

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, March 12, 2003 10 a.m.- 4 p.m.
The Joseph Wood Krutch Theatre Room, Building 14
Clark Kerr Campus, 2601 Warring Street
University of California, Berkeley

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I. ROLL CALL

2002-2003 Assembly Roll Call March 12, 2003

President of the University:

Richard Atkinson

Academic Council Members:

Gayle Binion, Chair

Lawrence Pitts, Vice Chair

Catherine Koshland, Chair, UCB

Bruce Madewell, Chair, UCD

Philip DiSaia, Chair, UCI

Duncan Lindsey, Chair, UCLA

Irwin Sherman, Chair, UCR

Joel Dimsdale, Chair, UCSD

Daniel Bikle, Chair, UCSF

Walter Yuen, Chair, UCSB

George Blumenthal, Chair, UCSC

Michelle Yeh, Chair, UCAP

Richard Church, Chair, CCGA

Andrew Grosovsky, Chair, UCEP

Lisa Alvarez-Cohen, Vice Chair UCEP

Barbara Sawrey, Chair, BOARS

Mark Traugott, Chair, UCFW

Richard Price, Chair, UCPB

Berkeley (7)

Richard Abrams

James Bartolome

Sharon Fleming

Michael Hanemann

Russell Jones

Donald Mastronarde

Raymond Wolfinger

Davis (6)

Peter Hays

Gyongy Laky

Jerry Powell

John Rutledge

Evelyn Silvia

Philip Yager

Irvine (4)

Joseph Dimento

Linda Georgianna

Alexei A. Maradudin

Thomas Poulos

Los Angeles (9)

Kathryn Atchison

Charles Berst

Dalila Corry

Robert Ettenger

Lillian Gelberg

Ann Karagozian

Seymour Levin

Vickie Mays

Jane Valentine

Riverside (2)

R. Erwin Taylor

Linda Tomko

San Diego (4)

Stuart Brody

Ellen T. Comisso

Barney Rickett

Geert Schmid-Schoenbein

San Francisco (3)

Patricia Benner

Philip Darney

Francisco Gomez

Santa Barbara (3)

Michael Gerber

Susan Koshy

Sydney Levy

Santa Cruz (2)

Alison Galloway

John Lynch

Secretary/Parliamentarian

Peter Berck

II. MINUTES

UNIVERSITY OF CALIFORNIA

ACADEMIC SENATE

REGULAR MEETING OF THE ASSEMBLY OF THE ACADEMIC SENATE

Minutes of May 29, 2002

I. Call to Order/Roll Call of Members

Pursuant to the call, the Assembly of the Academic Senate was brought to order by Assembly Chair Viswanathan at 10:00 a.m. on Wednesday, May 29, 2002, in Covell Commons in Sunset Village at UC Los Angeles.

Senate Executive Director María Bertero-Barceló called the roll of the Assembly; the meeting attendance is listed in Appendix A of these minutes.

II. Minutes of the Meeting of October 31, 2001

The minutes of the meeting of October 31, 2001 were approved as written.

III. Announcements by the President

Richard C. Atkinson

After being introduced by Assembly Chair Viswanathan, President Atkinson briefed the Assembly on the following topics:

1. UC's Budget
2. Undergraduate Admissions, Fall 2002
3. State Audit on Accountability Measures in Partnership with Governor
4. Retirement Benefits for Domestic Partners
5. Education Abroad Program in Israel
6. Master Plan Review
7. Eligibility in the Local Context
8. Admissions Testing Proposal
9. Commission on the Growth and Support of Graduate Education
10. Faculty and Staff Salaries
11. State Audit on Faculty Hiring and Gender Equity
12. Summer Instruction Expansion
13. UC Merced
14. UC Washington, D.C. Center
15. California House, Mexico City
16. California-Mexico Initiatives
17. Contract and Grant Activities
18. Ed.D. and Educational Leadership
19. Enron
20. Fee Waivers
21. Graduate and Professional School Enrollment, Fall 2000 and Fall 2001
22. Housing Task Force
23. Labor Relations
24. Library Initiatives
25. Master of Advanced Study
26. Outreach and K-12 Initiatives
27. Private Support

28. UC 2010 - A New Business Architecture for the University of California
29. UC Consortium for Language Learning and Teaching
30. UCTV

[A written summary of these issues, prepared by the President's staff, is available, along with all other meeting distributions, in the Academic Senate Office, 1111 Franklin Street, 12th Floor, Oakland, CA 94607].

Provost and Senior Vice President Judson King provided additional information on selected topics.

The President said he expects differing views from the legal community regarding the potential impact of the Racial Privacy Initiative on the University. At present, he noted, there is great uncertainty as to whether RPI will be on the November 2002 ballot or the March 2004 ballot. In response to a question, Provost King said an initial analysis of RPI conducted by UC's General Counsel's Office has indicated that, under the initiative, some state agencies would no longer be able to gather certain kinds of data that scholars find useful. Less clear is whether RPI would result in restrictions on UC faculty being able to collect race-specific data in their research.

In response to a question regarding eligibility in a local context (ELC), Provost King noted that the result of the program has been to spur many high schools into offering, for the first time, the "a-g" courses necessary for UC eligibility. Thus, many more students have become eligible for UC admission through the traditional route of grade-point, test scores, and a-g course completion. With this change, the overwhelming majority of students in the top 4 percent of their high school classes are gaining eligibility in the traditional fashion. UC estimates that it has gotten 2,000 new applications, over a base of 50,000 total applications, because of ELC. But this pool of new applicants is quite diverse ethnically, and very heavily rural and city-center urban.

The President and Provost answered questions from Assembly members regarding cuts in the funding of UC's outreach programs, UC's Washington, D.C., Center, UC's standing in the *U.S. News & World Report* rankings, fee increases in professional schools, and growth graduate student enrollments.

IV. Announcements by the Chair

Chair Viswanathan announced that Professor Robert Anderson has agreed to serve a four-year term as one of two Senate representatives to the UC Retirement System Board beginning on July 1.

Chair Viswanathan briefed the Assembly on the May Regents decision to extend the same retirement benefits to same- and opposite-sex domestic partners as are now enjoyed by married UC employees. The action, he noted, leaves but one Senate recommendation regarding domestic partners unapproved by the Regents: extension of health insurance benefits to opposite-sex domestic partners. UC's budget, he said, would not allow such an extension at the present time.

Chair Viswanathan noted there is an ad hoc committee of the Academic Council working on changes to the Senate Bylaws setting forth the membership and duties of Senate committees. The Council has received proposals for changes from a number of committees. The ad hoc committee, which is reviewing these proposals, will submit recommendations to the Academic Council, which will in turn submit recommendations for changes to the Assembly. He noted that the committee is considering a proposal to give Academic Council membership to the Chair of the University Committee on Research Policy. This proposal, he said, may come before the Assembly prior to recommendations about other Bylaw changes.

Chair Viswanathan briefed the Assembly on the proposed Racial Privacy Initiative, which would limit the ability of state-funded agencies to classify persons by race or ethnicity. The Academic Council has appointed a four-person subcommittee to ascertain what impact RPI might be expected to have on the University's research activities. Chair Viswanathan also addressed state Assembly Concurrent Resolution 178, which calls upon the University to use "comprehensive review" in graduate and professional school admissions. The resolution states that no one should be denied admission primarily on account of test-scores. The Academic Council has asked the Coordinating Committee on Graduate Affairs (CCGA) to ascertain whether such denials occur at present. Once CCGA's report on this is received, the Council will prepare a response on this issue to be transmitted to the administration.

Chair Viswanathan asked for and received the Assembly's permission to alter the agenda by moving item VI and one topic under item VII — Report from the President's Council on the National Laboratories — to a place in the agenda just prior to Item VIII.

Chair Viswanathan introduced John Tucker, the Executive Director of the UCLA Senate and thanked Mr. Tucker and UCLA Chair John Edmond for the help they had provided in planning today's meeting.

V. Special Orders

There were no special orders before the Assembly.

VI. Reports of Special Committees

Report of the Senate's Task Force on UC Merced

Peter Berck, Chair

Professor Berck briefed the Assembly on the progress in developing the UC Merced campus. He noted that the UCM Task Force (UCMTF) is a Special Committee of both the Assembly and the Academic Council and that it is charged with acting as a Senate for UCM until such time as the campus has its own Senate. In the last year, the Task Force has undertaken almost all the tasks that are carried out by other Senate Divisions in the system. Professor Berck noted that:

- Private support for UCM has been proceeding quite well, with Senate and administration working closely on the issue. The administration has brought to the UCMTF prospects for gifts at an early enough stage in the process that the UCMTF could influence the stipulations put on the gifts. UCM now has 12 endowed chairs of \$500,000 each that have received formal approval from the UCMTF. Six additional chairs are in various stages of negotiation, meaning that at this point UCM has no faculty members and 18 endowed chairs — a circumstance that should help with recruiting.
- The Task Force has spent a good deal of its time in the last year working on academic appointments, acting as a department. In the past year, it has recommended the appointments of two administrators who will hold professorial titles, and will shortly recommend a third. So far this year it has worked on the appointments of a vice chancellor for student affairs, and a dean for natural sciences. It also is engaged in the recruitment of a vice chancellor for university advancement and a chief information officer. The Task Force is searching for a dean for social sciences, humanities, & arts, and is about to begin a search for a director for a World Cultures Institute. UCMTF is just at the stage of short-listing and interviewing its initial slate of faculty candidates as well.
- The Task Force has formally approved the academic structure of UCM, which includes three divisions: Engineering, Natural Science, and Social Science, Humanities, & Arts.

For the time being, there will be no departments within them. The campus will also have the Sierra Nevada Research Institute and the World Cultures Institute. The Task Force has given formal assent to establishing a management program. It has approved the formation of an advisory group that is a surrogate for a Graduate Council and has approved a college system that will not be residentially based.

- The campus is more or less on schedule to open in 2004, Professor Berck said, though impediments to this schedule include environmental permitting issues, which hopefully will be resolved in a couple of months, at least insofar as they affect the campus opening. There will be another round of such issues that will be important for expansions that happen in 2008. Funding issues also are a concern; at present there is enough funding for 60 ladder-rank faculty on opening day, a number the UCMTF considers to be the absolute minimum to open the doors. Should the next year or two result in funding cutbacks that would reduce this number, it would be the position of the Task Force that the campus should not open.

Professor Berck then took questions from the floor. He then asked for and received permission to put a longer version of his remarks into the Assembly's minutes. (Appendix B)

VII. Reports of Standing Committees

A. Academic Council

Chand Viswanathan, Chair

- **Nomination and Election of the Vice Chair of the Assembly for 2002-2003** (oral report, action)

Chair Viswanathan introduced the item by noting that the Vice Chair of the Assembly is also the Vice Chair of the Academic Council and normally succeeds to be Chair of the Assembly and Council. Each year, the Academic Council submits the name of a single nominee for the Vice Chair position to the Assembly. Nominations for the position may also be submitted from the Assembly floor, however. Chair Viswanathan then called on Assembly Vice Chair Binion to submit to the Assembly the Council's nominee for the post.

Vice Chair Binion said it was her great pleasure to report to the Assembly the Council's nomination of Lawrence Pitts, a professor of neurosurgery at UC San Francisco, to be the next Vice Chair of the Assembly and Council. Vice Chair Binion then provided the Assembly with information on Professor Pitts' service to the UCSF and statewide Academic Senates. She then recommended that the Assembly endorse the Council's selection of Lawrence Pitts to be the next vice chair of the Senate.

Chair Viswanathan then called for nominations from the floor. Hearing none, he asked for a vote on the Council's nominee. **Professor Pitts was unanimously elected Vice Chair of the Assembly for 2002-2003.** Professor Pitts then joined the Assembly to the applause of Assembly members.

- **Nomination and Election of at-large Membership, Universitywide Committee on Committees, 2002-2003** (action)

Chair Viswanathan introduced the item by explaining that the membership of the Universitywide Committee on Committees (UCOC) consists of two members-at-large, named by the Assembly of the Senate, who serve for two-year staggered terms. The Assembly selects the Chair of the committee from among the two members-at-large for a one-year term. Speaking on behalf of UCOC Chair Concepcion Valadez (who could not attend today's meeting), Chair Viswanathan

briefed the Assembly on the backgrounds of faculty nominated by UCOC to fill the posts of Chair and at-large member of UCOC. Professor Neal Garrett of UCLA was nominated for the position of UCOC at-large member and Chair and Professor Jessica Utts of UC Davis was nominated for the position of second at-large member. Chair Viswanathan asked if there was any objection to the nominees. Hearing none, he asked for a motion to approve the appointments. **A motion was made, seconded and approved unanimously.**

- **Assembly Meeting Schedule, 2002-2003** (information)

Chair Viswanathan drew Assembly members' attention to the schedule set forth on page 13 of the *Notice of Meeting*.

- **Apportionment of Representatives to the Assembly, 2002-2003** (information)

Chair Viswanathan drew Assembly members' attention to the 2002-2003 apportionment of the Assembly set forth on page 14 of the Notice of Meeting. There will be no change from this year to next, he noted, in the number of Assembly members each division has.

- **Approval of Senate Membership for Lecturers with Potential for Security of Employment** (action)

Chair Viswanathan provided Assembly members with background on the proposal, which would give Senate membership to full-time Lecturers with Security of Employment, assuming approval of the measure by the Regents. A motion was made and seconded that the recommendation be approved. Chair Viswanathan then called for discussion.

Noting that there are only seven Lecturers PSOE in the system now, one Assembly member wanted to know how this number stands to change in the future. Assembly Vice Chair Binion noted that an FTE must be dedicated to a Lecturer PSOE just as one is dedicated to an Assistant Professor. There is thus an assumption of a career trajectory at UC for Lecturers PSOE. Against this, these faculty currently are in Unit 18 and thus are nominally "temporary" faculty, though in fact they have career appointments (assuming they advance to Lecturer PSOE). Thus it does not make sense for them to be part of a bargaining unit that does not represent their category. Another Assembly member noted that, as these faculty are paid from 19900 funds, it would be unreasonable to expect a dramatic expansion in their numbers, unless there is a dramatic expansion of 19900 FTE funding.

Another Assembly member asked to what extent this proposal may be the camel's nose with respect to the creation of a bifurcated faculty. To what extent will it provide an incentive to the administration to appoint more faculty who are expected to teach but not do research? Given their small numbers, why couldn't chancellorial discretion be used to correct the status of these faculty, meaning the Regents' Standing Orders would be left as they are? Another Assembly member then noted that chancellors do not have the authority to make given faculty members of the Senate; the power to confer Senate membership on different classes of faculty is reserved to the Regents.

Another Assembly member asked whether Lecturers PSOE would need to be consulted or enfranchised to vote in matters related to curriculum, examination of graduate students, or academic personnel matters. Secretary/Parliamentarian Berck replied that such faculty would be voting departmental members with rights to vote on curricula and examination of students, but would not have the right to vote on personnel decisions regarding faculty who have appointments superior to theirs. However, he later noted, this right can be extended to Lecturers PSOE (and to other classes of faculty) by secret-ballot vote of two-thirds of the voting members of a department.

After further discussion, Chair Viswanathan called for the question. The motion was approved by a vote of 33-11-2.

- **Report from the President's Council on the National Laboratories**

Chair Viswanathan noted that, owing to the lateness of the hour, he would provide only a summary of the report he has prepared as an ex-officio member of the President's Council on the National Department of Energy Laboratories. He noted that his report is necessitated by a 1992 Assembly action which stipulated that a Senate representative to the President's Council make an annual report to the Assembly regarding Council activities. Chair Viswanathan then reviewed the structure and responsibilities of the President's Council.

Chair Viswanathan then reviewed areas in which the laboratories have made progress recently. He said that the National Ignition Facility at Lawrence Livermore Laboratory, plagued for years by technical difficulties and cost-overruns, is now on-time, under-budget, and recognized as one of the foremost laser projects in the world. Likewise, the labs have been playing major roles in the sequencing of the human genome and in large-scale computation. The laboratories have also played a significant role in counter-terrorism, he said.

Chair Viswanathan then talked about research linkages between the labs and UC's campuses, including a proposed Laboratory Professorship initiative, in which the labs would partly fund, for a specified number of years, a small number of UC faculty FTE in which the faculty in question would work partly on UC campuses and partly at the laboratories. The Senate currently is reviewing the ramifications of this proposal, he said.

Chair Viswanathan then reviewed the process by which the Senate's University Committee on Research Policy (UCORP) created a subcommittee charged with examining UC's relationship to the DOE labs. The information base created by this group's work will allow the Senate to respond quickly at such times as the Senate needs to express a view regarding the UC-labs relationship. Although responsibility for continuance of UC's management of the labs rests with the UC Regents, Chair Viswanathan said, the Senate plays an important role in expressing and addressing issues in the UC-DOE relationship.

Chair Viswanathan said that the Senate is concerned with ensuring that the UC faculty's concerns about the UC-labs relationship are properly conveyed to both the UC administration and to the laboratories.

Chair Viswanathan then took questions from the floor regarding the labs. In response to a question, he noted that the rejection by DOE of President Atkinson's selection for a new Lawrence Livermore Lab Director made plain that UC does not have as much control as has been presumed over this important facet of UC's management of the labs. In the future, the Senate may object formally to this series of events, he said. In response to a second question, he said that there have been problems with the renewal of the Lawrence Berkeley Laboratory management contract, as DOE wants to consider paths to contract renewal that are different than those that have been followed in the past.

- **Announcement of the Academic Council's Selection of the 2001-2002 Oliver Johnson Award Recipient (information)**

Chair Viswanathan provided background on the Oliver Johnson Award and then apprised the Assembly that the Academic Council had selected Professor Arnold Binder of UC Irvine to be the recipient of the 2001-2002 Oliver Johnson Award for Service to the Academic Senate. Chair

Viswanathan noted that Professor Binder was unable to attend the Assembly meeting today to receive the award. The Assembly then gave a round of applause for Professor Binder.

**B. University Committee on Committees (UCOC)
Concepcion Valadez, Chair**

- **Appointments of Committee Chairs and Vice Chairs for 2002-2003** (information)
Chair Viswanathan drew Assembly members' attention to Distribution 2, containing a list of committee chairs and vice chairs for next year. Some positions have not yet been filled, he noted, but this will be done when UCOC is able to contact the prospective candidates.

**C. Board of Admissions and Relations with Schools (BOARS)
Dorothy Perry, Chair**

- **Approval of BOARS' Recommendations on Admissions Testing** (action/discussion):
 1. BOARS Should Continue to Work with Testing Agencies to Develop Improved Admissions Tests
 2. BOARS Will Bring Its Recommendations for Improved Admissions Tests to the Divisions, the Academic Council, and the Assembly for Review and Approval.

Chair Viswanathan provided some background on the issue and then called on BOARS Chair Perry to introduce the item. Professor Perry noted that, following BOARS' January proposal to develop a new array of UC admissions tests, the College Board announced that it will modify its SAT I exam, based on BOARS ideas regarding a "core examination" for UC applicants. Further, ACT is working on a less extensive modification of its exam. She noted that BOARS is asking the Assembly to approve the recommendations above to give the College Board and ACT a clear message that the University is interested in the development of new tests. BOARS expects to work with the agencies in this development, she said. She said that at a later date the Assembly may be asked to consider (1) the principles BOARS believes should be used in deciding upon standardized tests and (2) the actual tests that have been developed.

