It reinforces the role of faculty in mentoring graduate students, retains divisional Senate approval for upper-division undergraduate courses taught by Graduate Student Instructors, and allows campuses to enact restrictions on lower-division courses. Council also requested the formation of a Joint Senate/Administrative Committee to Establish a Funding Model for Graduate Education. Council endorsed the re-establishment of CCGA's authority over reviews of new professional graduate degree proposals for M.D., D.D.S., D.V.M., Pharm.D., and J.D. degrees. Following CCGA's recommendation, and on behalf of the Academic Assembly, Council approved a new Master of Public Health degree program at UC Irvine.

### **ELIGIBILITY/ADMISSIONS/DIVERSITY**

BOARS' *Proposal to Reform UC's Freshman Eligibility Policy*, the culmination of a two-year process, was [approved](#) with changes to the recommended guarantee structure by the Assembly in June. If approved by The Regents, it would create a new pathway to eligibility: "Entitled to Review," guaranteeing qualified applicants a review by any campus to which they apply. It also would eliminate the SAT II subject test requirement, and alter the timeline for completing a-g requirements, thus removing technical barriers to eligibility and broadening the pool of applicants. Council also endorsed BOARS' recommendation that membership in a federally recognized American Indian tribe should serve as a "plus factor" in admissions, which is based on tribes' political status and, according to the Office of the General Counsel, does not violate Proposition 209. After systemwide review, Council also reviewed and endorsed the reports of The Regents' Study Group on Diversity.

### **RESEARCH ISSUES**

The Assembly adopted a [Resolution on Limiting UC's Role in Manufacturing Nuclear Weapons](#), which asked the President to monitor and report to the Senate annually on the level of production of plutonium pits at the labs. The resolution further recommends that if the production levels can not be reported accurately, or the pits are produced beyond

current levels or are used for the purpose of nuclear warhead replacement or production, UC should reassess its participation in the management of the labs.

Academic Council approved UCAF's requests: 1) to monitor the implementation of The Regent's policy RE-89, which places restrictions on research proposals to be submitted for tobacco company funding; and 2) that Committee on Academic Freedom representatives be appointed *ex-officio* to local panels that review such proposals.

## GOVERNANCE

In response to a request from President Dynes, Council endorsed the criticisms and recommendations included in the [report](#) from the Western Association of Schools and Colleges (WASC) in its review of the UC system, as opposed to an accreditation review of a campus.

## PROPOSALS FOR NEW SCHOOLS

Over the course of the year, Council reviewed the following proposals for new schools:

- **UC Davis School of Public Health**: Council encouraged the campus to revise the proposal to address a number of serious concerns, which include resources, the funding plan, faculty FTEs in the School, and the Master's of Public Health program.
- **UC Davis School of Nursing**: Council did not recommend approval of the proposal, citing the need for clarification on the following issues: 1) how the School would be integrated into and impact existing programs and curricula, on both the Ph.D. and undergraduate levels; 2) a clear description of the structure of the Ph.D. programs and their planned manner of operation (e.g., admissions, curricula, course requirements, advising, roles of nursing faculty, etc.); 3) the number of new nursing faculty needed by the School, and the availability of qualified candidates for those positions; 4) the need for a detailed budget (noting funding sources) for its library, capital projects, and operational costs; and 5) the degree of external support needed for future growth (including developing a BSN program and infrastructure) and a development plan to raise these funds.
- **UC Riverside Medical School**: Council recommended that the School only be approved contingent upon the commitment of new funding sources (funding in addition to existing UC funding streams) that would meet the estimated \$100 million start-up cost and \$25 million per year operating cost for the new Medical School. Council also had other concerns, including the appropriate faculty-student ratio funding formula and the campus's implementation of the dispersed clinical model for the School.
- **UC Riverside School of Public Policy**: While Council expressed reservations about the proposal, it extended a qualified recommendation, pending the successful resolution of the following issues: 1) availability of resources; 2) the proposal made the case for the development of a school, as opposed to the development of new programs within an existing academic division; and 3) a deeper analysis of the proposed curriculum and research focus should be undertaken so that the School can develop into a nationally ranked public policy program, as opposed to public administration.

## SENATE PROPOSALS FOR TASK FORCES AND SPECIAL COMMITTEES

- Council approved the formation of a Special Committee of the Academic Senate on Remote and Online Instruction and Residency, which is the product of its review of CCGA/UCEP/UCCC's "*Dialectic on the Use of Remote and Online Instruction for the*

*Delivery of University Curriculum.*” This report discusses possible roles of the Senate in guaranteeing UC quality in remote and online instruction, and also raises questions about residency vis-à-vis the mode of course delivery.

- Council approved the establishment of a Task Force on Academic Senate Membership, as well as its charge and guidelines for task force membership. The Task Force will explore the implications of including non-senate faculty in Senate activities in 2008-09.

## **REVIEW OF ADMINISTRATIVE PROPOSALS**

Council also reviewed the following administrative proposals:

- *Creating a UC Cyberinfrastructure* by ITGC, which it found lacking in specificity, and noted that it may not be able to guide planning for the University’s information technology infrastructure.
- *Allocating Net Fee Income Received from the DOE National Laboratories.* Council supported the draft principles, and stressed that the income should support UC research activities, broadly defined, including in the humanities and social sciences.
- *Report of the University of California Joint Ad Hoc Committee on International Education,* which it did not endorse. It did endorse the concerns expressed in the accompanying Minority Report, and made a number of recommendations regarding ensuring academic quality while minimizing the impact of budget cuts. It further recommended that a faculty group be empanelled to address the needs of graduate students studying abroad, which was not discussed in the report.
- *Proposed Guidelines on Vendor Relations.* Acknowledging a lack of divisional consensus, Council supported the proposal’s aims, but warned of potential unintended consequences in implementing them.
- *Proposed Transitional Leave Policy for Senior Management Group (SMG) with Underlying Academic Appointments.* Council endorsed the option that would allow SMG members with underlying faculty appointments to accrue Sabbatical Leave credits while working in their respective SMG appointments but require that the faculty rate of pay is used during the leave period.
- *Default Fund for Retirement Savings Plans,* in which it endorsed changing the default fund for future retirement savings contributions to an age-indexed “Pathway” fund.
- Council supported a *Proposal on UC Financial Aid for Undocumented Students,* which would provide need-based financial aid to undocumented students who qualify for in-state tuition.
- Council commented, after systemwide review, on the *Proposed Revisions to the Code of Conduct for the Health Sciences.*
- Council issued a *Statement on Animal Research,* supporting the statement by the President and chancellors.

## **REVIEW OF THE ACADEMIC PERSONNEL MANUAL (APM)**

- APM 220-18.b(4) - Criteria for Professor Step VI and Above Scale. Council endorsed revisions to the proposed changes and clarified that these barrier steps are significant milestones. Its intent is to standardize campus practices to the highest standard.
- APM - 080, Medical Separation; APM - 710, Leaves of Absence/Medical Leave for Academic Appointees Who Do Not Accrue Sick Leave; and APM - 711, Reasonable Accommodation for Academic Appointees with Disabilities, APP 220-85-b, Professor Series; APP 335-10-a, Cooperative Extension Advisor Series; and APP 740-11-c, Leaves of Absence/Sabbatical Leave. Council reviewed and commented on UCOP’s

proposed revisions to these APMs. It had no objection to the rescission of APP 350, Postgraduate Research.

- APM 010 – Assembly endorsed adding a footnote to APM 010, addressing Student Freedom of Scholarly Inquiry Principles.

## **SENATE BYLAWS**

Council approved changes to SB 337, Privilege and Tenure—Early Termination.

## **OLIVER JOHNSON AWARD**

The Oliver Johnson Award for Distinguished Leadership in the Academic Senate is given every other year. Professor Gayle Binion (UCSB) and Professor Lawrence Pitts (UCSF) were selected by the Academic Council and approved by the Assembly as the 2008 co-recipients of the award, presented at the annual Chair’s Dinner in July.

## **RELATIONS WITH OTHER GOVERNING BODIES**

### Joint Administrative/Senate Retreat

The Academic Council meets in alternate years with the chancellors and with the executive vice chancellors to discuss matters of joint concern. This year, Council members met with the chancellors to discuss: 1) campus and systemwide leadership effectiveness; 2) academic planning and the comprehensive university; and 3) graduate student profile and support.

### The Regents

The Academic Council Chair and Vice Chair executed their roles as faculty representatives to The Regents throughout the year, acting in an advisory capacity on Regents’ Standing Committees, and to the Committee of the Whole.

## **ACKNOWLEDGEMENTS:**

We express our sincere gratitude to all members of the University of California Office of the President for their hard work and productive collaboration with the Senate over the past year. In particular, we thank these senior UC managers who, as consultants to the Academic Council, were vital to our meetings: former President Robert C. Dynes; Mark G. Yudof, President; Wyatt R. Hume, Provost and Executive Vice President-Academic and Health Affairs; Katherine Lapp, Executive Vice President-Business Operations; and Bruce Darling, Executive Vice President-University Affairs.

Michael Brown, Chair  
Mary Croughan, Vice Chair

### **Divisional Chairs:**

William Drummond, Berkeley  
Linda Bisson, Davis  
Timothy Bradley, Irvine  
Elizabeth Ligon Bjork, Los Angeles  
Shawn Kantor, Merced  
Thomas Cogswell, Riverside  
James Posakony, San Diego  
David Gardner, San Francisco

Joel Michaelsen, Santa Barbara  
Quentin Williams, Santa Cruz

### **Senate Committee Chairs:**

Mark Rashid, BOARS  
Bruce Schumm, CCGA  
Pauline Yahr, UCAAD  
James Hunt, UCAP  
Keith Williams, UCEP

James Chalfant, UCFW  
Jose Wudka, UCORP  
Christopher Newfield, UCPB

**Council Staff:**  
Martha Winnacker, Executive Director  
Maria Bertero-Barcelo, former Executive  
Director  
Todd Giedt, Associate Director  
Clare Sheridan, Policy Analyst  
Eric Zarate, Policy Analyst

## UNIVERSITY COMMITTEE ON ACADEMIC FREEDOM (UCAF) 2007-2008 ANNUAL REPORT

### TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The University Committee on Academic Freedom (UCAF) met once and held one additional conference call in Academic Year 2007-2008, to conduct business with respect to its duties as outlined in [Senate Bylaw 130](#). Highlights of the Committee's activities and accomplishments are noted in this report.

#### **Proposed Senate Bylaw Modifications Regarding UCAF Representation on Academic Council and the Term of the UCAF Chair**

In a March memo to Academic Council, UCAF requested amendments to Senate Bylaw [125.A.4.](#), adding the chair of UCAF to the Academic Council as a standing member, and to Senate Bylaws [128](#) and [130](#), changing the standard term of the UCAF chair from one year to two years. UCAF believes its presence on Council will fill a void in deliberations and contribute important insights on a broad range of issues under consideration by the executive Senate body, while a two-year chair will provide greater continuity to the committee. At the end of the year, Council released the proposal for systemwide Senate review.

#### **Implementation of RE-89 – Restrictions on Tobacco Company-Funded Research**

UCAF discussed the [compromise version](#) of RE-89 approved by the Regents in September. The policy does not prohibit faculty from accepting funding from tobacco-affiliated companies, but requires each campus chancellor to establish a scientific review committee to advise the chancellor about any such funding proposal. UCAF also reviewed a memo sent from the president to the campus chancellors asking them to establish implementation procedures for RE-89 and recommending a model for the local review and approval process mandated in the policy. In a June memo to Academic Council, UCAF reiterated its strong opposition to RE-89 and some general reservations about the scientific review panel process. The Committee also suggested modified procedures for implementation of RE-89 on the campuses – specifically, that the chancellors include more Senate involvement on the scientific review panels and an ex-officio role for local Committees on Academic Freedom. UCAF also suggested a role for itself and the Academic Council in monitoring implementation. Council endorsed the recommendations in July.

#### **Academic Freedom Paper**

UCAF discussed next steps for its paper *Academic Freedom: Its Privilege and Responsibility within the University of California*. Last year, UCAF asked Council to endorse the paper and distribute it to Senate divisions as an educational tool to promote more understanding and awareness of academic freedom. Academic Council declined that request. At the December meeting, Senate Chair Brown advised UCAF that it could request a new consideration of the paper after making improvements and better articulating how it adds value to the understanding of APM 010 beyond what is presented in President Emeritus Atkinson's own paper accompanying APM 010. UCAF decided to re-submit the paper after identifying redundancies with the Atkinson paper, noting that the UCAF paper should be seen as an entirely new work supplementary to the Atkinson paper – it provides

more detail about the legal basis for academic freedom, describes the current state of First Amendment law, and clarifies the distinction between academic freedom and freedom of speech rights.

### **“Collegiality” as a Factor in Personnel Reviews**

At the end of 2006-07, UCAF asked Council to investigate the use of “collegiality” in the evaluation of faculty for merits and promotions and its effect on academic freedom. Council asked the University Committee on Academic Personnel (UCAP) and the University Committee on Privilege and Tenure (UCPT) to comment. After considering the UCAP and UCPT responses, Council agreed that all faculty should be made aware of their responsibility to participate in civil discourse and “collegiality” should not be used as a formal criterion in personnel reviews, but that it would be impossible to form a consensus about what constitutes non-collegial or disruptive behavior, and therefore UCAF’s request for CAPs to “suspend the use of collegiality” in evaluations was unwarranted. UCAF discussed these responses and decided it would answer Council with additional comments and questions in order to clarify some of the contradictions among the responses.

### **Other Reports and Recommendations:**

The Academic Council and Assembly also acted on the following UCAF recommendation:

- *Proposed Student Freedom of Scholarly Inquiry Principles* – endorsed by Academic Council in September and [Approved by the Academic Assembly](#) on January 30, 2008.

### **Pending Requests to Academic Council from 2006-2007:**

#### *Academic Freedom and the UC Education Abroad Program (UCEAP)*

In August 2007, UCAF requested that Council ask UCOP to rescind its policy of denying student fee funding for study abroad in countries under a State Department Travel Advisory, and to establish a faculty committee to investigate UC’s relationship with study abroad providers and the possible influence of perks on the decision-making of UC officials. Council asked the University Committee on International Education (UCIE) and the University Committee on Educational Policy (UCEP) to review. In July, Council responded by first clarifying that UCEAP is supported by state funds, not student fees and the travel warning policy is a UCEAP, not a UCOP policy. Council noted UCIE’s view that State Department warnings provide the best index of safety and security risks available, and the travel restriction policy protects UC from legal liability. Council did not see a need to establish a faculty committee to investigate the issue of perks.

#### *Legal Fees for Faculty Accused of Misconduct in Research*

Last year, UCAF asked Council to endorse its recommendation that UC policy be modified to require the reimbursement of any legal fees incurred by faculty members who are found innocent of accusations of misconduct. UCAF also recommended that the Senate conduct a study or ask UC to conduct a study on the viability of a legal insurance policy that would cover legal fees for all faculty members, independent of the outcome of a legal action. Council requested the advice of Office of General Counsel (OGC) and responded to UCAF in July, noting that UC insurance does cover legal fees of employees (except when UC and a faculty member are adversarial parties); that existing policy allows faculty who choose outside representation to request reimbursement, although guidelines for making reimbursement decisions have not yet been developed. Council asked UCAF to work with

UCFW and OGC to craft a reimbursement entitlement proposal and recommended guidelines for legal fee reimbursement decisions.

### **Additional Business**

UCAF devoted part of each regular meeting to reports on issues facing local committees. Discussions included details about specific academic freedom cases at UC and other universities. UCAF also discussed the recent controversy over “Islamofascist Awareness Week,” a national campaign that was attempting to raise awareness on college campuses about threats associated with terrorism and radical Islam; concerns that a provision in UCSD campus security policy PPM 510-1 may limit academic freedom and free speech on campus; a situation involving the dismissal and reinstatement of the UCI School of Law founding dean; efforts by outside groups infiltrate classrooms in order to record lectures in order to expose alleged biases; controversy over partnerships between campuses and industry; and incidents involving militant animal research activists who harass research scholars with violence and threats of violence at UC campuses.

Finally, UCAF occasionally consulted with the Academic Senate chair and vice chair on issues facing the Academic Council and Senate.

Respectfully submitted,

Raphael Zidovetzki, Chair (R)

Patrick Fox, Vice Chair (SF)

Ethan Bier (SD)

Chris Connery (SC)

Alan Terricciano (I)

Eugene Volokh (LA)

Paul Amar (SB)

Ronald Amundson (UCB)

Raymond Russell (R)

Albert Lin (D)

John Tan, graduate student (D)

Sonja Weaver-Madsen, undergraduate student (LA)

Michael T. Brown ((SB); Chair, Academic Senate, *Ex Officio*)

Mary Croughan ((SF); Vice Chair, Academic Senate, *Ex Officio*)

Michael LaBriola, Committee Analyst

**UNIVERSITY COMMITTEE ON ACADEMIC PERSONNEL (UCAP)  
2007-2008 ANNUAL REPORT**

**TO THE ASSEMBLY OF THE ACADEMIC SENATE:**

The University Committee on Academic Personnel met four times in Academic Year 2007-2008 to conduct business with respect to its duties as outlined in [Senate Bylaw 135](#). The issues that UCAP considered this year are described briefly as follows:

**Implementation of the New Faculty Salary Scales**

UCAP received regular updates from UCOP administrators about plans and progress for implementation of the first phase of the four-year systemwide faculty salary scale plan. UCAP members, in turn, reported on campus plans for moving forward and conveyed issues and concerns that arose during implementation.

In general, UCAP supported the adjustments as a welcome effort to help restore the competitiveness of the UC salary scale system and bring the majority of faculty back on-scale. In most cases, complaints were minimal; however, there were some concerns about the effect of the market adjustments on absorption of merit-based off-scale differentials, which led a number of off-scale faculty to feel unfairly penalized. The committee also discussed the possible impact of state budget cuts on the next stages of the salary scales plan and viewed data comparing the percentage of faculty with on and off-scale status before and after implementation of the new scales, which indicated that the percentage of off-scale faculty decreased markedly after implementation.

**Report on “Non-Progressing” and “Disengaged” Faculty**

The Senate chair and vice chair asked UCAP to discuss a concern, expressed by others, that the recent adjustments to the UC salary scales may reward some faculty who are not actively engaged in their research or teaching duties. UCAP was asked to collect and analyze data that would accurately estimate the scale of the concern and to report its findings back to Academic Council.

To estimate the number of potentially “disengaged” faculty, UCAP requested and received from UCOP a list of associate and full professors who have remained at the same rank and step for at least the past six years, which would normally represent two consecutive “no action” decisions in a personnel review. Assistant professors, faculty at the Associate Professor Step V, Professor Step V, or Professor Step IX barriers, and those who held administrative positions at any point during the six-year period, were excluded. Each UCAP representative reviewed the individual files of the faculty from his or her campus identified by this definition as “non-progressing” to discover the individual circumstances in each case causing the lack of advancement.

UCAP determined that the number of faculty who the committee would term “disengaged” was 1% or less of faculty systemwide. The Committee found that the academic personnel systems at the individual campuses are working effectively – rewarding engaged faculty, delaying the advancement of faculty whose research and teaching do not yet rise to the next level, and implementing policies and procedures for assisting those few faculty significantly disengaged from their careers. Finally, UCAP found that the dismissal procedures within the Academic Personnel Manual are sufficient to encourage faculty to either re-engage in the academic enterprise or leave the University. Academic Council received the report and forwarded it to the President.

### **Law Faculty Salary Scales**

UCAP discussed the incongruity of the UC law faculty scales in relation to the other professorial scales. In January, the Committee recommended to Academic Council that UC initiate a systemwide review of the law scales in order to align them more closely with other professorial scales, so that law faculty share a similar basis and timeline for academic personnel reviews. On Council's recommendation, Vice Provost Jewell took steps to form a joint faculty-administration Law Faculty Salary Scales Work Group that will be working in fall 2008.

### **UCAP's Recommended Modifications to APM 220-18b (4)**

UCAP originally proposed modifications to APM 220-18b (4) in 2005, and worked with Council on revised proposals in 2006 and 2007. The original intent was to clarify the distinction between the criteria for advancement to Professor Step VI and Professor Above Scale, and to align policy with actual practice. Council endorsed a final proposal in March 2007, but administrators later raised their own concerns during an informal review initiated by UCOP. UCAP Chair Hunt, Vice Provost Jewell, and Director Slocum worked together to craft a revised document addressing those concerns, which Council adopted and forwarded to Provost Hume. The administration sought feedback on several additional changes before releasing the proposal for a final systemwide review at the end of 2007-08. UCAP supported these efforts.

### **Cross-Campus Comparison of Off-Scale Amounts and Advancement Rates**

There was a request for UCAP to compare campus practices to determine the relative "harshness" or "generousness" of the CAPs. UCAP viewed preliminary data generated by the UCSC representative from systemwide compilations. The rate of progress in rank and step across campuses was similar at all campuses. Faculty at UCB tended to have a higher initial step at appointment than other campuses. On the other hand, there is a large divergence in salary equity across the system – with UCLA and UCB at the top – which cannot be explained by rate of advancement, because on average, the differences are seen at every rank and step. UCAP in 2008-2009 will revisit these trends in coordination with the Faculty Welfare Committee.

### **The Use of "Collegiality" in Personnel Reviews**

At the request of the University Committee on Academic Freedom, Council asked UCAP to consider the use of "collegiality" as a criterion in the faculty merit/promotion review process. UCAP responded that CAPs review all files based on criteria outlined in APM 210, and it could not recall a case where a CAP recommended denial of a merit or a promotion based solely on "collegiality." The Committee noted that it was sympathetic to UCAF's concerns about threats or potential threats to academic freedom stemming from a hostile or unsupportive work environment, but emphasized that the work of the CAPs is not affected by outside pressures or considerations unrelated to professional competence. Finally, it noted that there is no basis for UCAF's request that CAPs "suspend the use of collegiality" in the evaluation of candidates since there is no consideration of collegiality in personnel reviews.

### **Other Issues and Additional Business**

**University Professor:** In December 2006, in accordance with [APM 260](#), UCAP nominated an ad hoc faculty review committee to review an appointment to the University Professor title proposed by a campus. In October 2007, UCAP members reviewed the ad hoc committee’s recommendation and all case materials and forwarded a memo of strong support for the University Professor appointment to Provost Hume.

**Recharge of Faculty Salaries to Grants:** UCAP expressed concern about an accounting practice on at least one campus involving recharging a portion of faculty salaries to extramural grants and splitting payroll titles for faculty who have a portion of their salary covered by extramural sources. There was also a larger concern about the need to ensure accurate, transparent, auditable compliance with federal effort reporting guidelines.

