

# UNIVERSITY OF CALIFORNIA

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SAN DIEGO • SAN FRANCISCO • SANTA BARBARA • SANTA CRUZ



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

Wednesday, February 8, 2006  
10:00 am - 1:00 pm

VIA TELECONFERENCE  
FOR INFORMATION ON HOW TO PARTICIPATE  
PLEASE CALL (510) 987-9458 OR YOUR DIVISIONAL SENATE OFFICE

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## **I. ROLL CALL**

### **2005-06 Assembly Roll Call February 8, 2006**

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

Robert C. Dynes

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

Cliff Brunk, Chair

John Oakley, Vice Chair

Alice Agogino, Chair, UCB

Dan Simmons, Chair, UCD

Kenneth Janda, Chair, UCI

Adrienne Lavine, Chair, UCLA

Roland Winston, Chair UCM

Manuela Martins-Green, Chair, UCR

Jean-Bernard Minster, Chair, UCSD

Deborah Greenspan, Chair, UCSF

Walter Yuen, Chair, UCSB

Faye Crosby, Chair, UCSC

Michael Brown, Chair, BOARS

Duncan Lindsey, Chair, CCGA

Anthony Norman, Chair, UCAP

Denise Segura, Chair, UCEP

Raymond Russell, Chair, UCFW

George Sensabaugh, Chair, UCORP

Stan Glantz, Chair, UCPB

#### **Berkeley (6)**

Paula S. Fass

Judith E. Innes

Kyriakos Komvopoulos

Bernard Sadoulet

Herb Strauss

L. Ling-Chi Wang

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

Andrea J. Fascetti

Robert Irwin

Lovell Tu Jarvis

Brian Morrissey

Terence Murphy

Judith Stern

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

Hoda Anton-Culver

James Earthman

Jodi Quas

Leslie Thompson

#### **Los Angeles (9)**

Philip Bonacich

Dalila Corry

Robert G. Frank, Jr.

Margaret Haberland

Margaret Jacob

Kathleen Komar

Vickie Mays

Jane Valentine

Jaime Villablanca

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

Arnold D. Kim

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

Joseph W. Childers

Emory Elliot

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

Igor Grant

David Luft

Thomas O'Neil

Barbara Sawrey

#### **San Francisco (3)**

Dan Bikle

Barbara Gerbert

Lawrence Pitts

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

Richard Church

Mary Hegarty

Ann M. Plane

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

George Blumenthal

Quentin Williams

#### **Secretary/Parliamentarian**

Jean Olson

## REGULAR MEETING OF THE ASSEMBLY OF THE ACADEMIC SENATE

**DRAFT** MINUTES OF MEETING

NOVEMBER 9, 2005 VIA TELECONFERENCE

10:00 A.M. – 1:00 P.M.

**I. ROLL CALL OF MEMBERS**

Pursuant to call, the Assembly of the Academic Senate met on Wednesday, November 9, 2005 by teleconference. Academic Senate Chair Cliff Brunk presided. Chair Brunk welcomed participants and called the meeting to order at 10:00 a.m. The order of business and procedures for discussion and voting via teleconference were reviewed. Academic Senate Executive Director Maria Bertero-Barceló called the roll of members of the Assembly. Attendance is listed in Appendix A of these minutes.

**II. MINUTES (none)****III. ANNOUNCEMENTS BY THE PRESIDENT**

- Robert C. Dynes, President (absent)
- Bruce Darling, Senior Vice President – University Affairs

In President Dynes' absence, Senior Vice President Darling provided a brief report to the Assembly. The Assembly wishes to express appreciation for the opportunity to directly interact with Senior Vice President Darling, who reported on the following:

State Bond Issue: The Office of the President looks forward to an expected state infrastructure bond intended to assist the University with increased funding. State legislators are currently engaged in exploratory hearings, with representatives from the Office of the President in attendance.

Salary Funding Sources: Senior Vice President Darling has been gathering information regarding the funding sources currently used to pay University salaries. So far he has found that thirty percent of funding comes from state funds, and seventy percent is from non-state funds.

Senior Leadership Compensation, Regents' Item RE-61: The Office of the President is closely involved with the Board of Regents' consideration of Item RE-61, *Policies for Universitywide and Senior Leadership Compensation, and Procedures for Senior Leadership Compensation*. Senior Vice President Darling expressed his preference that the Assembly closely evaluate the Academic Council and Assembly resolutions contained in today's agenda so as not to adversely affect the University's efforts to raise private funds for purposes other than senior leadership salaries.