Professor Perry then moved that the Assembly adopt both recommendations from BOARS, and the motion was seconded. The Assembly then discussed the issue.

One faculty member asked whether BOARS believes the new tests being developed will reduce the value of test-preparation courses. Professor Perry replied that BOARS does not believe the test-prep industry will wither once the new tests are put into use. The committee does believe, however, that if tests are more based on material learned in high school, test preparation courses will necessarily focus on this kind of substance as well, which is to the good.

One Assembly member then called the question. Chair Viswanathan then asked for a vote on closing the debate; the ayes prevailed in a voice-vote. Chair Viswanathan then called for a vote on Professor Perry's motion.

By a vote of 47-0-1, the Assembly approved both recommendations presented to it by BOARS.

- **Report on Eligibility in a Local Context**

Professor Perry briefed the Assembly regarding the implementation of Eligibility in a Local Context, providing data that complemented that offered in the morning session by President Atkinson and Provost King.

- **Report on Comprehensive Admissions**

Professor Perry briefed the Assembly regarding what BOARS is doing with respect to monitoring the implementation of comprehensive review. BOARS' accountability principles are contained in today's *Notice of Meeting*, she said. BOARS will be meeting with campus admissions directors at the end of July — the end of the first year of implementation of comprehensive review — to analyze this year's process and to learn about plans for next year. A task force comprised of faculty and administrators from all general campuses is looking at various ways in which the comprehensive review process can be streamlined. BOARS is also developing a pilot program aimed at verifying self-reported student data about such items as extracurricular activities. The committee hopes to put into place a random sampling of such data, such that all students will be cognizant that they potentially may be required to verify everything they put on their applications. Professor Perry then took questions from Assembly members.

Chair Viswanathan then thanked Professor Perry and all the other BOARS members on behalf of the Assembly for BOARS' energetic and thoughtful admissions work over the past year.

VIII. Petitions of Students (none)

IX. Unfinished Business (none)

X. University and Faculty Welfare Report

Mark Traugott, Vice Chair, University Committee on Faculty Welfare

Professor Traugott noted that UCFW is concluding an action-packed year. He said that, apart from the domestic partners benefits improvements noted earlier in the meeting, the committee had worked this year on:

- Protection of faculty rights in connection with the California Whistleblower's Protection Act. As a result of extensive committee consultations this year with the UC Auditor, the University has ended up with a more balanced policy than might otherwise be the case.
- Faculty Housing. UCFW was consulted on a number of changes to UC's Mortgage Origination Program that included an increase in the sum of money available to the program; a reduction, from 10 percent to 5 percent, in the minimum down-payment required in the program; a lengthening, from 30 years to 40 years, of the maximum repayment period allowed; and the addition of a graduated payment option for the loans.
- Child care. The \$20 million that was allocated by UCOP for child-care capital projects has begun to make a real difference in the facilities UC has. UCFW is hopeful that UC's new facilities will result, in coming years, in an increase in the number of child-care slots available to UC faculty members.
- Health care. UCFW was consulted on strategies to deal with increases in health-care costs for 2001-2002. The coming year will see the revival of UC medical spending accounts, which will allow employees to set aside pre-tax dollars for medical expenses. The Health Care Facilitator Program, championed by UCFW, continues to be extended to additional campuses. As of now, seven campuses have filled these positions or are recruiting personnel into them.
- Parking. UCFW has for two years been working on a substantial revision to a set of Parking Principles it articulated some ten years ago. These principles are aimed at slowing the increases in parking permit that have been seen at many campuses over the last several years.

Professor Traugott said that UCFW continues to advise the administration on how to deal with rapidly escalating health-care costs. He reviewed the status of the Educational Fee Waiver proposal, under which UC educational fees would be waived for the dependents of UC employees. While President Atkinson favors the proposal, state budgetary difficulties have placed new expenditures for programs like this on hold. UCFW is working on alternative funding strategies for the program. In housing, UCFW has persuaded UCOP to take a look at the possibility of introducing a shared-appreciation loan program that would be funded by a small proportion of funds in the UC Retirement Program that are earmarked for bonds. The program would open up possibilities for faculty home ownership while allowing both the homeowner and the University to benefit from appreciation in the housing market. A major impediment to initiation of the program is that it would require approval not only by the Regents, but also by the Internal Revenue Service.

Professor Traugott noted that UCFW took the lead two years ago in developing a proposal for a phased retirement program at UC. Discussions are now underway with the Office of the President as to what form the program might take.

Professor Traugott then took questions from the floor.

XI. New Business

There was no new business before the Assembly.

Chair Viswanathan concluded the meeting by thanking the gathered Senate members for their service to the Senate. He encouraged Assembly members to talk to fellow faculty about serving in the Senate.

Santa Barbara Chair Watts then asked Assembly members to join him in a show of appreciation to Chair Viswanathan for his service to the Assembly.

The meeting was adjourned at 3:15 p.m.

Attest: Chand Viswanathan
Chair, Assembly of the Senate

Distributed at Meeting:

1. President Atkinson's summary of issues before the University
2. UCOC list of statewide Senate Chairs and Vice Chairs for 2002-2003

*Meeting distributions are available at the
Academic Senate's Office, 1111 Franklin Street, 12th Floor
Oakland, California 94607-5200

Appendix A

2001-2002 Assembly Attendance Record Meeting of May 29, 2002

President of the University:

Richard Atkinson

Academic Council Members:

C.R. Viswanathan, Chair
Gayle Binion, Vice Chair
David Dowall, Chair, UCB
Jeffery Gibeling, Chair, UCD
James Given, Chair, UCI
John Edmond, Chair, UCLA
Irwin Sherman, Chair, UCR (absent)
Michael Bernstein, Chair, UCSD
Daniel Bikle, Chair, UCSF
Richard Watts, Chair, UCSB
George Blumenthal, Chair, UCSC
Barbara Doshier, Chair, UCAP (absent)
Charles Perrin, Chair, CCGA
David Dooley, Chair, UCEP
Dorothy Perry, Chair, BOARS
Renee Binder, Chair, UCFW (absent)
Mark Traugott, Vice Chair UCFW (alt.)
Alan Jackman, Chair, UCPB

Berkeley (7)

James Bartolome
Steven Beckendorf
Steven Botterill (absent)
John McWhorter (absent)
Daniel Melia (absent)
Jeffery Riegel (absent)
Howard Shelanski
Lowell Dittmer (alt.)
Hebert Strauss (alt.)

Davis (6)

Lester Ehler (absent)
Dallas Hyde (absent)
Jerry Powell
Evelyn Silvia
Jessica Utts
Philip Yager
Sharon Hietala (alt.)
Margaret Rucker (alt.)

Irvine (4)

James Danziger
Joseph F. Dimento
Alexei A. Maradudin
William Sirignano

Los Angeles (9)

Kathryn Atchison
Dalila Corry
Robert Ettenger
Lillian Gelberg
Seymour Levin
Ajit Mal
Vickie Mays
Jose Moya (absent)
Jane Valentine
Abeer Alwan (alt.)

Riverside (2)

Bajis Dodin
R.Erwin Taylor

San Diego (4)

Ellen T. Comisso (absent)
Jeanne Ferrante (absent)
Kim R.MacConnel
Donald F. Tuzin
Terry Jeringan (alt.)

San Francisco (3)

Mary Croughan
Patricia Benner
Barry Massie

Santa Barbara (3)

Michael Gerber
Dan Little
Eileen Boris

Santa Cruz (2)

Alison Galloway
Susan Schwartz

Secretary/Parliamentarian

Peter Berck

Appendix B

Academic Senate Task Force for UC Merced May 29, 2002 Chair's Report to the Academic Assembly

The UC Merced Task Force is a special committee of the Assembly and of the Academic Council. It acts as a Senate for UC Merced until the establishment of a Division. The activities of the Task Force (TF) include advice on appointments, physical planning, university advancement, curriculum, courses, and establishment of colleges and other subdivisions of UCM, majors, and graduate programs. In these activities the TF has taken on all the roles normally filled by the Senate, from the approval of courses and curricula, a responsibility delegated by the Regents to the Senate, to advice on campus layout.

University Advancement

The TF has a particularly close cooperation with University Advancement. The Vice Chancellor, Jim Erickson, attends nearly every meeting to update the TF and seeks the TF's advice on funding opportunities. Since the inception of the campus the TF has approved 12 named chairs and has approved, in concept, an additional 6 chairs. The TF has been an active participant in structuring the gift language in these chairs to meet the needs of the campus and also fulfill the goals of the donors. Appendix I lists the chairs, to date.

The TF has also approved a giving plan that will lead to a substantial endowment for a School of Management.

The TF has been kept abreast of, and approved of, development activities that will bring the campus a role in a major art collection and many other gifts.

The TF is very appreciative of the support that UCM has received from its many donors and for their cooperation in shaping the gifts to the maximum benefit of the campus.

Appointments

The TF participates in all academic and high-level administrative appointments. Participation usually includes TF members serving on the search committee, TF Committee on Committees advice to the Chancellor on membership of administrative search committees, TF members' attendance, in person, by video, or by phone, at campus interviews, and formal advice from the TF to the Chancellor on appointments. This year the TF advised on the following appointments:

Vice Chancellor for Student Affairs

Dean for Division of Engineering

Dean for Division of Natural Sciences

Graduate Dean and Vice Chancellor-Research

Director for the Sierra Nevada Research Institute (SNRI)

The TF is currently actively engaged in recruiting a Vice Chancellor for University Advancement (to replace Jim Erickson on his re-retirement), a Chief Information Officer, and a Dean for the Division of Social Science, Humanities and Arts (SS/H/A). A search for a Director of the World Cultures Institute is scheduled to begin soon.

Where the appointments include Professorial titles, the TF has acted as a department to prepare the personnel case. These cases are then referred to the UCM CAP, which is a separate entity from the TF.

UCM is now recruiting for faculty positions. The three Divisions of UCM each act as departments for these searches, with the Deans taking the role of Chairs. In the case of the SS/H/A Division, the Chancellor and the EVC are taking the Dean's role while a Dean is being recruited. Members of the TF, assisted by other members of the UC faculty, are acting as the faculty members for each of these Divisions and are screening candidates. They will shortly be hosting campus visits and voting on appointments.

At the request of the TF, the faculty recruiting process is an on-going process with a broad set of position descriptions that were approved by the TF and applications are accepted continuously. At opening day, the campus is now scheduled to have 60 faculty in the professorial series. This is considerably lower than the 100 anticipated originally and the TF considers this number to be the irreducible minimum to open the campus. As planning continues, it is unclear exactly how much of the planned curriculum can be carried out by this reduced cohort.

Courses and Curriculum; Organizational Structure

The TF approved a structure for UCM that includes three Divisions, Engineering, Natural Science, and Social Science, Humanities, and Arts. These Divisions will be the Rule 55 units for the initial faculty. Within these Divisions the TF has approved concentrations of faculty and programs in environmental engineering, computer science and engineering, biological science, earth system science, economics, psychology, history, and literature. In subsequent years, additional concentrations will be added. In recruiting to these general areas, there will also be consideration given to the interdisciplinary research institutes--the Sierra Nevada Research Institute, and the World Cultures Institute. Soon after opening, the TF expects that a management major will be added to the curriculum, as the first element of a School of Management. The TF has given formal assent for the establishment of the management program.

In March, the Task Force approved UCM's five-year perspective that included the academic program planning for the SS/H/A Division, Natural Sciences Division, Engineering Division, and a Management Program. Prior to this formal approval, the TF engaged in considerable discussion about the exact nature of the original majors and the graduate programs. This plan includes the initial majors and initial graduate groups. In the next year, the TF and Deans expect to develop, and the TF expects to approve, the majors and the courses that go with those majors. This planning is now well underway.

The Task Force approved the formation of an Advisory Group-Surrogate Graduate Council to assist in approving graduate programs. Several past CCGA Chairs have agreed to participate in this group. Its purpose is to help the Divisions write their graduate program proposals and to assist the Task Force in approving the proposals on behalf of the campus. The Task Force also recommended that UCM use policies already established by one of the other UC campuses for its Graduate Division. The initial graduate programs will be graduate groups, to permit the participation by a broad range of UCM faculty and to facilitate the participation of other UC faculty who will be necessary to help staff the graduate programs.

College System

The TF approved a proposal to establish a college system for UC Merced. The college system at Merced will be non-residentially based so that all students may participate. Space for the first college has already been identified in one of the initial three buildings (the Library building). Students from all three Divisions will be enrolled in the colleges.

Conclusion

The academic planning for UCM is on schedule for a 2004 opening day. Before that day, there are still environmental permitting issues, monetary issues, and the issues of academic planning and faculty hiring to be resolved. The TF looks forward to a continued close cooperation with Chancellor Tomlinson-Keasey, EVC Ashley, the other Vice Chancellors and Deans, and to the development of a research university of the first order.

Appendix I: Endowed Chairs

Negotiations are ongoing concerning another five chairs.

#13 Presidential Chair

These Chairs were approved by formal action of the Task Force:

#12 Coelho Chair in Public Policy

\$500,000

#11 Carlston Cunningham Endowed Chair in Cognitive Development

\$500,000

#10 Thondapu Family Endowed Chair in World Cultures

\$500,000

#9 Joe and Margaret Josephine Endowed Chair in Biological Sciences

\$500,000

#8 Art and Fafa Kamangar Family Endowed Chair in Biological Sciences

\$500,000

#7 County Bank of Merced Endowed Chair in Economics

\$500,000

#6 Dr. and Mrs. William Bizzini Endowed Chair in Biological Sciences

\$500,000

#5 Ted and Jan Falasco Endowed Chair in Earth Sciences or Geology

\$500,000

#4 Myers Endowed Chair for Sierra Nevada Research Institute

\$500,000

#3 Shaffer Endowed Chair in Engineering

\$500,000

#2 Coates Endowed Chair in the Arts

\$500,000

#1 Vincent Hillyer Endowed Chair in Early Literature

\$500,000

Appendix II: Programs

Programs planned for 2004-05

B.S.-Computer Science and Engineering
B.S. in Environmental Engineering
B.A./B.S. in Biological Sciences
B.A./B.S. in Earth Systems Sciences
B. A. in World Cultures and History
B.A./B.S. in Social and Behavioral Sciences
M.S./Ph.D. in Computer and Information Systems
M.S./Ph.D. in Environmental Systems
M.S./Ph.D. in Systems Biology
M.A./Ph.D. in World Cultures
M.S./Ph.D. in Behavioral Sciences

Programs planned for 2005-06

School of Management
B.S. in Chemical Engineering
B.A. in Comparative Literature and Languages
B.S. in Public Policy

Appendix III – The Institutes

The University's first two research institutes will begin to define UC Merced as a research university of distinction. Both will create new knowledge on questions of national and international scope through the prism of the natural laboratory that is Merced's home, the San Joaquin Valley and Sierra Nevada region.

The **Sierra Nevada Research Institute (SNRI)** will carry out research on the critical issues that affect humankind's ability to live in an environmentally sustainable way: population growth and development, water and watersheds, air quality, fire ecology, biodiversity, climate change, transportation, resource management and policy, and public recreation. These issues are especially vital to sustaining the unparalleled agricultural resources and magnificent natural landscapes of the San Joaquin Valley and Sierra Nevada. The Sierra Nevada Research Institute will draw in the natural sciences, engineering, and policy sciences.

World Cultures Institute: As a natural laboratory for research of international import, the San Joaquin Valley is defined by the mobility and migration, and sometimes forced diasporas, of peoples affected by historical events. Migration and immigration studies will address questions of building community among a diverse population. The history of migrations and Diasporas will be complemented by studies of the impact of such human and social changes on established peoples and resources. The World Cultures Institute will weave together humanities, arts, and social sciences.

Appendix IV: 2001/02 TF Members/Meeting Participants

Task Force Membership:

Peter Berck, B, Task Force Chair
Robert Flocchini, D, Task Force Vice Chair
Gayle Binion, SB, Vice Chair-Academic Council
Cliff Brunk, LA, CCGA
Richard Fateman, B, Campus Rep.
Andrew Grosovsky, R, UCEP
Doug Magde, SD, Campus Rep.
Alexei Maradudin, I, UCORP
Otoniel Martinez-Maza, LA, Campus Rep.
Geoff Mason, SC, UCM CAP Chair
Mark Matsumoto, R, Campus Rep.
Doug Morgan, SB, Campus Rep.
Maria Pallavicini, SF, Campus Rep.
Dorothy Perry, SF, BOARS
Janice Plastino, I Alt., Campus Rep.
John Poulos, D, UCM CAP Vice Chair
Anthony Pratkanis, SC, Campus Rep.
Richard Price, SF, UCPB
Michelle Yeh, D, UCAP

Meeting Participants

UCM Senior Administrators:

Chancellor Carol Tomlinson-Keasey
David Ashley, Executive Vice Chancellor
Lindsay Desrochers, Vice Chancellor-Administration
James Erickson, Vice Chancellor-Advancement
Cliff Graves, Vice Chancellor-Physical Planning
Jane Lawrence, Vice Chancellor-Student Affairs
Jeff Wright, Dean-Engineering Division
Chon Ruiz, Director of Admissions
Janet Young, Assistant Chancellor
Karen Merritt, Director-Academic Programs

Invited Contributors:

Professor Joyce Appleby, LA
Professor Steven Cassedy, SD
Professor Robert Goldman, B
Professor George Starr, B
Professor Keith Widaman, D
Professor George De Vos, B
Professor Sarah Gray, D, UCM CAP Member
Professor John Freeman, Haas School of Business
Dean Robert Smiley, UCD Business School
Bruce Dunn, Director of UCSD Extension's Business Management Programs
John Kriken, Partner-Skidmore, Owings & Merrill
Ric Notini, UCM Environmental Permitting Manager
Chris Adams, UCM Campus Planner
Jim Smith, UCM Architect

III. ANNOUNCEMENTS BY THE PRESIDENT (oral report)

IV. ANNOUNCEMENTS BY THE CHAIR (oral report)

V. SPECIAL ORDERS
A. Consent Calendar
1. Variance to Senate Regulation 630E
Requested by the Irvine Division

PROPOSED AMENDMENT TO IRVINE DIVISION REGULATION 515 B

The following proposed amendment to Irvine Division Regulation 515 has been approved by the Academic Council and reviewed by the University Committee on Rules and Jurisdiction for its consonance with the Code of the Senate. Under the authority granted to it in Senate Bylaw 125.B.5, the Academic Council gave provisional approval to this amendment at its meeting of July 24, 2002, pending consideration of the issue by the Assembly. Should the Assembly approve the amendment---Variance to Senate Regulation 630 (E)---it will be effective as of the date it was adopted by the Irvine Division, January 24, 2002.

Senate Regulation 630 (E) reads as follows:

630.