**Step 10:** UCAP considered a suggestion that the Senate add Step X to the salary scales. After reviewing the history of the step system and discussing the issue with their local committees, the Committee decided not to pursue the issue further.

**Investigation of Local “Calls”:** UCAP was asked to investigate campus procedures for writing and implementing local academic personnel policies supplementary to the systemwide APM – commonly known as “the Call.” There was concern that these interpretations appear to have the force of policy, but require no review by UCOP, and some could conflict with the APM. UCAP’s annual update of campus practices is a critical means of maintaining consistency in the application of the Academic Personnel Manual.

In response to requests for formal comment from the Academic Council, UCAP also submitted views to Council on the following:

- **Proposed Transitional Leave Policy for Members of the Senior Management Group with Concurrent Faculty and Administrative Titles**
- **Regents Diversity Study Group Report on Faculty Diversity**
- **Systemwide Senate Review of Proposed Regulations Governing the Code of Conduct for Health Sciences**
- **Proposed Revisions to APMs 220-85b, Professor Series; 335-10-a, Cooperative Extension Advisor Series; and 740-11-c, Leaves of Absences/Sabbatical Leave; and Proposed Rescission of APM 350, Postgraduate Research**

### **Campus Reports**

UCAP devoted part of each regular meeting to reports about issues facing local committees and comparison of individual campus practices. In these discussions, UCAP members touched briefly on policies and procedures for search waivers; the role of teaching evaluations; strategies for improving efficiencies in the personnel process; credit for electronic-only publications compared to print publications; the role of “service” in merit and promotion criteria and CAP reviews; local implementation of diversity modifications to APM 210; the compensation of CAP members; reporting protocols; problems securing a sufficient number of external letters; cases where there is an appearance of conflict of interest in external and internal letters; recusal policies; special accelerations for retention or other reasons; average case turn-around time; and whether grants can be considered as a criterion in the merit and promotion process.

The committee also discussed issues specific to UC Merced, including best practices for the evaluation of young founding faculty there, who have added service obligations and a less well developed infrastructure. A UC Merced policy of encouraging semester-long sabbatical leaves for assistant professors was viewed as a helpful approach for carving out opportunities for research and creative activity.

**Survey of CAP Practices:** UCAP updated its annual survey of local campus CAP practices and experiences. The survey covers a wide range of topics, including the type and number of files reviewed by CAPs; CAP support, resources and member compensation; final review authority; CAP’s involvement in the review of salary and off-scale increments at the time of hiring or in retention cases; and the use of ad hocs. UCAP considers the survey to be an important resource that helps the committee identify areas in which campus practices might be brought into closer congruence.

### **UCAP Representation**

UCAP Chair James Hunt represented the Committee at meetings of the Academic Council, the Assembly of the Academic Senate, and the President’s Work Group on the Faculty Salary Scales. UCAP member Katja Lindenberg was a member of the Academic Council Presidential Search Advisory Committee.

### **Committee Consultations and Acknowledgements**

UCAP benefited from regular consultation and reports from Vice Provost for Academic Advancement Nicolas Jewell and Director of Academic Personnel Jill Slocum, who presented updates on the implementation of the salary scale plan, systemwide APM policies under review or being prepared for review, including possible policy changes to the Health Sciences Compensation Plan, and elements of the Mercer Consulting Policy Review Project, including proposed changes to policies for members of the Senior Management Group.

UCAP occasionally consulted the Academic Senate chair and vice-chair about issues facing the Senate and the Senate executive director about Senate office procedures and committee business.

Respectfully submitted,

James Hunt, Chair (B)	Harry Green (R)
Steven Plaxe, Vice Chair (SD)	Katja Lindenberg (SD)
Carol Aneshensel (LA-winter and spring)	John Lindow (B-spring)
Scott Bollens (I)	David Ojcius (M-fall)
Barry Bowman (SC)	Carl Shapiro (B-fall)
Alison Butler (SB)	Debora Shuger (LA-fall)
William Casey (CD)	Roland Winston (M-spring)
Erika Froelicher (SF)	

Michael T. Brown ((SB); Chair, Academic Senate, *Ex Officio*)  
Mary Croughan ((SF); Vice Chair, Academic Senate, *Ex Officio*)  
Michael LaBriola, Committee Analyst

## **UNIVERSITY COMMITTEE ON AFFIRMATIVE ACTION AND DIVERSITY (UCAAD) 2007-2008 ANNUAL REPORT**

### **TO THE ASSEMBLY OF THE ACADEMIC SENATE:**

The University Committee on Affirmative Action and Diversity (UCAAD) met three times in the 2007-2008 Academic Year. In accordance with its duties as outlined in [Senate Bylaw 140](#), UCAAD considered policies related to staff, faculty, and student diversity, as well as statistical data and other measures of those policies' successful implementation. A summary of the committee's work is below:

#### **New Representation for UCAAD on Academic Council**

This year was the first full year of membership for UCAAD on the Academic Council. In 2006-07, the UCAAD chair had attended Academic Council meetings as a non-voting guest. In February 2007, Council unanimously approved the addition of UCAAD as a permanent standing member, and in May of that year, the Academic Assembly approved an amendment to Senate Bylaw 125 that codified the addition. Chair Yahr noted that her presence as on the Council as UCAAD chair has successfully stimulated greater consideration of diversity-related aspects of Council business.

#### **Implementation of the President's Task Force on Faculty Diversity**

In continuation of business begun in 2006-07, this year's UCAAD monitored campus implementation of the recommendations from the President's Task Force on Faculty Diversity. Although each campus prepares an annual statistical analysis, called an underutilization study, of the diversity of its faculty and staff for federally required affirmative action reports/plans, the committee was disappointed to learn that some campuses do not post the results or distribute them to the faculty; nor do the campuses present the data in a way that would allow faculty to assess changes in their units' data over time. However, the committee was encouraged by the steps that had been taken on several campuses. UCAAD members were charged to exhort campus directors for faculty equity and other officials to ensure that their results were published in easily accessible forums.

UCAAD also considered diversity within the health sciences via review and comment on a report spearheaded by member M. Ines Boechat (UCLA). The [final report](#) has been published, and UCAAD will monitor implementation of its recommendations.

#### **Regents' Study Group on University Diversity and Proposition 209**

The Regents' convened several work groups to study diversity at the University, and four of the groups have issued their final reports to The Regents: faculty diversity (January 08), graduate and professional school diversity (March 08), undergraduate diversity (May 08), and staff diversity (July 08); the final report, on campus climate, is scheduled to be presented at the September 08 Regents' meeting. Each of the reports may be accessed [here](#).

The Study Groups conducted comprehensive assessments of University diversity in order to determine how well UC was meeting the needs of its diverse California constituencies ten years after the passage of Proposition 209. To understand better the intricacies of the interactions

between state prohibitions, federal requirements, and UC's stated goals, UCAAD met with the Office of General Counsel in addition to its regular consultants. The committee will follow closely implementation of the remediation efforts recommended by the various groups.

### **Implementation of Modifications to APM 210, 240 and 245**

UCAAD continued to discuss the implementation of the diversity revisions to APM sections 210, 240, and 245 originally proposed by UCAAD in 2004, which took effect in July 2005. UCAAD remains concerned that many faculty are still unaware of the modifications. Although some campuses have provided space on the Academic Biography and Bibliography forms (BioBib) – used by faculty to list scholarly and service activities and awards at the time of a promotion – for faculty to describe diversity-related scholarly, teaching, and service activities, members considered additional ways to publicize the changes and to monitor and evaluate the effectiveness of the implementation.

Additionally, members sought methods of educating their peers on recruitment and retention committees of the nature of unconscious biases, such as contrasting statements like “his work is well-focused” versus “her work is too narrow” at retreats or through bingo-type activities.

### **Systemwide Pay Equity Analysis**

UCAAD joined its Office of the President (OP) Academic Advancement consultants in calling for a systemwide pay equity analysis. The effort, led by Vice Provost Nicholas Jewell, is to be the first universitywide statistical report of pay practices by gender and ethnicity evaluated across divisions, schools, and departments. UCAAD worked with Academic Advancement to develop the best possible evaluative metrics and comparative standards. Difficulties in securing up-to-date payroll and personnel data in translatable code, however, delayed completion of the project. Next year's UCAAD will continue to monitor both the analysis and its implications.

### **Proposed Amendment to SBL 140**

UCAAD explored the possibility of changing its name and charge to more closely reflect the evolution of the concerns and topics it handles. Specifically, it was proposed to change “affirmative action” to “equity”. Although many campus offices and committees have undertaken similar actions, the results of a systemwide review of the proposed change were not favorable. UCAAD will revisit the possible amendment in 2008-09.

### **Other Issues and Business**

In addition to official communications related to the aforementioned topics, UCAAD submitted formal comments on the following policy review issues:

- The rescission of Senate Regulation (SR) 458,
- Proposed amendments to SR 636,
- Both the original and the revised freshman eligibility proposals, and
- The Information Technology Guidance Committee report.

UCAAD also discussed ways to strengthen diversity language in graduate school applications and considered how changes to graduate school selection procedures and criteria could be used to diversify the pipeline.

UCAAD devoted a portion of each meeting to reports and updates from its members about issues facing local divisions and committees. These included discussion of local faculty search committee practices and hiring data; the role of campus affirmative action officers; equity and career reviews; exit interviews; and campus climate issues and climate surveys.

**Consultants and Guests:**

UCAAD's regular OP consultants, Vice Provost for Academic Advancement Nicholas Jewell, Assistant Vice Provost for Equity and Diversity Sheila O'Rourke, and Graduate Diversity Coordinator Susanne Kauer, were valuable assets to UCAAD. They provided the committee with data, consultation, and reports on numerous items and issues, including:

- The work of the Regents Study Groups on University Diversity
- Graduate and professional student academic preparation educational outreach
- Legal obligations and responsibilities for faculty and student diversity in relation to both Proposition 209 and Federal Affirmative Action Regulations
- UC programs and fellowships targeting diversity, including the President's Postdoctoral Fellowship Program
- Local conferences, summits, and symposiums addressing diversity

Finally, UCAAD wishes Vice Provost Jewell and Assistant Vice Provost O'Rourke much success in their respective returns to campus-based diversity advocacy.

Respectfully submitted,

Pauline Yahr, Chair (UCI)  
Francis Lu, Vice Chair (UCSF)  
Margaret Conkey (UCB)  
Tyler Stovall (UCB, alternate)  
Ann Orel (UCD)  
Susan Greenhalgh (UCI)  
M. Ines Boechat (UCLA)  
Linda Fernandez (UCR)  
James Rauch (UCSD)  
Michael Winter (UCSF)  
Kimberly Turner (UCSB)  
Pedro Castillo (UCSC)

Kenneth Feer, Committee Analyst

**BOARD OF ADMISSIONS AND RELATIONS WITH SCHOOLS (BOARS)  
ANNUAL REPORT 2007-08**

**TO THE ASSEMBLY OF THE ACADEMIC SENATE:**

The Board of Admissions and Relations with Schools (BOARS) met nine times in Academic Year 2007-08, including a joint meeting with UC Admissions Directors in July, to conduct business with respect to its duties as outlined in [Senate Bylaw 145](#), to advise the president and appropriate Senate agencies on matters relating to the admission of undergraduate students and the criteria for undergraduate status. BOARS also has three key subcommittees – Articulation and Evaluation, Admissions Testing, and Statistical Analysis – charged with reporting to the parent committee. The major activities of BOARS and its subcommittees, and the issues they addressed this year are outlined briefly, as follows:

**Proposal to Reform UC Freshman Eligibility Policy**

The Academic Council released BOARS’ original [eligibility reform proposal](#) for systemwide Senate review in August 2007 and a supplementary [Q and A document](#) from BOARS about the proposal in September. After the initial Senate review concluded in December, Council [asked BOARS](#) to address questions and concerns raised by reviewing agencies. BOARS responded to Council in February 2008 with a [revised proposal](#) that maintained its original recommendations for the “Entitled to Review” (ETR) admissions pathway and the elimination of the SAT Subject Test requirement. It also expanded the referral guarantee over the original proposal to a subset of ETR students that are in either the top 5% statewide among graduating high school seniors, or in the top 12.5% of graduates from their school.

Senate agencies expressed general support in both reviews for the principles underlying BOARS’ efforts and its goals to broaden the pool of applicants visible to UC through ETR, to encourage selection of the top students for admission, and to increase admission from underrepresented and low-income groups. There was also wide support for eliminating the SAT Subject tests as a strict requirement, and some support for a more flexible approach to the a-g requirements. In the first proposal review, the main concerns were related to the elimination (but for the 4% ELC program) of the referral guarantee, the cost of implementation, and the potential impact on student quality. In the revised proposal review, many faculty supported the expansion of the referral guarantee, but some expressed significant concerns about the statewide vs. within-school proportions of the new guarantee structure. At its May meeting, Council settled on a compromise proposal to institute the ETR admissions pathway, eliminate the SAT Subject test requirement, and establish an initial modified admissions referral guarantee structure of 9% within-school and 9% statewide. The Academic Assembly [endorsed the proposal](#) at its June 11 meeting, and sent it to the president for his review and review by the Board of Regents. The Regents began their review in July and planned to take the issue up again in the fall.

During the year, BOARS Chair Rashid visited campuses to discuss and field questions about the proposal. He also made presentations at meetings of the Academic Council, Academic Assembly, and The Regents. BOARS members reported on the status

of the campus reviews; collected feedback from campuses about the proposal's potential impact on local comprehensive review processes; and discussed strategies for better informing colleagues about admissions policy. In July 2008, UC Admissions Directors met with BOARS to discuss campus-specific expectations, hopes, and concerns for the proposal.

### **Amendments to Senate Regulations Pertaining to Eligibility and Admissions**

BOARS noted that implementation of the eligibility reform proposal, if passed by the Regents, will require multiple changes to Senate Regulations pertaining to admissions policy, involving systemwide Senate review and eventual passage by the Academic Assembly. BOARS agreed that regardless of the Regents' action on eligibility reform, BOARS should re-write all admissions-related provisions of Senate Regulations 410–468 to better reflect current admissions policy and practices. In May, BOARS reviewed some potential modifications drafted by Chair Rashid and will continue its work next year.

### **Shared Admissions Review**

In November, the Office of Student Affairs (OSA) was asked to devise a system that will allow campuses to share reviews of freshman applications. The OSA's Admissions Processing Task Force (APTF) proposed a scheme in which two scores would be generated centrally for the use of all UC campuses - the first based on a holistic, human read of applications similar to those used at UCB and UCLA, and the other a "machine" score based on an algorithmic assessment of various Comprehensive Review factors. BOARS concluded that the shared review protocols constitute admissions policy and therefore require significant Senate involvement. Senate and administrative leaders agreed to form two work teams of BOARS faculty, administrators, and admissions directors to develop each protocol. The work teams met during the year to discuss various models for processing, extracting, and distributing application information centrally.

The *Holistic Read Work Team* included BOARS Vice Chair Sylvia Hurtado (co-chair), members David Stern, Daniel Weiss, and Robert Jacobsen and Director Nina Robinson. Its discussions focused on methods for aligning the UCLA and UCB holistic ranking systems and for distributing those rankings to other campuses, as well as the advantages of a single holistic ranking versus a system that would provide separate (dimensional) holistic sub-scores around common characteristics. Next year, the work team plans to work closely with campuses to solicit feedback and undertake a pilot study to determine the time and resources needed for the system to work. This academic year, holistic score data generated at UCLA and UCB will be made available for the first time to other campuses to use alongside their own rating system.

The *"Machine" Score Work Team* included BOARS Chair Mark Rashid (co-chair with Director Sam Agronow), Bill Jacob, and Joseph Watson. Its discussions focused on devising a system that will employ application data and a series of complex algorithms to generate sub-scores for many of the 14 Comprehensive Review categories. The plan is to provide a single machine score to campuses along with the raw data, sub-scores, the algorithms used to generate them, and possibly a system of "flags," which will indicate the need for further investigation by human readers on individual campuses.

### **BOARS Articulation and Evaluation (A&E) Subcommittee**

The A&E Subcommittee, chaired by BOARS member William Jacob, was charged with amending the ‘g’ college preparatory elective course requirement language to explicitly include Career and Technical Education (CTE) courses. The initiative is a legislative mandate to the California State University system, but UC has primary responsibility for the ‘a-g’ curriculum policy to which both UC and CSU adhere, so the A&E Subcommittee proposed new ‘g’ course language that will be mutually agreeable to both UC and CSU. Chair Rashid and UCOP admissions staff also met with legislators in Sacramento to discuss CTE Initiative issues.

The Subcommittee also reviewed a number of applications for “program status” from a number of on-line course providers, pursuant to UC's new policy for certification of entities that wish to offer on-line courses that carry a-g approval.

### **BOARS Testing Subcommittee**

The Testing Subcommittee, chaired by BOARS member Daniel Weiss, was charged this year to analyze the extent to which the new SAT Reasoning Test aligns with BOARS’ January 2002 “[testing principles](#).” Over the last two years, BOARS and the Testing Subcommittee have consulted various experts to assess the degree to which these goals are being met, with the goal of reporting to the Regents by the end of 2008. In December, College Board representatives attended a BOARS meeting to discuss several issues, including the impact of the changes made to the SAT; the alignment of the new SAT with California content standards and classroom experiences; research into group differences in testing scores and comparisons of test scores across numerous administrations of a test; the College Board’s new student feedback report program; and the consequences of UC’s proposal to eliminate the SAT subject tests from its admissions requirements. At the end of the year, the Subcommittee drafted a letter for transmission to the College Board requesting additional data and answers to a number of questions.

### **BOARS Statistical Analysis Subcommittee**

The Analytic Subcommittee, chaired by BOARS member David Stern, was an instrumental and integral part of all statistical-analysis designs used in the eligibility proposal. Professor Stern also helped draft the revised proposal.

### **Task Force on the Mathematics (‘c’) and Laboratory Science (‘d’) Requirements**

The C&D Task Force consisted of representatives from UC, CSU, CCCs, and high schools, and was charged to report to BOARS its findings and recommendations about new language that will provide clearer, more specific guidance to high schools about how to structure courses to meet the mathematics (‘c’) and laboratory science (‘d’) coursework required for UC eligibility. The new language is based both on UC’s own educational goals and on various state-specified curricular standards, including the California Academic Content Standards and ICAS’ *Statement on Competencies in Mathematics Expected of Entering College Students*. It outlines the course requirements for students, the educational goals of the requirement, and what courses must include to be approved. BOARS will approve a final version in the fall. The Task Force will be submitting its work product to BOARS for consideration and possible approval.

### **American Indian Tribal Affiliation in Undergraduate Admissions**

In August 2007, the Senate referred to BOARS a question about whether membership in a federally recognized American Indian tribe should be considered as one of many factors in undergraduate admissions. BOARS discussed the issue at several meetings this year with the help of Special Assistant William Kidder, who presented a briefing on the related legal issues as well as data on UC admission and enrollment rates for American Indian students. BOARS determined that considering American Indian students who are members of federally recognized tribes is consistent with the list of factors contained in Selection Criterion 13 of the [Guidelines for Implementation of University Policy on Undergraduate Admissions](#). Moreover, such a practice is consistent with the University's obligation under Proposition 209 not to take race or ethnicity into account in admissions, because membership in a federally recognized tribe is a classification in federal and state law that is distinct from race. In February, BOARS unanimously endorsed a position statement on Selection Criterion 13 and a resolution in support of considering a student's membership in a federally recognized American Indian tribe in admissions. Council endorsed these statements in July.

### **UCOP Policy Governing Funding of Non-resident Undergraduates**

In January, BOARS requested more information about a UCOP policy directing campuses to set separate admission targets for state-supported resident versus fee-bearing non-resident undergraduates. Memos from UCOP clarified that the new policy allows campuses to control Non-Resident Tuition (NRT) revenues, while specifying a target for fee-bearing non-resident enrollment. In contrast to previous practice, the new policy provides that shortfalls in non-resident tuition revenue will not be made up by UCOP, thereby putting pressure on campuses to meet their non-resident enrollment targets. BOARS is concerned about the possibility of fiscal considerations being injected into admissions decisions and about a system in which campuses are forced to generate additional non-resident tuition revenue to fund budgets. BOARS agreed that next year it would begin discussing a set of guidelines and principles around admission and enrollment of non-residents for broader Senate review.

### **Other Reports and Recommendations**

In response to requests for formal comment from the Academic Council, BOARS also issued views on the following:

- *Proposed UC Undergraduate Mission Statement*
- *Systemwide Senate Review of the Proposed Amendment to Senate Bylaw 140 – University Committee on Affirmative Action and Diversity*
- *UCOPE-Proposed Amendments to Senate Regulation 636*
- *Standards, Policies and Procedures for Intersegmental General Education Transfer Curriculum (IGETC)*

In addition to the previously mentioned reports and recommendations, Academic Council and Assembly also acted on the following BOARS recommendation:

- *Proposal to Repeal Senate Regulation 458* (submitted to Council June 19, 2007; [sent for systemwide Senate review](#) October 16, 2007; [approved by Assembly](#) February 20, 2008)

### **Other Presentations, Issues, and Additional Business**

- In October, Assistant Director for Research & Evaluation Roger Studley presented his paper, [Inequality, Student Achievement and Admissions: A Remedy for Underrepresentation](#) and John Douglass, Senior Research Fellow at the UC Berkeley Center for Studies in Higher Education, discussed his book, *The Conditions for Admission: Access, Equity and the Social Contract of Public Universities*.
- In November, BOARS learned about [StatFinder](#), UC'S new web-based system for statistics on undergraduate admissions, enrollment, and graduation, and Sam Agronow presented a report examining the value of SAT Subject exams in predicting first year UC GPA.

In addition, BOARS expressed concern about the impact of the state budget crisis on undergraduate admissions, and the effect of the UCOP reorganization on the ability of BOARS and UCOP to carry out their responsibilities and functions. The Committee also discussed the possibility of expanding the number of Asian American and Pacific Islander categories on the UC undergraduate application and discussed a petition from Earth, Environmental, and Space Sciences faculty (EESS) requesting that BOARS revisit the issue of broadening the range of EESS courses that could be approved for admissions credit in the d-subject area. Finally, the Committee reviewed the findings and recommendations of the Undergraduate Work Team of the Regents Study Group on Diversity, including a report on disparate impact in admissions, and passed the following resolution regarding its [inclusiveness indicators](#): “BOARS urges the Office of Undergraduate Admissions in collaboration with BOARS to update the inclusiveness indicators on an ongoing basis.”