#### IV. ANNOUNCEMENTS BY THE CHAIR

- Cliff Brunk, Chair

Chair Brunk updated members of the Assembly on recent activities and issues currently before the Academic Senate, including the following:

Provost Greenwood's Resignation: On Friday, November 4, Provost Greenwood resigned her post, which Rory Hume has now assumed as Acting Provost along with his other duties as Vice President of Academic and Health Affairs.

Board of Regents Meeting, November 16-17: The Regents meeting will be held this month at the Clark-Kerr Campus at UC Berkeley. Agenda items of interest to the Assembly include item RE-61, to be discussed later in today's agenda, as well as a presentation by Acting Provost Hume with the assistance of Chair Brunk on the hiring and promotion of faculty.

California Institutes for Science and Innovation (Cal ISI): Agreement on and finalization of the Cal ISI review policy is impending. The chairs of the University Committee on Planning and Budget (UCPB) and the University Committee on Research Policy (UCORP), and Chair Brunk will be meeting with representatives from the Provost's office to finalize the Cal ISI review process and other details, and initiate the first review, expected to be of Cal IT2.

#### Questions, Answers and Comments:

**Q:** Prior to the implementation of the Cal ISI review policy, will the new policy be submitted for systemwide Senate review?

**A:** No. The Cal ISI review policy has already undergone Senate review when the policy was in its draft stages. The optimal route to follow is to launch the review process with the review of Cal IT2, and discover any flaws in the policy during that time. Our intent is to have the Cal ISI policy in place by the November 30 Council meeting.

**Comment:** UCPB agrees that a systemwide Senate review would needlessly delay implementation of the Cal ISI review policy, however the committee believes that the policy should be revisited after two or three rounds of reviews.

**Comment:** If UCPB and/or UCORP have any problems or concerns with the final Cal ISI policy submitted by the Provost's office, then if agreeable to the Council, Council's letter should go on record to reserve the right to review the policy after the initial reviews. Chair Brunk agreed with this suggestion.

**Q:** Is there anything else you can tell us about Provost's resignation? Specifically, what procedures are in place to select a replacement, and do you expect any implications for the Science and Mathematics Initiative (SMI)?

**A:** Rory Hume has assumed responsibility as Acting Provost, effective immediately upon the announcement of the Provost's resignation on November 4, 2005. A search has already been launched for the permanent position. We assume there may be some implications for SMI, but the details are presently unclear since this event occurred just five days prior. The Senate office will continue to keep you informed of any developments as soon as they occur.

- V. **SPECIAL ORDERS (none)**
- VI. **REPORTS OF SPECIAL COMMITTEES (none)**
- VII. **REPORTS OF STANDING COMMITTEES**

- A. **Academic Council**

- Cliff Brunk, Chair
- John Oakley, Vice Chair

- 1. **Compensation Priorities for the University of California (action)**

Chair Brunk explained the mode by which faculty may communicate to the Board of Regents, namely by indirect means through the Chair and Vice Chair of the Academic Senate who serve as faculty representatives to the Board of Regents. Chair Brunk and Vice Chair Oakley intend to use this method of communication to transmit the views and actions resulting from today's Assembly meeting to the Board of Regents.

**ISSUE:** The Board of Regents' Committee on Finance adopted at its September 22, 2005 meeting item RE-61, entitled *Policies on Universitywide and Senior Leadership Compensation, and Procedures for Senior Leadership Compensation*, with the intention that item RE-61 would be sent to the full board for final action at the November Regents meeting. Item RE-61 contains the following three recommendations to the Regents: (A) to work to achieve market parity for all UC employees over a ten-year period beginning in 2006-07; (B) to shift oversight of salaries for most of UC's senior leadership from the Regents to the administration and establish procedures for setting and determining senior management salaries; and (C) to augment the funding of salaries over \$350,000 by means of private fund raising in order to achieve market comparability. The Academic Council discussed item RE-61 briefly at its September 28, 2005 meeting, and at greater length at the October 26, 2005 Council meeting. At its October meeting, Council approved two resolutions which are presented today for the Assembly's consideration.

- a. **Academic Council Resolution on Proper Compensation Priorities for the University of California (action)**

**DISCUSSION:** Vice Chair Oakley began the discussion by reading the text of the *Academic Council Resolution on Proper Compensation Priorities for the University of California*, and recognized the following authors of this resolution: members of the University Committee on Planning and Budget (UCPB); Michael Brown, chair of the Board of Admissions and Relations with Schools; Denise Segura, chair of the University Committee on Education Policy; Dan Simmons, chair of the Davis divisional Senate; and Walter Yuen, chair of the Santa Barbara divisional Senate. Assembly members discussed editing details of the resolution, and members raised other issues including consideration of senior administrators' "total compensation," and the importance of considering these figures in order to maintain transparency and accountability for the Academic Senate and the University as a whole.