- E. Except when Divisional Regulations provide otherwise, a student in the Education Abroad Program or the UC Washington, D.C., Program may meet the residence requirement in accordance with the following provisions: (Am 27 May 99)
 - a. A student who completes the graduation requirements while in the Education Abroad Program or the UC Washington, D.C., Program may satisfy the requirements stated in paragraph (A) in the final 45 (or 30 semester) units preceding the student's entrance into the Education Abroad Program or the UC Washington, D.C., Program. (Am 9 Mar 83)
 - b. Subject to the prior approval of the department concerned, a student who is enrolled in the Education Abroad Program or the UC Washington, D.C. Program may satisfy the residence requirement by earning 35 (or 24 semester) of the final 90 (or 60 semester) units, including the final 12 (or 8 semester) units, in residence in the college or school of the University of California in which the degree is taken. (Am 7 Jun 72; Am 9 Mar 83)

Present Wording of Irvine's Regulation
515. Residence Requirement

(B) Irvine Requirement

At least three quarters of work immediately preceding graduation must be-completed in residence at Irvine. Exceptions to this regulation provided by SR 630 (for students enrolled in the Education Abroad Program) are permissible.

**Proposed Wording of Irvine’s Regulation
515. Residence Requirement**

(B) Irvine Requirement

At least 36 of the final 45 units completed by each candidate for the Bachelor’s degree must be earned ~~three quarters of work immediately preceding graduation must be completed~~ in residence at Irvine. Exceptions to this regulation provided by SR 630 (for students enrolled in the Education Abroad Program or the UC Washington, D.C., Program) are permissible. In addition, exception is permissible for UCI students enrolled in the International Opportunities Program with International Study Advance Contract.

JUSTIFICATION

The primary motivation for requesting this change is to extend to students enrolled in the UC Washington, D.C. program (UCDC) the same exception to undergraduate residence requirements provided to students enrolled in the Education Abroad Program (EAP). It brings the divisional regulation into compliance with the Universitywide Regulation and into alignment with most other UC campuses. The revised 515B also offers exception to students enrolled in the International Opportunities Program (IOP), one of several programs for study abroad offered by institutions other than UC.

V. SPECIAL ORDERS (Continued)

A. Consent Calendar (Continued)

**1. Variance to Senate Regulation 730 requested by the
Davis Division---Diploma Notation for Undergraduate Minors**

The following request from the Davis Division for a notation of completed minors be added to UC Davis undergraduate diplomas has been approved by the Academic Council and has been reviewed by the University Committee on Rules and Jurisdiction. Should the Assembly approve the request, it will be forwarded to the President, who, under Regents Standing Order 110.3a, has authority to prescribe the form of all diplomas, following consultation with the Academic Senate. The University of California, Davis, requests an effective date of September 1, 2003.

At its meeting of October 21, 2002, the Representative Assembly of the Davis Division approved a request for diploma notation of completed minors. The recommended diploma notation is:

The Degree Bachelor of X
With a Major in Y
With a Minor in Z

The Davis Division offers 88 undergraduate minors.

JUSTIFICATION

This proposal is a response by the Davis Division of the Academic Senate to a request from the Associated Students of the University of California Davis, for a more precise reflection on the diploma of the students' educational experiences.

**UNIVERSITY COMMITTEE ON ACADEMIC FREEDOM (UCAF)
ANNUAL REPORT 2001-2002**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The University Committee on Academic Freedom convened three times during the academic year 2001-2002, and held one teleconference among members of the committee's Symposium Planning Task Force. Herein are outlined the major activities of and issues considered by the committee over the course of the year.

Revision of the UC Policy on Copyright

UCAF reviewed the three draft policy proposals prepared by the UC Standing Committee on Copyright, commending these efforts and making several recommendations to further safeguard faculty's ownership of course material. These included: defining the contextual usage of the term "syllabus"; refining language for consistency and broader effectiveness; making explicit the right to appeal a judgment of the Course Materials Policy Committee. In addition, UCAF saw the need to augment the Policy on Reservation of Rights with a recommended standard form and/or standard language for faculty use.

Student Evaluations

UCAF considered the question of whether student evaluations have an impact on careers or on teaching, and therefore on academic freedom. The committee felt that, at the least, there is a need to assess how student evaluations function on all levels, and whether they perform an important role. Also considered was the possible need to standardize and modify the use and form of student evaluations so as to provide more useful feedback to faculty, and to develop alternative teaching evaluation processes. Through the Academic Council Chair, the discussion was then opened up to UCAP, UCEP and UCP&T. UCAF looks forward to receiving wider input from the Senate for its future consideration of this issue.

Racial Privacy Initiative

Although when the committee considered this issue in May it was not yet clear whether the Racial Privacy Initiative would be on this year's state ballot, UCAF recorded its opinion that academic freedom would be negatively affected if the provisions of the Racial Privacy Initiative are interpreted in a way that would limit the ability of scholars to conduct their research.

Symposium on Academic Freedom

The committee dedicated a portion of each meeting to preliminary planning of a Symposium on Academic Freedom. A teleconference was also held among members of the planning task force. The symposium's overarching purpose is to promote greater understanding of the meaning of academic freedom, its challenges, boundaries and future within the current academic environment, to forge inter-relations with other Senate Committees and administration, and to develop potential strategies that address areas of concern. As a basis for symposium topics, the committee articulated some internal and external forces that affect academic freedom: 1) corporate-University relations;

2) impact of multiple funding sources and external granting agencies; 4) pressures to publish; 5) recent crises that have altered government priorities and the mood and perception of the country; and 6) an apparent lack of faculty awareness of the functions of both campus academic freedom committees and UCAF. Chair Wallhagen met with the Academic Council Chair, Vice Chair and Executive Director to discuss all aspects of the symposium, and in particular to determine sources of funding for and the scope of the event. The Symposium is now being seen as a Senate-wide event, and planning will continue in the fall towards a spring 2003 date.

UC Management of DOE Laboratories

The committee heard regular reports from the UCAF representative on the UCORP Subcommittee on UC-DOE Relations, and discussed their university-wide activities as well as issues such as the implications of laboratory management contracts and policy, and the status of researchers in the labs (Senate membership). Particular to academic freedom, were the issue of opportunity for researchers to work disinterestedly, and the related issue of the role of the DOE in research assignments.

Committee Membership

Bylaw Revision: In concordance with the general review of all systemwide committee bylaws, UCAF ratified the May 2001 proposed changes of Bylaw 130, which was submitted to the ad hoc Committee on Bylaws. The main structural change in the proposed bylaw is the addition of a Vice Chair.

Outside Representation: In response to a solicitation by the Academic Council Chair, UCAF nominated a representative to sit on the University Committee on Copyright. This will be an ongoing committee liaison.

Other Issues and Activities

UCAF's activities also included: considering the implications of a UCSF petition to ban research funding by the tobacco industry; monitoring the civil liberties issue in connection with federal government access to student records, and in particular UC Berkeley's student and Senate response to implementation of the PATRIOT Act; and discussion of academic freedom cases at other universities. UCAF is anticipating an active 2002-03 session that will focus on the realization of the Symposium and expanded activity within the Senate.

Respectfully submitted:

Margaret Wallhagen, Chair
Michael Jubien, Davis
Ian Coulter, Los Angeles
Murray Baumgarten (fall), Santa Cruz

Robert Powell, Berkeley
Dana Aswad, Irvine
Gary Watson, Riverside
Brenda Foust, Committee Analyst

**UNIVERSITY COMMITTEE ON ACADEMIC PERSONNEL (UCAP)
ANNUAL REPORT 2001-2002**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

During the 2001-2002 academic year, the University Committee on Academic Personnel (UCAP) held seven meetings, supplemented by e-mail consultations. The following summary of the committee's work focuses on those matters that resulted in actions or generated substantive discussion. These topics appear in alphabetical order.

Ad Hoc Faculty Review Committee for University Professor

At several meetings, UCAP reviewed confidential lists of committee nominees for University Professor nominations, subsequently providing Assistant Vice President Switkes with additional nominees.

APM 270: In Residence Series

By campus request UCAP considered the following issues: Are a faculty member's rank and step automatically transferred in the transition from the In Residence to Professor Series? Should the language of APM 270 be revised in order to address this issue? UCAP concluded that, as specified in the Academic Personnel Manual (APM 270), the criteria for evaluation in the In Residence title are equivalent to those for the Professor title. An individual in an In Residence appointment may be considered for an appointment in the Professor series only following documentation of a full competitive search. A Professor appointment is a new appointment, even when following on a period of In Residence appointment. As with any new appointment, the divisional CAP should evaluate the qualifications of the new appointment for rank and step. Evaluation by divisional CAPs of proposed step or rank advancement consider the cumulative level of achievement both in initial appointment and in subsequent advancement. In theory, the equivalence of the criteria between the In Residence title and the professorial title imply an equivalence of appropriate step and rank. In practice, divisional CAPs may or may not have participated fully in prior evaluations of individuals in the In Residence series. Therefore, UCAP strongly recommends that divisional CAPs strive to practice the equivalence of criteria for advancement in the In Residence and Professor series specified by APM-270.

APM 310: Professional Research Series

The Academic Council asked UCAP to look into the question of whether Professional Research Series personnel are considered faculty, and to clarify criteria that are utilized in their appointment and promotion. UCAP was specifically asked to consider the extent to which these criteria match those used in the Professor Series. The following UCAP position was sent to Council Chair Viswanathan: Research series appointments fall under the category of "other academic appointees" and are defined as non-faculty appointments. Nominally, the research components between the Professional Research Series and the Professor Series are equivalent, although in

practice research appointments may be carrying out research within the context of a project or laboratory directed by a Professor. The equivalence in the research component, even when achieved, does not necessarily reflect full equivalence with the Professor ranks, however, because there are components of performance within the Professorial ranks that are not normally a component of the Research title.

APM 311 (proposed new) – Project Series

At its June 18, 2002 meeting, UCAP conducted a preliminary review of the proposed Project (Scientist) series. Although UCAP understood the motivation for a bifurcation of the Researcher title by addition of a Project Scientist title, UCAP found the description for the Project Scientist title to be problematic, especially at the senior levels. A letter setting out UCAP comments and suggestions was sent to Assistant Vice President Switkes. The Professional Researcher is developed in parallel to the full Professor, with an equivalence of research component. It is illogical to develop the Project Scientist along the same lines, on track, because their research accomplishments are not expected to be equivalent to ladder rank faculty, as is the case with Professional Researchers. Perhaps an explicit statement could be added to the APM: that although the individual might meet the parallel, there is no presumption of lateral equivalency or transportability of rank and step. The majority of UCAP members were concerned that there might be a proliferation of series.

APM 740 (informal review of proposed revisions to): Sabbatical Leave

Formal systemwide review will begin as soon as the suggestions from UCAP, UCFW, Academic Vice Chancellors, and DANR have been received. The proposed revisions to APM 740 and SOR 103.4 will then be sent to the Academic Council and all relevant Senate committees. UCAP members recommended that APM 740-18-a-3 should apply to a five (not six) year period.

Career Progress – Request for Implementation of Systemwide Tracking.

At its May 21, 2002 meeting UCAP approved a motion that the Office of the President be requested to implement a system for tracking the career progress of faculty at the University of California.

A UC-wide career path database that tracks progress of the faculty through the ranks is currently unavailable. Lack of relevant information has consistently impeded attempts by UCAP to evaluate issues of equity and cross-campus comparability in application of standards. Although this information is implicitly contained in the archival academic personnel records, this form of information is generally inaccessible, and is not useful for the construction of system-wide aggregates. UCAP recommends that a consistently formatted database be developed that would contain sufficient information that the full career trajectory could be tracked. This database should include (at least): the dates and titles of appointment, the dates of changes of series, dates of leaves of absence, and the dates and nature of advancements of both step and rank, and of special adjustments in salary, the age of the faculty member, and the date of the highest degree. The database should also include base salary information. It should be a uniform system applied across the entire UC. Such a

database would make it possible to directly apply standard salary methodologies, such as the salary methodology of the Association of American Universities that evaluates the normative salary as a function of such factors as age and years of experience since the Ph.D. (or other highest degree). This methodology has been used or is being used on a subset of campuses. The AAU methodology would need to be extended or adapted to consider step and rank. UCAP has recently reviewed the statistical patterns of advancement in the full professor rank as a function of age and disciplinary category.

The *UCAP Statement on Tracking Progress through Ranks and Career: Statistics and Information Gathering*, along with data that suggest issues of gender inequity, was distributed to the Academic Council.

It is in context of these data that UCAP recommends that a systemwide tracking database be implemented to provide information necessary to a full understanding of faculty advancement practices.

Career Review

The University needs to ensure that all ladder-rank faculty are appointed at the appropriate rank and step consistent with their academic accomplishments as a matter of fairness and good employment practice. UCAP wrote to those Divisional CAPs not already engaged in or considering merit equity review with the recommendation that those campuses develop appropriate mechanisms for such a review. The Riverside model was offered as an example, and campuses were urged to reconsider this issue and to develop procedures, on an on-going basis, for merit equity review. Though current academic personnel policy authorizes merit reviews at normal intervals, President Atkinson believes that guidelines similar to UC Riverside's equity "career review" guidelines should be developed and implemented by all campuses.

Distinguished Professor: Proposal to Change "above-scale" Professor to Distinguished Professor

After reviewing the UC Davis administrative proposal to use the title Distinguished Professor for all above-scale faculty at UC Davis, UCAP members unanimously supported the position that the Distinguished Professor title is an honorary working title that currently is and should continue to be used only sparingly. The proposed Davis action for a blanket use of the Distinguished Professor title would create great difficulties for other UC campuses, raising issues of comparability for above-scale professors on other campuses. Its blanket use might ultimately lead to a diminished value for Distinguished Professor titles in the UC that would limit the effectiveness of this mechanism for recruitment and retention. In a letter to Davis administration, UCAP strongly encouraged that the proposal to grant the title of Distinguished Professor to all above-scale faculty be reconsidered.

Divisional CAP Procedures, Request for Review

One campus's Divisional Committee on Privilege and Tenure asked for a UCAP review of CAP procedures. UCAP concluded that CAP can accommodate most procedural irregularities by taking into account new information. This

accommodation may be eased because a change in the CAP constituency normally would have occurred by the time new information is considered. However, UCAP also believes that it would be possible for the CAP Chair and the Executive Vice Chancellor (or appropriate administrator) jointly to decide that a shadow CAP might be used in certain cases.

eScholarship Advisory Subcommittee

The Systemwide Library and Scholarly Information Advisory Committee asked that a UCAP member represent the Academic Senate on the eScholarship Advisory Subcommittee. UCAP was unable to designate a representative to the eScholarship Advisory Subcommittee from either current UCAP membership or from Divisional CAPs. As necessary, this request will return for consideration by the 2002-03 UCAP.

Laboratory Professorship Program

UCAP reviewed a new initiative, announced by the Provost and Senior Vice president of Academic Affairs, to establish a Laboratory Professorship program at Lawrence Livermore and Los Alamos National Laboratories. The purpose of the program is to forge stronger ties between the laboratory and a campus in a strategic area of mutual interest. Academic Council members raised concerns that the process outlined in the proposal might fundamentally undermine the academic personnel process for hiring UC faculty. Though the overarching concept of increased lab-campus collaboration was strongly supported by UCAP, members pointed out that lab-campus collaboration currently exists. UCAP also was concerned with the principle of outside participation in the allocation of faculty FTE or the selection of faculty newly recruited to the UC. The motion to decline UCAP support for the Laboratory Professorship Program was approved by a vote of 8-2-1. UCAP concerns and recommendations about the proposed program and UC's academic personnel process were detailed in a letter to Council Chair Viswanathan.

UCAF concern: can student evaluations negatively impact the academic freedom of faculty? UCAP considered this issue, at the request of Council Chair Viswanathan, and concluded that appropriate mechanisms for the evaluation of teaching already exist in the APM. Departments are encouraged to utilize multiple alternative methods in addition to student evaluations to evaluate teaching effectiveness. If the department believes that issues academic freedom is compromised by student evaluations, they should provide this information as appropriate context as part of the faculty review file.

UCAAD Report on Recruiting a Diverse Faculty within the Context of Tidal Wave II

UCAP extensively discussed the University Committee on Affirmative Action and Diversity (UCAAD) *Report on Recruiting a Diverse faculty within the Context of Tidal Wave II*, sought comment from the Divisional CAPs, and consulted with representatives of the Office of the President regarding diversity policies of the University of California. UCAP members strongly support principles of excellence, equity, and diversity in faculty hiring and promotion. The specific methods and

suggestions described in the UCAAD report were extensively discussed, and, while not in agreement with a number of specific recommendations raised in the UCAAD report, UCAP members were broadly supportive of the goals of the report. In a letter to Council Chair Viswanathan, UCAP offered a series of comments and suggestions regarding the UCAAD report.

UC Merced: Initial Bylaws of the Committee on Academic Personnel; Initial UCM Academic Appointments. UCAP reviewed and commented on the UC Merced CAP initial bylaws.

UC Standing Committee on Copyright Draft Documents. UCAP considered three draft policy documents: (1) policy on ownership and use of course materials; (2) policy on recording of [academic][instructional] presentations; and (3) policy on reservations of rights. UCAP agreed that the Standing Committee on Copyright has done a judicious job of representing the rights of the individual faculty member to his or her own intellectual developments. There were, however, two minor points that UCAP would like to recommend for further consideration: (a) The “policy on reservation of rights” is vague and requires clarification. (b) Does the reference to a “course materials policy committee” mean that a new, additional committee must be established at each campus, or would extant Committees on Courses adequately be able to meet the responsibilities described? These concerns were conveyed by letter to the Academic Council Chair.

Unit 18 Lecturers Negotiations. UCAP was regularly informed by the UCOP Office of Academic Advancement about the University’s ongoing negotiations for Unit 18 Lecturers. In an executive session with AVP Switkes and Director Okada, UCAP members discussed confidential bargaining documents.

Respectfully submitted,

Barbara Doshier, Chair (I)
Michelle Yeh, Vice Chair (D)
Robert Holub (B)
Robert Rucker (D)
Richard L. Regosin (I)
Jaime R. Villablanca (LA)
Subir Ghosh (R)
Ramon Gutierrez (SD)
Sandra Weiss (SF)
Tom Gerig (SB)
Peter Kenez (SC)
Sarah Gray (UCM Rep)
Jeannene Whalen, Committee Analyst

**BOARD OF ADMISSIONS AND RELATIONS WITH SCHOOLS (BOARS)
ANNUAL REPORT 2000-2001**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The Board of Admissions and Relations with Schools (BOARS) met nine times during the 2000-2001 academic year, including a supplemental meeting in November specially convened to consider the Dual Admissions Proposal. Four intense two-day working sessions were also convened, which extended into the summer months to conduct thorough and timely deliberation of other proposed changes in admissions policy.