### **BOARS Representation**

The BOARS chair represented the committee at meetings of the Academic Council, Academic Assembly, Admissions Processing Task Force, and Intersegmental Committee of Academic Senates.

### **Acknowledgements**

BOARS benefited from regular consultation and reports from the following members of the systemwide administration: Admissions Director Susan Wilbur, who provided the Committee with application and admissions data for the fall 2008 admissions cycle and who regularly updated BOARS about the Office of Undergraduate Admissions' work on the CTE and Transfer Preparation Paths initiatives and the 'a-g' certification process; Associate Director of Admissions Research and Evaluation Samuel Agronow and Assistant Director of Admissions Research and Evaluation Roger Studley, who provided BOARS with expert data reporting and analysis in the development of the eligibility reform proposal; Director of Policy and External Affairs Nina Robinson, who provided BOARS with regular updates from APTF meetings concerning shared review and long range enrollment planning; and Special Assistant to the Vice President William Kidder,

who contributed to the drafting of the revised eligibility-reform proposal, and who was instrumental in BOARS' review of the "plus factor" in undergraduate admissions for American Indian tribal members and other matters affecting student diversity.

Respectfully submitted,

Mark Rashid, Chair (D)

Sylvia Hurtado, Vice Chair (LA)

David Stern (B)

Daniel Weiss (SF)

Keith Widaman (D)

James Given (I)

Peter Sadler (R)

Duncan Lindsey (LA – spring)  
(LA)

Jeannie Oakes (LA)

Joseph Watson (SD)

David Anthony (SC)

William Jacob (SB)

Jian-Qiao Sun (M)

Arshad Ali, Graduate Student (LA)

Mohammed Tajsar, Undergraduate Student

Michael T. Brown ((SB); Chair, Academic Senate, *Ex Officio*)

Mary Croughan ((SF); Vice Chair, Academic Senate, *Ex Officio*)

Michelle Ruskofsky, Committee Analyst

Michael LaBriola, Committee Analyst

**UNIVERSITY COMMITTEE ON COMPUTING  
AND COMMUNICATIONS POLICY (UCCC)  
ANNUAL REPORT 2007-2008**

**TO THE ASSEMBLY OF THE ACADEMIC SENATE:**

The University Committee on Computing and Communications (UCCC) is charged by Senate Bylaw 155 to represent the Senate in all matters of instruction and research policy involving the use of information and communications technology and advising the President concerning the acquisition and use of information and communications technology. UCCC held two regular meetings and one teleconference during the 2007-2008 academic year. Highlights of the committee's actions are outlined below.

**Amendment to Senate Bylaw 181**

Previously, the committee was known as the University Committee on Information Technology and Telecommunications Policy (ITTP). However, because members felt that the terms "information technology" and, especially, "telecommunications" were dated and connoted limited realms of responsibility, the committee proposed to amend its name and charge. After systemwide review, the proposed amendment was approved by the Academic Assembly at its January 30, 2008, meeting. Consequently, the committee became the University Committee on Computing and Communications (UCCC); the substance of the committee's charge is unchanged.

**Remote and Online Instruction**

Chair Naugle and Vice Chair Beatty worked with Senate colleagues Bruce Schumm and Keith Williams, chairs of the Coordinating Committee on Graduate Affairs (CCGA) and the University Committee on Education Policy (UCEP) respectively, to explore the University's emerging needs regarding an anticipated increase in use of remote and online instruction. Recognizing that to address the subject comprehensively a dedicated team of investigators was needed, the group proposed the formation of a special committee within the Academic Senate to explore and make recommendations on the many important issues surrounding this new medium of instruction, such as the quality and type of faculty/student interaction, academic standards, residency, and technological requirements. The request was approved by the Academic Council at its July meeting, and UCCC will continue to monitor the special committee's work.

**Consultation with the Administration**

Kristine Hafner, Associate Vice President for Information Resources and Communications (IR&C), and David Walker, Director of Advanced Technologies in IR&C, serve as consultants to UCCC. Members of the committee, in the roles as UCCC representatives, also consulted regularly with their campus chief information officers and other IT-related administrators.

Again this year, both the committee and their consultants devoted considerable time and energy to analyzing the work of the [Information Technology Guidance Committee \(ITGC\)](#). ITGC was established by Provost Hume on an ad hoc basis and charged to

develop a systemwide IT strategic plan. Specifically, it had 18 months (ending in August 2007), to investigate where UC should be going in IT, what more UC can do as a system, and how the campuses can coordinate better on IT matters. It also addressed financial aspects of IT as well as organizational issues. ITGC had six working groups: 1) Advanced Networking Services, 2) Stewardship of Digital Assets, 3) Common IT Architecture, 4) High Performance Research Computing, 5) Instructional Technology, and 6) IT and the Student Experience. UCCC's role regarding this group was to provide unofficial responses to ITGC on matters of clear interest.

UCCC presented informal feedback to ITGC through its consultants and via Chair Naugle. After monitoring the work of ITGC and reviewing both its interim and final reports, UCCC submitted its formal response to the Academic Council, wherein the committee made both editorial and substantive suggestions and criticisms. Of particular concern to the committee were the absence of a detailed financial model and a codified method and mechanism for sharing best practices across the campuses. Issues of scope were also discussed carefully by the committee, who weighed both the pros and cons of the ITGC recommendations against the standards of a high-level conceptual document and the necessity of a workable plan with specific end-users' needs in mind. The Senate's full comments are available online [here](#).

It was for those end-users, then, that the committee finalized its list of minimum IT guidelines for teaching and learning that it felt all instructors at UC should have, a project which originated under the 2006-07 committee. This document balances the need for specificity at the level of desktop computing needs and support with the inherent and rapid evolution of the field.

The administration also kept the committee abreast of efforts to align UC with other institutions in the realm of electronic accessibility and the Office of the President's IR&C unit's restructuring. While the former is an on-going effort the committee will continue to monitor, the latter has largely been completed. As part of an overall restructuring of the Office of the President to remove redundancies and improve cost-effectiveness, various IT-related support staff were consolidated into a single unit based on models prevalent at many campuses. UCCC will monitor subsequent steps in the IR&C restructuring, such as the development of a centralized data warehouse.

### **Reports and Recommendations**

UCCC communicated with the Academic Council on the following:

- ITGC Report, "Creating a UC Cyberinfrastructure"
- Recommendation on Guidelines for Minimum IT Standards for Instructional Technology
- Announcing/Advertising Campus Visits by OP Personnel/Systemwide Senate Consultants

### **Representation**

The UCCC Chair, Lisa Naugle, served as a faculty representative to the Information Technology Leadership Council (ITLC) and the Information Technology Guidance

Committee (ITGC); the chair also serves as an *ex officio* member of the University Committee on Library and Scholarly Communications (UCOLASC). Additionally, Chair Naugle served as a Senate representative to two systemwide search committees: (1) University Librarian for Systemwide Library Planning and Executive Director California Digital Library (UL-CDL) and (2) Chief Information Officer (CIO) and Associate Vice President, Information Resources and Communications.

### **Acknowledgements**

UCCC is grateful for the contributions made by its Office of the President's Information Resources and Communications (IR&C) consultants, Associate Vice President Kristine Hafner and Director of Advanced Technologies David Walker. UCCC would also like to extend its warmest wishes to AVP Hafner on her retirement.

Respectfully submitted,

Lisa Naugle, Chair (I)  
Jackson Beatty, Vice Chair (LA)  
Anthony Joseph (B)  
Michael Hogarth (D)  
Tony Givargis (I)  
Tae-Hwy Lee (R)  
Stanley Chodorow (SD)  
Donna Hudson (SF)  
Shivkumar Chandrasekaran (SB)  
Luca de Alfaro (SC)

Kenneth Feer, Senior Analyst

**COORDINATING COMMITTEE ON GRADUATE AFFAIRS  
ANNUAL REPORT 2007-2008**

**TO THE ASSEMBLY OF THE ACADEMIC SENATE:**

The Coordinating Committee on Graduate Affairs (CCGA) met a total of nine times during the 2007-2008 academic year (the July meeting was cancelled).

***Reviews of Proposed Graduate Schools and Degree Programs***

One of CCGA's primary responsibilities is to review all campus proposals for new graduate schools degree programs. A total of 21 proposals were submitted to CCGA for review throughout the academic year. The following table is a summary of actions on these proposals as of October 2008.

<b>Campus</b>	<b>School/Program Proposed</b>	<b>Lead Reviewer</b>	<b>Date Approved</b>	<b>Disposition</b>
UCR	M.A./Ph.D. Ethnic Studies	D. Brenneis	10/02/07	Approved
UCM	M.S./Ph.D. in Environmental Systems	F. Chehab	10/02/07	Approved
UCD	<i>School of Public Health</i>	I. Tager	11/06/07	Not approved
UCSC	Ph.D. in Film & Digital Media	S. Upadhyaya	12/04/07	Approved
UCSB	M.A./Ph.D. Feminist Studies	T. Miller	01/08/08	Approved
UCSC	Ph.D. in Visual Studies	M. Hanneman	02/05/08	Approved
UCSF	M.S. in Science & Technology	M. Farrens	–	Proposal put on hold by UCSF (03/08)
UCI	M.P.H. (Public Health)	F. Chehab	04/08/08	Approved
UCM	<i>School of Medicine</i>	B. Schumm	05/06/08	Approved
UCB	M.S in Global Health Sciences	I. Tager	05/06/08	Approved
UCI	M.S. in Nursing Science	J. Reiff	05/06/08	Approved
UCR	<i>School of Public Policy</i>	E. Watkins	05/06/08	Approved
UCI	M.P.P. (Public Policy)	G. Jacobson	06/03/08	Approved
UCLA	M.S./Ph.D. in Bioinformatics	A. Myers Kelley	06/03/08	Approved
UCSD	Ph.D. in Human Development	G. Mimura	06/03/08	Not approved
UCD	<i>School of Nursing</i>	B. Schumm	–	Under review

UCD	M.S. in Environmental Policy & Management	P. Springer	–	Approval pending receipt of additional information
UCB	M.P.Ac. (Public Accountancy)	G. Mimura	–	Under review
UCSD	Ph.D. in Management	K. Rose	–	Under review
UCR	M.A./Ph.D. in Management	Re-assigned to S. Carter (10/08)	–	Under review
UCSD	M.S. in Computational Science	Re-assigned to A. Knoesen (10/08)	–	Under review

*CCGA worked on a number of initiatives and issues related to graduate education over the course of the 2007-2008 academic year, including:*

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

Academic Council approved CCGA’s request to reinstate its plenary authority to approve new M.D., D.D.S., D.V.M., Pharm.D., and J.D. degree programs. CCGA has concluded that its 1995 decision exempting these degree titles from Senate oversight, thereby allowing relevant professional schools to approve new programs with these degree titles, was not made with an appreciation of the distinction between the approval and oversight roles of the Senate. While CCGA concurs that ongoing oversight is best left to professional schools offering these five degree titles pursuant to Standing Order of the Regents 105.2(b), it is the experience of CCGA that two aspects of its review – the removal from internal pressures and influences within host campus, and the mandate to solicit expert reviews from outside the University – provide compelling motivation for conducting a review of proposed new degrees within the structure of the system-wide Senate. CCGA also noted that the satisfaction of accreditation requirements should not serve as a proxy for the rigorous review of new graduate programs performed by the Academic Senate.

### **Remote & Online Instruction and Residency**

CCGA members considered whether or not systemwide standards for distance and online learning should provide specific or more general guidelines about the structure of those types of courses or in some way limit them, and whether distance/online learning should count for residency. There was a consensus to not go forward with the re-writing the regulations yet, but to consider instead how to engage the University community on the issues. Chair Bruce Schumm drafted a white paper or discussion paper that frames the issues of remote and online instruction, which was sent to the divisional chairs and systemwide committees. Council approved this, and instructed the University-wide Committee on Committees to empanel a special committee to carry this out.

### **One-year Public Health Masters Degrees**

CCGA consulted with three leading public health faculty (one within and two outside of the University) regarding conditions under which it is appropriate to award Masters degrees in the general area of public health after a single year of enrollment. A report was generated based on the replies from the three faculty.

### **Proposed Fee Policy for Graduate Student In Absentia Registration**

CCGA recommended two changes (in addition to Academic Council's July 23 response): 1) the addition of a reference to the authority of the Senate in regards to the residency status of In Absentia students; and 2) alterations to the language of the nature of the relationship between the lead faculty and student that has contact not being minimal, but being "commensurate with the role of evaluating the student's progress on their research" or similar language. CCGA will continue to consult with Dean Jeff Gibeling (UC Davis) on revisions to the fee policy for Council consideration in the fall.

### **Role of Terminal Masters Programs in a Research University**

CCGA was asked to look into the role of terminal masters at UC, particularly in the way that such programs enhance and augment the mission of research universities. CCGA considered developing a statement on principles regarding Academic Masters Degrees in a Research Setting but ultimately decided there does not seem to be a compelling interest in moving towards academic masters programs en masse and suspended its investigation into this issue.

### **Request to Form a Joint Senate/Administrative Committee to Establish a Funding Model for Graduate Education**

Council endorsed a request from CCGA/UCPB on the formation of a joint Senate-Administrative committee to follow-up on the important work completed by the Graduate Student Support Advisory Committee (GSAC). The original GSAC committee, which was requested by the Academic Council in fall 2005 to explore the status and prospects for graduate student support as well as the mitigation of non-resident tuition (NRT), produced a report in June 2006 that set forth goals for graduate enrollment, and evaluated the expense of restoring the competitiveness of UC's graduate student support and eliminating NRT for Ph.D. students. The aim of such a committee would be the development of a concrete funding model, guided by the original GSAC study, which would advance the cause of graduate education at UC.

### **Access to Differential-Fee and Self-Supporting Programs**

A subcommittee of CCGA members considered the issues associated with professional degree fee increases, including how these increases might contribute to increases in the stratification of campuses; the privatization of the University; and to decreased accessibility of these programs, especially for low-income students. In consultation with UCOP staff, the subcommittee identified uniform data elements to be collected annually from the campuses that would enhance the quality of future analyses conducted by UCOP on these issues.

**Graduate Academic Certificate (GAC) Programs**

CCGA was asked to review the state of graduate certificate programs and Senate involvement in the review of those programs, to determine whether more guidelines, uniformity and/or Senate involvement is needed. A CCGA subcommittee formed last year to discuss the issue and identify types of certificates that should be under the purview of the divisional senates, as well as a possible subset that should come to CCGA. The review resulted in the outlining of criteria for the subset of such certificates that fall under CCGA’s purview and in process changes in the review of GACs.

**Review Process for a combined 5-Year B.Sc./M.Sc. degree in the College of Engineering at UCR**

In reviewing the UCR proposal, CCGA affirmed its role in reviewing proposals for joint Bachelors/ Masters degrees in instances where the attached Masters is a new/non-existing graduate degree program.

**UC Merced’s Interim Individual Graduate Program Authority**

CCGA has reviewed on an annual basis UC Merced’s Individual Graduate Program (IGP) Authority; CCGA approved the continued use of the IGP, noting that it would be appropriate to extend this on a year-by-year basis beginning in the 2007-2008 academic year.

***Reviews of Simple Name Changes, Masters-level Degree Additions and Other Programmatic Matters***

As shown below, CCGA considered several requests for simple name changes of degree titles, programs, departments, graduate groups, or schools. In addition, CCGA also approved a UCSD request for a change in the composition of its Doctor of Education (Ed.D.) Degree Dissertation Committees, reducing membership from four to three in all of its dissertation committees.

<b>Campus</b>	<b>Group/Program</b>	<b>New Name/Group</b>	<b>Requested Action</b>	<b>Disposition</b>
UCB	M.A. in Greek	–	Discontinuance	Pending review by UCB Grad. Council
UCB	M.A. in Latin	–	Discontinuance	Pending review by UCB Grad. Council
UCLA	Health Economics IDP	–	Disestablishment	Approved
UCLA	Women’s Studies Curriculum	Women’s Studies IDP	Transfer	Approved
UCSB	Masters of Education/Pupil Personnel Services Credential	M.Ed. in School Psychology	Simple Name/Emphasis Change	Approved
UCD	M.F.A. in Textile Arts and Costume Design	M.F.A. in Design	Name Change	Approved

UCSC	Statistics and Stochastic Modeling	Statistics and Applied Mathematics	Name Change	Pending
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***Acknowledgements***

CCGA is grateful to have had valuable input from and exchange with these UCOP and campus consultants over the past year: Provost Rory Hume, Vice Provost for Academic Affairs Joyce Justus, Vice President for Research and Graduate Affairs Steven Beckwith, Dean of Graduate Studies Gale Morrison (UCSB), Acting Vice Chancellor for Research Sam Traina (UCM), Director of Student Financial Support Kate Jeffery, Director of Academic Planning and Budget Carol Copperud, and Principal Analyst Suzanne Klausner.

Respectfully submitted:

Bruce Schumm, Chair (UCSC)  
 Farid Chehab, Vice Chair (UCSF)  
 Ira Tager (UCB)  
 Matthew Farrens (UCD)  
 Glen Mimura (UCI)  
 Janice Reiff (UCLA)  
 Anne Myers Kelley (UCM)  
 Patricia Springer (UCR)  
 Kenneth Rose (UCSB)

Michael Urban (UCSC)  
 Gary Jacobson (UCSD)  
 Elizabeth Watkins (UCSF)  
 Patrick Linder (UCR student)  
 Katherine Warnke-Carpenter (UCI student)  
 Michael T. Brown (ex-officio member)  
 Mary Croughan (ex-officio member)  
 Todd Giedt (Analyst)  
 Eric Zárate (Analyst)

## UNIVERSITY COMMITTEE ON EDUCATIONAL POLICY (UCEP) 2007-2008 ANNUAL REPORT

### TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The University Committee on Educational Policy (UCEP) met six times and held one additional conference call in Academic Year 2007-08 to conduct business with respect to its duties as outlined in [Senate Bylaw 170](#) and in the Universitywide Review Processes for Academic Programs, Academic Units, and Research Units (the “[Compendium](#)”). The major activities of the committee and the issues it addressed this year are outlined briefly, as follows:

#### **BOARS Proposal to Reform Freshman Eligibility Policy**

UCEP made significant contributions to the systemwide Senate review of the Board of Admissions and Relations with Schools (BOARS) proposal to reform UC freshman eligibility policy, also known as “Entitled to Review” (ETR). UCEP submitted detailed memos to Academic Council in December 2007, commenting on BOARS’ original proposal, and in May 2008, responding to BOARS’ revised proposal. The BOARS chair also attended a portion of the November UCEP meeting to answer questions.

In both memos, UCEP expressed strong support for the principles and goals underlying BOARS’ efforts – to broaden the eligibility pool, encourage selection of the best students for admission to UC, and increase admission from underrepresented and low-income groups. The Committee also unanimously supported the recommendations for eliminating the SAT-II Subject test requirement and adding more flexibility into the a-g requirement.

In its December memo, UCEP suggested several policy alternatives that would be substantially similar to BOARS’ proposal, but would retain a transparent statewide admission referral guarantee to a larger proportion of students than the 4% currently guaranteed through Eligibility in a Local Context (ELC). In May, UCEP again expressed a strong consensus of support for the overall intent of the revised proposal, which incorporated UCEP’s suggestion to increase the proportion of students offered a guarantee; however, the committee was evenly split with regard to the specific guarantee structure, with half endorsing the BOARS proposal as written, and the other half in favor of a reduced ELC guarantee.

#### **Remote and Online Instruction and Residency Requirements**

A UCEP/CCGA (Coordinating Committee on Graduate Affairs)/ UCCC (Committee on Computing and Communications) subcommittee met twice to discuss the relationship of distance learning and online instruction pedagogy to UC quality and UC residency requirements. Wanting to initiate a broader faculty discussion about these issues, the subcommittee submitted a *Dialectic on the Use of Remote and Online Instruction for the Delivery of University Curriculum* to Council in December. Council circulated the Dialectic to divisional chairs and systemwide committees for informal input and comment, which revealed support for some systemwide Senate role in crafting minimum standards, as long as such regulation continued to allow for divisional autonomy. UCEP

discussed these issues at several meetings and transmitted their views to the subcommittee through Chair Williams. In July, the subcommittee asked Council to establish a Special Senate Committee to discuss the topic in more depth. The Special Committee will begin meeting next year.

### **Undergraduate Education Mission Statement and Academic Planning**

UCEP provided input into a draft mission statement intended to guide the Undergraduate Education Planning Group (UEPG) in its consideration of long-term goals and challenges for undergraduate education. Academic Council also sent the Mission Statement to Senate divisions for informal review and comment. In addition, UCEP discussed two task forces proposed by the Academic Planning Council to study possible mechanisms for measuring educational objectives and learning outcomes. Beginning in fall 2008, an Undergraduate Education Effectiveness Task Force will study best practices for identifying and articulating the educational objectives of UC academic programs and methods for evaluating the success of those programs, and a Postgraduate Outcomes Task Force will identify procedures aimed at gathering information about UC graduates that will help UC measure educational effectiveness.

### **Survey of Campus Program Review Practices and Issues**

UCEP developed a template questionnaire for committee members to collect information about local undergraduate program review practices. The committee analyst synthesized campus responses to the survey, and in July, UCEP submitted a summary of the results to the Academic Council along with a request that they be forwarded to the campus Senate divisions and appropriate UCOP administrators as information. UCEP believes the data will help campuses identify best practices for program reviews and ultimately build more efficiency and effectiveness into their local processes. The information may also help UC planning agencies identify best practices for integrating learning objectives and outcomes assessments into the program review process.

### **Strategic Planning Initiative for Multi-campus and Off-campus Programs**

Office of the President consultants attended three UCEP meetings to update and seek advice from the committee about a UCOP effort to define and address administrative obstacles and inefficiencies involving courses that enroll students from multiple campuses. The project is intended to increase administrative efficiencies and minimize barriers that discourage development of new programs, consume unnecessary time and resources, and inhibit student enrollment. UCEP members helped identify affected programs, provided their views about impediments to educational access and delivery, and made suggestions for vetting multi-campus programs and courses at the local level.

### **University of California Center in Washington (UCDC) Proposed Systemwide Course**

UCDC Director Bruce Cain and Administrator Rodger Rak joined the December meeting by phone to discuss the status of the proposed UCDC systemwide quarter/semester hybrid course *California on the Hill*, which UCEP gave its provisional approval to last year. In March, UCEP sent a memo to UCDC summarizing the status of UCEP's deliberations about the course and the remaining issues to resolve around the systemwide

course approval process. Later, UCEP discussed a step-by-step process for systemwide course submission and approval, and the designation of units for quarter and semester students. Still to be worked out are mechanisms to enable the listing of systemwide courses in campus and/or systemwide catalogs, to allow students to register and receive credit for those courses, and to designate them on transcripts.