**ACTION:** The Academic Assembly acted to amend the mentioning of UC’s core mission in recital #1 and resolution #2 by adding “service,” to read as follows (emphasis added):

- Recital 1: “Excellence with respect to teaching, research, and *service* is crucial to the academic mission and quality of the University of California.”
- Resolution 2: “Priority should be given to the employee groups most proximal to the core teaching, research, and *service* missions of the University of California.”

**ACTION:** The Academic Assembly acted to amend resolution #4 by removing “will” and adding “should,” to read as follows (emphasis added):

- Resolution 4: “Any planned compensation structures for senior management *should* be subject to full review by the Academic Senate and be instituted in a measured fashion, with transparency and accountability, and include appropriate consideration of performance (analogous to the Committee on Academic Personnel for faculty).”

**ACTION:** The Academic Assembly acted to amend recital #5 by adding “and professionals,” to read as follows (emphasis added):

- Recital 5: “Faculty are directly responsible for the delivery of the courses, the development of future scholars *and professionals*, and the research that are at the very core of the mission of the University of California.”

**ACTION:** The Academic Assembly unanimously approved the above resolution on proper compensation priorities for the University of California, as amended, with the intent that the Faculty Representatives to the Board of Regents, Academic Senate Chair Brunk and Vice Chair Oakley, will communicate this Academic Assembly action to the Board of Regents prior to the Regents’ final consideration of this matter.

**b. Academic Council Resolution In Opposition to the Use of Private Funds for Senior Leadership Salaries (action)**

**DISCUSSION:** Vice Chair Oakley began the discussion by reading the text of the *Academic Council Resolution In Opposition to the Use of Private Funds for Senior Leadership Salaries*. Vice Chair Oakley also provided a brief background on Regents’ Item RE-61, Recommendation C, and announced that Recommendation C has been withdrawn from consideration at the November Regents meeting. Some Assembly members expressed the view that this resolution should not be interpreted as opposing private fundraising for endowed chairs, deans, and others besides UC’s senior managers. Other Assembly members wished to make clear that the Academic Senate has not taken a position on this issue and will continue to discuss this matter at future meetings of the Academic Council.

**ACTION:** The Academic Assembly acted to amend the resolution to read as follows: “Now be it resolved that the Academic Senate opposes RE-61, Recommendation C.”

**ACTION:** The Academic Assembly adopted the above resolution in opposition to RE-61, Recommendation C, as amended, with the intent that the Faculty Representatives to the Board of Regents, Academic Senate Chair Brunk and Vice Chair Oakley, will communicate this Academic Assembly action to the Board of Regents prior to the Regents' final consideration of this matter.

**c. Academic Assembly Resolution On University Salaries  
(A petition from four Assembly members) (action)**

- George Blumenthal, UCSC Assembly Representative
- Barbara Gerbert, UCSF Assembly Representative
- Lawrence Pitts, UCSF Assembly Representative
- Quentin Williams, UCSC Assembly Representative

**ISSUE:** George Blumenthal, UCSC Assembly representative and one of the authors of the *Academic Assembly Resolution On University Salaries*, explained that this resolution was submitted prior to the Academic Council's final action on the two resolutions, above, on the belief that it was important that the Assembly act as the ultimate body of the Academic Senate on the important issues contained in RE-61. Now that the Assembly has acted by passing the above resolutions, on behalf of the four authors of this resolution, Mr. Blumenthal requested that the *Academic Assembly Resolution on University Salaries* be withdrawn from the Assembly's consideration. Upon this request and assent by the four authors, Chair Brunk accepted the resolution's withdrawal.

**DISCUSSION:** One of the authors of the above resolution wished to point out the following statistics: out of the 42 top senior leadership positions mentioned in RE-61.C, four are vacant; of the 39 filled positions, 23 percent are held by women and 21 percent by minorities; and similar percentages of women and minorities (under 25 percent) hold positions in the larger group of UC senior management. Some Assembly members also wished to clarify that the Assembly resolutions passed today should only be interpreted within the confines of their four corners. Furthermore, that the Academic Senate has not taken a stance on the wider issues involved with private fundraising outside of RE-61.C, and the Academic Council will engage in a more extensive Senate discussion of the use of private funds for the support of UC salaries at its future meetings. The Assembly then engaged in a discussion regarding the content of Chair Brunk and Vice Chair Oakley's communications to the Regents on these issues.