Overview of Admissions Statistics for 1999 & 2000

First-time Freshmen (*Information Digest 2001, Student Academic Services, UCOP*)

	Applicants	Admitted	Enrolled
Fall 1999	65,901	49,747	27,491
Fall 2000	68,209	51,804	28,560

Transfers

	Applicants	Admitted	Enrolled
Fall 1999	20,738	14,090	9,949
Fall 2000	21,071	14,949	10,599

DURING THE 2000-2001 ACADEMIC YEAR, BOARS CONSIDERED AND ACTED ON THE FOLLOWING MAJOR ISSUES:

ELIGIBILITY IN THE LOCAL CONTEXT (ELC). Fall 2001 was the first admission cycle to implement the ELC program. This program, which guarantees UC admission to the top 4 percent of the graduating class in each California high school, intends to recognize academic achievement of all students while expanding the eligibility pool and increasing geographic accessibility. BOARS has monitored ELC's initial implementation and reports that the program has seen a large measure of success, with 96.8% of public schools participating and significant increases in the applicant pools. BOARS passed a motion to amend the calculation of the high school GPA used for ELC. In the future, the GPA will be computed as an average of all a-g courses taken in the 10th and 11th grades, including a maximum of eight AP courses. This recognizes successful college preparatory work that is completed by students who may not be UC eligible according to statewide criteria. BOARS will continue to oversee all aspects of ELC.

DUAL ADMISSIONS. BOARS was asked to consider the Dual Admissions proposal initiated by President Atkinson in October 2000. Dual admissions was designed to augment ELC and offer an additional pathway of admission to UC. Through this program high school students who place in the top 4 percent to 12.5 percent of their graduating class, and who are otherwise ineligible for admission, are granted admission to UC provided they first complete an agreed upon transfer program at a community college.

This option will facilitate community college transfers and has the potential to increase the diversity in UC's applicant pool. BOARS devoted a significant portion of its 2000-2001 session reviewing the proposal and soliciting input from UCEP, Senate Divisions, and UC Admissions Directors. In developing the policy, BOARS recommended that the dual admissions pathway be available only to students who are ineligible to attend UC. The intent of the program is to broaden UC's reach to high achieving students in the group of high schools where UC does not have a strong presence. BOARS formally submitted the proposal to the Academic Assembly and it was approved in May 2001. The Board of Regents approved the proposal in July 2001, but expressed concerns that the 2.4 GPA for transfers could potentially erode the quality of students admitted to UC. BOARS plans to discuss the issue and prepare a rationale for the 2.4 GPA early next year.

BOARS now looks forward to working with the administration to ensure resources for implementation infrastructure. BOARS has submitted a draft implementation plan and will continue its role as the lead Senate committee in the oversight and evaluation of the Dual Admissions Program.

[Note: Implementation of the DAP program has now been delayed until adequate funding can be secured.]

COMPREHENSIVE REVIEW. Because of heightened interest in comprehensive review and a desire to implement a procedure effective for fall 2002 applicants, BOARS met during the summer to expedite deliberations on this new admissions policy. In response to concerns expressed on some campuses and President Atkinson's recommendation to adopt an admissions process that evaluates applicants in a comprehensive way, BOARS recommended that the two-tiered admissions system be eliminated and a new policy be developed that allows campuses to move toward a comprehensive approach to selection for all applicants. The committee approved the following policy statement:

“BOARS endorses a comprehensive review of applications using a broad variety of factors to select an entering class.”

BOARS drafted a set of Guiding Principles which was added to the revised *Guidelines for Implementation of University Policy on Undergraduate Admissions*. The new guidelines highlights the University's commitment to maintaining standards of academic excellence while recognizing the diverse talents, backgrounds, and personal experiences of applicants, all of which may be assessed as potential sources of contribution to the university community. It is the guidelines' intent to allow campuses to consider applicants in a manner consistent with faculty priorities while encouraging use of a broad notion of merit in the evaluation of files. The committee is also developing a strong statement on the faculty's serious commitment to fairness and accountability. BOARS will continue to be in full consultation with faculty and Admissions Directors to address individual campus plans and strategies for implementation. Some campuses are ready to immediately move in the direction of comprehensive review while others will require a more gradual process.

The committee plans to submit a final proposal for approval to the Academic Assembly in October and to the Regents by November 2001.

SAT. In response to President Atkinson's February 2002 proposal to eliminate the SAT I from UC admissions requirements, BOARS has been asked to review this the complex issue and its related considerations.

BOARS members reviewed sample SAT I tests as well as government policy on high stakes testing and developed a work plan for SAT-related research. By the end of the academic year, BOARS formulated a set of guiding principles including the purposes for which admissions tests should be used and the properties that such tests should possess in order to be useful to UC. These principles were developed as a foundation for continued BOARS deliberations and a future white paper on the use of admissions tests at UC.

TESTING SUBCOMMITTEE REPORT. The subcommittee continued its review of eligibility tests – also referred to as “high stakes tests” – and their role in admissions policy and process. Prior to the president's proposal to eliminate the SAT I, the subcommittee met with the College Board to discuss concerns about the structure of the SAT, including verbal analogies, the need for more content-referenced testing questions, and the speededness of the test. The subcommittee also participated in the state's discussion of test alignment to determine if tests, such as the California Standards Test (CST) and the Golden State Exams (GSE), could be used for multiple purposes, including some testing for higher education. Data is also being collected to evaluate the GSE as a possible alternative to the SAT. The subcommittee will continue to monitor the work.

HONORS SUBCOMMITTEE REPORT. The subcommittee on Honors and AP courses considered these issues: expanding the elective requirement; granting additional credit to students earning an IB diploma, and improving and standardizing descriptions of honors courses. Members reviewed the current policy on acceptable college preparatory elective courses, and drafted a recommendation and rationale in support of expanding the range of acceptable courses. This recommendation is aimed at including subject areas, such as medical and business-related courses that are increasingly a part of the curriculum in many high schools and are relevant to university majors. Credit would be given if the courses meet pre-established UC academic criteria. The committee also reviewed credit awarded to the International Baccalaureate, and recommended offering an additional 6 units of credit for this degree in view of its high academic level. BOARS unanimously accepted the recommendation. Subcommittee members also drafted preliminary detailed descriptions of honors level courses for English, Math, and Science, and will continue to develop descriptions for other honors level subjects, which will greatly aid high schools' ability to design UC acceptable courses.

ANNUAL JOINT BOARS/ADMISSIONS DIRECTORS MEETING. BOARS held their annual meeting with Admissions Directors in November 2002. Directors shared information on their respective campus admissions. Common issues concerning all the directors included their heavy workload, the need for increased resources, and the impact by multiple filing of applications. Other topics that were reported included: large

increases in freshman applications on all campuses; achieving enrollment targets; continuing challenges for diversity; trends in transfers; the effect of increased enrollment on impacted majors; and the referral pool.

ADMISSIONS CONFERENCE. BOARS representatives participated in the Freshman Admissions Policy Conference held on December 7, 2000. The meeting focused on several issues related to undergraduate admissions, with a particular concern for increasing the diversity among first-year students. The conference was co-chaired by Vice President Saragoza and Academic Senate Chair Cowan and was attended by 126 participants including President Atkinson, several Regents, students, and faculty. Recommendations and suggestions were generated on a number of topics including:

- Synchronization of Admission Selection with Outreach
- Use of high states testing
- Use and definition of Admission by Exception
- Use of Tier 1 and Tier 2
- Viability of the Eligibility Construct
- Undergraduate Student Services
- Selecting form the Full Breadth of Eligible Students
- Holistic and Quantitative Approaches to Admission Selection
- Utilization of ELC

BOARS continues to study and work with UCOP administration on these issues.

A-F/G COURSES. BOARS reviewed the instructions for a-g requirements, and modified section “g” instructions to require that introductory courses be specified. BOARS helped obtain funding and monitored the progress of the a-g Interactive Guide, a web-based tool for clarifying criteria for course approval, and was updated on the statewide informational workshops on UC course requirements that were conducted by the Student Academic Affairs office.

REVIEW OF OTHER ISSUES. During the course of the year, the committee also reviewed the following proposal and policies:

- BOARS approved a revision in UC’s out-of-state freshman eligibility policy by inserting an index criterion.
- Members recommended several wording modifications to the BOARS by-laws.

Respectfully submitted,

Dorothy Perry, Chair (UCSF)

Calvin Moore (UCB)

Linda Georgianna (UCI)

Dennis Focht (UCR)

Jean Ann Seago (UCSF)

Brenda Foust, Emily Hung, Committee Analysts

Margaret Marshall, Vice Chair (UCSD)

Patrick Farrell (UCD)

Philip Curtis (UCLA)

Barbara Sawrey (UCSD)

Michael Brown (UCSB)

**BOARD OF ADMISSIONS AND RELATIONS WITH SCHOOLS (BOARS)
ANNUAL REPORT 2001-2002**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The Board of Admissions and Relations with Schools (BOARS) met September 2001 through August 2002 for a total of nineteen meetings days. Additional business was conducted in subcommittee meetings and by email. Most of BOARS' meetings were convened as two-day working sessions, which allowed the committee to expedite a proposal on the use of standardized tests in admissions. BOARS also continued its work on the comprehensive review policy and other admissions changes.

DURING THE 2001-2002 ACADEMIC YEAR, BOARS CONSIDERED AND ACTED ON THE FOLLOWING MAJOR ISSUES:

COMPREHENSIVE REVIEW. In fall 2001, BOARS submitted a proposal to institute a system of comprehensive review of applicants for undergraduate admissions, replacing the system of tiered admissions. Under the two-tiered system, campuses admitted 50 to 75 percent of their freshman classes solely on the basis of academic criteria constituting one tier. The other tier was composed of students admitted on the basis of both academic and supplemental criteria. BOARS proposed to have all students considered on the basis of a comprehensive set of criteria.

In its proposal, BOARS defined comprehensive review as "the process by which students applying to UC campuses are evaluated for admission using multiple measures of achievement and process, while considering the context in which each student has demonstrated accomplishment." The comprehensive review strategy would continue to emphasize academic achievement as the most important element for consideration in admissions, but would include other achievements in the context of each applicant's opportunities. The proposal recognized that merit is demonstrated in multiple ways and supports UC's message to students to challenge themselves.

BOARS presented the proposal after a deliberative process which involved meetings and campus review during the summer months. The Academic Assembly and the Regents subsequently approved the proposal in November 2001 to be immediately initiated for the Fall 2001 admissions cycle.

Upon the proposal's approval, BOARS committed to monitoring and evaluating the comprehensive review process. The committee ensured faculty oversight by interacting with the Admissions Directors throughout the year. In September 2001, BOARS held a joint meeting with the Admissions Directors to allow each campus to present their plans for implementing comprehensive review. To address faculty accountability in the process, BOARS also adopted ten accountability principles to serve as a foundation for ongoing review and evaluation. After campuses completed the first admissions cycle using the comprehensive review process, UCOP facilitated a review of each campus' experiences based on these accountability principles. Campus outcomes and data

analyses were then presented to BOARS in July 2002 at another joint meeting with the Admissions Directors. Preliminary findings indicated that each of the selective campuses successfully implemented the comprehensive review policy in conformance to BOARS' guidelines and principles.

Also at the joint meeting, BOARS and the Admissions Directors discussed the value of the process and areas that would need further study. One of these issues was the importance of accurate and valid applicant information. BOARS believed that a verification process would serve as an important warning and deterrent against falsification on the application. During the summer, UCOP and UCSD each successfully piloted processes to verify non-academic information provided by a student on his/her application. A systemwide verification plan is under development. Other ways to make the admissions process more efficient and streamlined are being discussed by the Admissions Process Task Force, a joint faculty-administration committee.

At the end of August 2002, BOARS had begun to prepare a report on comprehensive review's first year of implementation, which will be presented to the Academic Council and the Board of Regents in fall 2002. BOARS will continue to monitor comprehensive review as the processes evolve.

ADMISSIONS TESTS. BOARS also undertook an intensive study of the use admissions tests in response to President Atkinson's February 2001 request to consider eliminating the SAT I from UC admissions requirements. BOARS reviewed the history of UC's admissions test policy and considered at length the usefulness of admissions tests, and the relative value of tests that purport to measure aptitude versus those that are achievement-based. In considering educational policy questions, BOARS concluded that there are many good reason to use achievement-type tests for admissions.

In January 2002, the committee issued a discussion paper on "The Use of Admissions Test by the University of California", in which BOARS endorsed the continued use of admissions tests but recommended that the UC faculty consider adopting a new array of tests. BOARS also proposed a set of principles that would enhance the depth, breadth, and rigor of the tests used in the UC admissions process.

After BOARS released its paper, townhall meetings were held at every campus to give the faculty a forum to discuss the proposal and recommendations. During this time, BOARS also had extensive interactions with the two national testing agencies, ACT Inc. and the College Board, to discuss the possibility of developing tests that would address BOARS' principles. After review by campuses and the Academic Council, BOARS' recommendations were presented to the Regents and the Academic Assembly of the Senate. In May 2002, the Academic Assembly unanimously passed resolutions in support of BOARS' continuing work with the two testing agencies to develop improved admissions tests.

After the Assembly vote, ACT announced its intention to enhance their existing exam by adding a writing sample for California test-takers. By June 2002, the trustees of the

College Board approved changes to the SAT, including adding a writing section, new reading questions, and more-advanced mathematics. College Board officials said the new test would relate more closely to high-school curriculum and more accurately predict a student's performance in college, which would be consistent with BOARS' recommendations.

BOARS will continue its collaborative work with both the College Board and ACT on the development of admissions tests that reflect the specifications outlined by BOARS. That work will continue through the next academic year. BOARS had also begun working on additional recommendations regarding the use of supplemental subject matter tests, which will be presented to the Academic Council, the Senate Divisions, and the Assembly for review and approval.

A-G COURSES. BOARS approved new descriptions for the VPA "f" requirement and Lab Science "g" requirement. As high school courses become more non-traditional and unique, additional policy clarifications were needed to help staff assess new course submissions. The policy clarification for the VPA requirement, which takes effect for students entering the University in fall 2003, was drafted by a statewide VPA committee and presented for BOARS' approval. The Lab Science policy clarification was drafted by a BOARS subcommittee, and approved by the whole committee. Both of these new descriptions will be posted on the a-g interactive guide website.

ELIGIBILITY IN THE LOCAL CONTEXT (ELC). As ELC completed its first admissions cycle this year, BOARS was asked to consider uncapping the GPA to determine ELC eligibility. BOARS approved changing the GPA calculation used to identify ELC students by including all UC honors courses without capping at eight. This method will reward those students who have completed challenging work.

DUAL ADMISSIONS. In June 2002, the Legislative Conference Committee funded \$2.5 million for the Dual Admissions initiative recommended by BOARS last year. UCOP is in the process of identifying 30-40 community college campuses to pilot the program. BOARS will stay updated on the implementation of the program is rolled-out.

REVIEW OF OTHER ISSUES. During the course of the year, the committee also discussed and/or commented on the following proposals and issues:

- The Subject A Examination
- ICAS' draft revision of the 1982 English Competency Statement
- The May 2002 draft Master Plan for Education in California
- Establishing guidelines to help assess alternative educational institutions, e.g. home schools

BOARS REPRESENTATION. Members represented BOARS in a number of other committees including the Admissions Processing Task Force, California Articulation Numbering, MOU Implementation Committee, UCCP Initiative, and UC Undergraduate Experience Survey. Several members also participated in the counselor conferences. Chair Perry represented BOARS on the UC Merced Task Force, UCEP, and UCOPE.

ACKNOWLEDGMENTS. BOARS would like to acknowledge following UCOP consultants for their contribution, work, and insight over the past year: Pat Hayashi, Associate President; Dennis Galligani, Associate Vice President – Student Academic Services; Carla Ferri, Director – Admissions; Saul Geiser, Director – Research and Planning; Nina Robinson, Director – Policy and External Affairs; Judy Kowarsky, Associate Director – Admissions.

Respectfully submitted,

Dorothy Perry, Chair (UCSF)
Barbara Sawrey, Vice Chair (UCSD)
Calvin Moore (UCB)
Patrick Farrell (UCD)
Linda Georgianna (UCI)
Philip Curtis (UCLA)
Dennis Focht (UCR)
Jane Stevens (UCSD)
Verna Gibbs (UCSF)
Michael Brown (UCSB)
Karen McNally (UCSC)
Kenneth Burch (Graduate student rep, UCSD)
Christopher Diaz (Undergraduate student rep, UCLA)
Emily Hung, Committee Analyst:

**UNIVERSITY COMMITTEE ON COMMITTEES (UCOC)
ANNUAL REPORT 2001-2002**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The University Committee on Committees (UCOC) is charged in Academic Senate Bylaw 150 to "appoint the Chairs and, where specified in the Bylaws, the Vice Chairs and all appointed members of all other Senate committees that report to the Assembly [see Bylaw 35]." This includes 16 of 18 Senate committees, excepting Academic Council and UCOC. The Assembly elects the Chair and Vice Chair of the Academic Council, who also serve as Chair and Vice Chair of the Assembly. UCOC nominates two members at-large to the Assembly, from which its own Committee Chair is appointed. To fulfill its charge, UCOC held four meetings in Academic Year 2001-02: December 14, 2001, February 11, March 11 (by teleconference), and April 19, 2002.

Academic Senate Committee appointments

UCOC first completed 2001-02 Committee memberships, then turned to 2002-03 appointment process, for which it addressed the issues of 1) defining "administrator" as it applies to faculty, and 2) deciding whether administrators, as defined, should serve on Senatwide Committees and, if so, in what capacity. Department Chairs would be excluded only from Committees agreed upon as dealing with issues that are sensitive with respect to administration—UCAF, UCAP, and UCP&T. Titles above Department Chair level were determined to be primarily administrative in their line of reporting, thus being in potential conflict of interest with Senate business and therefore excluded from Senate Committee membership. Certain lower level administrative positions such as residential College Provosts would be excepted when/if these positions are deemed not to be in conflict of interest with most Senate business.

UCOC established goals, objectives and a timeline for appointments. One Committee goal is to achieve overall balance within Committees with respect to gender, discipline, and northern/southern campus representation. Another is to make it as attractive as possible for Senate members to serve on Committees. (UCOC remained sensitive to the many concerns of Senate members in working out potential obstacles to travel to meetings and achieving a quorum at meetings in the wake of travel problems related to airport and other security measures following the September 11, 2001 World Trade Center/Pentagon tragedies.)

UCOC developed a process whereby its members were assigned Committees, and engaged in several uniform, fact-finding queries and procedures to:

- determine the need for Chairs and Vice Chairs after addressing succession, continuity, availability (e.g., not planning to be on sabbatical) and willingness to serve
- consult with and consider observations from prior and current chairs and vice chairs and also current committee members to identify potential candidates, and also to consider nominations from Divisions
- identify potential candidates for nomination

- ensure confidentiality throughout the process until appointments are final.

The Committee discussed all nominations, voted, and contacted those who were selected. Subsequently, a slate of Appointments of Committee Chairs and Vice Chairs, 2002-03 was presented to the Assembly at its May 29, 2002 meeting.