### **Concern about Student-to-Faculty Ratio and Class Size**

UCEP sought meaningful data to illuminate its growing concern about the effect of rising student-faculty ratios on educational quality and faculty workload. The Committee reviewed a UCSC study on class size and discussed data compiled by UCEP Chair Williams examining changes in the number of classrooms of various sizes as a proportion of the total at UC Davis between 1999-2000 and 2006-07, relative to campus enrollment, broken down by instructor type, and division level. As a long-term goal, UCEP wants to refine the Davis protocols and have all campuses replicate the data to give UCEP a systemwide view of trends in class size and the percentage of classes taught by ladder faculty.

### **Report of the Joint Ad Hoc Committee on International Education**

Margaret Heisel and former Assistant Vice President for Budget Jerry Kissler joined the December meeting to discuss and answer questions about the joint ad hoc committee report. UCEP submitted views to Council in February, noting strong support for the general principles of education abroad, for the mission of UCEAP, and for increasing the number of students studying abroad as long as current academic quality is maintained. The Committee also expressed concern that increasing access to international education in the ways outlined in the report could be inconsistent with maintaining quality if UCEAP's immersion model is diluted and/or the use of third party providers increases.

### **Proposed Amendment to SR 636 – Capping Enrollment of ELWR courses**

In October, UCEP reviewed the University Committee on Preparatory Education's (UCOPE) proposed amendment to Senate Regulation 636, mandating a systemwide cap of 20 students on the enrollment of entry-level writing requirement (ELWR) courses. UCEP sent a memo to Council opposing the 20-student cap based on two issues of concern: the indefiniteness of funding and the general question of whether mandates should be imposed on campuses for writing class size only without regard to other academic areas.

### **Streamlining Articulation and Transfer Preparation Paths**

Undergraduate Admissions Director Susan Wilbur joined UCEP at one meeting to discuss the implementation of Senate Resolution [477](#) (Streamlining the Major Preparation Course Articulation Process), [California Senate Bill 652](#), and *UC Transfer Preparation Paths*, which are intended to facilitate the transfer of students from California Community Colleges to UC. UCEP reviewed a set of *Transfer Path* draft documents covering systemwide and campus-specific requirements for the chemistry major that were revised over the course of the year to reflect UCEP suggestions.

### **Part-Time Enrollment Policy**

In December, Director of Policy and External Affairs Nina Robinson joined UCEP to discuss the possibility of increasing the use of part-time enrollment as a means to broaden access to UC and maintain enrollment-based funding. In general, UCEP did not support the idea, but thought UC might look into possible hybrid models that would allow students to enroll part-time for a limited number of quarters. UCOP told UCEP that it would develop more specific ideas for future Senate discussion and reaction.

### **The Role of Graduate Students in University Instruction**

UCEP discussed the progress of the joint UCEP-CCGA report *The Role of Graduate Students in University Instruction*, which was released for a second round of systemwide review in late 2007. In April, Council endorsed a [compromise version](#) of the report that emphasized an obligation for campuses to provide mentoring and oversight of graduate student instructors of record by faculty, continued to mandate Senate approval for graduate students teaching upper-division courses, but also made it clear that campuses are free to impose stricter requirements, such as requiring Senate approval for lower-division teaching by graduate instructors as well.

### **Review of Proposed Schools and Degree Programs**

As a Compendium committee, UCEP participated in the review of the following proposed Schools and submitted thoughtful, detailed views and analyses to the CCGA chair:

- **Proposal for a UC Davis School of Public Health** (*November 2007*)
- **Proposal for a UC Riverside School of Public Policy** (*February 2008*)
- **Proposal for a UC Riverside School of Medicine** (*May 2008*)
- **Proposal for a UC Davis School of Nursing** (*May 2008*)

The Committee also submitted views on the following to Academic Council:

- **Preliminary Proposals for Three New Schools:** *UC Merced School of Medicine; UC Irvine School of Nursing Science; and UC San Francisco School of Global Health*
- **Five-Year Perspective of Academic Programs 2008-2013**

In general, UCEP supported the development of new graduate and professional schools, particularly those will enhance educational opportunities at developing campuses and benefit underserved regions of California. There were also concerns about funding models for some of the Schools and their potential effects on undergraduate education, especially on the ability of existing programs to adequately educate their undergraduates if both FTE and existing faculty are redirected to the new Schools. UCEP urged that undergraduate education not get lost in the academic shuffle and that UC do more to communicate the harmful effects of the budget cuts on undergraduate education.

### **Other Issues and Additional Business**

In response to requests for formal comment from the Academic Council, UCEP also issued views on the following:

- **Report of the Regents' Task Force on Diversity**
- **UCSF Division Request for Variance to Senate Regulation 750.B**
- **UCSC Division Proposed Undergraduate Honors Legislation**
- **Information Technology Guidance Committee Report "Creating a UC Cyberinfrastructure"**
- **BOARS Proposal to Repeal Senate Regulation 458**
- **ICAS' Proposed Intersegmental General Education Transfer Curriculum "notes"**
- **University Committee on Academic Freedom Concerns about UCEAP Study Abroad Travel Restrictions Policy**

#### *Student-Related Policy Issues*

- **Proposed Amendment to California State Law re: Involuntary Psychiatric Holds (5150) for College and University Students**
- **Proposed Amendments to Section 102.05 of the Systemwide Policy on Student Conduct and Discipline** (*misuse of computing resources- e.g., copyright infringement*)
- **UC Policy and Guidelines on On-Campus Marketing of Credit Cards to Students**

UCEP also discussed concerns about funding of the California Science and Math Initiative; a California Senate resolution recommending that UCEAP revise its policies to allow students to study in countries with less severe US State Department travel advisories; and concerns about the use of exit exams as a reliable and appropriate method of baccalaureate outcome assessment. Finally, UCEP touched on a variety of other issues related to the business of the Academic Council, Academic Assembly, and the work of campus Committees on Educational Policy.

#### **UCEP Representation**

UCEP Chair Keith Williams represented the committee at meetings of the Academic Council, Academic Assembly, and the Academic Planning Council, and regularly attended meetings of the Intersegmental Committee of Academic Senates and the Remote/Online Instruction Subcommittee.

#### **Committee Consultations and Acknowledgements**

UCEP benefited from consultation and reports from Vice Provost Dan Greenstein; Deputy to the Vice Provost Margaret Heisel; and Teaching, Learning, and Technology Center Director Paula Murphy on the Strategic Planning Initiative for Multi-campus and Off-campus Programs, and on transfer issues from Director of Undergraduate

Admissions Susan Wilbur. In addition, UCEP occasionally consulted the Academic Senate chair and vice-chair, who updated the committee on issues facing the Academic Council and Senate, and the systemwide Senate executive director, who spoke to UCEP about committee and administrative matters.

Respectfully submitted,

Keith Williams, Chair (D)

Stephen McLean, Vice-Chair (SB)

Taradas Bandyopadhyay (R)

Linda Chafetz (SF)

Peter Digeser (SB)

Linda Egan (D)

Cynthia Pineda (Graduate student-LA)

David Kay (I)

Manuel Martin-Rodriguez (M)

Ignacio Navarrete (B)

Jaye Padgett (SC)

Charles Perrin (SD)

Dorothy Wiley (LA)

Alexandra Ramos (Undergraduate student-LA)

Michael T. Brown ((SB); Chair, Academic Senate, *Ex Officio*)

Mary Croughan ((SF); Vice Chair, Academic Senate, *Ex Officio*)

Michael LaBriola, Committee Analyst

**UNIVERSITY COMMITTEE ON FACULTY WELFARE (UCFW)  
ANNUAL REPORT 2007-2008**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

Under [Senate Bylaw 175](#), the University Committee on Faculty Welfare (UCFW) considers and reports on matters concerning the economic welfare of the faculty, including salaries, benefits, insurance, retirement, housing, and conditions of employment. UCFW has two key subcommittees with independent memberships that are charged with monitoring developments and reporting to the parent committee – the Task Force on Investment and Retirement (TFIR) and the Health Care Task Force (HCTF). UCFW held ten meetings during the 2007-2008 academic year. Highlights of the committee’s activities and accomplishments are noted in this report.

It is important to emphasize that, although this is the report of the parent committee, the work done by the members of TFIR and the HCTF was, as in previous years, absolutely critical to UCFW. These two subcommittees spent countless hours during 2007-08 working with HR&B consultants on all aspects of their respective areas of expertise, which include very highly technical topics. Many of the issues discussed below were first analyzed in greater detail by these subcommittees, and the reports to UCFW from TFIR Chair Anderson and HCTF Chair Pitts, respectively were invariably instrumental in determining UCFW’s views. UCFW acknowledges and appreciates the professional expertise, effort, and thoroughness contributed by the chairs and members of both subcommittees.

**UC Total Remuneration.** The competitiveness of total remuneration received by UC faculty remains a major focus of UCFW’s attention, and it remains an area of critical concern. It is still common to read in the press or hear in statements from UC administrators that, while UC faculty salaries lag those at comparison institutions, our benefits make up for the gap. UCFW has not agreed with that conclusion in the past, it does not endorse it at present, and the committee continues to believe it to be misleading and harmful to UC’s excellence. The failure to keep up with other institutions in faculty total remuneration puts UC campuses at a significant disadvantage in both recruiting and retaining outstanding scholars.

The committee’s 2006-07 annual report described substantial effort in working with representatives of Mercer Human Resources Consulting, as well as our consultants from UCOP, to understand comparisons of UC’s competitiveness with institutions in the Comparison Eight group. UCFW developed a number of recommendations in 2006-07 concerning the methodology used to evaluate total remuneration. These recommendations were the subject of further discussions at meetings in 2007-08, and the committee communicated its views to UCOP. It is anticipated that UCFW’s recommendations will be incorporated into new studies of total remuneration and the competitiveness of compensation of UC employee groups to be undertaken in 2008-09. Last year’s report also described UCFW’s recommendation---acted upon favorably by the Academic Council in June 2007---to establish a Senate Task Force on Faculty

Compensation Determinations & Comparisons. The purpose of this task force was to inform analyses of salary comparisons, studies of total remuneration, and measures of UC's competitiveness, drawing upon expertise from UCFW, UCPB, and UCAP, and to continue to refine the Senate's own recommendations. This was deemed desirable both as a means of evaluating any studies done by outside consultants and as a way to provide Senate input into any future studies by the California Post-Secondary Education Commission (CPEC).

In 2007-08, concerns about total remuneration centered mainly on salaries. While salaries remain a critical concern for UCFW and for the Senate, the methodological issues for salary comparisons are relatively minor, compared with the valuation of benefits. For instance, it is difficult to compare an employee's valuation of a defined-benefit pension plan, such as UCRP, with the more common defined-contribution plans that are found at most other universities. Salaries can more easily be compared on a dollar-for-dollar basis (though there remain important matters concerning comparability and quality of data). As a result, the committee chair and the Senate's chair and vice-chair agreed that the Task Force on Faculty Compensation Determinations & Comparisons should wait to begin its work until the onset of new studies of total remuneration.

**Faculty Salaries.** At several meetings during 2007-08, UCFW received reports from Vice Provost Jewell and others concerning the progress made under Year 1 of the four-year Faculty Salaries Plan. Former UCFW Chair French had served in 2006-07 as a member of the Salary Scales Work Group, chaired by Provost Hume, and Chair Chalfant served on the Work Group in 2007-08, its second year of activity (with Vice Provost Jewell taking over for Provost Hume). The Work Group continued to examine issues of implementation, funding, and interpretation of data. The Work Group's report is available at ( <http://www.ucop.edu/acadadv/facultysalary.html> ), but a fair summary is that, while some progress has been made in closing the competitiveness gap for average salaries, and a smaller percentage of faculty currently receive off-scale salaries due to the raising of UC's salary scales, there is much more still to be done. The vast majority of newly hired faculty (those faculty who started at UC in Fall 2007) receive off-scale salaries, due to the fact that UC's scales are so far below the market, and there remains a gap between average faculty salaries at UC and our comparison institutions, at all three ranks.

To demonstrate the substantial problem that remains, one can compare average salaries at the Comparison 8 with average UC salaries. Even after implementation of Year 1 of the Plan raised base salaries for each rank and step, the base salary for Professor IX remained below the *average* salary for all full professors at the comparison institutions. Comparable statements can be made for the Assistant and Associate ranks. Closing the gap in average salaries, therefore, while a priority for the Senate, will not be sufficient to restore the integrity of UC's salary scales---it will remain necessary to continue to pay substantial off-scale to recruit and retain faculty. As a result, UCFW advocated for a second year of "market adjustments"---increases in the base salary at each step, in contrast to a "range adjustment" that would simply raise all salaries by some percentage, comparable to a cost-of-living increase. The committee felt that market adjustments to

raise the scales should be the top priority for Year 2 of the Plan, and the top budget priority for the University. This recommendation was endorsed by the Academic Council and communicated both to the administration and to the Salary Scales Work Group. As this report is being written, no decisions for Year 2 have been announced.

In Fall 2007, it was clear to UCFW that progress on faculty salaries would be constrained by UC's overall budget. The committee recommended strongly but unsuccessfully to the Academic Council that the Senate advocate for a more aggressive request. During the year, the budget situation worsened, to the point where there now is substantial doubt about the survival of the four-year Plan. Nonetheless, UCFW continued to advocate for faculty salaries to be the top budget priority for the coming year. This remains the policy of the Academic Senate, having been endorsed by the Academic Council.

UCFW conveyed these views in its monthly meetings with UCOP consultants. Along with VP Jewell, UCFW met nearly every month with UCOP consultants from the budget office, including AVP Obley, VP Lenz, and EVP Lapp. The committee took these opportunities to reinforce the Senate's policy, adopted in Fall 2006 (online [here](#)), that faculty salaries must be increased to be more competitive and also to address anticipated increases in benefits costs. The need for funding sufficient to achieve competitive total remuneration remains a critical concern for 2008-09 and beyond.

**UCRP Contributions and Total Remuneration.** In 2007-08, UCFW continued to emphasize that the resumption of contributions to UCRP would represent a substantial decrease in total remuneration. Periodic statements from the administration, indicating that the resumption would begin with a redirection to UCRP of the current mandatory contribution to the University's Defined Contribution (DC) plan, have emphasized that a redirect would represent no decrease in take-home pay to employees. While correct as an accounting statement, this is highly misleading as a statement about employee welfare---the contributions to the DC plan represent employee-controlled balances in the Retirement Savings Program that can be invested at the discretion of the employee and which supplement the UCRP pension after retirement. To achieve the same amounts of savings for retirement income, employees would, in fact, need to decrease their take-home pay and replace the redirected contributions with their own, voluntary contributions.

UCFW is strongly supportive of maintaining the health of the retirement plan, so the committee does not oppose the resumption of contributions. However, as first recommended in Fall 2006 and adopted as [Senate policy](#), UCFW continues to emphasize that salary increases should be sufficient to offset increases in benefits costs (comprising any increases in employee contributions to UCRP and any increases in the employee's cost for health insurance) and to restore UC's competitiveness. A minimal condition that must be met, therefore, for the committee to support the resumption of contributions, is that there be no net reduction in UC competitiveness---salaries must rise to at least offset increases in benefits costs.

**UCRP Funding Policy.** At their September, 2008, meeting, The Regents approved the funding policy recommended for UCRP by UCOP/HR&B. As has been widely reported in the press, there was no determination of the level of contributions to UCRP. The action taken adopts a funding policy that will determine a recommended level of contributions, including the method for amortizing either a surplus or a deficit. Both TFIR and UCFW heard presentations from a representative of the actuarial consultant to The Regents, The Segal Company, and recommended to the Academic Council that the Senate support the proposed funding policy. The resulting communication from Senate Chair Brown to President Yudof emphasized that the Senate's support was conditional on the principle noted above, that there be no net reduction in the competitiveness of UC total remuneration from the resumption of contributions to UCRP. Implicit in this policy is the principle that take-home pay is not a good measure of employee total remuneration--if there is a reduction in benefits (or an increase in the employee cost of a particular benefit) but no change in cash compensation, total remuneration has declined and the employee is worse off.

**Continuing Concerns Over UCRP Governance.** Discussions of funding policy and the resumption of contributions occur against the background of enhanced scrutiny of UCRP by the public, the state government, and UC's employee labor unions. As discussed in last year's annual report, UCFW initiated a comprehensive statement on UCRP, which was adopted by the Academic Council (online [here](#)). This statement was motivated by press accounts alleging mismanagement and conflict of interest, and particularly, by the state Senate resolution introduced by Senator Yee (SCR 52) calling on The Regents to offer employees shared governance. Following UCFW's recommendation, the Academic Senate opposed any changes that would replace The Regents as the fiduciaries for the plan. At the same time, the Senate called on The Regents to be responsive to SCR 52 by advocating instead for changing the Higher Education Employee Relations Act to allow the current UCRS Advisory Board to play a more significant role in making recommendations concerning UCRP policy. UCFW received several updates on possible responses from The Regents to SCR 52 during 2007-08.

It is unfortunate that no progress was made in finding common ground following SCR 52. Had the Senate's recommendation been followed, it might have been possible to avoid the current bill, Assembly Constitutional Amendment 5 (ACA 5). ACA 5 was introduced by Assembly Member Portantino, and co-authored with Senator Yee. It would place before California voters the creation of a new governing board for UCRP and all retirement benefits, including retiree health insurance. At the time this report is being prepared, ACA 5 has not received the required two-thirds majorities in both houses of the state Legislature, but instead will be the subject of a signature drive, as supporters attempt to place it directly on the ballot for California voters. UCFW and TFIR discussed ACA 5 at several meetings, and recommended to the Academic Council that the Senate oppose this measure, a stance that has now become [Senate policy](#).

In addition, UCFW Chair Chalfant read a short statement before the Assembly's Higher Education Committee reiterating past Senate policy and urging that the Assembly spend its efforts providing UC with an adequate budget. These issues are closely linked: it

seems clear that a significant factor behind both SCR 52 and ACA 5 is the concerns over the resumption of contributions. UC employees are naturally concerned about the impact of restarting contributions while wages are stagnant. While the Senate has not taken a formal position on total remuneration for other employee groups, UCFW will continue to monitor the competitiveness of total remuneration for all UC employees. It seems likely that governance issues concerning UCRP will remain difficult to settle, as long as there is no progress on increasing salaries *for all employee groups* to compensate for rising benefits costs.

UCFW raised a number of concerns over ACA 5. Chief among these is that it creates a severe problem of conflict of interest. By putting employees who are members of the plan in charge of UCRP policy, ACA 5 is a direct threat to the health of the plan. Members could vote to increase benefits substantially, providing personal benefit, with no clear way to compel either UC or the state to pay for the cost of those increases in benefits. Moreover, it is hard to see why retirees would be made better off if they were no longer part of the entire UC community, for negotiating with health plans and other vendors.

ACA 5 also represents a substantial erosion in the University's autonomy, and threatens to politicize UC's benefits. It seems unlikely that the governing board envisioned by ACA 5 would have UC's institutional needs as its prime focus. UCFW, along with TFIR and the UCRS Advisory Board, will continue to monitor all aspects of the performance of UCRP and its governance, and to advocate for changes that achieve the goals for employee welfare that motivate ACA 5.

**Outsourcing Benefits Administration: UCRP.** UCFW members first learned of the proposal to issue an RFP seeking external vendors to take over the administration of UCRP when TFIR was informed in December 2007. Since that time, both TFIR and UCFW have closely monitored the process. UCFW recommended changes to the timeline envisioned for seeking responses to the RFP and for evaluating external vendors, to allow the Senate to convey its views before a decision was made, as is appropriate given its shared-governance role. UCFW reviewed a draft of the proposed RFP, and a subcommittee of UCFW members attended a bidders' conference, a separate briefing by HR&B and Deloitte Consulting (who are advising UC on the RFP process), and vendor presentations. Incoming Chair Henry and TFIR Chair Anderson also participated in the site visits to provide further examinations of vendor capabilities. Throughout the process, UCFW held to the view that, as it had been described, the RFP process was to gather information, and that it may be that UC would elect not to select an outside vendor from those who responded.

It is worth emphasizing that view, because the proposal to outsource UCRP administration seems to be an answer in search of a question. Anecdotal evidence suggests that members' satisfaction with the customer service functions, both at individual campuses and at UCOP, is very high. While the administration of UCRP relies on a legacy IT infrastructure, it does not seem necessary to outsource customer service, in order to obtain better technology. This fact was made evident by the RFP

process and by the vendor responses---it is not uncommon for vendors to partner with institutions such as UC in a “co-sourced model”, in which we would use their technology, in-house, to continue to perform the customer service function. It would permit UC to take advantage of existing technology for IT, rather than reinventing the same capabilities on our own.

Based on UCFW’s analysis and recommendations, the Academic Council conveyed to EVP Lapp [a set of principles](#) that should govern any outsourcing decision. At its September 2008 meeting, and based on those principles, the Academic Council adopted [the recommendation](#) from UCFW to advocate against all of the currently proposed models for outsourcing, favoring a new RFP that would consider the co-sourcing model and retain customer service. As this report is written, no decisions have been made by UCOP.

Throughout the RFP process, UCFW has appreciated the access committee members have had to the process and, simultaneously, felt great concern about the nature of the eventual decision process. It seems very clear that there is neither an efficiency/quality gain available from outsourcing, nor cost savings; as noted above, outsourcing remains a solution to a non-existent problem. Rather, we are concerned that outsourcing will be justified because it is part of the process of downsizing and restructuring/refocusing UCOP. That process has at times seemed to emphasize appearances over substantive change. A decision to outsource ignores the “service center” option, envisioned in the “Roles Report” that examined the functions of the President’s Office. It seems to us that UCRP is already administered in essentially the service-center manner, and appropriately so; it provides services that would be duplicative and unnecessarily expensive, were they to be undertaken on each campus.

Moreover, outsourcing to achieve an outcome for appearances’ sake concerning downsizing UCOP ignores the substantial risks that come with outsourcing. Even if the external vendor offers comparable service and cost at present, it seems likely that the cost will rise over time. There will be additional costs for customization to offer capabilities desired by UC and there is a significant risk that UC will have less bargaining power, once in-house expertise is lost. The only choice at the time of contract renewal would be to remain with the vendor or to seek another; bringing the function back in-house would be very difficult and prohibitively expensive, once UC has disinvested.