**2. Science and Mathematics Initiative (SMI) (oral report)**

- Cliff Brunk, Academic Council Chair

At its October 26, 2005 meeting, the Academic Council approved the establishment of the Academic Council Science Mathematics Initiative Group (SMIG). SMIG's membership will consist of one representative from each campus and an at-large chair, with Alice Agogino, Berkeley divisional Senate chair, serving as interim SMIG chair. Chair Brunk announced that he is presently receiving member nominations from the campuses, and that he and Alice Agogino will confirm the final SMIG membership list as soon as possible. Due to Provost Greenwood's recent resignation and the ramifications



of her intimate involvement with the Science Mathematics Initiative (SMI), the Senate is still working on transition issues with the Provost's office and Acting Provost Hume. Chair Brunk wished to assure the Assembly that SMI continues to remain a high priority of the administration and the Senate, and both parties are doing everything within their means to keep SMI on track and running efficiently. Chair Brunk also assured the Assembly that Acting Provost Hume is fully aware of SMIG and its consultative role with the final development and implementation of SMI. Finally, Chair Brunk expects SMIG to meet as soon as possible following the November 18, 2005 deadline for the campuses to submit their SMIG member nominations.

**Comment:** During this transition period, now is an opportune time for the Senate to not only express its full support of SMI, but ensure that SMI goes forward in a judicious fashion with appropriate Senate consultation and involvement.

### **3. Academic Council Special Committee on National Laboratories (ACSCONL) (oral report)**

- John Oakley, ACSCONL Chair

ACSCONL Chair Oakley provided a brief report on the current status of the Lawrence Livermore (LLNL), Lawrence Berkeley (LBNL), and Los Alamos (LANL) National Laboratories, and their respective federal contracts. Chair Oakley announced that Mike Anastasio, current Director of LLNL and named as proposed Director of the Los Alamos National Security (LANS) LLC, will attend tonight's ACSCONL meeting to discuss the Senate's role in the potential LANL LLC, and a potential LLNL LLC as well. Due to the uncertain outcome of the LANL contract competition, many details of a possible transition period for UC and LANL remain unclear. The Department of Energy's announcement of the successful bidder for LANL could come as early as Thanksgiving, but the official announcement date remains December 1, 2005. In related news, it was announced that LLNL's National Ignition Facility (NIF) would receive two billion dollars in federal funding to complete construction of the NIF laser.

### **B. University Committee on Faculty Welfare (UCFW) (oral report)**

- Raymond Russell, Chair

UCFW Chair Russell provided an update to the members of the Assembly on the following topics currently being addressed by UCFW:

Mercer Report: UCFW continues to have concerns about the Mercer Report on UC's total compensation, which was presented to the Board of Regents by Mercer Human Resources Consulting in connection with Regents' item RE-61. UCFW agrees with its committee member, Bob Anderson, in his analysis identifying inaccurate assumptions reported by Mercer regarding calculations valuing UC's retirement benefits. Chair Russell intends to address these issues at the November 30 Council meeting.

UC Compensation: Substantial changes to employees' compensation packages are on the horizon, including the resumption of employee contributions to the UC Retirement Program (UCRP), expected as of July 2007, and UC's consideration of retiree health

benefits due to a change in the Governmental Accounting Standards Board (GASB) accounting rules.

**Comment:** This is an appropriate time to remind faculty of the one-time opportunity to enroll in supplemental disability benefits during the November open enrollment period. Please disseminate this announcement to your faculty colleagues.

**Comment:** UCPB joins with UCFW in its concerns about the Mercer Report, and urges Chair Brunk and Vice Chair Oakley to loudly voice these issues with the Board of Regents and the administration.

### **C. Board of Admissions and Relations with Schools (BOARS) (oral report)**

- Michael Brown, Chair

BOARS Chair Brown provided an update to the members of the Assembly on the following topics currently being addressed by BOARS:

Admissions – Honors-Level Grade Bump: Chair Brown provided a brief timeline of the admissions studies conducted by BOARS over the past few years regarding the bonus point applied to student GPAs for certified honors-level courses used to determine UC eligibility. BOARS and related task forces of the Academic Council have analyzed extensive predictive validity studies, access and equity studies, and signaling and behavioral effects of the grade bump policy. On the basis of this information, recently at its November 4, 2005 meeting, BOARS approved a letter to be sent to campus admissions policy committees with the following recommendation: students' participation in honors-level courses, as one of many possible indicators of academic rigor, have value that are supportable in selection, but not in eligibility. Supporting data analyses related to this topic will also be included in BOARS' letter.