Members recognized that several Committees need more disciplinary balance, especially for the purpose of achieving balance in work related to reviewing proposals that are discipline-related. UCOC members contacted their own campus representatives to systemwide Committees to determine which representatives would be continuing their service. Members discussed developing a statement to outline what terms members are to abide by when they serve on Committees in terms of service and consonance between Divisional Senate and Systemwide Senate Bylaws; however, no action was taken. Members were to remind Senate Committee members to take term into consideration when accepting Committee membership and to honor Senate Bylaw. Although members acknowledged that Divisional Committees may need to be notified when members are not being appointed for an appropriate term of service, they favored avoiding a blanket rule that could deter Senate members from serving on Committees. The issue is unresolved, but subject to future discussion. UCOC was to complete appointments remaining after its final meeting by E-mail.

Standing and Special Committee appointments

UCOC was requested to appoint, as appropriate, new members to the UC Merced Committee on Academic Personnel (UCM-CAP) for two-year terms. Four current members whose terms were ending did not wish to continue, and two members requested reappointment. This action was to have been completed by E-mail after the final meeting.

The Panel of Counselors was established to aid Divisional Privilege and Tenure (P&T) Committees on campuses that have no Law School and who are thus disadvantaged in not having available legal expertise to deal with P&T cases. UCOC members updated the member list by omitting names of those who will not continue on the Panel and nominating possible replacement faculty members who have law degrees or appropriate related training.

Appointment of emeritus faculty members to Academic Senate Committees

UCOC discussed appointment of emeritus faculty members to Committees when regular faculty are available and willing to serve. This appears to be neither a widespread problem, nor a regular practice; these appointments are made on a case by case basis. Primary considerations in appointment are a potential member's merit and usefulness to a Committee. Members were generally in favor of allowing opportunity to people who are willing and able to serve, including emeriti. They favored informal measures over a systemwide policy on emeritus faculty appointments. Data on emeriti appointments to systemwide committees will be analyzed to determine whether there are any noticeable trends from one or more campuses that would need to be addressed.

Oliver Johnson Award

UCOC amended language in nomination criteria for the Oliver Johnson Award. The award, bestowed biannually, honors a UC faculty member who has demonstrated: "1. Outstanding and creative contributions at the divisional and systemwide levels as evidenced by major impact on faculty governance; 2. Sustained excellence in serving the Academic Senate; 3. Exceptional abilities in working effectively with different university constituents." UCOG set a deadline for and received nominations, voted on and forwarded two nominees for the Academic Council to consider as a recipient. [The Academic Council subsequently voted on and announced the recipient.]

Additional business

- Members were apprised of a recent Senate Workload survey conducted among Academic Senate Committee Chairs indicating that many Chairs and Vice Chairs are spending time well in excess of what had been expected for their years of service as Committee officers. Results will be sent to UCOG for review. Members discussed how to promote and support Senate service in a way that does not interfere with faculty career advancement.
- Members discussed restructuring of the Systemwide Academic Senate Committee structure, and folding several Committees together into one larger committee, as several Divisions have done. Both of the above items will be discussed at a two-day systemwide Chairs retreat in the fall.
- UCOG remains concerned about how the move to year-round session might affect the Senate, through faculty service on Committees. How would an active year for a Senate member be defined and what would be the new model for Senate service?
- UCOG provided input on the Academic Senate website and on what it would like to provide on a UCOG web page. This included information on how faculty may contact the Division Senate about Senate service, a statement of encouragement for Senate service, and a Senate faculty survey on how to have the Senate built more visibly into the University.

In addition, UCOG benefited from consultation and updates on Academic Council business and office procedures as needed and presented by Academic Council Chair Chand Viswanathan, Academic Council Vice Chair Gayle Binion and Executive Director María Bertero-Barceló.

Respectfully submitted,

Concepcion Valadez, Chair (UCLA)

Richard Lyons (UCB)

Rozanne Sandri-Goldin (UCI)

Georgia Warnke/Albert Stralka (UCR—fall, winter/spring, summer)

Theodore Groves (UCSD)

Steven Buratto (UCSB)

Chand Viswanathan, *Ex officio* member, Academic Council Chair

Gayle Binion, *Ex officio* member, Academic Council Vice Chair

María Bertero-Barceló, Executive Director, Academic Council

Louisa Tapley-Van Pelt, Committee Analyst

Ronald Stroud, Vice Chair (UCB)

Jessica Utts (UCD)

Neal Garrett (UCLA)

John Kane (UCSF)

Shelly Errington (UCSC)

**COORDINATING COMMITTEE ON GRADUATE AFFAIRS (CCGA)
ANNUAL REPORT 2001-2002**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The Coordinating Committee on Graduate Affairs (CCGA) is charged with advising University administration and the Senate on all matters related to graduate education and reviewing all campus proposals for new graduate programs and schools. During the 2001-2002 academic year, CCGA met eight times and additionally conducted business by email.

Growth and Support of Graduate Education. CCGA continued to keep apprised of issues pertaining to expanding graduate student enrollment at the University and increasing financial support for those students. Early in the year, the UC Commission on the Growth and Support of Graduate Education presented their recommendations to the Board of Regents. The Commission found that by 2010, the University will need an additional \$215 million annually to provide the financial support needed to add 11,000 graduate students and be competitive for the best. Much of the necessary additional support will come from traditional sources, but a \$65 million shortfall is anticipated. The Commission therefore recommended several initiatives which can be found in greater detail in their report.

Evidence from the 2001 Graduate Student Support Survey was also compiled in a report which analyzed how UC's student financial support packages compared with those offered by other institutions, and how support offers affect enrollment decisions. The survey indicated that the financial assistance offered by UC to students admitted to doctoral programs is not fully comparable to offers from non-UC competitors. On average, UC offered \$1,363 less in financial support than other competitive institutions. The report concluded that while students are attracted by the academic programs and reputation of UC, the differences in support offers put UC at a disadvantage in attracting students to its doctoral programs.

In May 2002, the Governor proposed to cut the entire budget for graduate and professional school outreach. This cut would have been detrimental to the targeted growth of graduate education. Thankfully, the entire \$5.2 million budget was restored by the Legislature's Budget Conference Committee.

Joint UC/CSU Ed.D. Initiative. In November 2001, the University of California and California State University agreed to jointly develop, implement, and fund educational doctoral programs that meet the educational leadership needs of specific regions across California. This agreement was reached after CSU agreed to withdraw their initiative to independently award doctoral degrees. A Joint Ed.D. Board was established under which both CSU and UC jointly makes decisions on doctoral programs leading to the Ed.D. Both CSU and UC committed to contributing \$2 million each over the first two years to fund the proposals. In May 2002, CCGA received for review the first joint Ed.D. proposal from UC Santa Barbara and Cal Poly San Luis Obispo.

Postdoctoral Scholar Issues. CCGA spent a considerable amount of time discussing postdoctoral scholar issues. As the number of postdoctoral appointments continues to increase, there is a need for greater awareness and attention to postdoctoral affairs. There is currently a wide variety of policies, practices, benefits, and services for postdocs among the nine campuses. CCGA recognizes the need for consistent and equitable

treatment of postdocs systemwide. The committee reviewed a proposal by the Council of Graduate Deans (COGD) to improve postdoctoral education, which recommended offering full health benefits, providing a retirement investment option, and establishing a minimum stipend. The UC Council of Postdoctoral Scholars also recommended improving postdoctoral training and resources, such as better mentorship and career services. Both of these groups supported creating a systemwide professional research series with a specific title code for postdoctoral appointments. UCOP is expected to present a policy proposal on postdocs next fall.

Graduate and Professional School Admissions. Graduate and Professional School Admissions processes were brought under scrutiny by Assembly Concurrent Resolution 178, legislation requiring UC to implement a comprehensive review in the admissions process for graduate programs and professional schools and to prohibit standardized test scores from being used as the sole or primary criterion for determining admission or rejection.

After lengthy discussions, CCGA concluded that UC graduate and professional schools were already in compliance with the requirements of ACR 178. Graduate and professional school students are admitted based on a thorough evaluation of a range of academic and professional criteria, including standardized tests, grade-point average, the quality of the undergraduate education, letters of recommendation, research and practical experience, and personal interviews. The purpose of admissions screening is to predict success in and beyond the program. It is recognized that no single criterion is adequate. Therefore no applicants are ever rejected solely on the basis of a standardized test score.

CCGA also opined that a narrowness of admissions policies or an over-reliance on standardized tests is not responsible for the distressing decrease in the number of underrepresented minorities in UC graduate and professional schools in recent years. Rather, the cause of this problem lies elsewhere.

Review of Other Policies and Issues. During the course of the year, the committee also reviewed and commented on the following issues and proposals:

- Inclusion of a member of COGD as a representative to CCGA, and extension of this principle to include a member of CCGA as a representative at COGD meetings next year.
- The proposed augmentation of salary scales for graduate student researchers and postgraduate researchers.
- The proposal for a systemwide program of instruction on the responsible conduct of research.
- The policy proposals on faculty publications drafted by the UC Standing Committee on Copyright.
- The fifteen-year review reports of three Multicampus Research Units: UC Observatories/Lick (UCO), Institute for Nuclear and Particle Astrophysics and Cosmology (INPAC), and White Mountain Research Station (WMRS).
- The proposal for a Laboratory Professorship Program at Lawrence Livermore and Los Alamos National Laboratories.

- Streamlining the review process.
- Revising the CCGA Handbook section on Conflict of Interest.

Reviews of Proposed Graduate Degree Programs. The following table is a summary of graduate program proposals reviewed by CCGA during the 2001-2002 academic year, and the disposition of these proposals as of August 2002. A total of 19 proposals for new graduate degree programs, including a proposal to reconstitute the UC Davis Division of Education as a School of Education, were forwarded to CCGA for review. In a few instances, programs were approved only after being revised in accordance with CCGA recommendations.

Program Proposed	Disposition
UCB, Joint Ph.D. in Demography & Sociology	Approved 10/9/2001
UCLA, M.S. in Biomathematics clinical training	Approved 10/9/2001
UCI, M.S./Ph.D. in Networked Systems	Returned to campus 11/27/01 (Revision submitted 5/20/02; Review deferred to Fall 2002)
UCR, M.F.A. in Creative Writing, Writing for the Arts	Approved 11/27/01
UCB, Graduate Group, M.S./Ph.D. in Molecular Toxicology	Approved 1/29/02
UCLA, M.A. in Moving Image Archive Studies	Approved 1/29/02
UCLA, M.S./Ph.D. in Neurobiology (renaming, restructuring)	Approved 2/26/02
UCSF, M.A.S. in Clinical Research	Approved 2/26/02
UCI, M.A.S. in Criminology, Law, & Society	Approved 3/19/02
UCI, M.S./Ph.D. in Biomedical Engineering	Approved 3/19/02
UCI, Ph.D. in Psychology and Social Behavior	Approved 3/19/02
UCSC, M.S./Ph.D. in Electrical Engineering	Approved 4/2/02 (via email)
UCB-Columbia, Executive M.B.A. Program	Approved 5/15/02 (via email)
UCLA, discontinue M.A./Ph.D. Folklore & Mythology	Approved 5/21/02
UCD, reconstitution of the Division of Education as a School of Education	Approved 5/21/02
UCSC, Ph.D. in Education	Approved 6/18/02
UCD, Master of Public Health	Approved 7/8/02 (via email)
UCLA, S.J.D. in Law	In progress
UCSB-Cal Poly Joint Ed.D.	In progress

Respectfully submitted:

Charles L. Perrin (SD), Chair
 W. Zacheus Cande (B)
 Edward Wagner (I, fall/winter)
 William Worger (LA)
 Anne Hoger (SD, fall/winter)
 Burt Feuerstein (SF)
 Quentin Williams (SC)
 Dorothy Kim (graduate student)

Richard L. Church (SB), Vice Chair
 Kent Erickson (D)
 Mary Gilly (I, spring)
 Thomas Morton (R)
 Andrew Dickson (SD, spring)
 Joshua Schimel (SB)
 Edward Collins (graduate student)
 Emily Hung, Committee Analyst

**UNIVERSITY COMMITTEE ON EDUCATION ABROAD PROGRAM (UCEAP)
ANNUAL REPORT 2001-2002**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The University Committee on Education Abroad met a total of four times in the 2001-2002 academic year, including a two-day meeting that was in part a joint meeting with the Council of Campus [EAP] Directors. The issues considered and activities undertaken during the year by UCEAP are noted in the following report.

Liaison with UOEAP

Committee members were regularly briefed by the senior administration of the University Office of Education Abroad Programs on a range of issues and processes, which included updates on changes and improvements in student enrollment and course approval processes; in depth reports on EAP marketing and communications projects, and strategies for meeting curricular and enrollment goals; regular reports on programs in development; updates on the reorganization of UOEAP; the status of formal reviews of programs. Because of the events of September 11, 2001, the escalating violence in the Middle East, and events in India, safety and security measures for the study centers was a primary focus of administrative reports and UCEAP's discussions.

Israel EAP Program and Student Travel Restrictions

UCEAP was kept apprised of the decision-making process regarding the eventual suspension of the EAP program in Israel. The committee also discussed various aspects of the case of two EAP students who violated EAP travel restrictions and UOEAP's decision to expel the students from the program, as well as the wider issues raised regarding safety and the role of center directors and student conduct guidelines. The committee plans to follow up on this incident and its related issues in the coming year.

UCEAP Response to UOEAP Planning and Reorganization

In February, UCEAP was apprised of and discussed UOEAP's planning strategies, which included marketing initiatives, staff training, safety and security review; academic integration and articulation projects, the development of web tools for program information, course information and articulation, and the reorganization of UOEAP senior management positions. In response to UOEAP's planned reorganization, UCEAP voiced concern that faculty maintain a strong role in systemwide administration. Following UCEAP's recommendations, the new Associate Director of Integration position (a faculty position) was made full time, and faculty were directly involved in the hiring process of both the UOEAP Chief Administrative Officer and the Associate Director of Integration.

Joint Issues with Campus Directors

In its joint meeting with the campus EAP directors, UCEAP members discussed the following issues:

- *Articulation / Integration* -- EAP course offerings need to be better aligned with both GE courses and with major requirements. UCEAP and the campus offices will

work to better coordinate directly with departments for course approval and requirements for majors.

- *Professional status of EAP staff* – Directors and committee members considered ways to support staff professionalization and address the retention problem.
- *Housing for Reciprocity students*-- Strategies were discussed to address the acute housing problem, hiring student interns who will work specifically on housing, and housing exchanges.
- *Uniformity of course units and assignment of course units*
- *Student discipline*
- *Timeliness of grade reports*
- *The impact of the Patriot Act on EAP and its reciprocity students*

Selection of Study Center Directors

UCEAP devoted most of its December 2001 meeting to the selection of study center directors from among top faculty candidates. The committee made its final recommendations to the President for directorships of twelve EAP programs: Bordeaux, France, Lyon, France, Paris, France; Germany; India; Israel; Italy; The Netherlands; Scandinavia; Granada, Spain; Madrid, Spain; London UK/Ireland. The committee also approved administrative appointments of directors for an additional two programs.

Approval of New Programs

UCEAP reviewed and made recommendations on proposals for new programs, and approved the following new programs: Waseda University, Japan; University College, Dublin; Thammasat University, Thailand; Summer Language Program, Barcelona; Paul Sabatier University, Toulouse; James Cook University, Australia; Prague; Royal Holloway College, University of London. Two new UC-constructed programs were also approved: one in Rome and the other, Casa de California in Mexico City, which will be an integral part the establishment of a UC research hub in Mexico City.

Formal Review of Programs

UCEAP approved appointees to the formal review committees for the Scandinavia, India, and Spain programs; and nominated review committee members for the formal review committees for the Costa Rica, Vietnam, and Italy programs. UCEAP members presented final committee reports on the formal reviews of the UK/Ireland, Australia/New Zealand, South Africa programs.

UCEAP Subcommittees

UCEAP appointed members to each of its standing subcommittees -- Academic Quality; Program Development; Advisory Committee and Formal Review Committees. Members also sat on the curriculum advisory committees for EAP “stand- alone” programs in Rome, Mexico, and Paris.

Revision of Bylaw 165

The committee reviewed its bylaw, and submitted proposed changes to the ad hoc Committee on Bylaws. Principle proposed changes to Bylaw 165 included: changing the committee’s name to Committee on International Education; the inclusion of a vice chair,

the inclusion as ex-officio member the Chair of the Council of Campus Directors, and a definition of the committee's scope of oversight.

Respectfully submitted:

Michael O'Connell, Chair (SB)

Armen der Kiureghian (B)

Peter Schiffman (D)

Timothy Bradley (I)

Gordon Kipling (LA)

Richard Godbeer (R)

Charles Oates (SD)

Afaf Meleis (SF)

Christine Kennedy (SF)

Mark Cioc (SC)

Gayle Binion (Academic Senate Vice Chair, ex officio)

Brenda Foust, Committee Analyst

**UNIVERSITY COMMITTEE ON EDUCATIONAL POLICY (UCEP)
ANNUAL REPORT 2001-2002**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The University Committee on Educational Policy (UCEP) held eight meetings during Academic Year 2001-02 to conduct its business with respect to its charge in Bylaw 170. Issues considered by the Committee this year are outlined briefly as follows:

Subject A Examination

UCEP committed a substantial portion of its meetings this year to studying and analyzing the Subject A requirement and examination as they are administered currently. Provost and Senior Vice President King followed up on Academic Planning Council discussions to request that the Academic Council review student preparation in writing. The Provost outlined fundamentals and questions for the Council to address; these were forwarded to Senate Committees and Divisions for their responses. UCEP reviewed SR 636, UCOPE's Report on Assessment of the Subject A Examination August 2001 and numerous other documents on Subject A and writing instruction, and also consulted with BOARS and UCOPE Chairs, UCOP consultants, and one campus Vice Provost for Undergraduate Education. UCEP summarized its findings in "UCEP April 15, 2002 Response to Subject A Charge from Academic Council Chair Viswanathan and Provost and Senior Vice President King."

- UCEP recommended that UCOP collect reliable data on writing ability among upper division undergraduates and monitor improvements resulting from various interventions.
- UCEP supported BOARS's working with secondary schools to improve writing skills among students admitted to UC, and developing a future entrance examination that would include meaningful evaluation of writing skills that is consistent with UC expectations.
- UCEP recommended further study of the present policy that allows a single community college course to satisfy both Subject A and the first freshman composition course.
- UCEP urged that UCOPE consider ways to modify use of the Subject A test to reduce its potential for stigmatizing students.
- UCEP proposed that UCOP hold a system-wide conference on Subject A that would address campus procedures, identify administrative barriers and articulate best practices.
- UCEP proposed creation of a Task Force to develop an English composition graduation requirement that would provide for independent assessment of student writing.

UCEP was further charged by Council to prepare a summary analysis of all Divisional and Senate Committee responses. UCEP stated in its May 29, 2002 letter to the Council Chair that most of the reports presented arguments that were consistent with its own. UCEP identified a system-wide concern that incoming students can satisfy Subject A by taking a community college course, thus not taking what might be a more valuable

composition course offered on their UC campus. To address this concern, we propose a study to develop evaluative data comparing the academic progress of incoming UC students who have satisfied their Subject A requirement in their freshman year composition courses on their UC campus with those meeting the requirement in a community college course before matriculating at UC. Such data could be used to guide future development of policy in this area.