UCFW anticipates considerable anxiety related to turning confidential personal information about employees over to a third party; concerns over the instability that current exists in the corporate sector and which might lead to a vendor being taken over by another firm; and fallout from adverse publicity about UCRP management at exactly the wrong time. In the event that an outsourcing model is pursued, there would surely be allegations that UC has overpaid or that there was some conflict of interest with the external vendor, and these could provide the setting against which ACA 5 or a successor is debated. The committee feels very strongly that, as more UCRP members become aware of the possibility of outsourcing plan administration, there will be substantial opposition.

The committee has consistently conveyed these broader concerns to Senate and UCOP leadership, while also closely examining the specific details of vendor and in-house capabilities.

**Retiree Reemployment Policy:** UCFW reviewed an earlier draft of the proposed policy governing the recall of staff and SMG (Senior Management Group) employees. This policy is now out for systemwide review, though it was already approved by the Regents at their September meeting. Both TFIR and UCFW were concerned that the proposed policy was too restrictive and might limit significantly the options for “phased” recall or retirement for faculty. Although the policy excludes faculty unless they are in the SMG group, one concern was that this policy would bring about changes in the policy covering faculty. More broadly, a number of instances were noted where the policy language was not clear, and where it still seems overly and needlessly restrictive.

**Buybacks of Service Credit.** Over several meetings, TFIR worked with HR&B and Segal on proposed changes to the current policy governing the purchase of service credit (“buybacks”) following leaves without pay. HR&B was very responsive to TFIR concerns over the cost aspect of the proposal. Under the previous policy, an employee with periods of leave without pay could buy back the UCRP service credit they had foregone. There was a three-year window in which to elect buybacks, and up to two years of service credit could be bought back, at the “normal cost” of the plan (roughly 16-17% of the employee’s salary). Payroll deductions could be used for this transaction. This provision for buybacks allowed the purchase of less of the total service credit foregone, for employees who took longer leaves, than in many other plans. Moreover, there are concerns that the IRS would act to prevent buybacks using payroll deduction. Thus, the two aspects of the proposal that were largely without controversy were (i) to allow the buybacks to be funded from other sources, such as a defined-contribution plan in which the employee had balances that could be transferred to UCRP, and (ii) to increase the number of years that could be bought back, and the window for electing to do so. TFIR recommended in favor of these changes, which UCFW, and ultimately, the Academic Council, also supported.

The controversial aspect of the proposal comes from the possibility of adverse selection. Allowing for a longer period over which employees can elect to purchase additional service credits means that they may gather additional information, about either their health status---they may revise their personal, subjective assessment of the likelihood that they will live a long time after retiring---or their salary situation---they may know that there is a high likelihood that, in a year’s time, they will experience a large salary increase, for instance, by being appointed as dean. The former situation is handled by using an individual actuarial calculation for any service credit purchased beyond the current two year limit. The latter is handled by a recalculation (a “true-up”) of the cost of the buyback, in the event of a salary increase within one year after the election. TFIR and UCFW anticipated concerns over whether these changes would represent significant benefits to a relatively small group of individuals---those with long leaves. In particular, HHMI/Ludwig fellows, who are in many ways equivalent to UC faculty, but

who are paid by HHMI or Ludwig, and who are covered by a DC plan instead of receiving UCRP service credit, might want to purchase UCRP credits. Both TFIR and UCFW recognized that there would be concern over the size of the additional retirement benefit obtained through buybacks, but it is very important to keep in mind that these additional benefits are being purchased at a substantial cost to the individual, that the recommendation from both committees was that no University funding be used for buybacks, and that the issue is not whether they receive a large benefit, but whether it is fairly priced so as to not be unfair to other plan members. UCFW recommended in favor of the buybacks proposal on that basis, and the Academic Council concurred at its July meeting. Details of the policy are still being finalized.

**APM Revisions 710, 711, and 080.** Over a number of years, UCFW has considered the specification of sick-leave policies to be an important benefit to faculty. Although there has been an implicit benefit offered to Senate faculty, who do not accrue sick leave, the fact that it was not specified in the Academic Personnel Manual meant that any leaves granted would be as exceptions to policy, and UCFW felt that some faculty members might not know they could request leaves, or that they might decide not to request such leaves. APM 710 specifies the conditions under which such leaves can be granted by chancellors. APM 711 outlines UC's responsibilities and the employee's rights to reasonable accommodation, in the event of any disability. APM 080 outlines the process for medical separation, including the employee's rights to review and to hearing by a Senate committee. It is anticipated that such a hearing would be with the relevant Privilege and Tenure committee, but UCFW and Senate leadership concurred in the view that it would not be appropriate for the APM to specify how Senate processes are conducted, so APM 080 simply refers to The Regents' Standing Orders concerning such rights.

These policies have been through several drafts, and were formerly linked to a policy concerning "constructive resignation", in which the University could stop paying a faculty member who did not appear to have returned to duty, following a leave. That policy was found to be deeply flawed, and it would have been unlikely to reach agreement on the policies as a set of four revisions to the APM that could be introduced jointly. In late 2006-07, UCFW recommended to the Academic Council that revised versions of the first three policies be circulated for another systemwide review, without constructive resignation and with comprehensive responses to the comments from an earlier systemwide review. UCFW worked with Academic Advancement to address those earlier comments. The additional comments received called for thorough additional revisions, and the Academic Council asked UCFW to address a number of concerns. UCFW Chair Chalfant and Vice Chair Henry collaborated with Executive Director Slocum and Acting Director for Health Sciences Compensation Sykes in Academic Advancement to revise the policies and respond to the comments conveyed by Senate Chair Brown on behalf of the Academic Council. The Academic Council recommended in favor of adopting the revised policies, which became effective July 1, 2008.

The systemwide reviews raised a number of questions of definition or interpretation that seemed to require both additional explanation and ongoing monitoring of the policies'

implementation. UCFW agreed to work with Academic Advancement in developing and evaluating “Frequently Asked Questions” web pages that will provide the clarifications needed.

**Housing Finance Options.** In spring 2007, UCFW approved UCOP-proposed modifications to the Mortgage Origination Program (MOP), which offers reduced interest rate mortgages to Senate members and others. At that time, former Senate Chair Oakley discussed concerns over proposed changes to the Supplemental Home Loan Program (SHLP) with UCFW. It was agreed that the proposed changes to the SHLP program would not be taken forward at that time, and instead, that the New Financial Programs Subcommittee of the UC Housing Task Force would be reconvened. UCFW nominated four Senate faculty members with expertise in real estate and housing finance to serve on this subcommittee.

UCFW met with Office of Loan Programs Director Assily to discuss six specific recommendations from the Subcommittee, and after reviewing the Subcommittee’s report, UCFW met with Office of Loan Programs Senior Program Consultant Mathews to discuss the report. UCFW concurred with the Subcommittee’s recommendations, and agreed that other policy reforms related to concerns over SMG compensation had largely addressed the concerns over the SHLP program. UCFW recommended that the Academic Council support the report’s recommendations, which it did, and these are anticipated to be discussed by The Regents in the coming year.

**Issues Pertaining to Health Care.** In addition to other items mentioned in this report, the Health Care Task Force was actively involved in several projects this year, including the development of a joint faculty-HR&B research initiative, the roll-out and oversight of the [StayWell](#) health program, changes to health and welfare benefits options for the 2009 calendar year, and retiree health needs and contributions. In particular, the HCTF cooperated with HR&B in developing strategies to better advertise StayWell and encourage plan participation while allaying employee concerns over privacy. Additionally, the transition away from PacifiCare to HealthNet afforded HCTF additional opportunities to ensure that faculty needs were addressed.

Last year’s experience with the sharing of confidential employee information with TALX, and the StayWell experience more recently, suggested to members of the HCTF that a broad statement on privacy would be useful for HR&B to develop and place on the “At Your Service” web site. HR&B consultants reacted positively, and developed such a statement for HCTF members to review. This is an ongoing topic for discussion. UCFW benefited from the detailed analysis by HCTF of the November 2007 Open Enrollment, including the effects of the transition from PacificCare to a single network HMO (HealthNet) and the introduction of CIGNA as a systemwide option. Both HCTF and UCFW engaged in several discussions with HR&B concerning the choices offered, and whether faculty were fully aware of the new options. Following these discussions, it became apparent that an additional mailing was needed to remedy an overlooked detail in the Open Enrollment materials. Members of HCTF reviewed the mailing, and appreciated the responsiveness shown by HR&B. Regarding PacifiCare, HR&B

undertook a large transition effort for employees formerly enrolled in the PacifiCare plan, which was terminated as a plan option. Most employees elected Health Net, and during the transition period at the end of December/early January, differential co-pay rates resulted and formulary changes were not implemented as originally scheduled. Most of the problems have been resolved, and co-pay refunds are being distributed to effected employees. The HCTF continues to review such issues, and serves as a useful and effective conduit for information from the campuses to be communicated back to HR&B. The HCTF continues to engage in ongoing discussions with medical-center directors and with HR&B consultants concerning a wide range of issues, notably the implications of accounting requirements related to retiree health insurance, and the rising cost of health care. The HCTF also has continued discussions with the Clinical Enterprise Workgroup, which has begun to identify potential initiatives to pursue in the future, which seek to possibly leverage the influence of the five medical centers together.

**Flexible Spending Accounts and COBRA Administration.** UCFW reviews a number of other benefits offerings, such as the flexible spending account (FSA) that permits employees to pay certain health-related costs with pre-tax dollars. HR&B issued an RFP for both the FSA and COBRA administration this past spring. The FSA RFP allows for comparison with the current vendor and emphasizes partnership, performance, and customer service. The COBRA RFP could include all or only selected services. While it was expected that the COBRA selection would be made in time for a January 2009 start date and that the FSA selection in time for a May 2009 start, the FSA/Dependent Care contract has been [awarded to CONEXIS](#). Both Vice Chair Henry and HCTF Chair Pitts participated in the site visits to the finalists. UCFW asked specifically about the possibility that transitioning to new vendors would be problematic. HR&B already has a good transition system in place. UCFW also learned that the parameters of the plans would remain the same, and that the focus of the RFP is only on service quality. UCFW will continue to monitor this process in 2008-09.

**Default Fund for Retirement Savings Program.** Previously, funds for those who had not specified an account for their DC plan contributions have been deposited into the UCRS Savings Fund, which has low volatility but carries a low yield; such accounts do not meet new Department of Labor regulations for default investment choices in retirement plans. While UC is not technically bound by these regulations, the UCRS Pathway accounts do meet the regulations for default fund choices. Thus it was proposed that as of October 1, 2008, current employees' new contributions and new employees' contributions will be defaulted into the age-appropriate Pathway fund, rather than the UCRS Savings Account, unless the employee either specifically elected the Savings Fund in the past or elects it in the future. The Office of General Counsel is considering whether also to migrate funds that were previously deposited by default into the Savings Fund.

**Social Security Opt-In.** From 1955-77, employees of public employers with public pensions were allowed to opt out of social security and Medicare contributions. Since then, participation has been mandatory. UC's remaining non-coordinated employees must elect, as a group, to participate. The election process is expected to take up to two years due to the number of negotiations involved. Further, electees and the University

would be required to pay retroactive Medicare taxes to a maximum of five years. Electees must also be active employees. Based on a May 2008 snapshot of non-coordinated employees, the total cost to the University could be as much as \$18M. Analysis is ongoing within HR&B, and communication with employees awaits the first step of informing the unions and performing a cost-benefit analysis. UCFW suggested that enrolling the non-coordinated employees in Medicare would save UC money in the long run, and that this has become an equity issue, as the rules have changed over time. UCFW will continue to monitor this issue in 2008-09.

**Task Force on Investment and Retirement (TFIR).** Besides the important work noted above, TFIR provided advice on many other questions, including how/when comparisons between UCRP and CALPers could be made most effectively, how the LANL/LLNL asset transfers could be handled most efficaciously, and whether a Roth 403(b) program would enhance the UC retirement portfolio of offerings. TFIR also provided expertise regarding the START program and retiree health accounting requirements. TFIR worked tirelessly and conscientiously in representing the faculty perspective on the weighty and rapid-fire issues involving asset management and the issues underlying proposed changes as well as in providing UCFW with comprehensive and thoughtful analyses of proposed changes.

**Issues of Ongoing Concern:** UCFW continues to monitor and discuss other matters and issues concerning parking, child care availability (including pricing and options for back-up child-care), various proposals to reform SMG compensation, the Health Sciences Compensation Plan (APM 670), UC policy concerning cell phones and IRS requirements, and others. It was anticipated that the committee would take up APM 620, governing off-scale salaries, but the members concluded that any discussion of the appropriate revision should await fulfillment of the faculty salaries plan. UCFW received several updates on the UCOP restructuring process, specifically as it pertains to Academic Advancement and HR&B, and continues to advocate for preserving support for the work of the standing committees of the Academic Senate. In UCFW's case, that support is outstanding, and the committee has not supported proposals to reorganize the analytical capabilities at UCOP into an Institutional Research Unit.

The minutes of UCFW meetings, posted on the Academic Senate's web site, contain additional details and other items of interest.

UCFW would like to thank its consultants and guests for their perspectives, forthrightness, and trust; without each of you, we could not have fulfilled our charge. To our consultants: Judy Ackerhalt, Mike Baptista, Judy Boyette, Mark Esteban, Nicholas Jewell, Patrick Lenz, Janet Lockwood, Debbie Obley, Gary Schlimgen, Randy Scott, and Jill Slocum. And to our frequent guests: Paul Angelo, Dan Greenstein, Mona Litrownik, Tim O'Beirne, Chris Simon, and Gregory Sykes.

UCFW is particularly indebted to four of its consultants who left UCOP at the end of the year, for what we hope will be even more exciting pursuits: Judy Ackerhalt, Judy Boyette, Nicholas Jewell, and Jill Slocum. All four remain true friends of UCFW, and

their tireless efforts on behalf of UC and the Academic Senate deserve much gratitude and praise. UCFW also enjoyed excellent support from two outstanding analysts from the Senate Office, Michelle Ruskofsky and Kenneth Feer, both of whom brought wit and good cheer, patience, substantial knowledge and expertise to UCFW. Their significant contributions made the committee a far more effective group.

Respectfully submitted,

UCFW 2007-08

James Chalfant, Chair

Helen Henry, Vice Chair

Kyriakos Komvopoulos (UCB)

Lisa Tell (UCD)

Robert Newsom (UCI, Fall/Winter)

Pauline Yahr (UCI, Spring/Summer)

Shane White (UCLA)

Thomas Morton (UCR)

Rick Redak (UCR, Alternate)

Carlos Weisman (UCSD)

Jacque Duncan (UCSF)

Konstadinos Goulias (UCSB)

Theodore Holman (UCSC)

Larry Pitts (Member At-Large)

Rick Kronick (Member At-Large)

Robert Anderson (Member At-Large)

Michelle Ruskofsky (Analyst, Sept-April)

Kenneth Feer (Analyst, May-August)

**UNIVERSITY COMMITTEE ON INTERNATIONAL EDUCATION  
ANNUAL REPORT 2007-2008**

**TO THE ASSEMBLY OF THE ACADEMIC SENATE:**

**Responsibilities and Duties**

The University Committee on International Education (UCIE) oversees all academic aspects of the UC Education Abroad Program (UCEAP), and is responsible for approving new programs, changes in programs, and all program courses and credits. The committee also oversees the formal review of programs and advises the President on the appointment of Study Center Directors. UCIE met three times during the 2007-08 academic year; the committee's key activities and accomplishments are highlighted in this report.

**EAP Closures/Suspensions/Discontinuances**

<b>Program</b>	<b>Host Institution/Locale</b>	<b>Country</b>	<b>Action</b>
Architecture Program	University of Ferrara	United Kingdom	Closed
UC Exchange Agreement	Sheffield University	United Kingdom	Terminated
Education Abroad Program	American University of Paris	France	Closed
Critical Studies Program	Affiliated Parisian Institutions	France	Closed
UC Exchange Agreement	University of Toulouse	France	Terminated
UC Exchange Agreement	Instituto Tecnológico y de Estudios Superiores de Monterrey	Mexico	Terminated
Education Abroad Program	Kwame Nkrumah University, Kumasi	Ghana	To close effective AY 2009-10
Psychology Program	Maastricht University	Netherlands	To close effective AY 2009-10
Joint Summer School Program	Lund University	Sweden	Suspended effective Summer 2009

Education Abroad Program	Thammasat University	Thailand	Admin. Closure Summer 2009
Education Abroad Program	Hong Kong University of Science & Technology	China	Admin. Closure Spring 2009
Education Abroad Program	University of Hyderabad	India	Admin. Closure Spring 2009

### **EAP Program Development**

UCIE did not consider any new programs in 2007-08.

### **Report of the University of California Joint Ad Hoc Committee on International Education**

In reviewing the University of California Joint Ad Hoc Committee Report on International Education, UCIE members agreed that the UC Education Abroad Program (UCEAP) should remain the centerpiece of UC's international education strategy going forward, but UCIE could not endorse the Report as written. UCIE's paramount concern, and its Senate mandate, is the academic quality of EAP's programs, as well as EAP's own status as an academic program. It is the considered opinion of this committee that third-party providers do not provide the academic quality or the level of safety that EAP has traditionally provided UC students. Of particular concern is the fact that the Academic Senate does not have academic oversight over third-party providers. The Report is also silent about graduate students, foreign students (besides noting that their numbers should increase), and graduate foreign students. The budget is also of concern to academic quality. Indeed, due to EAP's budget woes and its deficit, UCIE has recently cut a number of programs and eliminated several study center director positions: both measures will impact the quality of the UCEAP experience. The Report also recommends a new administrative structure for international education, along with an "International Education Leadership Team." Although this team seems to be an executive-level group, it is not clear from the Report whether this group has the authority to plan a long-term strategy beyond what the Ad-Hoc Review Committee has already outlined. UCIE recommended that the Senate be represented on that team. Finally, UCIE members agreed with the Minority Report in its assertion that the process by which the Ad-Hoc Committee produced its recommendations was somewhat flawed. UCIE felt that the final Ad-Hoc Report reflects the somewhat chaotic process that produced it, and more study may be required to develop sound strategies as well as academic and financial models for international education going forward.

### **EAP Budget Cut Proposal**

In December 2007, Provost Hume asked UCEAP to plan for a 15% budget cut to their 2008-09 budget. In making this request, he asked UCEAP to conduct two budget planning exercises. The first scenario is a straight 15% budget cut. The second is a redirection of the full Marginal Cost of Instruction (MCOI) to the campuses for students enrolled in EAP programs, and redirection of the student fees, less the 33.3% return-to-aid to UCEAP. There was agreement with the consultants on EAP's ability to sustain a 10% cut and that a 15% cut is untenable. They stressed the impact of these cuts on the campuses, as many services will be exported to the campuses. UCEAP is cutting back its budget by 23%; cutting back the study centers is more difficult due to the existence of certain labor laws. UCOP has dictated that the Great Cities programs should not be cut. The consultants clarified that in order to break even, UCEAP should be charging \$3,300 per student in these programs, but it is only proposing a \$1,100 student fee.

### **Education Abroad Travel Policy Restrictions and the Study Abroad Industry**

UCIE responded to the University Committee on Academic Freedom's (UCAF) request that 1) UCOP rescind its current policy of denying student fee funding for travel abroad to a student in a country where the State Department has published a travel advisory; and 2) establish a faculty committee to investigate the extent of UC's involvement with the study abroad industry as well as the extent to which UC officials at any UC campus or in UCOP have received perks from this industry. With respect to the first request, UCIE noted that EAP is not supported by student fees; its programs and operations are supported by State funds. Second, the travel warning policy is an EAP policy, not a UCOP policy. While UCOP supports EAP in both the maintenance and the execution of this policy, it is not directly responsible for it. This policy was instituted primarily for the safety and security of the students; it also protects UCEAP from legal liability. EAP relies on the State Department warnings for the simple reason that they provide the best index of safety and security risks available. UCEAP does not have the staff expertise or the resources to do this kind of risk analysis on its own.

### **State Senate Resolution No. 18**

UCIE opined on State Senate Resolution No. 18, which asks that the University of California Education Abroad Program (UCEAP) revise its travel warning policy with respect to programs in countries that have received 'less severe' United States Department of State travel advisories. In expressing its opposition to State Senate Resolution No. 18, UCIE stressed that the safety of EAP students and the legal protection of EAP, as a state-sponsored and state-sanctioned education abroad program, are its predominant concerns and that UCEAP does not have the technical expertise to gauge the safety of a country based on the language in a travel warning or through other means.

### **EAP GPA Policy Revisions**

UCIE approved the following EAP GPA Policy: "Students must meet the listed GPA requirements at the time they are selected by the campus offices for participation in EAP and their files are forwarded to UOEAP (no conditional approvals will be allowed). A limited number of waivers will be allowed for students in exceptional circumstances who are applying to programs with a 2.85 GPA requirement during the 2008-09 recruitment

cycle. UCIE delegates discretionary authority for approving such waivers to the appropriate Campus Director. Any waivers must be approved by the time that students are selected by campus offices for participation in EAP and their files are forwarded to UOEAP; however, actual student participation in the targeted program also will depend on final approval by the hosting institution. GPA requirement waivers for student participation in programs with 2.85 GPA requirements will not be considered for students with GPAs less than 2.6.”

### **Formal Program Reviews**

Members commented on three formal program reviews in 2007-08:

#### Moscow, Russia

Members accepted and endorsed the formal review committee’s report and its recommendations on the Moscow, Russia program. UCIE reviewers felt that EAP needs Moscow and that a UC faculty member is extremely important at this site. Smaller issues included that the one English course being taught was quite weak; however, professors were open to modifying this course. Students expressed concerns about staying in home stays where they were basically ignored; subsequently the committee had a number of recommendations on how to better integrate students into Russian culture and society. It was suggested that an informal committee be formed to look at increasing the numbers on this program.

#### Santiago, Chile

Members accepted and endorsed the formal review committee’s report and its recommendations on the Santiago, Chile program. The only issue with which the review committee differed on with the director was over this issue of the director exerting control over a particularly problematic course.

#### Rome, Italy

Members accepted and endorsed the formal review committee’s report and its recommendations on the Rome, Italy program. UCIE reviewers discussed the necessity of a study center director at Rome and were in agreement that the program should involve UC faculty. UCIE consultants remarked that there are some programs that absolutely need study center directors and expressed belief in the need for appropriate academic involvement with programs to ensure quality academic oversight and support for an acting director, including research support.

### **2008-09 UCIE Formal Review Committees**

Members approved Barbados, Hungary, Singapore, and Taiwan to be formally reviewed in the 2008-09 academic year. The following UCIE members volunteered and were appointed for the formal reviews: John Havigland (Barbados); Richard Matthews (Hungary); Vincent Resh (Singapore); and Jianwan Su (Taiwan). Members conveyed to UCEAP Director Michael Cowan the importance of sending UCIE members on site visits for the review teams.