Eligibility in the Local Context (ELC) Study: BOARS implemented an extensive ELC study in 2001 looking at actual data concerning how students admitted under the ELC policy have performed, and also analyzing data to determine whether the ELC policy should be extended, cut back or remain as presently written. BOARS' recommendations on this issue are expected to be finalized in the upcoming months.

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

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

### **X. UNFINISHED BUSINESS (none)**

### **XI. NEW BUSINESS**

**Comment:** UCPB requests that the Chair and Vice Chair of the Academic Senate, as Faculty Representatives to the Board of Regents, raise the issues addressed in the Academic Council's *Resolution on Maintaining the Public Status of the University of California*, which was first drafted by UCPB last year and endorsed by Council at its October 26, 2005 meeting. Chair Brunk agreed to UCPB's request.

**Announcement:** The next meeting of the Academic Assembly will be held on February 8, 2006 via teleconference.

Meeting adjourned at 12:25 p.m.

Attest: Cliff Brunk, Chair, Academic Senate

Prepared by: Michelle Ruskofsky, Policy Analyst, Academic Senate

**Appendix A**  
**2005-2006 Assembly Attendance Record, Meeting of November 9, 2005**

**President of the University:**

Robert C. Dynes

Jodi Quas

Leslie Thompson

**Academic Council Members:**

Cliff Brunk, Chair

John Oakley, Vice Chair

Alice Agogino, Chair, UCB

Dan Simmons, Chair, UCD

Kenneth Janda, Chair, UCI

Adrienne Lavine, Chair, UCLA

Anne Myers Kelley, Chair UCM (present for portion

David Ojcius, Vice Chair UCM (alt for UCM Chair  
present for portion

Manuela Martins-Green, Chair, UCR

Jean-Bernard Minster, Chair, UCSD

Deborah Greenspan, Chair, UCSF

Walter Yuen, Chair, UCSB

Faye Crosby, Chair, UCSC

Michael Brown, Chair, BOARS

Duncan Lindsey, Chair, CCGA

Anthony Norman, Chair, UCAP (absent)

Denise Segura, Chair, UCEP

Raymond Russell, Chair, UCFW

George Sensabaugh, Chair, UCORP

Stan Glantz, Chair, UCPB

**Los Angeles (9, 1-TBA))**

Philip Bonacich

Dalila Corry (absent)

Robert G. Frank, Jr.

Margaret Haberland

Margaret Jacob

Kathleen Komar

Vickie Mays

Jane Valentine

Jaime Villablanca

**Merced (1)**

Arnold D. Kim

**Riverside (2)**

Joseph W. Childers (absent)

Emory Elliot

R.A. Luben (alt.)

**San Diego (4)**

Igor Grant

David Luft

Thomas O'Neil

Barbara Sawrey

**San Francisco (3)**

Dan Bikle

Barbara Gerbert

Lawrence Pitts

**Santa Barbara (3)**

Richard Church

Mary Hegarty

Ann M. Plane

**Santa Cruz (2)**

George Blumenthal

Quentin Williams

**Berkeley (6)**

Paula S. Fass (absent)

Janet Adelman (alt.)

Judith E. Innes (absent)

Kyriakos Komvopoulos

Bernard Sadoulet

Herb Strauss

L. Ling-Chi Wang (absent)

**Davis (6)**

Andrea J. Fascetti

Robert Irwin

Lovell Tu Jarvis

Brian Morrissey

Terence Murphy

Judith Stern

**Irvine (4)**

Hoda Anton-Culver

James Earthman

**Secretary/Parliamentarian**

Jean Olson

**III. ANNOUNCEMENTS BY THE PRESIDENT**

**IV. ANNOUNCEMENTS BY THE VICE CHAIR**

**V. SPECIAL ORDERS (None)**

**VI. REPORTS OF SPECIAL COMMITTEES (None)**

**VII. REPORTS OF STANDING COMMITTEES**

**A. Academic Council**

- **John Oakley, Vice Chair**

**1. Nomination and Election of the Vice Chair of the Assembly  
for 2005-2006 (oral report, action)**

**In accordance with Senate Bylaw 110-Officers and Consultants of the Assembly- “The Assembly elects a Vice Chair who is a Senate member from a Division other than that of the incoming Chair, to assume office the following September. The Academic Council submits a nomination. Further nominations may be made by the Assembly members from the floor, and on written petition by twenty-five Senate members. The Vice Chair also serves as Vice Chair of the Academic Council. The following year the Vice Chair becomes Chair of the Assembly and the Academic Council. Neither the Chair nor the Vice Chair may serve as a Divisional Representative. (Am 3 Dec 80; Am 28 May 2003; Am 12 May 2004)**