BOARS Proposal to replace two-tier admissions system with comprehensive review

UCEP supported the Proposal, acknowledging it as an important step forward in returning admissions decisions to the faculty and lauding BOARS for its efforts in that regard, while observing that implementing changes on campus will be costly.

BOARS Report, “The Use of Admissions Tests by the University of California”

UCEP supported developing better assessment of college-level reading and writing skills and endorsed having BOARS continue to review, assess and improve admissions testing.

UC Systemwide Ed.D. Initiative

In its review of the Initiative developed by the Systemwide Ed.D. Initiative Work Group, UCEP objected to prescriptive language in the guidelines that appeared to take away individual campus authority for operating its own program and also to the strong recommendation that each general education campus set aside funding for this specific program during a time when other quality programs are competing for funding. UCEP supported assessment to determine whether California needs more Ed.D. degree holders, and also recommended vetting the proposal through Schools of Education.

Freshman Seminar Program Initiative

UCEP endorsed in principle the provision for increases in freshman seminars on all campuses and the educational objectives and potential educational benefits of the Program. UCEP recommended that campus CEPs and Committees on Courses monitor and protect the educational offerings to guard against erosion of the core academic enterprise and that funding incentives be defined to safeguard against allocations made at the expense of current core curriculum efforts. UCEP would prefer that the Program increase student-faculty contact rather than simply replace one set of courses for another. UCEP expressed concern about overload teaching as a potential threat to educational quality.

Approval of Change to Irvine Regulation 515. Residence Requirement and Addition to Appendix III: Assembly Approved Variances to University-wide Regulations, C. Regulation 630.

UCEP approved UCI’s request for a Variance to SR 630 that would place its Regulation 515 into system-wide compliance.

UC Berkeley Proposal to Reduce Its Number of Days of Instruction

UCEP found merit in the Berkeley proposal’s issue of equal opportunity for Berkeley students to enroll in summer sessions closer to home, but did not favor adopting a system-wide rule to govern campus calendar/s. UCEP recognized the advisability of aligning summer sessions for increased use but maintained that each campus must decide

on its faculty teaching load. UCEP noted that system-wide policy change could pressure campuses into making decisions that would affect equal opportunity among students.

ICAS Draft, “Academic Literacy: A Statement of Competencies Expected of Students Entering California’s Public Colleges and Universities”

UCEP welcomed the call for increased efforts in raising academic literacy standards among college applicants and agreed that students can and should be better prepared in composition.

UC Davis Proposal to Reconstitute the Division of Education as a School of Education

As a Committee charged with overview of reconstitution process, UCEP approved the reconstitution proposed by UC Davis.

State of Instructional Technology at UC

UCEP discussed developing a comprehensive survey of system-wide resources that would provide data for comparing UC’s information technology (IT) capability with its comparison institutions and also address budgetary concerns related to leveraging resources to support IT infrastructure (e.g., hardwiring buildings, IT training, troubleshooting support). UCEP recognizes increasing demand for IT, and faculty interest for its use in distance learning. UCEP discussed planning related to infrastructural support, and how faculty use IT. Liaison with Information Resources and Communications will continue. UCEP provided suggestions for improvements to a new online webzine for University-wide Teaching, Learning and Technology Center (TLtC).

Other

The following reports, items and issues were received and discussed:

- Commission on the Growth and Support of Graduate Education’s report, “Innovation and Prosperity at Risk; Investing in Graduate Education to Sustain California’s Future.”
- Three draft policy proposals prepared by the UC Standing Committee on Copyright.
- Staffing to teach summer session under UC’s year-round plan: UCEP remains interested in whether there is a fair proportion of junior and senior faculty teaching summer sessions (the profile of faculty teaching summer session should be the same as during the regular year). UCEP sees the need for summer session faculty to switch their research and teaching responsibilities quarter by quarter/semester by semester. UCEP recognized that it is important to move away from overload teaching
- Time to degree and the 120 percent rule (accountability measures in UC’s Partnership Agreement with the State): UCEP reviewed Partnership Agreement language related to the above and also campus data on the effects of unfunded enrollments on the system. It appears that UC has fulfilled its agreements with respect to the partnership.
- Power point presentation on UC Washington Center from Director Larry Berman: UCEP discussed distance learning opportunities and expressed its support for easing articulation and approval of the Center’s courses among all campuses.
- May 2002 Draft – The California Master Plan for Education.
- Campus Five-year Perspectives for 2002-07.
- Do student evaluations affect the academic freedom of faculty? UCEP formulated a response that was forwarded to the Academic Council on June 3, 2002.

UCEP Representation

UCEP was represented on additional Committees, Task Forces and Work Groups this year, including: Assembly, Academic Council, Academic Planning Council, BOARS, ICAS, National Science Scoping Committee, UCDC Steering Committee, Educational Financing Model Steering Committee, and UC Merced Task Force.

Acknowledgements:

UCEP benefited from the consultation and reports of the following UCOP staff members: Julie Gordon, Coordinator of Intercampus Academic Programs, who is designated as UCOP's regular consultant to UCEP; Julius Zelmanowitz, Vice Provost for Academic Initiatives; Carla Ferri, Director of Undergraduate Admissions; Immouna Ephrem, Coordinator, Admissions and Outreach; Sandra Smith, Assistant Vice President for Planning and Analysis; Linda Guerra, Director, Policy Analysis; Jim Dolgonas, Assistant Vice President, IS&C, IR&C; Paula Murphy, Managing Editor, TLtC.

Security changes following the events of September 11, 2001 greatly increased the difficulty of air travel to and from UCEP meetings. Nevertheless, attendance was excellent at all meetings, and the Chair commends all members for their faithful and professional service.

Respectfully submitted,

David Dooley (I), Chair

Andrew Grosovsky (R), Vice Chair

Lisa Alvarez-Cohen (B)

Terence Murphy (D)

Dennis Kibler (I)

Robert G. Frank, Jr. (LA)

Linda Walling (R)

Walter Burkhard (SD)

Patricia Benner (SF)

Michael Crandall (SB)

Carol Freeman (SC)

Chand Viswanathan (*Ex officio* member; Chair, Academic Council)

Ping Yeh (Graduate student representative)

Matthew Dean Kaczmarek (Undergraduate student representative)

Louisa Tapley-Van Pelt, Committee Analyst

**UNIVERSITY COMMITTEE ON FACULTY WELFARE (UCFW)
ANNUAL REPORT 2001-2002**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

During the 2001-2002 academic year, the University Committee on Faculty Welfare (UCFW) met eight times and had one conference call and the UCFW Task Force on the Future of UC Health Plans met five times and held two conference calls. All meetings of the UCFW and its Task Force were held at the Office of the President, Oakland.

Under Senate Bylaw 175 the UCFW is charged with conferring with and advising the President and University Administration on matters concerning the economic welfare of the faculty—such as salaries, benefits, insurance, retirement, housing, and conditions of employment. The UCFW continues to enjoy a dynamic and productive relationship with Universitywide Administration, an indication of a healthy system of shared governance. Though UCFW's mission is to protect and augment faculty interests, the benefits derived from its work frequently extend to and are enjoyed by all constituencies within the University of California.

During the 2001-2002 academic year the UCFW considered and acted upon the following major issues:

UCFW INITIATIVES: BENEFITS

Child Care Policy and Programs. The UCFW began work on this issue in 1997, spearheaded by the efforts of Professor Judy Gruber. Because the state did not fund the Regents' request for one-time monies for new childcare facilities, in 2001-02 President Atkinson created a program of matching UCOP funds for construction of new childcare facilities. All nine campuses are actively moving forward on the childcare front, not only constructing new facilities but expanding existing facilities to accommodate all of the children on the waiting list for child care services.

Domestic Partner Benefits. UCFW continued to press for the extension of benefits to all domestic partners of UC employees. Since 1993 the UCFW and the Academic Council have recommended that health and retirement benefits be provided to same- and opposite-sex domestic partners. In November 1997 the Board of Regents approved the extension of University health benefits to same-sex domestic partners. In January 2000 the Academic Council unanimously endorsed UCFW's proposal *Ensuring Full Equality in Benefits for UC Employees with Domestic Partners*, which recommends extending retirement benefits to all domestic partners and health benefits to opposite-sex domestic partners. In May 2002 the Regents approved extending survivor retirement benefits to both same-sex and opposite-sex domestic partners of UC employees. Employees who register domestic partners will now have the opportunity to designate them as beneficiaries, entitling them to receive an actuarially adjusted payment at the time of the employee's death. UCFW members also supported extending survivor benefits to designated beneficiaries and regretted that this was not supported by the Academic

Council (where it was rejected by a vote of 8-6-2) or by the Regents. UCFW suggested that this piece could return to the Academic Council for further consideration at a later date.

Educational Fee Waiver for Dependents of UC Employees. UCFW continued its effort to achieve funding for its fee waiver proposal, unanimously adopted by the Academic Council in 1999. In May 2001 the Academic Council unanimously approved UCFW's recommendation that the funding of the fee waiver be taken "off the top" of the University's budget before OP allocates budget dollars to each campus. Though the Chancellors deferred implementation of the program because of the state's budgetary uncertainties, President Atkinson assured the UCFW that the proposed fee waiver program remains a high priority and would be revisited in 2001-02. In a letter to President Atkinson, forwarded by Council Chair Viswanathan, UCFW urged President Atkinson's continued interest and support for the Educational Fee Waiver program -- a relatively inexpensive initiative that will enhance faculty recruitment and retention and overall employee morale in this time of fiscal constraint. The 2002-03 UCFW will continue to search for ways to fund the Educational Fee Waiver program and to keep it as a high priority for the University.

Faculty Housing Programs. Housing is one of the top concerns for faculty recruitment and retention, and UCFW continues to take an active role trying to redress the high housing costs facing most new faculty who are trying to buy homes close to campus. UCFW was consulted on a number of changes introduced to the Mortgage Origination Program, including an increase from 25 to 30 percent of the share of STIP funds designated for this program, a reduction in the minimum down payment from 10 to 5 percent, an increase from 30 to 40 years in the repayment period, and the institution of a graduated payment schedule which will shift debt burden toward later years of higher income.

Faculty Salary Continuance and Disability Insurance. At its June 2002 meeting UCFW received an extensive presentation by Mercer Human Resource Consulting. The following issues will continue to be discussed by the 2002-03 UCFW: faculty salary continuance; partial disability definitions; definitions of occupation; premium rates, issues for younger employees if age-banded and service-adjusted premium rates are used to reflect disability pension offset; mandatory coverage of employee-paid disability; employer-provided disability benefit that provides 80 to 85 percent replacement of net pay; and uniform UC-systemwide disability benefit for Y and Z compensation. UCFW will continue to explore efforts to ensure that faculty can obtain disability coverage based on normal salary levels, even if the disability occurs while the faculty member is temporarily on leave or otherwise earning only a fraction of normal salary.

Parking Policy Principles. On June 19, 2002, the Academic Council unanimously adopted a carefully-drafted set of proposed systemwide Parking Policy Principles that were approved by UCFW on June 12, 2002. UCFW had been actively developing these Principles for the past two years, incorporating the suggestions of the 2000-01 Academic Council, the 2001-02 Academic Council, as well as the comments of each campus's Faculty Welfare Committee. The Principles are aimed at slowing the rapid increases in

permit fees seen at many campuses over the last several years by setting a limit to the diversion of parking fees for other purposes and by establishing a replacement policy for state-funded as well as non-state-funded construction projects that destroy spaces that have been paid for from parking revenues.

Legal Liability and Legal Representation. UCFW continued to investigate issues of legal liability and legal representation, issues that might arise if a Senate member is sued or threatened with suit for acts related to University employment, or is the target of a whistleblower's accusation. UCFW is concerned that faculty members may be insufficiently protected by current policies that do not guarantee independent counsel for faculty members who are innocent of any wrongdoing, but whose self-interests may be in conflict with the self-interest of the University. UCFW is in the process of forming a Subcommittee on Legal Liability Issues. This UCFW subcommittee will strive for revised policies that will be more protective of the rights and due process of faculty members.

HEALTH CARE ISSUES

UCFW Task Force on the Future of UC Health Plans. The Task Force continued to work closely with Administration and to engage UCFW in consultation on strategies to deal with the increase in health care costs for 2001-02. These were handled through a combination of minor modifications in benefits and, in some plans, modest hikes in co-payments and premiums. The goal was to moderate cost increases and assure stability of coverage, particularly for low-income employees. Though the UC budget makes allowance for a 6.7 percent increase in benefit costs, the preliminary indications are that the cost of some health care plans could rise by as much as 25 percent or more—a substantial gap in funding that UC will have to bridge. UCFW and its Task Force will continue to work with Administration in finding ways to respond to these severe inflationary cost pressures in the health care sector, including looking at recommendations in the area of contribution strategy that could be implemented in the next year or two.

Health Care Facilitator Program. In response to recommendations from the UCFW, UC Emeriti Associations, and UC Retiree Associations, a Health Care Facilitator pilot program was developed in 1999-00 by UCOP at Berkeley and Irvine using HR&B staff development internship funds. The HCF program has been extended to all campus and laboratory locations. Seven facilitators have now been hired at UCB, UCI, UCSB, UCSC, and more recently at UCR, UCD, and UCSF. Both UCSD and UCLA are in the recruitment process. LANL recently received approval to extend the program to their location. LBNL has submitted a proposal, currently under review.

Medical Spending Accounts. At UCFW's urging Administration soon will implement medical spending accounts, allowing employees voluntarily to set aside pre-tax dollars that can be used to cover a variety of medical expenses that are not covered by the health insurance programs, e.g. co-pays, orthodontics or laser eye surgery.

RETIREMENT ISSUES

Health Sciences Faculty Retirement Benefit Enhancement. UCFW was consulted by Administration on the reevaluation and possible reform of retirement benefits for health science employees. Medical school faculty receive a substantial portion of their income from clinical and other sources that are not integrated with UCRP, and retiring medical school faculty face a much more substantial diminution of their customary income than do other faculty. To improve the competitiveness of retirement benefits of health science faculty, a Task Force on Health Sciences Retirement Benefits was convened in August 2001 by Associate Vice President Judy Boyette and Assistant Vice President Ellen Switkes. The Task Force will be issuing a report by the end of the 2001-02 academic year. Once in final form, the report will be distributed for broad systemwide review.

Phased Retirement (Phased Employment). UCFW has been working with Administration to develop a proposal for a new, voluntary phased-retirement program that would allow Senate members to enter into pre-retirement contracts governing the terms and extent of postretirement teaching and service. Mutual agreements between the University and the individual employee, who would have to be at least 60 years old, would be drawn up to cover a period of three to five years. The employee would retire and immediately begin to draw full retirement pay while continuing to work on a pro-rated basis for any percentage up to 50 percent time. At the end of the agreement, retirement benefits would be recalculated, taking into account the additional (pro-rated) service and any merits or range adjustments received in the interim. Administration is gathering detailed information on the strengths and weaknesses of existing programs at comparison institutions; full benefits implications also need to be worked out. Though a number of potential problems exist, specifically involving startup costs, laboratory and office space, steady progress has been made throughout the year on this proposal.

Miscellaneous retirement issues. UCFW was consulted on a variety of issues, including the reallocation of retirement funds to an individual Capital Accumulation Provision (CAP) account, in lieu of salary increases; the academic service credit allocation program to grant service credit for some forms of previously non-qualifying academic employment; analysis of the impact on UCRP of changes in federal tax laws; and effect on UCRP annuitants of proposed changes in the Social Security offset to make it applicable to surviving spouses eligible as such for Social Security.

SALARY AND WAGE ISSUES

COLAs: Three-Month Delay from Start of Fiscal Year. UCFW considered the Davis divisional CFW's proposal to end the cost of living adjustment (COLA) offset. When COLAs are next funded, the COLA delay could be abolished simply by returning to the historic practice of having the effective date of a COLA coincide with the start of the fiscal year, July 1 (rather than being offset to October 1). Ending the COLA offset would prospectively spare new retirees the financial prejudice that has been caused to retirees over the past decade, who have had their base income for retirement purposes diminished by the delayed receipt of annual COLAs. The coming year, in which range adjustments

are expected to be small to non-existent, could be an appropriate time for UC to commit to the normal July 1 date. This was discussed in a preliminary way with Larry Hershman. The COLA offset discussion will need to be continued in the future.

REVIEW OF OTHER UNIVERSITYWIDE POLICIES AND ISSUES

Copyright Issues. UCFW was consulted on new policies intended to protect the intellectual property of faculty members, including the design and content of courses, course notes, and class presentations.

Sabbatical Policies. At UCFW's initiative, various reforms of the sabbatical leave policy (APM 740) are under consideration. The proposed revisions to in residence sabbatical leave will permit the substitution of substantial service activities for the teaching requirement. Proposed revisions to the standard sabbatical program will permit faculty on sabbatical leave to engage in outside professional activities to the same extent as faculty not on leave, and to permit faculty receiving less than full salary while on leave to "top up" their income to its normal level by receiving outside research funds. At the request of the Office of Academic Advancement, the proposed revisions are undergoing informal review by the Academic Vice Chancellors and DANR. Formal systemwide review of the proposed revisions to APM 740 is slated to begin in 2002-03.

Two Proposed Draft Policies regarding University Policy Implementing The Amended California Whistleblower Protection Act. *UCFW was consulted on the revision of UC policies in compliance with amendments to the California Whistleblower Protection Act, to protect the interests of Senate members who may secretly, even groundlessly, accused of misconduct. Extensive consultations with Administration have produced a far more balanced and even-handed document.*

Respectfully submitted:

Renée Binder, Chair (SF)

Katharine Hammond (B)

Bruce C. Straits (SB)

Roger Anderson (SC)

Julian Feldman, CUCEA Chair (I)

Lawrence Waldron, CUCEA Chair-Elect (B)

Daniel J. B. Mitchell, UCRS Board Member (LA)

Stephen Sugarman, UCRS Board Member (B)

Harold Simon, Co-Chair and Lawrence Pitts, Co-Chair, UCFW Task Force on the Future of UC Health Plans (SF)

Jeannene Whalen, Committee Analyst

Mark Traugott, Vice Chair (SC)

John B. Oakley (D)

Abel Klein (I)

Susan Ettner (LA)

John T. Trumble (R)

Douglas H. Bartlett (SD)

George A. Gregory (SF)

**UNIVERSITY COMMITTEE ON INFORMATION TECHNOLOGY AND
TELECOMMUNICATION POLICY (ITTP)
ANNUAL REPORT 2001-2002**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The University Committee on Information Technology and Telecommunications Policy (ITTP) held one meeting during Academic Year 2001-02 to conduct its business with respect to its charge in Bylaw 155.