### **Japan Reorganization Committee**

UCIE approved the report from the Japan Reorganization Committee, which recommended eliminating the Tokyo Institute of Technology and Kyoto University programs; monitoring the Keio University program; and retaining partnerships with nine other universities.

### **Faculty Advisory/Strategy Committees**

UCIE continued to monitor program development in Shanghai, India and the Middle East vis-à-vis the strategic faculty advisory committees for Shanghai, India and the Arabic/Islamic world established last year by UOEAP.

### **Selection of Study Center Directors**

At its May meeting, UCIE selected 2009-11 Study Center Directors for EAP study centers in Chile, India, Russia, and Spain (Madrid). UCIE Chair Errol Lobo and UCEAP Interim Director Michael Cowan forwarded the nominations to Provost Rory Hume in June for formal appointment by President Mark Yudof.

### **Acknowledgements**

UCIE wishes to acknowledge the contributions of its consultants: UCEAP Interim Director Michael Cowan, UCEAP Associate Director Scott Cooper, UCEAP Associate Dean Bruce Madewell, and UCEAP Director of Academic Development & Support Linda York.

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## UNIVERSITY COMMITTEE ON LIBRARY AND SCHOLARLY COMMUNICATION 2007-2008 ANNUAL REPORT

### TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The University Committee on Library and Scholarly Communication (UCOLASC) met twice and held two additional conference calls in Academic Year 2007-2008, to conduct business in accordance with its charge, outlined in [Senate Bylaw 185](#), to advise the president about the administration of University libraries. Highlights of the committee's major activities are outlined briefly below.

#### **Advocating for Open Access**

UCOLASC discussed next steps for last year's proposed UC Open Access Policy, which failed to gain Academic Council approval. The principal of open access gained wide support, but there were reservations about the proposed implementation. The Committee also discussed the need for UC faculty to add their voice to the national conversation about open access initiatives and legislation supported by Harvard University, the National Institutes of Health (NIH), and others. The failed UC Open Access policy recommended a mechanism by which the University would negotiate collectively with commercial publishers to ensure that faculty scholarship is placed on the Web in an open access repository. UCOLASC agreed that the Committee should continue to consider a better formulation for the policy, but decided it would be important to achieve widespread faculty support for a basic set of open access principles before submitting a new or revised policy or a Harvard-style resolution to the Senate.

The committee drafted a short resolution outlining the goals and benefits of open access – maximizing the dissemination and impact of faculty research; controlling journal subscription prices; restoring budgetary balance to scholarly communication publishing; increasing faculty copyright rights, and fulfilling UC's obligation to make taxpayer-funded research publicly available. The statement will be forwarded to next year's UCOLASC for further refinement.

The committee also discussed plans for a series of fall 2008 campus Town Hall meetings, jointly organized with the Office of Scholarly Communications and the Systemwide Library and Scholarly Information Advisory Committee (SLASIAC). The meetings are intended to encourage broad discussion about the future of open access, scholarly communication, and other initiatives around journal publishing.

#### **Editorial Board for the Office of Scholarly Communication Website**

UCOLASC agreed to participate in a small editorial board established by the Office of Scholarly Communications (OSC) to oversee the future development, direction, and maintenance of the [Reshaping Scholarly Communications Website](#). The board consists of two UCOLASC representatives and two Scholarly Communications Officers (SCOs). The board's initial discussion centered on the development of an editorial philosophy for the site, which will focus on three general areas: 1) providing timely, authoritative news and information about current scholarly communication issues; 2) Identifying services, with the help of UCOLASC, which directly address faculty interests and concerns; and 3)

Including content that promotes more understanding of major issues such as open access and copyright management.

### **Concern about Library and Scholarly Communication Budgets**

UCOLASC believed it would be in a better position to make reasoned recommendations about libraries and scholarly communication with more detailed budget information. The committee asked UCOP for systemwide data on library and scholarly communication infrastructure funding as it relates to faculty FTE. UCOP was unable to gather data on “scholarly communication infrastructure” expenditures, but responded with data calculating the ratios of total library expenditures and materials and binding-only expenditures per faculty FTE by campus and in total for both tenure-track faculty and all faculty. UCOLASC members shared and discussed the data with their local committees. The data revealed some stark funding differentials across campuses. The differences may be affected in part by other campuses’ unique library cost factors, but the Committee thought the comparative information could help some campuses advocate for more funding. Such information might also help individual faculty evaluate specific publishing options on a cost/benefit basis.

### **Report on Journal Negotiations**

In April, California Digital Library Collections Director Ivy Anderson joined UCOLASC to report on recent and forthcoming negotiations with journal publishers for systemwide subscriptions to shared electronic journals. UCOLASC expressed strong support for including open access provisions as part of agreements and offered its support in leveraging support for negotiations. The committee also noted that faculty are generally unaware of the real cost of journals and suggested that UC develop a mechanism to inform faculty of those costs each time they use a journal – for instance, by including links to subscription cost information next to each listing or by indicating the cost of downloading each article.

### **First Book Subvention Policy Proposal**

UCOLASC continued work on a draft subvention policy intended to support junior UC faculty preparing to submit a manuscript for their first academic book publication. In developing the proposal, The Committee was motivated by the reduced opportunities for publication facing faculty, particularly first-time authors in the humanities and social sciences, who need to publish books to gain tenure and advance their careers. As growing proportions of library budgets are devoted to online journal subscriptions, fewer books are published and academic publishing opportunities are diminished. While faculty members in the hard sciences would not be excluded from the proposal, it was anticipated that the majority of awards would go to faculty in the humanities and social sciences. UCOLASC decided to develop two policy proposal options in addition to the current draft. The first would be a more narrowly focused policy addressing specific disciplines where a monograph is traditionally required by the peer review process. The second would be a broader statement addressing the need for more support in all of the areas of the University facing publishing challenges.

### **Campus Reports**

UCOLASC devoted part of each regular meeting to member reports about issues facing divisional Senate library committees. In these discussions, faculty members touched on library budget and space issues; strategies for increasing the profile of libraries in the long-term planning process and for increasing the influence of librarians in shared governance; the Google Books Library scanning project and other local projects to digitize and preserve library holdings; journal access; local initiatives around open access, including strategies for informing faculty about the Harvard Open Access resolution; local implementation of the NIH policy; implementation of the next generation Melvyl pilot project; and the future form of libraries.

### **Other Issues and Additional Business**

In response to a request for formal comment from the Academic Council, UCOLASC submitted views about the Information Technology Guidance Committee Report, “Creating a UC Cyberinfrastructure.”

UCOLASC also discussed a UCOP report detailing the results of a survey on faculty attitudes toward scholarly communication (*Faculty Attitudes and Behaviors Regarding Scholarly Communication*), and a report on UC’s role as publisher (*Publishing Needs and Opportunities at the University of California*). The committee discussed the need to curtail growing trends of commercialization and unsustainable pricing in academic publishing, and a decision by *Science* magazine and the American Association for the Advancement of Science to discontinue participation in JSTOR. Finally, UCOLASC expressed a concern that the academic personnel process does not reward faculty who take creative publishing risks or who choose to publish their scholarship in non-traditional forms or venues. The committee wants to initiate a broader discussion about the changing interdisciplinary nature of academia and how an inflexible culture and incentive structure may discourage faculty from electronic and other non-traditional forms of scholarship and publishing.

### **Committee Consultations and Acknowledgements**

UCOLASC acknowledges the contributions of its administrative consultants and guests. The committee benefited from regular consultation and reports from Director of Systemwide Library Planning Gary Lawrence; Director of Publishing and Strategic Initiatives Catherine Candee; 2006-07 LAUC President Robert Heyer-Gray; University Librarians Convener Thomas Leonard (UCB); California Digital Library Interim Executive Director Laine Farley; and UCB Scholarly Communications Officer Margaret Phillips. UCOLASC also occasionally consulted the Academic Senate chair and vice-chair about issues facing the Academic Senate.

Respectfully submitted:

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Laurence Armi (SD)  
David Crohn (R)  
Whitney Davis (B)  
Donna Hunter (SC)  
Claudia Rapp (LA)

Lizhi Sun (I)  
Andrew Waldron (D)  
Phillip Walker (SB)  
Elaine Tennant, member-at-large (B)  
Richard Schneider (SF)  
Jonathan Beutler (Undergraduate student-LA)

Lisa Naugle ((I); Chair, ITTP, *Ex-Officio*)

Michael T. Brown ((SB); Chair, Academic Senate, *Ex Officio*)

Mary Croughan ((SF); Vice Chair, Academic Senate, *Ex Officio*)

Michael LaBriola, Committee Analyst

**UNIVERSITY COMMITTEE ON PLANNING AND BUDGET  
ANNUAL REPORT 2007-2008  
TO THE ASSEMBLY OF THE ACADEMIC SENATE:**

Under Senate Bylaw 190, the University Committee on Planning and Budget (UCPB) is charged with advising the President and appropriate agencies of the University administration on policy regarding planning and budget matters, and resource allocation in accordance with the Standing Orders of the Regents. UCPB serves as one of many Academic Senate reviewing agencies as well as one source of independent faculty analysis of budget and planning matters. UCPB held seven face-to-face meetings during the 2007-08 academic year, and one teleconference. This report outlines the committee's activities and accomplishments during the year.

Planning and Budget faced challenges this year, as UCOP began a major restructuring at the same time as the state General Fund allocation to UC was reduced. UCPB's job was made more difficult by turbulence in UCOP's procedures and personnel structures and by self-imposed operational changes within the Senate itself. Although several high-level reports called on UCOP to be more transparent and interactive, UCPB did not experience noticeable improvement in access to information vital to our participation in shared governance on planning and budget matters. As for access to budgetary and related information *prior* to major decisions, the situation was somewhat worse than in previous years. The absence of effective information pipelines also caused the committee chair to delay or suspend several multi-year projects. This Report will take up these matters one at a time.

**Summary of the Committee's Major Projects and Findings**

1. State Budget Impact on UC. UCPB's March 2008 "[Cuts Report](#)" was endorsed by Academic Council and forwarded to President Dynes. The report found that the Schwarzenegger Administration's budget proposals, even as revised in May, ended the University's still-incomplete recovery from the 2002-05 cuts in state funding by reducing state General Funds by 10% below the Regents Nov 2007 budget request, again forcing the University to diminish its per-student investment for 2008-09.
2. UCOP Budgetary Planning: In the context of the "Futures Report's" findings that the state monies dedicated to UC "core funds" cannot be replaced by research sponsorships and philanthropic giving, our research and consultation suggests that UCOP does not yet have a coherent plan for the University's future fiscal solvency under conditions of enrollment growth and modest student fees.
3. Academic Programs and UCOP: UCPB discussed restructuring with our guests and consultants, and produced a report that was reviewed but not endorsed by Academic Council. While in favor of improved OP efficiency, UCPB has so far seen mostly short-term savings through spin-offs and significant budget cuts. Although our data was incomplete, there were signs that academic programs were disproportionately affected (the Education Abroad Program was cut 15%, 40% was removed from the acquisitions budget for the California Digital Library, and IUCRP received a \$2 million cut to its already allocated grant budget for 2007-08 to plug a hole in the administrative budget of the Office of Technology Transfer). The cuts to UCOP's

academic programs, coupled with the “Roles Report’s” elevation of the presidential function over campus services, raise the possibility that systemwide and multicampus academic programs will receive the required Senate-based academic review, and enjoy a planning process in keeping with the educational mission, only if they are returned to the campuses.

4. Faculty Salaries and the Faculty Salary Scales In August 2008 the chair of the Working Group on Salary Scales, Nick Jewell, issued a report confirming that Year 1 of the Four Year Plan for Faculty Salaries met its goals of reducing the proportion of off-scale salaries and partially closing the gap between the average salaries for UC faculty and those of its comparator institutions. Through the rest of the year, however, the WGSS did not have even preliminary data to use to evaluate the plan’s effectiveness or to develop possible models for the next three years. UCPB emphasized that in order to properly evaluate the plan, the Work Group needed the source data illustrating how UC faculty salaries will reach market rates by year four, and needed this data in advance of final policy decisions. UCPB remained very concerned both about the ongoing lag in faculty salaries, and about irregularities in the implementation of the Plan, which had in Year 1 clearly damaged support for continuation among some campus leaders. UCPB also considered the impact of the deteriorating state budget on funding the faculty scale reform in the second of the four-year plan, and argued that the actual costs of the salary scales plan were modest enough to allow for their continuation even under adverse budgetary conditions.
5. UC Merced. Merced is the UC system’s newest campus, but is developing in a difficult budget climate and with levels of support that are significantly below those of the campuses that came into being two generations ago. UCPB has been concerned that UCOP has not developed a budgetary model for the Merced campus that will allow it to offer a quality of education equivalent to that of other UC campus – or even basic fiscal solvency. The only viable model involves an increase in public funding support for the campus. UCPB’s recommendations regarding Merced’s operating budget, capital budget, and strategic growth plan were adopted by Academic Council.
6. Reviews of Professional Schools and Other Programs. The new round of budget cuts coincided with a large wave of new proposals for major professional schools (medicine, nursing, public policy, global health, and others). In nearly all cases, UCPB affirmed the academic plan and recommended against proceeding without more realistic, multi-year budgeting. Our skepticism was confirmed by reports over the summer that the Riverside campus was borrowing money to pay for the early-stage development of its medical school. These ambitious professional school proposals offer eloquent testimony to reduced UC capacity and perhaps reduced quality in the wake of reduced public funding.
7. Shared Governance. Two trends were on a collision course this year: 1) the demand for “real time” consultation in a rapidly-changing administrative environment, which requires timely access to data so that Senate agencies comment prior to final administrative decisions; 2) the failure of data “transparency” in spite of various high-level reports that called for it. UCPB’s analyses depended almost entirely on our independent work with publicly-available data in the company of campus-level information obtained by UCPB members. Without improved information flow

between UCOP and UCPB, and greater support for UCPB from the Senate Chair and Vice-Chair, UCPB will not be able to do its job correctly. The same goes for the Senate, which runs the danger of being shut out of financial and other organizational decisions that predetermine the fate of academic programs.

### **1 & 2. The University Budget and Budgetary Planning**

UCPB received monthly updates from its committee consultants (first EVP Katie Lapp, and later VP for Budget Patrick Lenz) about the status of the state and federal budgets and their impact on the University budget, student fees, financial aid, enrollment, capital outlay, and faculty and staff salaries. In 2006-07, we expressed concern about the absence of a multi-year budget planning process, as we had been surprised to discover that the Futures Report's calculation of long-term budgetary pathways had no counterpart in UCOP. As far as we know, long-term planning continues to be delayed by short-term financial problems.

UCPB also advanced initiatives that continued its work of previous years. UCPB had authored a *Resolution on Maintaining the Public Status of the University of California*, which was endorsed by Council in October 2005 and transmitted to the President. The Resolution asked the University of California Long Range Guidance Team to evaluate the effects of increased reliance on private funds on the instructional, research and public service missions of UC, including the long term implications of the Compact, and to report results back to the Council. This evaluation and report were not undertaken by that body.

The UCPB report *Current Budget Trends and the Future of the University of California* (the "Futures Report" 2006) did perform this assessment, and found that private funds in the form of research sponsorship and philanthropy could not replace lost public funding, which meant that drastically increased fees were the only mathematically plausible source of replacement funds (at the level of \$15,000-\$18,000 in 2005-06 dollars). This report was widely reviewed and validated, endorsed by Academic Council, and presented to the Assembly and to the Board of Regents in May 2007. The Report's core recommendation, to formally request an additional \$1.1 billion in state General Funds to put UC back on its 2001 budgetary pathway, has not been seriously considered, even prior to the state budget crisis of 2007-08. The same fate befell the Report's general call for the University to communicate the real costs of combining broad access with high-quality in higher education, and to quantify the greatly increased fees that would result were per-student investment levels to be maintained as General Funds allocations are cut. In response to the Schwarzenegger Administration's two proposals for cuts to all state agency budgets (in January and May), UCPB wrote the "Cuts Report," which was subsequently endorsed by Council and submitted to the President. The report found that when UC's state revenues are corrected for both inflation and for a 20% student enrollment increase since 2001-02, state investment per student has fallen 30%; that the Governor's May Revision represents a freeze on UC's General Fund budget for 2007-08, and a 10% cut from The Regents' November budget; that to fill the shortfall entirely with student fees would require a 40% one-year fee increase for in-state undergraduates, with more of the same in future years; and that the new budget cuts were likely to turn into a multi-year cycle of cuts. Our recommendations included the suggestion that UCOP make

a compact with the public that would put a floor under its per-student investment (meaning cutting enrollments to match cuts in General Funds, with appropriate notice to the public.) The first draft also recommended a freeze on enrollments as a way of protecting per-student investment. UCOP subsequently rejected this possibility for 2008-09, and our proposal was dropped from later versions of the “Cuts Report.”

### **3. Academic Programs and UCOP**

Academic year 2007-08 began with a call for major UCOP operational changes from the Chair of the Board of Regents Richard Blum. A consulting company, Monitor, issued a related report on UCOP operations. In addition, a Regent-administrative committee –with one Senate representative – wrote what was referred to as the “Roles Report.” UCPB heard discussion of UCOP restructuring from our guests and consultants at every meeting, and finally drafted a report that was submitted to Academic Council at its final meeting. Our Report attempted to identify the operating principles implicit in this body of working administrative documents, and to assess those principles from the perspective of faculty and University interests. We found as follows: that the Senate should endorse the three documents’ emphasis on making UC planning and management more proactive, communicative, well-coordinated, and long-term (Principles I and II); that restructuring will bring improved effectiveness only if UCOP makes its culture more collaborative and transparent; that functional analysis and design should take precedence over short-term budgetary goals; that UCOP should recognize that “Systemwide Support Functions” are *at least as* important to the campuses as are “Presidential Support Functions” and should be protected; that UCOP should solicit systematic advice from a broad cross-section of the service-users on the campuses prior to final decisions; and that UCOP should not direct academic planning, but should focus on finding and developing resources to support the specific goals and the common ambitions of the campuses.

In its July 2008 meeting, the Academic Council returned this document to UCPB for revision, which next year’s UCPB may choose to do. The matter remains urgent, as one unfortunate possibility is that UCOP will retain its financial and legal authority over the campuses while drastically reducing its responsibilities for development and support. In the domain of systemwide research programs, UCPB was concerned this year that the tone and financial goals of UCOP’s restructuring discussion would jeopardize these programs. The committee had spent a great deal of time in recent years on OP management of multi-campus research units, and hoped this year that the new Vice President for Research and Graduate Programs would continue some of the reforms ours and other Senate committees had recommended. This year’s indications are mixed, as the Office of Research was involved in controversial personnel changes and in the irregular budgetary reallocation noted above. Next year’s UCPB may want to spend more time on the research side of UCOP’s academic planning and administration.

UCPB’s major review in the arena of academic planning was the Education Abroad Program. The committee had been involved in correspondence and consultation about EAP’s budgetary problems and reforms since January 2006, and took the lead in the spring of 2006 in adding Senate members to the Ad Hoc Committee reviewing EAP so that the program’s budgetary problems could be examined and solutions could be

proposed. Our meeting with EAP's chief administrative officer Gerald Lowell, in March 2007, revealed that the major deficit was a one-time problem tied to a poorly-planned move of UOEAP, but that a better budgetary model, coupled with operational streamlining, needed to be designed and enacted as quickly as possible. In 2007-08, UCPB was one of the Senate agencies charged with reviewing the Ad Hoc report that had indeed appeared. During this period, UCPB enjoyed invited visits from Jerry Kissler, author of the Consultant budgetary analysis of EAP (November 13, 2007), and Gretchen Kalonji, Director of International Strategy Development in UCOP (January 22, 2008). UCPB's analysis concluded the following. While the Ad Hoc report was an important step forward in the evaluation of EAP's strengths and weaknesses, it was flawed by the absence of 1) an evaluation of the program's academic programs and outcomes and 2) an analysis of the budget model. A budget analysis was provided by an outside consultant, Jerry Kissler, which was a genuine advance in the understanding of EAP's budget problems. But Kissler's model was not evaluated by the Ad Hoc committee, was not part of the materials forwarded to Senate reviewing agencies, and was incomplete in important respects. UCPB was in a unique position within the Senate in its evaluation of the Kissler budget model along with the other materials. Our analysis concluded that neither the Ad Hoc Report nor the Kissler Report provide a sustainable basis for restructuring and growth.

UCPB's response also included a set of budgetary principles that noted that 1) funding for EAP units should be determined on a per student FTE basis; 2) the budget per student FTE for Education Abroad (the centralized and campus based budgets combined) should be comparable to that of on-campus programs; 2) the budget per student FTE for EAP (the centralized and campus based budgets combined) should be equivalent to that of on-campus programs; 3) Clarity of the EAP funding structure must underlie any future approach to restructuring international education and must precede any recommendations on its programmatic identity (growth, new mix of undergraduate and graduate research components, new decentralized partnership for global education); 4) any future funding structure must clarify how resources would flow to EAP by defining the relations of the central and campus units. UCPB strongly recommended integrating undergraduate education with graduate study and research exchange, a move that could position UC as a global leader. Finally, UCPB recommended that UCOP provide EAP with short-term budgetary stability, and that UCOP work with the Senate to provide the integrated academic and budgetary analysis required by academic programs under shared governance provisions.

In fact, UCOP unilaterally imposed a 15% cut on the program for 2008-09, and did not respond to a budgetary model proposed by acting director Michael O'Connell, who was subsequently dismissed prior to the end of the academic year. In August 2008, President Mark Yudof wrote a letter to Senate Chair Michael Brown that separated the development of a "business plan" for EAP, which would be reviewed and approved by the President, from the Senate's input into EAP's academic program, including the possible development of graduate programs. The memo to the Senate did not include the President's letter defining the actual business model that had already been communicated to the new acting director of EAP, Michael Cowan. This letter, obtained by the

committee chair from one of the committee's consultants, establishes budgetary ground rules very similar to those proposed by Consultant Kissler's report. As of this writing, the Kissler report has effectively replaced input from the Academic Senate – input that should be routine under shared governance - at the interface between budgetary and academic requirements.

The needs and opportunities of academic programs are constantly changing: EAP, the MRUs, the Industry-University Cooperative Research Program, the California Digital Library, UC Press, and the Cal ISIs, are examples of programs where UCOP has a responsibility to provide curatorial oversight – oversight that supports efficiency but also development and timely transformation. UCPB has not seen evidence of this curatorial spirit in UCOP's relation to its academic programs. Towards the end of the year, we included in our analysis of UCOP restructuring the recommendation that all UCOP academic programs be spun off to campuses. This possibility may be worth considering again next year.