**ACTION REQUESTED: Election of the Academic Council nominee**

## **VIII. REPORTS OF STANDING COMMITTEES (Continued)**

### **A. Academic Council (Continued)**

- **John Oakley, Vice Chair**

### **2. Request for a Memorial to The Regents on Non-Resident Tuition (action)**

At its January 25, 2006 meeting, the Academic Council voted to recommend to the Assembly of the Academic Senate that it approve and, in accordance with [Senate Bylaw 90](#), initiate a mail ballot on the following Proposed Memorial to the UC Board of Regents on Non-Resident Tuition. The proposed memorial calls for the elimination of non-resident tuition for academic graduate students, and was submitted to the Academic Council by the UC Davis Division of the Academic Senate. According to Senate Bylaw 90.A, a Memorial to the Regents is defined as “a declaration or petition addressed to the President for transmission to The Regents, as provided for in Standing Order of the Regents 105.2.e.”. Memorials to the Regents on matters of Universitywide concern may be initiated either by the Assembly or by a Division. According to SB 90.E, Memorials that have been approved by the Assembly shall, within sixty calendar days of such approval, be submitted by the Secretary/Parliamentarian of the Senate to mail ballot of all voting member of the Senate. If a majority of the faculty approves the proposed memorial, the Assembly will forward it to the President for transmission to The Regents, as provided for in Standing Order of the Regents [105.2.e](#).

#### **Action Requested:**

Assembly is asked, in accordance with Senate Bylaw 90, to initiate a mail ballot of the UC Senate Faculty on the Proposed Memorial to the Regents.

## **PROPOSED MEMORIAL TO THE REGENTS OF THE UNIVERSITY OF CALIFORNIA**

Submitted by the Davis Division of the Academic Senate

#### **RECITALS:**

1. University of California research and development activities are important economic, intellectual, social, cultural and educational drivers for the State of California.
2. The ability to recruit the best graduate students from around-the-world is critical to the academic and research excellence of the University of California.
3. Large numbers of non-resident graduate students finish their degrees and remain in California to start or become leaders in high-technology, bio-technology, and other businesses that contribute substantially to the California economy. Many also remain in California as the next generation of research scholars.
4. California’s competition in the global marketplace requires that we compete successfully for the best graduate students from around the world.

5. Non-resident tuition is a serious impediment to recruitment of graduate students from outside of the State of California, and, most particularly, graduate students from outside of the United States.
6. Non-resident tuition charged to academic graduate students (those students with terminal academic degree educational goals such as Ph.D. and M.FA programs) is typically not paid by the student but is charged to faculty grants and other university resources. Thus, charging non-resident tuition to academic graduate students is a shift of university funds depleting resources that may be used for other purposes.

**THEREFORE, BE IT RESOLVED THAT:**

The Academic Senate of the University of California requests that the Regents of the University of California structure and advocate a budget for the University that eliminates non-resident tuition for academic graduate students.

**ARGUMENT IN SUPPORT OF THE MEMORIAL ON NON-RESIDENT TUITION**

High quality graduate students are critically important to the teaching and research missions of the University. They contribute to the work of the faculty on research projects in the laboratory and the library. They bring their own imagination and insights into the research process. Excellent graduate students help the faculty provide a better educational environment. Graduate students working as teaching assistants and instructors contribute to the undergraduate education program. Graduate students' participation motivates undergraduates, who are virtually their peers, to perform well in an academic environment.

Recent tuition and fee increases for graduate students harm the University of California's ability to attract and support the best graduate students. The non-resident tuition imposes an extra burden on graduate students who come from outside of California. The burden is particularly significant for graduate students from outside the United States who cannot achieve California resident status.

Academic graduate students who are recruited into the University of California do not pay their own fees and tuition. The best graduate students are highly sought after and generally expect all tuition and fees to be paid by the University, in addition to stipends for living expenses. Policy makers often do not understand the circular nature of fees charged to academic graduate students. These fees and tuitions must be covered by University resources including private support dollars, research funds, or instructional funds in the case of teaching assistants. In this sense, graduate fees and tuition involve a shift of funds from one University resource to another, without a net gain in revenue.