Status/Role/Future direction of ITTP

The Committee concurred that Senate input on issues related to courses on Internet and digital technology is appropriate and important during this age of high technology. Courses offered on the Internet are within the authority and interest of the Senate, and faculty are interested also in copyright issues (e.g., ownership of course materials). ITTP members discussed the Committee's role with respect to oversight for academic issues related to computing and technology and also discussed establishing a link with a specifically designated UCOP consultant who would deal with the Committee on a regular basis in working on these issues. Further, the Committee seeks appropriate links to systemwide ad hoc committees, task forces or work groups that are created to deal with policies and issues that are within the Committee's purview, and that also deal with allocations and appropriations related to infrastructural support. ITTP seeks to end a period of relative inactivity by becoming more proactive in developing and/or forwarding recommendations related to telecommunications policies. ITTP is interested in and concerned about security issues related to computing and information technology and whether the right people are being hired to oversee security. ITTP recognizes futuristic problems with respect to network connectivity and conductivity, network service and support, redundancy and network overload. Members considered whether the Committee should hold its meetings by video teleconference.

ITTP Bylaw 155

ITTP proposed a change to its Bylaw that would designate a Vice Chair position within the Committee membership and add the *ex officio* membership of the Chair of the Academic Senate to the Committee. The proposed changes were forwarded to the Academic Council for further consideration.

Copyright Policy

ITTP reviewed and discussed the one draft policy change in "Policy on Reservation of Rights" that was proposed. The Committee drafted and approved the following statement:

- We endorse the several comments that the "Policy on Reservation of Rights" be extended and clarified. Several committees, including the Committee on Educational Policy at UCSF, recommend that guidelines and sample documents be developed for faculty use, when dealing with different kinds of publishers. We recommend that additional rights be reserved, beyond royalty-free use within the University. These

should explicitly include posting on faculty web pages and creation of derivative works.

- We also recommend that UC consider a much more proactive role in dealing with major academic publishers. It is unrealistic to expect individual faculty, negotiating as individuals, to have much leverage with major publishers. UC action should include negotiating with publishers, and encouraging joint action with other groups in specific academic areas where a critical mass of faculty can catalyze a fundamental shift. This has happened, for example, in physics with the Los Alamos online archive.
- Any approach by the University to reservation of rights from publishers should not attempt to mandate specific faculty behavior. Individual needs, such as for publication in particular journals recognized in their field, preclude a uniform or mandatory policy.

Other

The following items and issues were received and discussed by the Committee:

- The Academic Senate Website Committee—the Academic Council will look into placing an ITTP representative on this Committee.
- Wider use of Smart Cards University wide—members discussed campus use of smart cards for parking, library charges, student cafeteria and other. Customizing, interface, computer reader use, security passwords and upgrading issues were discussed.
- Computer and network security—Policy needs to address those documents that are legally and ethically confidential, with respect to the capability of forwarding these electronically. Certain encrypted documents can be decrypted and left on a personal hard drive. What forces are in place to deal with security issues? ITTP will continue to discuss these issues.

ITTP representation

ITTP is also represented on University Committee on Library—the ITTP Chair is an *ex officio* member of UCOL.

Acknowledgements:

ITTP benefited from consultation with Academic Council Chair Viswanathan on various Senate matters.

Respectfully submitted,

Richard Kemmerer (SB), Chair
Richard Plant (D)
Mark Warschauer (I—spring/summer)
Thomas Payne (R)
Thomas Ferrin (SF)
Geerat Vermeij (*Ex officio* member; UCOL Chair)
Louisa Tapley-Van Pelt, Committee Analyst

Michael Frenklach (B)
Andre Ouellette (I—fall/winter);
Donald Nierlich (LA)
Roger Bohn (SD)
Charlie McDowell (SC)

**UNIVERSITY COMMITTEE ON PLANNING AND BUDGET (UCPB)
ANNUAL REPORT 2001-2002**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

UCPB met 10 times in the 2001-2002 session. The major activities of the committee and the issues it addressed during the year are noted herein.

Consultations with UCOP

UCPB was briefed on and responded to a range of issues that included:

- State budget negotiations and economic projections.
- Planning Issues -- enrollment projections; summer instruction; graduate student growth, graduate student support; building use standards
- Endowment Spending
- Multicampus Research Units (see below).
- The State Audit of the Partnership Agreement
- Unit 18 Lecturers Negotiations

Criteria for Budget Cuts

In response to the decline in the state economy and clear indications that the university would be facing budget cuts in the coming year, UCPB formed a subcommittee in December to put forward a set of criteria for making budgetary decisions. This project evolved into developing a set of recommended actions for achieving a long term budgetary strategy that maintains and improves the university's core instructional and research mission. In addition to calling for full and ongoing state support of the core budget, UCPB recommended enhancing revenue by, among other means, investing in increased development funding, increasing recovered indirect costs, and an orderly increase in student fees. A final version of these recommendations was submitted to the Academic Council in June, and an appended statement was submitted in July that puts UCPB on record as objecting in principle against across-the-board cuts as a means of addressing fiscal crises.

Multicampus Research Units

15-Year Review: A UCPB subcommittee studied the 15-year comparative review of White Mountain Research Station, UC Observatories/LICK, and INPAC, concurring with the Review Committee that all three MRUs fill an important mission in support of the University's commitment to education, research and service, and should continue. UCPB commented on the need for both more strategic planning in each case in order to utilize currently available funds in an optimal manner, and more development of extramural funding. For White Mountain and for UCO/LICK, UCPB supported funding for facilities maintenance, but did not unconditionally support increases in their permanent budgets. UCPB did, however, recommend significantly increased funding for INPAC's long-range conceptual studies.

Other MRU Issues: UCPB commented on the 2000-2001 MRU Financial Report, and on the proposed new category of Intercampus Research Programs. The committee also discussed the larger issues of MRU viability, the definition of an MRU, and the Senate's oversight role in regard to other research units (see CISI issue below).

California Space Institute

Twice in the year UCPB considered the issue of disestablishing the California Space Institute. In a discussion at its March meeting, the committee concurred with UCORP's call for the immediate disestablishment of CalSpace, expressed dissatisfaction with the administration's response to last year's Senate recommendation for disestablishment, and questioned the efficacy of the review process. At its May meeting UCPB discussed the question in more detail, and proposed a plan for the disestablishment of CalSpace that addresses organizational and budgetary particulars associated with the transition. UCPB recommended that the California Space Institute be disestablished, with the portion of its operating budget that is not supporting FTEs to be returned immediately to UCOP. As a transitional arrangement, the remaining budget should be retained for FTE salaries only until UC San Diego absorbs those positions as part of its normal FTE allocations. UCPB advised that the transfer of these positions to regular campus FTEs be given first priority from among San Diego's allocation of growth positions.

Academic Initiatives

Freshman Seminar Programs: While UCPB sees the benefits of Freshman Seminar Programs, it expressed concern about the proposed wording of the university-wide program announcement and the development procedure itself. UCPB felt that assuring freshmen access to the seminars could amount to an un-funded mandate and carry a budgetary impact at a time of serious budget constraints. UCPB urged the Academic Council to request that the Administration submit a detailed description of the proposal to the Senate for due review prior to making its formal public announcement.

5-Year Perspectives: As set out in the Compendium, UCPB receives a compilation of campus Five-year Perspectives each year from UCOP. Because the information on the lists is often neither current nor substantive enough for meaningful review, UCPB discussed the value of this process with the Vice Provost for Academic Initiatives. UCPB will continue to receive the lists of proposed campus programs and schools from the Vice Provost for Academic Initiatives, but primarily as an information item.

Indirect Cost Recovery

This issue has been reviewed in the past by UCORP and UCPB, but because of on-going concerns and questions about allocation and its process, the Academic Council charged UCPB in November of 2001 to initiate a new university-wide review, specifically looking at allocations at the campus level. A Joint UCPB-UCORP subcommittee was formed that oversaw an informal survey on the allocation of recovered overhead at the departmental and decanal levels. UCPB was also briefed on the breakdown of recovered funds at the systemwide level. An interim report was submitted to the Academic Council that outlined the subcommittee's progress and set forth as a guiding principle that the first priority for use of ICR funds is to provide research support services (as they are defined in OMB Circular A-21). The subcommittee will continue its work in the coming year.

“Accountability 1.5”

Another issue that was revisited by the committee this year was the 1999 UCPB report, “Accountability 1.5.” The report proposed measures of accountability of the university administration to the faculty and to the core academic enterprise, looking at faculty productivity and support for that work. Since this report was not followed through on either by the committee or by the reviewing bodies, UCPB took up the task to review the report, decide what the measures should be, update them, and then assume responsibility for reviewing updates annually. The subcommittee reviewed the 1999 report and will, next year, work together with campus budget directors and with the Associate Vice President of Planning and Fiscal Analysis to establish whether and to what extent valid accountability measures can be generated, and what data is available for application.

Budgetary Model for Professional Schools

Since reviewing proposals in recent years for new professional schools, UCPB has been discussing how those proposals should be judged. This year a subcommittee was formed to draft guidelines and offer a budget template for such proposals. This model was submitted for Council approval, and UCPB hopes that it will be of value for future professional school proposals.

CISI Long-term Planning

In the second half of the year, UCPB addressed the question of long-term planning for the California Institutes for Science and Innovation. The committee articulated four areas of concern: the lack of permanent funding for CISI operating costs; the lack of Senate oversight of the CISI; the level of integration of the Institutes with their host campuses, and how intellectual property policy was being implemented or developed. UCPB first discussed these issues with the Associate Vice Provost for Research in June. At their July meeting, UCPB discussed these questions in person with the Directors of QB3, of CITRIS, and of CNSI. A written response was sent in from the Director of Cal (IT)2. A summary of that discussion reiterating UCPB’s concerns was forwarded to the Vice Provost for Research. UCPB will continue its dialog with the Directors and with UCOP, and will work to establish clear policy for Senate oversight of the CISI.

Other Business

Academic Units:

- UCPB reviewed a revised proposal for the Reconstitution of the Davis Division of Education to the School of Education. The committee recommend: 1) slowing the proposed hiring rate down to two per year; 2) including clear evidence of sufficient student and market demand, and 3) indicating how the School will participate in undergraduate teaching and help address the University’s growth needs.
- A preliminary proposal for a School of Management at UC Merced was reviewed, and although UCPB saw the eventual establishment of a school of management at UCM as reasonable, it considered this proposal premature and opined that it would not be appropriate until the basic academic structure and curriculum for UCM is consolidated.
- UCPB was kept apprised of the negotiations between UC and CSU that led to an agreement to establish the Joint Ed.D. Program.

UC Merced: The committee was regularly updated on planning developments for UCM from the committee liaison to the UCM Task Force.

Laboratory Professorship Program: Noting that a call for pre-proposals for the Lab Professorship program had already gone out before the proposed program had received full Senate review, UCPB requested that the current pre-proposal process be suspended pending Senate review. UCPB's recommended that a revised proposal address the disparities between the resources provided by the labs and the commitment expected from or benefit to the campuses.

State Negotiated Air Fares: In an effort to cut travel costs, UCPB looked into reasons why discounted state air fares (available to UC employees) were not more easily and more broadly used. According to the Vice President of Business and Finance, mechanisms will be set up on all campuses, through their respective Vice Chancellors for Administrative Affairs, allowing easy authorization for the negotiated state airfares. UCPB will monitor this process and hopes that easier access to these discounted fares will, however modestly, help ameliorate budget constraints.

UCPB Representation

The Chair, Vice Chair or a member represented UCPB on these committees: Academic Council, Academic Planning Council, Executive Budget Committee, Council on Research, UC Merced Task Force, Technology Transfer Advisory Committee, UCORP Subcommittee on Laboratory Management, SLASIAC.

Acknowledgements

UCPB would like to extend sincere thanks to the following UCOP consultants for their consistently valuable contributions: Larry Hershman, Vice President-Budget; Sandra Smith, Assistant Vice President-Planning & Analysis; Jerry Kissler, Associate Vice President-Budget, Planning, & Fiscal Analysis; Carol McClain, Director of Multicampus Research.

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Stephen Mahin (B)
Robert Powell (D)
Michael Burton (I, 9/01-4/02))
Rajeesh Gupta (I, 5/02-8/02)
Richard Goodman (LA)
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Joel Michaelsen (SB)
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Gayle Binion, Vice Chair, Academic Council
Brenda Foust, Committee Analyst

**UNIVERSITY COMMITTEE ON PRIVILEGE AND TENURE (UCP&T)
ANNUAL REPORT 2001-2002**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The Universitywide Committee on Privilege and Tenure (UCP&T) met twice during the 2001-2002 academic year. UCP&T wishes to acknowledge the hard work and commitment of its administrative consultants, Carole Rossi, University Counsel; and Sheila O'Rourke, Executive Director Academic Compliance and Special Assistant to the Provost.

Revision to Senate Bylaw 195 Privilege and Tenure

In May 2001 the Academic Assembly overwhelmingly approved a series of revisions to Senate Bylaws, as proposed by UCP&T, including a revision to Bylaw 195. Revised Bylaw 195 requires UCP&T to maintain statistical records of the grievance, disciplinary, and early termination cases taking place on each of the campuses (as specified in newly-enacted Senate Bylaw 334).

Statistical record keeping. So that a database may be maintained, Divisional P&T Committees are to provide UCP&T with general, non-confidential information on their caseloads. Because discipline and grievance cases are relatively rare and always treated as confidential, P&T Committees and even UCP&T do not have a good perspective on the nature or disposition of these cases. It would be useful to know how many cases there are, whether the number is increasing or decreasing, what kinds of Code of Conduct violations are being prosecuted, what sanctions are appropriate for each type of violation, and whether different campuses generate different types or numbers of cases.

Format for reporting; reporting guidelines. UCP&T discussed the issue of reporting guidelines during its last meeting on April 5, 2002. In compliance with revised Senate Bylaw 195, a format for reporting is being created for use by Divisional P&T Committees. Both the format and the reporting guidelines will be finalized by the 2002-03 UCP&T.

Provision for a UCP&T Chair revision in process. UCP&T's Bylaw 195 needs to be revised in order to provide for a Chair. An Academic Council working group on bylaws is in the process of recommending this revision.

Divisional P&T Bylaws

Divisional P&T bylaws need to be revised to be in conformance with the recent changes to Senate Bylaws 334-337 and APM 015-016, and most campuses have not yet completed this task.

Proposed Revised Draft Policies Regarding University Policy Implementing the Amended California Whistleblower Protection Act

At its January 2002 meeting, UCP&T reviewed the proposed revised draft policies and requested that the intersection between Divisional P&T Committees and the proposed revised policies needs clarification, and that disciplinary actions must be carried out through existing P&T processes. A re-revised draft policy, incorporating UCP&T's suggested revisions, was distributed at the Committee's April 2002 meeting.

Faculty-Student Relations

The UC Board of Regents recently raised a question concerning policy governing faculty-student relations. Beginning in January 2002 UCP&T began discussions about possible courses of action, and those discussions were continued on campus at the Divisional P&T Committees. At its April 5, 2002 meeting, UCP&T members unanimously approved the motion to propose to the Academic Council that the November 30, 1983 Academic Assembly Resolution on Faculty-Student Relations be added as an appendix to both APM 015 The Faculty Code of Conduct, and to APM 035 Affirmative Action and Nondiscrimination in Employment (sexual harassment policy).

Although not uniform in their agreement about all of the statements in the 1983 Assembly resolution (some campus P&T Committees preferred appending definitions of conduct that violate the Code of Conduct, rather than the 1983 resolution's general statement of philosophy), UCP&T members regard the 1983 Assembly resolution as a useful guide to faculty-student relations. Once appended to systemwide policy, the resolution will become visible and accessible.

The 1983 Assembly resolution, in its final point, requests that UCP&T consider proposing an addition to the Faculty Code of Conduct in order to give force to the Assembly resolution. Before UCP&T begins drafting this revision language, which would define specific activities that could result in faculty disciplinary proceedings, the Committee requested an initial response about this proposed action from the Academic Council. This item will be considered by the 2002-03 UCP&T.

Respectfully submitted,

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**UNIVERSITY COMMITTEE ON RESEARCH POLICY (UCORP)
ANNUAL REPORT 2001-2002**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The University Committee on Research Policy and its subcommittee on UC-DOE Relations met a total of nine times during the 2001-2002 academic year. Highlights of the Committee's activities and accomplishments are noted in this report.

Representation on the Academic Council. As a result of the 2000/01 Committee's proposed Bylaw change, this year UCORP's Chair attended the meetings of the Academic Council. If approved, the Bylaw change would make the UCORP Chair a permanent member of the Academic Council. While that approval is in process, members of the Academic Council invited the UCORP Chair to attend the meetings as a non-voting guest.

UCORP Subcommittee on UC-DOE Relations. With the approval of the Academic Council, a Subcommittee of UCORP was formed last spring to examine issues about the cost/benefit relationship of the University of California and the Department of Energy Laboratories. The Subcommittee's membership is composed of ten faculty members who represent a broad spectrum of interests. The Vice-Provost for Research and the Associate Vice-Provost for Research and Laboratory Programs are regular consultants. During the year, the Subcommittee consulted widely, holding meetings with the executive committees of the Senate Divisions on each of the campuses, and visiting all of the Labs. Since the events of September 11, there has been more support, on many of the campuses, for UC's management of the Labs, but there remain a number of questions about how the University might reap a greater benefit. The Subcommittee is in the process of drafting its preliminary report to the Council, which will be completed in Fall 2002. A final report, with recommendations, will be completed by Spring 2003. One of the recommendations will be that the Senate creates a Committee that would interact regularly, with the Labs, on a wide spectrum of unclassified issues.

UCORP-COR Joint Meeting. UCORP used its April meeting time at UCR to hold a joint meeting with the Chairs of the Divisional Committee on Research (COR). This was the first meeting of its kind, and was intended to provide participants with an opportunity to share information and to discuss common problems and local solutions. The major issues of common interest to the CORs included indirect cost recovery, inadequate support for graduate students, ethics in research, intellectual property rights, understaffed COR function, and how to increase the importance of the CORs' reviews of Organized Research Units (ORUs). At the conclusion of the meeting, there was a consensus that it had been both useful and informative, and participants expressed the hope that a joint UCORP/COR meeting would become an annual UCORP tradition.

In-Depth Discussions. UCORP members devoted significant portions of their meetings to in-depth discussions on selected research policy issues. Those included:

National Labs. John McTague, Vice-President of Laboratory Management, came to a fall and spring meeting to brief the committee on the state of the University's relationship with the Labs and on UC's management performance record. He reported that the University was performing well and there were currently no problem areas. At the May meeting, the Vice-President agreed to meet with members of the local campus Committees on Research (CORs), during the 2002/03 academic year, to provide information about the Labs and to answer questions. COR Chairs should work through their Divisional Senates to extend an invitation to the Vice-President.

Industry-University Relations and Intellectual Property Rights. The morning session of the May meeting was devoted to a discussion of issues around intellectual property rights. Guest contributors included Bill Hoskins, the Director of UCB's Office of Technology Licensing; Ed Penhoet, Dean of UCB's School of Public Health; David Kirp, Professor at the UCB Goldman School of Public Policy; and Susanne Huttner, Assoc. Vice Provost-Major Research Initiatives & Industry-University Partnerships. An interesting fact that emerged from the discussion was that it is difficult for the University to form an all-encompassing policy on intellectual property rights because of the basic cultural differences between electrical engineering and biology and chemistry. For electrical engineers, the emphasis is on open access and rapid progress, whereas for biologists and chemists, because of the necessary long lead-time, licenses are the rule rather than the exception.