#### **4. Faculty Salaries and the Faculty Salary Scales**

The only point to add to the summary at the start of this report is that the personnel (Nick Jewell) and budgeting functions (Debra Obey et al) appeared to be not well coordinated; Nick Jewell was unaware of some of the important details of the funding allocations to campuses and of the Budget Office's cost estimates. Whatever the causes, the implementation of the plan created resentment among administrators at most campuses, and at one point in the year an EVC tried to enlist his local academic senate leader to push back against the systemwide senate support for the Four Year Plan. If the Four Year Plan is going to continue, its implementation will need better communication and coordination among the University's various constituents.

#### **5. UC Merced**

Merced is meant to be a full-fledged campus of the UC system, and is currently enjoying steady increases in enrollments, successful faculty hiring, and solid per-faculty research funding. At the same time, the funding model for Merced, in particular the capital and operating budgets, appears to put it on a path toward long-term poverty and indebtedness, and severe restrictions on space resources and hence, high-quality faculty hiring. To partially alleviate these structural problems, UCPB recommended that a specific set of capital projects be put at the top of the University's list, that the first 5000 Merced students be funded by about 50% above the campus's current assumed enrollment support of \$8300 per student (or \$12,500), and that UCOP work with Merced to design a strategic growth plan that will make UC Merced equivalent to other campuses in practice as well as in principle. Each of these recommendations involves a significant increase in public funding for the campus in order for it to achieve its potential. These recommendations were accepted by Academic Council and forwarded to the President. UCPB hopes that this Senate analysis will help put Merced's development back on track.

#### **6. Proposals for New Schools and Other Programs**

[Review of the Proposal for a School of Public Health at UC Davis](#)

While UCPB recognized the high demand for new public health professionals, the committee identified a number of budgetary concerns. These included the proposal's assumption of future state funding for student enrollment growth. We were also concerned that current levels of state support per student are not high enough to sustain and grow such a school (even assuming it is not further reduced by the State legislature in the future). Members also articulated concern over the School's dependence on current faculty in the Department of Health Sciences. Due to these significant concerns, UCPB did not endorse the proposal.

#### Review of the Proposal for a School of Nursing (SON) at UC Davis

Although UCPB acknowledged that the new SON would help address an acute nursing crisis, it noted that the proposal did not include a detailed curriculum for any of the degree plans (matriculation dates were also unclear). The proposal also did not include sufficient information to assess the financial viability of the SON – e.g. cost estimates, or funding sources for capital projects. UCPB did not endorse the proposal, and recommended that a revised proposal be submitted.

#### Review of Proposal for a School of Medicine at UC Riverside

UCPB was impressed with the compelling case made by Riverside for a Medical School with a focus on the inland region of Southern California. However, UCPB indicated that the financial feasibility of the school warranted further exploration. We viewed as problematic the heavy reliance on State funding at a time of State financial retrenchment and on philanthropic fund raising in a financially stressed region of the State. UCPB was also concerned that the school could be structurally underfunded, resulting in a compromised program. While these concerns remain, UCPB joined other Compendium committees in approving the proposal contingent upon the commitment of new funding sources.

#### Review of the Proposal for a School of Public Policy at UC Riverside

One of UCPB's primary concerns with this proposal was its proposed budget model: it assumed that the proposed executive MPP and professional development courses would meet what appeared to us to be unrealistic revenue targets. It was also felt that the budget did not provide the level of start-up funds that major programs have always required in their inaugural years. UCPB also expressed concern that the proposed curriculum and research focus appeared to be more aligned with programs in public administration than in public policy. UCPB's endorsement of the proposal was contingent upon the resolution of these specific funding and programmatic issues.

### **Review of Systemwide Research Units and Administration**

#### California Institutes for Science and Innovation

Per the Compendium, UCPB submitted its comments regarding the first Five-Year Review of the California Institute for Telecommunications and Information Technology (Cal IT2). In particular, while the committee noted the quality and accomplishments of Cal IT2, it strongly recommended careful monitoring of a number of issues. The most serious problem was the operating budget. UCPB and UCORP advised that future Cal ISI reviews should include data that show how Cal ISIs increased industry and/or federal funding beyond what already exists in related academic departments.

### Indirect Cost Recovery

UCPB and UCORP agreed to form a joint working group to study indirect cost recovery (ICR) mechanisms and their related impact on the University; three UCPB members agreed to participate on the working group. This project did not advance, in large part because the lead partner, UCORP, was unable to obtain data in a timely way. UCPB may continue working on this issue in the 2008-09 year.

**UCPB reviewed and formally commented on the following additional issues and proposals:** 1) Review Protocol for Division of Agriculture and Natural Resources (endorsed); 2) UC Information Technology Guidance Committee (ITGC) report (not endorsed, with recommendations for a revised proposal); 3) proposed Senior Management Leave Policy (proposed combining option two's distinction between administrative and sabbatical leave with incorporating the faculty salary base (from option three), with the difference between the faculty salary and administrative salary being paid into a special account for sabbatical-specific activities option); 4) Endowment Policy (endorsed); BOARS' revised "Proposal to Reform UC's Freshman Eligibility Policy" (not endorsed); and proposed Amendments to UC Policy on the On-Campus Marketing of Credit Cards to Students (endorsed).

### **Reviews Postponed for Lack of Time and/or Data**

CalISI Budgeting. In 2006-07 UCPB obtained a first round of budget data from all CalISIs in the system. This data was often incomplete, and yet suggested that the CalISIs will require substantial operating funds from their campuses for the foreseeable future. This may be an issue that is worth pursuing next year.

Analysis of the Components of Private Research Support for UC. The figure given for this portion of UC revenues is very large, but UCPB was unable to obtain data explaining this component or projecting its future growth.

National Laboratory LLCs. In 2005-07, UCPB repeatedly inquired into the nature of the new LLC agreements between UC and its industrial partners for the operations of the DOE laboratories at Los Alamos and Lawrence Livermore. Our concerns were that the agreements have some correspondence with faculty sentiment as expressed most recently in a 2004 Senate poll, and that the Senate work to closing that gap where it existed. We were concerned about management fee calculations, academic freedom for lab scientists, faculty input into managing the scientific operations, among others. This year, the chair sat on a new Senate laboratory committee, ACSCOLI, which developed and passed a resolution calling for a rethinking of UC participation in the LANS LLC if PITS production increased significantly. At the end of the year, outstanding issues included compliance with the Academic Assembly resolution of October 2006 - paragraph 9a has not been put into effect, and 9b, to misgivings of ACSCOLI members, was tabled without informing the Assembly; the status of University participation in setting LLNL and LANL research directions; a possible repolling of the faculty on lab relations; and the informing of the faculty about the contractors and what they mean for faculty and for shared governance. By June 2008, UC's online public information implied that journalists, lawmakers, etc. would assume that UC remains fully liable for both program

directions and accidents. UCPB did not involve itself with these issues this year as it had in the past.

## **7. Shared Governance**

The standard review process functioned reasonably well. The discussion of major issues has been more uneven. These have in recent years been moved to or mediated by a series of task forces, working groups, guidance teams, and special committees. In some cases, there is real parity and partnership, as on the Working Group on Salary Scales, which had five Senate members. In other cases, such as the Senate's lab committee, Senate-administrative interaction tends to drift away from the body of the systemwide Senate and may become closer to their administrative consultants: ACSCOLI does not keep minutes in response to the national security cloak, but this practice is not obviously compatible with shared governance. Many major decisions are made by joint committees that have only one Senate member, usually the Senate Chair. UCOP created a Friday budget strategy group whose sole Senate member, Chair Brown, did not generally report out to Academic Council or to the Senate's own budget committee, UCPB, thus creating a partial bypass of UCPB – of its expertise and its formal responsibilities. The Regental-Administrative committee that drafted the "Roles Report" is another example: UCOP had been effectively redefined before the systemwide Senate as a formally constituted body was able to comment.

## **Operational Difficulties**

In addition to problems with the availability and timeliness of data, operational problems cropped up within the Senate itself. These problems stemmed largely from a reinterpretation of SBL 40.B as requiring continuous approvals from the Senate Chair of a standing committee's guest invitations and information requests.

According to Senate Bylaw 40.B., "when a Special or Standing Committee of the Assembly formally advises the President it shall convey its advice through the Academic Council." The intention of this legislation is to provide a check on possible inappropriate influence of a standing committee and to ensure that the Academic Senate speaks with one voice. It is sufficient for that purpose. SBL 40. B. notwithstanding, Systemwide Senate committees have also traditionally and rightly had latitude under their chairs to pursue projects within their charge, meet with the most significant UCOP personnel, and comment in their meetings in keeping with the Senate's values of open exchange and academic freedom. Moreover, a large governance structure such as the Academic Senate cannot function productively without relying on focused and informed subcommittees for much of its substantive work. And in order to do that work, subgroups must be given both trust and tools.

The Chair has served on UCPB for six years. In the first four of those years, our committee meetings included regular consultation with UCOP managers at the VP level who were responsible for budgetary and academic planning matters. Our "approved consultants" included the VP for Budget; the AVP for Budget Planning & Fiscal Affairs; the AVP for Planning and Analysis; and, on an as-needed basis, the MRU Director(s). Following an organizational shift in the Academic Affairs unit, Provost Rory Hume became an approved committee consultant for 2006-07 and met with us on a monthly

basis. These individuals saw their regular interaction with UCPB as a responsibility of their office that was not just a matter of complying with shared governance protocol, but – by their own report - also a meaningful exchange with an active, important, dispositive Academic Senate body. In planning its agendas, the committee sought and, in those earlier years, readily received approval to meet with non-regular consultants. Indeed, the Senate Chair was typically very supportive of the committee's efforts, the products of which were always vetted by the Council and often found to be of value to the Senate as a whole. During the Chair's earlier years on the committee, the Senate Vice Chair was assigned ex-officio UCPB membership. The people who held that office attended meetings conscientiously, offering valued input in discussion and briefing members on OP and Regents' activities. A partial list of non-regular consultants or guests who have visited UCPB in recent years, some of them multiple times, at our request or theirs, would include the EVP for Business and Finance, the Vice Provost for Research, the Vice Provost for Academic Initiatives, the Assistant VP for Institutional Advancement, the Associate Vice Provost for Research, and various Directors of the Cal ISIs.

This year, the distance between Senate leadership and the standing committees increased. As it did, so did the difficulty in securing approval of committee consultants. A trend toward a more restrictive, less supportive relationship between the committees and the Senate leadership was observed by two previous UCPB Chairs: Michael Parrish in 04-05, Stan Glantz in 05-06. For various reasons, the question of committee-UCOP interaction had become charged with undue anxiety. Then, at the beginning of this past year, Senate Chair Brown stated his intention to limit the title-level of UCOP managers to which committees would have routine access as consultants. The UCPB Chair, along with the chairs of BOARS, UCORP, and UCFW registered their disagreement with that plan in the spring of 2007 and with this overall trend, noting their belief that it would damage the Senate's effectiveness and morale. Nonetheless, restricting committee access to consultants then became, more than ever, a regular practice. EVP-level consultants were reclassified as guests, and access became more fitful and difficult.

In 2006-2007, UCPB met monthly with Provost Rory Hume, VP for Budget Larry Hershman, and less often with personnel from the office of research. We had a varied list of guests, from Gerry Lowell, the office director of UOEAP, to Chris Edley, the Dean of Berkeley Law School, budget watchdog Charles Schwartz, and Bill Eklund (twice), from the General Counsel's office. In contrast, this year Provost Hume and EVP Lapp declined several invitations, sometimes on the grounds that they were already scheduled; the VP for Research, Steven Beckwith, visited UCPB once, for half an hour, and was unable to find time to meet with us again. Vice-Provost Dan Greenstein came several times, all in the first half of the year. Routine invitations came to involve burdensome correspondence for the chair and for Todd Geidt, the committee analyst: for example, EVP Lapp came to our final meeting only after several rounds of discussion which led the chair finally to produce a statement saying the committee would be asking her about OP restructuring and not about the budget, apparently the exclusive domain of UCPB consultant and VP for Budget Patrick Lenz.

As a practical matter, this year's experience indicates that it is impossible to get time with overscheduled senior managers outside of the Senate's previous mechanism of getting a full-year's meetings on the calendar of a senior manager by making them a consultant. By the end of the year, even our remaining consultants were declining invitations to meet with us (e.g., Cathie Magowan and Dante Noto in OR). More fundamentally, these protocols and negotiations undermined the atmosphere of trust and open exchange of information and ideas among Senate committees and administrative personnel that many of us have been striving to create, and that many reports in this and previous years had recommended.

Guest invitations encountered similar difficulties, and inviting the equivalent of last year's guests became impossible. During our review of the Ad Hoc report on EAP, the chair's invitation to EAP acting director Michael O'Connell to comment on various EAP budget models was blocked by Chair Brown, on the grounds that as a future Study Center Director for EAP the chair had a conflict of interest, one that he did not want to defend to Provost Hume. The chair was concerned at the time that Provost Hume had been given some kind of veto-power over systemwide committee invitations, but did not pursue the issue. Later, the chair's invitation to Berkeley EVC George Breslauer, a follow-up on the Berkeley privatization theme previously represented by Dean Edley, was delayed by the Senate office until the day before UCPB's meeting, at which point the Chair withdrew the invitation out of sheer embarrassment.

Information-gathering suffered as well. Few of our specific queries were answered (e.g. the constituents of the "Private Funding - Other" component of a revenue pie chart at a Regents budget presentation). Our questions also became less frequent. The office was understaffed, and the committee analyst had less time for UCPB than had the previous analyst. The analyst reasonably feared a reprimand if he forwarded a question that the Senate Chair would later hold to be inappropriate; the process of backstage permission-gathering delayed the arrival of these questions, which in some cases were sent back for additional justification. One important example, mentioned above, is the Cal ISI budgets: we received much information in 2006-07, and it took most of the year and much digging by analyst Brenda Foust to obtain. The chair intended to complete the task this year, but by December he decided that the Senate office and policy structure was not up to the task, and moved on to more routine issues.

One vital source of information are the Senate Chair and Vice Chair, who all but inhabit UCOP and have a more detailed understanding of UCOP thinking than do any other members of the Senate. In recent years, the Chair and Vice Chair reported monthly to UCPB on matters within our purview. This year, Chair Brown and Vice-Chair Croughan missed nearly every meeting, and offered no systematic debriefings on budgetary modeling, OP restructuring, research changes, and the like. Throughout the year, UCPB had less information from UCOP personnel, very little through formal inquiries from our analyst, and very little from Senate leadership itself.

The upshot is what in the chair's view has become a "3 Senates" problem: the divisional Senates focus on their own campus issues, the Senate Chair and Vice Chair work within

the Office of the President and report at their own discretion, and the systemwide standing committees are somewhere in between. Even the UC system as a whole has two basic levels, not three, and the Chair and Vice-Chair need to be integrated into the processes and activities of the systemwide committees. If this does not take place, the result of the multi-year trend towards greater executive control and unilaterally imposed changes in protocol will continue to be a reduction in meaningful dialogue with top UCOP managers, decreased informational flow to the committee members, reduced and more ambiguous staff support to the committees, and reductions in substantive, independent Senate analysis.

It is the devout hope of the Chair that the 2007-08 interpretation of SBL 40.B be abandoned, that in coming years UCPB in particular receive appropriate support from the Chair and Vice-Chair, and that the different components of the Senate integrate themselves to work effectively to produce creative analyses at a time in which the University is in increasing danger of being pulled apart.

### **Projects Placed on Hold**

Indirect Cost Recovery. In Spring 2006, UCORP initiated a new study of indirect cost recovery mechanisms and impacts in the University. The topic is an important one, since extramural research funding is a major part of UC finances and there are indications that its impact is not correctly understood. This year, UCORP took the lead in a joint research project and made some progress on obtaining basic data about the sourcing and spending of ICR monies. The project offers another example of the difficult systemwide Senate committees have had in obtaining timely and complete data on subjects of major interest to the faculty.

Operating Budgets for the California Institutes for Science and Innovation. In submitting to the Academic Council a proposed [Review Protocol for the California Institutes for Science and Innovation \(Cal ISIs\)](#) in 2005-06, the Chairs of UCPB and UCORP noted their ongoing concern about the long-term budgetary issues surrounding the Cal ISIs and their potential impact on campus budgets. In 2006-07, UCPB obtained a first round of financial documents, which suggested major budgetary shortfalls but which remained incomplete. The shortfall was confirmed this year, when \$5 million was transferred from UC's portion of the Los Alamos Management fee to the CalISI budgets. The original model for CalISI support, in which industry would furnish the bulk of operating expenses, may have been flawed, and may require rethinking to sustain the long-term viability of these programs. This year, the Chair decided that UCPB did not have the office resources and support required to pursue a second round on this issue.

Funding of Enrollment Growth. UCPB's Irvine representative provided the committee with preliminary evidence that certain campuses were being financially disadvantaged by accepting additional students that were not being funded as in previous years by UCOP. We did not have time to pursue a more thorough investigation, and the committee may be interested in pursuing this issue next year.

### **UCPB Representation**

The UCPB Chair served on the following committees/task forces: the search committee for a new Vice President of Budget; Academic Council Special Committee on Lab Issues; Academic Planning Council; Council on Research. The Vice Chair was a member of the Joint Ad Hoc Committee on International Education. A UCPB committee members sat on the joint CCGA/UCPB subcommittee on graduate student funding, the Technology Transfer Advisory Committee, the Steering Committee of the Industry University Collaborative Research Program, and the Systemwide Library and Scholarly Information Advisory Committee.

**Acknowledgments**

UCPB wishes to acknowledge the valuable contributions of the following committee consultants and special guests: Dan Greenstein, Vice Provost, Academic Information and Strategic Services; Nick Jewell, Vice Provost, Academic Personnel; Katherine Lapp, Executive Vice President, Business Operations; Debora Obley, Assistant Vice President, Budget Development and External Relations; Michael Reese, Associate Vice President, Business; Patrick Lenz, Vice President of Budget; Gretchen Kalonji, Director, International Strategy Development; Steven Beckwith, Vice President, Research and Graduate Studies; Melvin Stanton, UCOP Associate Chief Investment Officer; Geoff O'Neill, Assistant Vice President, Institutional Advancement; Nina Robinson, Director, Policy and External Affairs for the Department of Student Affairs; Dr. Jerry Kissler; Cathie Magowan, Director, Science and Technology Research Programs; and Dante Noto, Director, Humanities, Arts and Social Science Research Programs.

Respectfully submitted:

Christopher Newfield, Chair (UCSB)	Norman Oppenheimer (UCSF)
Patricia Conrad, Vice Chair (UCD)	Bjorn Birnir (UCSB)
John Ellwood (UCB)	Susan Gillman (UCSC)
Bruno Nachtergaele (UCD)	Michael T. Brown, <i>ex officio</i>
Abel Klein (UCI)	Mary Croughan, <i>ex officio</i>
Robert G. Frank, Jr. (UCLA)	Carolina Delgado, Grad. Student Rep.
Evan Heit (UCM)	Melissa Gibson, Undergrad. Student Rep.
Anthony Norman (UCR)	Todd Giedt, Committee Analyst
Andrew Dickson (UCSD)	

**UNIVERSITY COMMITTEE ON PREPARATORY EDUCATION (UCOPE)  
ANNUAL REPORT 2007-2008**

**TO THE ASSEMBLY OF THE ACADEMIC SENATE:**

The University Committee on Preparatory Education (UCOPE) met two times during the 2007-08 academic year, and its English as a Second Language (ESL) advisory group met one time. Each group considered matters relevant to UCOPE's governing Senate Bylaw, SBL 192. According to SBL 192, UCOPE is to advise the President and appropriate agencies of the Academic Senate on matters related to preparatory education, including the language needs of students from diverse linguistic backgrounds, to supervise the University of California Entry Level Writing Requirement (UC-ELWR), and to establish Universitywide standards for the University of California Analytical Writing Placement Examination (UC-AWPE). This report summarizes the committee's activities and accomplishments from the 2007-08 year.

**Administration and Budget of the University of California Analytical Writing Placement Examination (UC-AWPE)**

In prosecution of its charge, UCOPE regularly reviewed the implementation of the UC-AWPE via updates from its consultants. In particular, the committee continued to monitor how the vendor, Pearson Government Solutions, initiated improved administration processes. Despite the administrative changes, UC-AWPE continued to run a structural deficit, and UCOPE's consultants asked the committee's advice on possible ways to reduce the operating costs of UC-AWPE administration. Various options were considered, such as raising test fees, limiting the number of test-takers, and employing alternate administration mediums, such as online sittings. UCOPE submitted preliminary suggestions to its Office of the President consultants and awaits their analysis; this issue will be monitored closely in 2008-09.

**Review and Selection of Essay Prompts for the 2008 University of California Analytical Writing Placement Examination (UC-AWPE)**

UCOPE also selected the essay prompt to be used in the 2008 UC-AWPE administration; the selection is an annual event and follows careful consideration of several possible sample passages and questions pertaining thereto. The potential prompts were introduced by UC-AWPE Committee Chair and UCOPE Consultant George Gadda.

**Norming of the 2008 University of California Analytical Writing Placement Examination (UC-AWPE)**

UCOPE evaluated and ranked sample essays written in response to the selected UC-AWPE prompt; the pass/fail line was established and communicated to the UC-AWPE committee.

**Revision of Senate Regulation 636**

In the 2006-07 academic year, UCOPE presented to the Academic Council an amendment designed to simplify Senate Regulation (SR) 636, which governs the Entry Level Writing Requirement (ELWR). At the time, specific standardized tests were listed

by name and certain subsections were found to be redundant. With the assistance of consultant George Gadda, 2006-07 Chair John Eggers led the drafting of an amended SR, which was subsequently endorsed by the committee.

UCOPE concurrently presented to the Academic Council an additional amendment to SR 636 which would “cap” ELWR class sizes at 20 students per section. This proposal followed significant research and analysis by previous UCOPEs, their consultants, and their analysts: Briefly, in June 2005, UCOPE submitted to the Academic Council a report entitled “Bringing Writing Class Size in Line with National Standards,” which the latter endorsed at its July 2005 meeting. The report was in response to the Academic Council’s August 2004 request for data from UCOPE on the efficacy of writing instruction vis-à-vis class size. The issue first arose when UCOPE proposed in May 2004 that the class size for all UC-ELWR classes, and classes designed to assist students to complete the UC-ELWR, should be capped ideally at 15 students, but in practice at no more than 20 students—a policy which would parallel both the national standard and practice at UC’s comparison institutions.