The case is particularly difficult with respect to non-resident students because of the substantially higher tuition costs. Non-resident tuition is shifted to the department or research program that recruits the student. The use of campus funds to provide relief from the burden of non-resident tuition reduces the funds available for other purposes. There is little or no net gain to the University from charging non-resident tuition to graduate students. In addition, the high

non-resident tuition is an incentive to hire post-doctoral researchers who may cost less than graduate students, to the detriment of graduate education.

Recent elimination of non-resident tuition for academic graduate students who advance to candidacy is an inadequate solution. The program provides an incentive to departments to advance students to candidacy prematurely in order to reduce costs to the department or research programs. The three year limit on the fee remission will lead to premature granting of degrees with respect to dissertations that require a little more work to move from merely acceptable to excellent.

Simply eliminating non-resident tuition for academic graduate students puts non-resident graduate students on a level playing field with others at little cost to the University.

## **ARGUMENT AGAINST THE MEMORIAL ON NON-RESIDENT TUITION**

The University of California does not need to compete for foreign students. Indeed, the best foreign graduate students are being trained in their home countries. As that trend continues, the University will need to focus its efforts on training the best students from the United States.

California taxpayers have supported the University. Students who have themselves not contributed to the tax base, or whose parents are not California taxpayers, should be subject to higher non-resident fees. Tuition remission for students advanced to candidacy solves most of the issue with respect to academic graduate students.

The loss of non-resident tuition represents a loss of revenue to the University. Many foreign graduate students are supported by their home governments. Waiving non-resident tuition for these students does not benefit the University.

Many non-resident students can be supported by faculty research grants as graduate student researchers. Waiving the non-resident tuition for these students will reduce the amount of federal support coming to the University.

The real problem is high student fees for graduate students in general. Our competition at most other private and public universities properly recognizes that graduate students who have research or teaching appointments are in fact assets, and not liabilities, to the educational enterprise, and they waive all tuition and fees in those instances. At UC, even if non-resident tuition is eliminated, our research grants (for GSR appointments) and the campus (for TA appointments), will still have to fund fees for graduate students. That is now about \$9000 per annum, having doubled since 2002, and still rising. It is projected to climb 10% next year. We should not take on such a momentous effort without a goal of achieving parity with our competition, a goal of great significance in our efforts to retain UC's standing as a major research university, as well as its position as a powerful economic engine for the state's economy. A resolution passed at the Davis Divisional Representative Assembly called for elimination of tuition and fees for GSR appointments. This memorial does not address that question, but instead focuses only on a small subset of the total number of graduate students. To the extent that the



University gives up revenue from non-resident tuition, there are fewer resources available to support graduate students in general.

The Regents can be convinced of the value of graduate education for California and its economy, as described in the proposed memorial. In order to justify eliminating both the NRT and fees they should also be shown that academic graduate students support the university in the short term by their teaching and research activity.

This memorial should be voted down, and a new one be drafted that calls for the elimination of educational fees as well as non-resident tuition, for all academic graduate students who hold either teaching or research appointments.

## **VII. REPORTS OF STANDING COMMITTEES (Continued)**

### **A. Academic Council (Continued)**

- **John Oakley, Vice Chair**

#### **3. Compensation Principles**

At its January 25, 2006 meeting, the Academic Council approved the following Compensation Principles Recommended to the University of California. The set of four basic principles and accompanying introductory statement were drafted by the Academic Council as a response to recent events that have caused many to question the personnel practices of the University of California. If approved by the Assembly and then in turn adopted by the University, the recommended principles would govern the compensation packages of senior administrators and all other employees of the University.

#### **Action Requested:**

The Assembly is requested to endorse the recommended Compensation Principles and forward them to the President of the University for transmittal to the Regents.

**Compensation Principles  
Recommended to the University of California  
by  
The Academic Council of the University of California  
Academic Senate**

#### **Introduction**

The University of California is a public institution of higher education established and supported by the people of California along with the California State University and California Community Colleges. California's institutions of higher education historically have been afforded extraordinary freedom from political, sectarian, legal, and undue economic influences in order to optimize the contribution of higher education to a stable, democratic, and advancing society. UC, and public higher education more generally, are entrusted to operate in a manner consistent with the highest ideals of our democracy: with fairness, openness, and a dedication to merit. For its part, UC is specially charged with Constitutional autonomy to regulate itself and to do so with integrity. The public nature of the University of California coupled with its charge of self-regulation imposes an extra burden on the University to be responsive to the public interest.