UCOPE posited that although the University faces uncertain budgetary constraints, the Office of the President’s projected costs for capping writing classes is not unduly burdensome. Still, the Provost’s Office, in spring 2006, indicated that the matter was one of “academic policy”, not just budget, and therefore was in the purview of the Senate. Consequently, the Academic Council asked UCOPE and the University Committee on Education Policy (UCEP) to present supporting data on the issue, including an amendment to codify the national standard at UC.

UCOPE submitted both proposed amendments to the Academic Council at the end of the 2006-07 academic year. Subsequently, the Council sent both proposals for systemwide review by each division and the Senate’s other standing committees. Based on the feedback received, the Council recommended to the Academic Assembly that the simplifying amendment be adopted but that the class-size cap amendment be tabled pending further academic quantification and a more generous state budgetary environment. In January 2008, the Assembly followed the Council’s advice and voted to amend SR 636 by adopting the proposed simplification but defeating the proposed class-size cap. UCOPE notes, however, that even though the class-size cap amendment failed, by bringing attention to the issue, UCOPE has succeeded in securing some voluntary campus reduction in ELWR class sizes.

### **UCOPE English as a Second Language (ESL) Advisory Group**

The UCOPE ESL Advisory Group met once during the 2007-08 academic year, and ESL AG Chair Robin Scarcella (UCI) presented their Transfer Student Report to UCOPE. In it, ESL AG detailed its findings about the academic English preparation of students who transfer into UC from the California Community Colleges (CCC), as well as other, more general academic English concerns. The report recommended that each campus undertake an evaluative study through surveys or diagnostic testing as outlined in the report’s appendix and then take appropriate steps to redress any identified problems. The report also recommended closer collaboration between UC and CCC writing departments

to better coordinate preparation efforts. Finally, the report indicated that a comprehensive review of the Intersegmental General Education Transfer Curriculum (IGETC) should be undertaken to address needs not present when the agreement was originally inked. UCOPE suggested only minor modifications to the report and then submitted the amended version to the Academic Council for endorsement. At its July 2008 meeting, the Council endorsed the report and will submit it to the Provost's office for implementation. UCOPE and ESL AG will continue to watch closely progress in this area.

### **UCOPE Representation**

UCOPE is represented on the Intersegmental Committee of Academic Senates (ICAS) by the UCOPE Chair, who is a regular ICAS member. The UCOPE Chair is also a member of the Analytical Writing Placement Examination Committee.

### **UCOPE Correspondence**

In addition to the aforementioned Transfer Student Report, UCOPE communicated to the Academic Council its stance on several other issues of systemwide import, including:

- Freshman eligibility standards,
- Graduate student instructor policies,
- Proposed IGETC revisions,
- The report of the joint ad hoc committee on international education,
- The Regents' diversity reports,
- A proposed undergraduate mission statement, and
- Various Senate regulation and bylaw amendments.

### **Acknowledgements**

UCOPE gratefully acknowledges the contributions of its committee consultants: Susan Wilbur, Director of Undergraduate Admissions, UC Student Academic Services; Jeanne Hargrove, Analytical Writing Placement Examination and High School Articulation Coordinator, UC Student Academic Services; George Gadda, UCLA Writing Program Director and Chair of the Analytical Writing Placement Examination Committee; and Robin Scarcella, Chair of the UCOPE-ESL Advisory Group. Their opinions, presentations, and perspectives have greatly assisted the committee in its work.

UCOPE would also like to send Coordinator Hargrove its warmest wishes on a happy retirement.

Respectfully submitted,

Jan Frodesen, Chair (SB)  
Robert Ochsner, Vice Chair (M)  
Paula Varsano (B)  
Richard Levin (D)  
Jonathan Alexander (I)  
Joseph Nagy (LA)  
Theda Shapiro and Deborah Willis (R)

Melissa Famulari (SD)  
Manuel Pardo (SF)  
Paula Bruice (SB)  
Elizabeth Abrams (SC)  
  
Kenneth Feer, Senior Policy Analyst

**UNIVERSITY COMMITTEE ON RESEARCH POLICY (UCORP)  
ANNUAL REPORT 2007-08**

**TO THE ASSEMBLY OF THE ACADEMIC SENATE:**

The University Committee on Research Policy (UCORP), as specified in Senate Bylaw 200, is responsible for fostering research, for formulating, coordinating, and revising general research policies and procedures, and for advising the President on research. During the 2007-08 academic year, UCORP met eight times. This report briefly outlines the committee's activities.

**Investigation into Indirect Cost Recovery (ICR), AKA Facilities and Administration (F&A) Costs**

Last year, the committee began an investigation into Indirect Cost Recovery (ICR), also known as Facilities and Administration (F&A) cost recovery. These monies are reimbursements to research institutions for the cost of conducting research—common examples are building maintenance and grant administration and accounting. Systemwide, federal ICR alone totals over \$500M annually; this amount, however, falls short of fully reimbursing the University for its F&A expenditures. As UC's total research increases, this gap between expenditures and recovery widens, putting the University on a downward trajectory in terms of net income relating to research. In today's difficult budget climate, the danger of research being categorized as an "expense" is one UC can ill-afford.

As a result of last year's investigation, UCORP submitted to the Academic Council an interim report which included three recommendations for the 2007-08 UCORP:

1. To form a joint UCORP-UCPB working group, to operate for the 2007-08 academic year, comprised of no more than 5-6 members, with the charge of gathering data, deliberating on these and related issues, and making specific recommendations to the Academic Council regarding matters of ICR and general research budgeting and accounting.
2. To explore options for tracking the use of ICR funds, and use of Opportunity Funds and UC General Funds, so that the extent to which ICR funds are used to support research can be documented and evaluated, and the extent of the research support deficit (if any) can be quantified and tracked over time.
3. That UCORP and UCOP should work together to develop strategies for improving UC's research profile throughout the state and country, and to make clear to the public at large the unique importance of UC's research mission. Suggested strategies will be vetted through the Academic Council.

The Academic Council endorsed these recommendations, and this year, Chair Wudka, San Francisco Representative Pittet, and UCPB Vice Chair Conrad formed a subcommittee to work on the project. The first step in the investigation consisted of gathering and understanding data on the manner in which ICR monies are dispersed by UCOP to the campuses. Chair Wudka volunteered to do this, and the requested data sheets for the period 2001-2007 were obtained from UCOP. However, assimilation of the data was a much slower process than expected. Eventually, it became clear that

though the ICR funds are separated into categories according to a well defined formula, the details of this formula, while being simple arithmetical expressions, are difficult to obtain. In addition, it appears that the data provided were not comprehensive.

By the end of the academic year, most of this preliminary work had been completed, but it is unfortunate that it proved impossible to obtain more concrete results in this period. Understanding this process is important, and the new era of transparency and accountability may bode well for subsequent endeavors.

## **Universitywide Research Programs**

### Restructuring Multicampus Research Units (MRUs):

Last year, the Office of Research and Graduate Studies established an MRU Advisory Board tasked to revise the MRU structure, nomenclature, and operating protocol. Vice Chair Carey served on the Advisory Board and provided periodic updates to the committee. The Advisory Board's full recommendations will be presented to UCORP in the fall of 2008.

### California Institutes for Science and Innovation (Cal ISIs):

Previously, at the request of Provost Hume and Academic Council Chair Brunk, the chairs of UCORP and UCPB developed a draft protocol for the review of the California Institutes for Science and Innovation (Cal ISIs). The [protocol](#) and [additional recommendation](#) were approved by the Academic Council and adopted by the Provost as the basis for a sequential review of the four Cal ISIs beginning with the review of the California Institute for Telecommunications and Information Technology (Cal IT2). Upon completion of the CalIT2 review, UCORP made further recommendations on the protocol, focusing on its efficacy and further developing guidelines for the preparation of an ISI Director's Report to parallel the review panel guidelines in the adopted protocol.

This year, the California Institute for Quantitative Biosciences (QB3) was reviewed. The Senate's compendium committees received the review in June and appointed subcommittees to draft their responses. UCORP will review the draft response in the early fall of 2008.

### **Department of Energy National Laboratory Issues**

The committee received regular updates on the status of the Department of Energy (DOE) national laboratories' management contracts, generally, and specifically, on the challenges and changes involved in transferring administration of (1) the Los Alamos National Laboratory (LANL) to the Los Alamos National Security, Limited Liability Company (LANS LLC) and (2) the Lawrence Livermore National Laboratory (LLNL) to the Lawrence Livermore National Security, Limited Liability Company (LLNS LLC). Both LLCs are semi-independent management groups formed by UC, Bechtel, and others in response to DOE calls to change the administrative structure of the labs. Reports were provided by UCORP Chair Jose Wudka, a member of the Academic Council Special Committee on the Laboratory Issues (ACSCOLI), as well as by UCORP's OP consultants, ex officio members, and invited guests. The topics addressed included:

management transition issues, staff and scientist morale concerns, usage of the management fees, unclassified research projects and collaboration opportunities, and the balance between scientific advancement and nuclear arms production.

### **Agricultural and Environmental Research**

This year, UCORP confronted a number of agricultural and environmental research-related efforts. First, the Division of Agriculture and Natural Resources (DANR), received a new Vice President and efforts for a long-awaited academic review of the division were given the green light. UCORP advised on the protocol for the academic review by suggested methodologies, metrics, and potential external reviewers. UCORP also met with both the incumbent associate vice president and the incoming vice president to learn more about the division and to foster greater collegiality.

Secondly, UCORP Vice Chair James Carey regularly updated the committee on developments surrounding proposed pheromone spraying designed to eradicate the light brown apple moth (LBAM), which has been frequently portrayed as a destructive invasive species. UCORP noted its concerns regarding the scientific rigor employed by advocates of spraying and explored more comprehensively the role of UC in advising the state in matters of scientific import.

Finally, various environmental research opportunities arose, and UCORP remained abreast of each. Among the emerging programs are the high-profile BP/UC Berkeley cooperative, the Energy Biosciences Institute (EBI), which is the largest joint-venture any UC campus has yet embarked upon, and the California Institute for Climate Solutions (CICS), a state Public Utilities Commission (PUC)-led effort. EBI was a source of both much publicity and controversy due to its unprecedented financial size and to attendant concerns of academic freedom. CICS was similarly a cause of much concern regarding its method of funding and its politically-challenging emergence.

UCORP will continue to monitor each of these important issues.

### **Consultation with the Office of the President**

In addition to the above, consultants from the Office of Research and Graduate Studies regularly updated the committee on policy issues related to research, including:

- The California Stem Cell Initiative and the California Institute for Regenerative Medicine
- Animal researcher security
- Ownership of research data
- Technology transfer
- Changes in state and federal policies relating to UC research, like funding- and security-related restrictions
- NIH policy changes
- Implementing RE-89, which bans accepting tobacco-industry sponsored research funding
- Restructuring at the Office of the President, generally, and within the Office of Research and Graduate Studies, specifically

- Policy implications of the DOD's National Security Science and Engineering Faculty Fellowships program
- The Honest Leadership and Open Government Act of 2007

UCORP also received briefings on the California Institute for Quantitative Biosciences (QB3), UCOP's offices of International Strategy Development, Compliance and Audit, Strategic Publishing, and Health Sciences, and on efforts to increase graduate student support.

### **Reports and Recommendations**

Additionally, the committee commented on these items of Senate business:

- The Information Technology Guidance Committee report, "Creating a UC Cyberinfrastructure"
- A proposed Undergraduate Mission Statement
- The report of the Expanded Joint Ad Hoc Committee on UC's International Education Program
- The Regents' Diversity Reports
- Plans to establish an OP Institutional Research Unit
- Revisions to the Health Sciences Code of Conduct
- The Role of Graduate Students in University Instruction
- Proposed amendments to APM sections 335-10-a, 740-11-c, and 350
- Proposed state legislation, California Animal Enterprise Protection Act

### **UCORP Representation**

The Chair, Vice Chair, or another committee member or liaison represented UCORP on the following systemwide bodies during the year: Academic Assembly, Academic Council, Academic Council Special Committee on Lab Issues, Academic Planning Council, Council on Research, Industry-University Cooperative Research Program Steering Committee, and the Technology Transfer Advisory Committee. Throughout the year, UCORP's representatives provided updates on the activities of these groups.

### **Acknowledgements**

UCORP is grateful to its consultants, who have provided invaluable information and perspective to the committee: Steven Beckwith, Vice President for Research and Graduate Studies (1Jan08-present); Lawrence Coleman, Vice Provost for Research (1Sept07-31Dec07); Ellen Auriti, Executive Director of Research Policy and Legislation; Cathie Magowan, Director of Science and Technology Research Programs and Initiatives; Dante Noto, Director of Humanities, Arts, and Social Science Research Programs and Initiatives.

UCORP also wishes to thank its invited guests, campus alternates, and student representatives for their participation and support.

Respectfully yours,

Jose Wudka, Chair (R)

James Carey, Vice Chair (D)

Steven Glaser (B)  
Jon Ramsey (D)  
Moyra Smith (I)  
Timothy Lane (LA)  
David Noelle (M)  
John “Chris” Laursen (R)  
Theodore Groves (SD)  
Jean-Francois Pittet (SF)  
Jorge Hankamer (SC)

Kenneth Feer, Committee Analyst

**VI. REPORTS ON SPECIAL COMMITTEES**

**VII. REPORTS OF STANDING COMMITTEES**

**A. Academic Council**

▪ **Mary Croughan, Chair**

1. Report on the Production of Plutonium Pits (**information**) (see pg. 96)
2. Report on implementation of RE-89 (**information**) (see pp. 97-100)
3. Report on allocation of laboratory management fees (**information**)
4. New Schools under review in 2008-09
5. General discussion of issues and concerns of interest to Assembly Members including:
  - a. Status of UCRP and restart of contributions (**discussion**)
  - b. Report on the Eligibility Reform Proposal (**discussion**)
    - **Mary Croughan, Chair, Academic Council**
    - **Sylvia Hurtado, Chair, BOARS**
  - c. Year 1 of the Faculty Salary Plan (**discussion**)
  - d. University budget (**discussion**)
    - (i) Approved budget for 2008-09 (**information**)
    - (ii) Approved budget for 2009-10 (**discussion**)
      - (a) Year 2 of the Faculty Salary Plan
      - (b) Graduate student Support
      - (c) Student fee increases
      - (d) Examination of enrollment growth vs. curtailment

**VIII. UNIVERSITY AND FACULTY WELFARE REPORT (none)**

**IX. PETITIONS OF STUDENTS (none)**

**X. UNFINISHED BUSINESS (none)**

**XI. NEW BUSINESS**



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ACADEMIC COUNCIL

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October 20, 2008

ACADEMIC COUNCIL CHAIR CROUGHAN

Dear Mary:

In response to the request from then-Academic Council Chair Michael Brown dated August 13, 2008 on behalf of the Academic Senate, I am pleased to submit the first annual report on the production of plutonium pits at the Los Alamos National Laboratory. The report covers federal Fiscal Year 2008 (October 1, 2007 through September 30, 2008).

Los Alamos delivered a total of seven pits during FY 2008. Five pits were delivered to the Stockpile, one pit to the Destructive Testing program, and one pit to the Shelf Life Surveillance program. Five additional pits were built during this time but they were not acceptable for stockpile use owing to process anomalies. For reference, in FY 2007, Los Alamos delivered a total of ten pits, with seven pits going to the Stockpile, one pit to Destructive Testing, and two pits to Shelf Life Surveillance.

The Lawrence Livermore National Laboratory does not produce pits.

If you wish, Executive Vice President Darling will be pleased to provide you with further amplification or clarification of the material in this report.

With best regards, I am,

Sincerely yours,

Mark G. Yudof  
President

cc: Director Anastasio  
Executive Vice President Darling  
Vice President Foley  
Executive Director Winnacker

MC



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October 2, 2008

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

I am pleased to provide the enclosed report on the implementation of RE-89, the Regental resolution passed on September 20, 2007 requiring special review, approval and reporting procedures for proposals to obtain research funding from the tobacco industry.

Under RE-89, the President is to prepare and submit to The Regents an annual report summarizing the number of proposals submitted to the scientific review committee to be established by each campus pursuant to RE-89, the number approved, and the number funded, along with a description or abstract of each proposal. I asked the Chancellors for this data, along with additional information about their campus implementation of RE-89. The campus responses are summarized in the attached report, and included in Appendix VI to the report.

Through the end of FY 2008, no campus reported having had any new proposals seeking research funding from a tobacco industry sponsor. Therefore, there has been no occasion for any of the campuses to invoke the special review and approval procedures required pursuant to RE-89, and no new research proposals were submitted to or funded by tobacco industry sponsors in this reporting period.

Please let me know if you have any questions about the attached report.

With best wishes, I am,

Sincerely yours,

Mark G. Yudof  
President

Enclosure

cc: Chancellors

**PRESIDENT'S REPORT TO THE UNIVERSITY OF CALIFORNIA BOARD OF  
REGENTS: IMPLEMENTATION OF RE-89  
OCTOBER 2008**

**BACKGROUND:** On September 20, 2007, the Board of Regents approved RE-89, a resolution put forward by the Committee on Finance, requiring Chancellors to adopt special review, approval, and reporting procedures for proposals to obtain research funding from the tobacco industry. The adopted resolution replaced an earlier version of RE-89 (which would have restricted University acceptance of such funding).

The full text of RE-89, as adopted, is provided in Appendix I. It directs each Chancellor to establish a policy requiring that prior to the submission of any proposal to seek research funding from the tobacco industry, the research proposal must be reviewed by a scientific review committee designated by the Chancellor for this purpose, and that the proposal must be approved by the Chancellor prior to submission. RE-89 requires that The Regents shall receive timely notice of such grants and a description of the research to be undertaken, and that for each proposal reviewed, The Regents shall receive a copy of the scientific review committee's report and a copy of the Chancellor's determination letter (stating whether the proposal is to be approved for submission, along with the rationale for the determination).

Under RE-89, The Regents also directed the President to prepare and submit to The Regents "an annual report summarizing the number of proposals submitted to the scientific review committee, the number approved, and the number funded, along with a description or abstract of each proposal." The reporting requirement is to be kept in place for at least five years, after which the President is to consult with The Regents to evaluate whether the reporting requirement should be continued.

Because the present document is the first annual report submitted by the President to The Regents pursuant to RE-89, it includes information about campus implementation of the Regental resolution, as well as the specific information that RE-89 required to be in the report.

**IMPLEMENTATION OF RE-89:** The passage of RE-89 was discussed at the October, 2007 meetings of the Council of Chancellors and the Council of Vice Chancellors for Research. On February 5, 2008, President Dynes sent a letter to the Chancellors, asking them to ensure that their campuses had policies and procedures in place to implement RE-89. The President's February 5 letter included materials intended to assist campuses with implementation, including a "Model Policy on Tobacco Industry Funding of Research at the University of California." Copies of the February 5 letter and of the model policy are provided in Appendix II.

On July 24, 2008, President Yudof sent a letter to the Chancellors asking them to submit their campus reports on RE-89 implementation, for inclusion in the President's report to the Board of Regents. To assist campuses in preparing their reports, staff in UCOP's Office of Research and Graduate Studies provided campuses with a reporting template

and also re-distributed a March, 2008 guidance document on determining which potential research sponsors are affected by RE-89. The President's letter, the reporting template, and the guidance document are provided as Appendices III, IV, and V, respectively.

The information RE-89 required to be reported ("the number of proposals submitted to the scientific review committee, the number approved, and the number funded, along with a description or abstract of each proposal") is provided in Boxes #2 and #3 of the reporting template.

In addition, Boxes #1 and #4 contain information that was not required by RE-89, but that the Office of the President asked campuses to provide for this initial first-year report. Box #1 asks campuses for a description of steps taken to implement RE-89 (and for links to or copies of written campus guidance or policies regarding implementation). Box #4 asks campuses to also provide information about active tobacco-industry sponsored research awards that were begun prior to RE-89's passage (and thus, not subject to the new review/approval requirements). This information was requested to make sure that The Regents are aware that there is such ongoing research.

**SUMMARY OF CAMPUS REPORTS:** Appendix VI contains the RE-89 implementation reports provided by each campus. While not every campus chose to use the reporting template to submit their responses, every campus provided the information requested.

All ten campuses have adopted policies and/or procedures to implement RE-89, which specify that the campuses will not submit new research proposals to tobacco industry sponsors unless/until the proposals have been reviewed by a scientific peer review committee designated for that purpose and have received approval from the Chancellor (or, in the case of Santa Barbara, from the Vice Chancellor for Research, who has been designated as the approval authority under that campus's policy). Some campuses have updated the data sheets they use for reviewing extramural research proposals to add a question about whether the proposal would involve tobacco-industry funding. Several campuses provided information about how they informed their campus communities about the new policy (e.g., via letters sent from the Chancellor or Vice Chancellor for Research to campus academic officials, department chairs, and administrative staff; via emails to employees; via posting in campus publications and web sites; via discussion with campus research administrators and faculty).

For the reporting period (from the time of the passage of RE-89 on September 20, 2008, through the end of the Fiscal Year, June 30, 2008), no campus reported having any research proposals that required review under RE-89. That is, no campus reported having any new research proposals intended for submission to a tobacco-industry sponsor. Accordingly, no campus has yet had the occasion to invoke the special review and approval process required by RE-89, and no new research proposals were submitted to or funded by tobacco industry sponsors in this reporting period.

Four campuses (Berkeley, Davis, Los Angeles, and San Diego) did report having ongoing tobacco-industry funded research that was initiated prior to RE-89's passage

(and that therefore was not subject to the newly-implemented review and approval procedures). These were all originally funded by Philip Morris, and the total for the nine projects across four campuses is \$9,127,040.

**ATTACHED APPENDICES:** Additional information about RE-89 implementation can be found in the attached appendices:

- I. Excerpt of Minutes from the September 20, 2007 Meeting of the Board of Regents.** This excerpt provides the language of the resolution (RE-89) put forward by the Committee on Finance and approved by the Board.
- II. February 5, 2008 letter from President Dynes to Chancellors regarding RE-89 implementation.** The letter includes, as an attachment, a “Model Policy on Tobacco Industry Funding of Research at the University of California.”
- III. July 24, 2008 letter from President Yudof to Chancellors requesting campus RE-89 implementation reports.**
- IV. RE-89 Campus Implementation Reporting Template.**
- V. March 19, 2008 UCOP Office of Research Guidance Memo Regarding Application of RE-89.** This memo provided guidance to campuses on determining whether a potential sponsor is part of the “tobacco industry,” and therefore subject to RE-89.
- VI. Campus RE-89 Implementation Reports and Policies.**