The arrangement with the People of California under the California Master Plan for Higher Education has created and supported a three-tiered system of higher education that is the envy of the world. Our system was designed to provide access to higher education for all of the students of California through the Community Colleges, the State University, and the University of California.

In fulfillment of its role under the Master Plan, the University of California has become one of the world's preeminent research universities. In that position, the University of California has

become a major contributor to the California economy by helping to shape the development of California as a leader in agricultural, cultural, scientific, biological, engineering, medical, and many other endeavors. But more than that, Californians and people around the world invest the University with their hopes – hopes in the special power of UC to lift all Californians, especially those not already privileged by wealth, status, and influence. The citizens on California also expect the University to produce wise, skilled, and civic-minded citizen-leaders.

The public nature of the University of California charges the Regents, the administration, and the faculty and staff with a special responsibility to the public that includes accountability for the quality of the educational program, financial transparency in all matters, including compensation policies, and access to higher education for California's top students from all walks-of-life. In the past few months controversy over aspects of the compensation packages of senior administrators within the University have raised questions about the University's exercise of its public responsibilities. In response to these questions, the Academic Council, the senior leadership group of the UC Academic Senate, has developed the following principles as a guide to compensation issues.

### **Compensation Principles**

The excellence of the University of California is attributable to the excellence of its faculty who are responsible for the teaching and research accomplishment of the University. The University of California is recognized worldwide for the excellence of its research and discovery accomplishments. The research excellence of the faculty is the basis for the prestige of the University of California degree. The maintenance of its high quality research and teaching faculty must be the University's highest priority.

A higher education institution of the world-class quality of UC requires appropriately established compensation for faculty and staff. Adequate faculty and staff compensation must be accompanied by adequate support and appropriate fee policies for graduate and professional students. And it is foremost in our minds that, for both faculty and administrators, the attractiveness of a UC position depends not only on compensation but also on good working conditions for staff and faculty, an environment that includes an excellent and diverse student body, a first class research environment, and the ability to attract the world's best graduate and professional students to our programs. UC employees, as well as the general public, should be able to take pride in the accomplishments of members of the UC community and also in the place that UC enjoys as a leader in the state, the country, and the world.

The University administration is charged by the Regents to manage personnel policies and practices, with Academic Senate advice and consultation, including the cases of senior administrators. The Senate acknowledges that executive compensation, perquisites, and separation packages may require distinctly different quantities and qualities than those for other UC employee groups, but fairness requires that the rules be public, just, and consistent with the public and academic character of the University of California.

Four principles should govern the compensation packages of senior administrators and all other employees of the University and we recommend these to the President of the University for transmittal to the Regents:

1. **Transparency:** The University's internal and external constituents should know what the abiding compensation policies and practices are, and those policies and practices should closely correspond.
2. **Fidelity to Shared Governance:** With respect to personnel policies and practices, the Regents and the Academic Senate have important complementary roles to play in the review, consultation, and approval processes, and those roles should be respected.
3. **Fairness within the context of the entire University community:** Personnel policies and practices should be those that inspire faith in the institution and confidence that the entire community is being treated justly.
4. **Merit:** Beyond cost-of-living and "Comparison Eight" adjustments for all employee groups, which should be implemented in a manner consistent with the preceding principles, should be based on performance assessed in fair, valid, and transparent ways.

Recent events have caused many to question the personnel practices of the University of California. Drawing on the four basic principles and on our deep commitment to the University and to the public, the Academic Senate welcomes public scrutiny of UC's fiscal management and personnel policies and practices.

We applaud the launching of an outside audit of senior managers' compensation packages and departure agreements, the creation of a Regents' committee on compensation, and the appointment of distinguished representatives from business, government, media, and education to a task force established by President Robert C. Dynes to review UC compensation policies and practices, including disclosures, and provide recommendations to the Board of Regents.

**VII. REPORTS OF STANDING COMMITTEES (Continued)**

**B. Board of Admissions and Relations with Schools (BOARS)**

- **Michael T. Brown, BOARS Chair (Oral Report)**

**C. University Committee on Faculty Welfare (UCFW)**

- **Rusty Russell, UCFW Chair (Oral Report)**

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

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

**X. UNFINISHED BUSINESS (none)**

**XI. NEW BUSINESS**

*Next regular meeting of the Assembly: May 10, 2006. To be held on the UC Berkeley-Clark Kerr Campus.*