"Laboratory Professorships". UCOP presented the idea of "laboratory professorships", which would be a campus FTE with partial support from one of the UC/DOE coupled with use of a laboratory facility, to UCORP in November 2001. After extensive discussion UCOP was asked to return with revisions of its proposal. Further discussions were held in January 2002. Unfortunately no further consultations with UCORP were held and there was considerable discomfort with the proposal that UCOP promulgated in Spring 2002. UCORP recommended that the "laboratory professorship" proposal be reviewed by several Senate committees before being announced by UCOP.

eScholarship. A presentation by the California Digital Library about eScholarship was heard by UCORP in April 2002. There was significant interest in the opportunities for enhancing UC faculty/student research through this mechanism, and UCORP plans further interaction with this office. The goal would be to develop opportunities for eJournals, eConferences, and other eResearch options bringing faculty and students from various campuses together.

"California House" and Other EAP Research Opportunities. With consultation from the UCEAP administrator, UCORP inquired into the opportunities for UC faculty and students to utilize the facilities such as "California House" in London and equivalent facilities in other locations to enhance research possibilities. UCORP discussed the possibilities for holding meetings at California House or through California House's auspices at Oxford University or other British University locations, to seek joint research ventures using California House as a joint meeting location, etc. This was a new set of

opportunities not known to the faculty before this year and holds much promise beyond the original EAP undergraduate educational goals of the program and facility.

Research Funding Activities in Sacramento. A lobbyist from the UC Office of State Governmental Relations was invited by UCORP to explain the lobbyist's role, and to answer questions on the funding of research initiatives. Of particular interest to UCORP was the issue of unsolicited initiatives, because those can have a negative impact on the University's research program. Lobbyists work closely with the campus Governmental Relations Directors to identify campus research interests, and an attempt is made to channel the unsolicited initiatives into areas of interest to the University. The University does retain the right to decide how to implement a state research initiative, and it is not required to implement any initiative that it believes is not adequately funded.

UC Intercampus Research Programs (UC IRPs). UCORP reviewed a proposal from the Vice-Provost of Research to create a new MRU category called Intercampus Research Programs (IRPs). The IRPs are intended for faculty groups that are seeking only formal recognition from the Office of Research. Although they would receive no funding, they would be required to undergo a rigorous peer review every three years. While UCORP recognized the need for a separate MRU category that would accommodate this distinct faculty group, there was a consensus that it would not be desirable to add yet another category to the existing MRU classification system. With that in mind, the Committee proposed a restructure of the system that would result in just two classifications – funded MRUs and not funded MRUs.

MRU Comparative Reviews.

CalSpace. When UCORP was asked last year to review the five-year report on the California Space Institute (CalSpace), it recommended that this MRU be disestablished. Among the reasons for making that recommendation was that, during the past twenty years, CalSpace had only limited success in establishing and maintaining multicampus programs. In April 2001, the Academic Council voted to endorse UCORP's recommendation. The Office of Research responded that it planned to continue CalSpace, as an MRU, pending the results of the 15-year sunset review that is scheduled for 2003-04. In May of this year, UCORP was asked by the Academic Council Chair to comment on the position that the Office of Research had taken on CalSpace. After an extensive discussion, UCORP voted unanimously *not* to support the Office of Research's position and recommended that CalSpace be terminated immediately, and that those funds be directed to new MRUs and to bolster vigorous MRUs.

INPAC/WMRS/UCO. During this academic year, UCORP reviewed the reports on the 15-year comparative review of the Institute for Nuclear and Particle Astrophysics and Cosmology (INPAC), the White Mountain Research Station (WMRS), and the UC Observatories (UCO), and recommended that these three MRUs be continued.

Other Reports. The Committee also reviewed and wrote opinions on the following policies/proposals: Three Policies on Copyright, UC Davis Proposal to Reconstitute the

Division of Education as a School of Education, and Proposal for Laboratory Professorship Program.

UCORP Representation. The Chair, Vice-Chair, or a member represented UCORP on the following Committees during the year: Academic Council, National Labs President Council, National Labs Science and Technology Panel, Council on Research, University Committee on Planning and Budget, Subcommittee on Research Initiatives, Industry-University Cooperative Research Program Steering Committee, Scholarly Information Program Task Force, UC Merced Task Force, Whistleblower Task Force, Responsible Conduct of Research Workgroup, and Workgroup on MRU Funding.

Acknowledgment. UCORP is grateful for the invaluable contributions made by the following members of the Office of Research: Larry Coleman, Vice-Provost of Research; Rulon Linford, Vice-Provost for Research and Laboratory Programs; Susanne Huttner, Associate Vice-Provost for Major Research Initiatives and Industry-University Partnerships; Carol McClain, Director of Multicampus Research Programs; and Allison Rosenberg, Director of Research Policy and Development.

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VI. Reports of Special Committees
Report of the Senate's Task Force on UC Merced
Peter Berck, Chair

Proposed Campus Regents Standing Orders for UC Merced (Action)

BACKGROUND

The Proposal: The Regents in the University of California have approved Standing Orders for the campuses, in which the primary academic units, with their degree-granting authorization, are established. **UC Merced requests that the Academic Senate review and recommend the attached draft campus Standing Orders for action by The Regents at their July, 2003 meeting.** The appended draft Standing Orders include authorization for the three academic Schools, a Graduate Division, and an undergraduate College, under the curricular authority of a single Faculty, and the degree title authorizations for each. An overview of the UC Merced academic organization is provided below.

Guiding Principles for Academic Planning at UC Merced: The guiding principles for the UC Merced academic plan include fulfilling the University of California's mission through excellent teaching, research, and public service; creating strong graduate and undergraduate programs; building an educational network in the San Joaquin Valley; linking the campus technologically to the world; cooperating with UC campuses and National Laboratories and the California State Universities, California Community Colleges, and the K-12 schools; integrating the University and community; and reflecting the poetry of the San Joaquin Valley.

Academic Structure—Three Academic Schools and a Division of Graduate Studies under the Curricular Authority of a Single Faculty: UC Merced's initial academic degree programs will be offered through three academic Schools--Engineering, Natural Sciences, and Social Sciences, Humanities and Arts. UC Merced will also open with a Division of Graduate Studies with the responsibility to coordinate graduate program development in both innovative and traditional areas. A key academic principle in curriculum design will be to emphasize links among disciplines and keep the barriers between academic areas as low as possible. As a result, a single Faculty is established to achieve this goal. Undergraduate and graduate degree programs will be built around core and cross-cutting fields, encouraging collaboration across traditional disciplinary lines and emphasizing both breadth and the connections between disciplines.

The initial three academic Schools are overseen by deans. Dr. Jeff Wright has been appointed as Dean of Engineering and Dr. Maria Pallavicini has been appointed Dean of Natural Sciences. Appointment of the Dean of Social Sciences, Humanities and Arts is expected in early 2003. In addition, Dr. Keith Alley has been named Dean of Graduate Studies/Vice Chancellor for Research.

UC Merced also expects to offer education in the professions, beginning with a School of Management. A five-year perspective of a School of Management was circulated for comment during the spring and fall of 2002. The academic leadership at UC Merced has received both Senate and campus comments and is considering them in its plans for proceeding with the School. The School is not reflected in the initial draft Standing Orders for the campus. However, when the School is established, it, too, will be under the curricular authority of the Faculty.

For the first year of operation and thereafter, UC Merced plans to initiate the following degrees: Bachelor of Arts, Bachelor of Science, Master of Arts, Master of Science, and Doctor of Philosophy. The following degree programs are in the planning stages for 2004-2005. These programs were part of the Five Year Perspectives Report approved by the Senate Task Force on UC Merced and submitted in the spring of 2002:

- B.S. in Computer Science and Engineering
- B.S. in Environmental Engineering
- B.A./B.S. in Biological Sciences
- B.A./B.S. in Earth Systems Sciences
- B. A. in World Cultures and History
- B.A./B.S. in Social and Behavioral Sciences
- M.S./Ph.D. in Computer and Information Systems
- M.S./Ph.D. in Environmental Systems
- M.S./Ph.D. in Systems Biology
- M.A./Ph.D. in World Cultures
- M.S./Ph.D. in Social and Behavioral Sciences

The Senate Task Force on UC Merced has established an Undergraduate Council with the authority to review undergraduate program proposals, including proposals for the programs on the list above. The Task Force has also established an Advisory Graduate Council with the authority to review graduate program proposals.

The draft campus Standing Orders also include language that would authorize the Division of Graduate Studies to confer the Master of Engineering and Doctor of Engineering, though no specific programs that would lead to these degrees are in the current campus plan.

General and Co-Curricular Education: UC Merced has set a goal of becoming the 21st century's premiere student-centered research University. The guiding principles include students and faculty engagement in general education in close interactions; faculty participation in curriculum development and in effective teaching groups; a faculty structure that stimulates curricular and pedagogical innovation; a general education structure that accommodates growth; and collaboration with other public higher education institutions in the region.

The campus has adopted a campus-based college system designed to engage all students including those in residence and commuters, first year and transfer students. In Spring

2002, the Academic Senate Task Force on UC Merced approved a non-residential college system for undergraduate students. Upon opening, one College will be in place and other Colleges would be developed as enrollment grows. The first and subsequent Colleges will be under the curricular authority of the Faculty. Each College will be responsible for the general education program, in concert with the Schools of Engineering, Natural Sciences and Social Sciences, Humanities and Arts. Additional responsibilities may include: lower division academic advising, undergraduate research, freshman seminars, academic internships, and integration of transfer students into the College and the campus. Each College will provide an organizational structure and a meeting place for all students. The first College will have designated space, including offices and a lounge, in the Library/Student Services building.

While the current 2004-05 academic program list does not include any that would be offered through the College, the draft campus Standing Orders include Bachelor of Science and Bachelor of Arts degree authorization, in anticipation of the possibility that selected future interdisciplinary degree programs might be under the administrative purview of the College.

PROPOSED AMENDMENTS TO STANDING ORDERS OF THE REGENTS 110.1

ACADEMIC UNITS AND FUNCTIONS, AFFILIATED INSTITUTIONS, AND RELATED ACTIVITIES OF THE UNIVERSITY

Standing Order 110.1 Academic Units and Functions, Affiliated Institutions, and Related Activities of the University.

The Board has established the colleges, schools, graduate divisions, certain other major academic units, affiliated institutions, and related activities at the several campuses and facilities of the University of California, and, upon the recommendation of the President of the University, with the advice of the Academic Senate, has established the degrees awarded by the several academic units of the University. Detailed provisions of this establishment shall be set forth in the minutes of the Board. The Board may amend these provisions by resolution, upon recommendation of the President of the University.

Renumber existing 15* **Graduate Division as 17. and** new 15. will be titled **Academic Schools and College at Merced**

15. Academic Schools and College at Merced

There are established at Merced three (3) academic schools and one (1) undergraduate college, in each of which there is an undergraduate curriculum, as follows:

- School of Engineering, leading to the degree of Bachelor of Science.
- School of Natural Sciences, leading to the degrees of Bachelor of Arts and Bachelor of Science.

- School of Social Sciences, Humanities and Arts, leading to the degrees of Bachelor of Arts and Bachelor of Science.
- College One, leading to the degrees of Bachelor of Arts and Bachelor of Science.

New 17. [15.] Graduate Divisions

(a) There are established the following Graduate Divisions with curricula leading to the degrees: Master of Arts, Master of Sciences, Candidate in Philosophy, and Doctor of Philosophy:

[ADD] Graduate Division, Merced

(b) There are established, in the hereinafter designated graduate divisions, additional curricula leading to the following degrees:

[ADD] Graduate Division, Merced -- Master of Engineering, Doctor of Engineering.

***Existing number 15 Graduate Divisions reads:**

15. Graduate Divisions

There are established the following Graduate Divisions with curricula leading to the degrees: Master of Arts, Master of Sciences, Candidate in Philosophy, and Doctor of Philosophy: ¹

- Graduate Division, Berkeley
- Graduate Division, Los Angeles
- Graduate Division, San Francisco
- Graduate Division, Davis
- Division of Graduate Studies and Research, Irvine ¹
- Graduate Division, Riverside
- Graduate Division, San Diego
- Graduate Division, Santa Barbara
- Graduate Division, Santa Cruz

There are established, in the hereinafter designated graduate divisions, additional curricula leading to the following degrees:

- Graduate Division, Berkeley -- Master of Arts in Teaching, Master of Bioradiology, Master of Engineering, Master of Fine Arts, Doctor of Engineering. ¹
- Graduate Division, Davis -- Master of Arts in Teaching, Master of Engineering, Doctor of Engineering, Master of Education, Doctor of Education, Master of Fine Arts, Master of Health Services, Master of Agriculture and Management. ¹
- Graduate Division, Irvine -- Master of Advanced Studies, Master of Arts in Teaching, Master of Fine Arts, Master in Urban and Regional Planning. ¹
- Graduate Division, Los Angeles, -- Master of Arts in Teaching, Master of Engineering, Doctor of Environmental Science and Engineering, Master of Fine Arts, Master of Public Administration. [Discontinuance of the Master of Social Psychiatry approved 3-17-89.] [Discontinuance of the Master of Journalism Degree approved 10-19-79.] ¹
- Graduate Division, Riverside -- Master of Fine Arts. ¹
- Graduate Division, San Diego -- Master of Advanced Studies, Master of Education, Master of Fine Arts, Doctor of Musical Arts. ¹
- Deletion of Master of Clinical Laboratory Science and Doctorate in Mental Health Degrees, San Francisco, approved by The Regents 9-23-94. ¹

- Graduate Division, Santa Barbara -- Master of Fine Arts, Master of Music, Doctor of Musical Arts. ¹
- Graduate Division, Santa Cruz -- Master of Environmental Studies. ¹
- Graduate Division, San Francisco – Master of Advanced Studies. ¹

(c) The Graduate Divisions shall embrace all graduate activities of the academic and professional departments on their respective campuses.

VII. Reports of Standing Committees

A. Academic Council

Gayle Binion, Chair

- 1. Nomination and Election of the Vice Chair of the Assembly for 2003-2004 (oral report, action)**
- 2. Report from the President's Council On the National Laboratories (oral report)**
- 3. Course Description Task Force (oral report)**
Robert Post, member of the Task Force
An update on the work of the Task Force charged to review: the experience of the Berkeley English R1A course section; how (non-standard) courses, such as "umbrella," "single offer," or "varying subject," are reviewed for content; and the operant norms for faculty with respect to how they describe their courses. In addition, Professor Post will discuss how the work of this task force has led to a review of existing UC statements on academic freedom.
- 4. Professorial Steps Task Force (oral report)**
Richard Watts, Chair
Concerns have been raised over recent years about the rationale behind the step system at the Professor level. Professor Watts will provide an update on the issues before this committee that include: whether triennial merit review involves a too-frequent application of the "quality-control" system for full professors, whether the Step VI "barrier" is an appropriate form of review and if so, whether it is properly situated.
- 5. Report on Proposed policy on Faculty-Student Relationships (discussion)**
Gayle Binion, Chair, Academic Council

The proposed APM policy on faculty-student sexual relationships was adopted by UC Privilege & Tenure Committee and endorsed unanimously (with minor revision) by Academic Council at its meeting on January 29, 2003 (draft below). The amendment to APM 015, if adopted by the UC administration and the UC Board of Regents, would make it a violation of the Faculty Code of Conduct for a faculty member to engage in a romantic or sexual relationship with a student for whom he or she has academic responsibility or should expect to have such responsibility.

There is significant interest on the Board of Regents in our developing such a policy. Attached for your review are a variety of policies from other universities which suggest

that the proposal from the Academic Council is quite mainstream vis-à-vis comparable institutions.

Proposed Amendments to APM 015—The Faculty Code of Conduct

Part II – Professional Responsibilities, Ethical Principles, and Unacceptable Faculty Conduct

(proposed new language underlined)

A. Teaching and Students

Ethical Principles. “As teachers, the professors encourage the free pursuit of learning of their students. They hold before them the best scholarly standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to assure that their evaluations of students reflects each student’s true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.” (AAUP Statement, 1966; Revised, 1987) In this section, the term student refers to all individuals under the academic supervision of faculty.

The integrity of the faculty-student relationship is the foundation of the University’s educational mission. This relationship vests considerable trust in the faculty member, who, in turn, bears authority and accountability as mentor, educator, and evaluator. The unequal institutional power inherent in this relationship heightens the vulnerability of the student and the potential for coercion. The pedagogical relationship between faculty member and student must be protected from influences or activities that can interfere with learning consistent with the goals and ideals of the University. Whenever a faculty member is responsible for academic supervision of a student, a personal relationship between them of a romantic or sexual nature, even if consensual, is inappropriate. Any such relationship jeopardizes the integrity of the educational process.¹

Types of unacceptable conduct:

1. Failure to meet the responsibilities of instruction, including:
 - (a) arbitrary denial of access to instruction;
 - (b) significant intrusion of material unrelated to the course;
 - (c) significant failure to adhere, without legitimate reason, to the rules of the faculty in the conduct of courses, to meet class, to keep office hours, or to hold examinations as scheduled;

¹ This section is modeled on the Yale University Faculty Handbook, XI.B. “Teacher-Student Consensual Relations.” (http://www.yale.edu/provost/handbook/handbook_xi_other_university_policies_a.html#T3)

- (d) evaluation of student work by criteria not directly reflective of course performance;
 - (e) undue and unexcused delay in evaluating student work.
2. Discrimination, including harassment, against a student on political grounds, or for reasons of race, religion, sex, sexual orientation, ethnic origin, national origin, ancestry, marital status, medical condition, status as a covered veteran or, within the limits imposed by law or University regulations, because of age or citizenship or for other arbitrary or personal reasons.
 3. Violation of the University policy, including the pertinent guidelines, applying to nondiscrimination against students on the basis of disability.
 4. Use of the position or powers of a faculty member to coerce the judgment or conscience of a student or to cause harm to a student for arbitrary or personal reasons.
 5. Participating in or deliberately abetting disruption, interference, or intimidation in the classroom.
 6. Engaging in a romantic or sexual relationship with any student for whom a faculty member has, or should expect to have in the future, academic instructional, evaluative, or supervisory responsibility.
 7. Academic supervision of any student with whom a faculty member has a sexual or romantic relationship.

Selected University Policies on Faculty-Student Relationships:

1. WILLIAM AND MARY COLLEGE

College policies administered by the Office of Equal Opportunity are listed below. Copies of these policies are included in the Faculty Handbook or can be obtained by contacting this office. <http://www.wm.edu/administration/provost/relation.php>

Policy on Consensual Amorous Relations

The following Policy Statement on Consensual Amorous Relations was approved by the Board of Visitors at its November 16, 2001 meeting after being reviewed and endorsed by the Faculty Assembly and the Personnel Policy Committee.

Introductory Remarks

The College's educational mission is promoted by professionalism in faculty-student relationships. Faculty-student romantic and/or sexual relationships, even mutually

consenting ones, are a basic violation of professional ethics when the faculty member has any professional responsibility for the student's academic performance or professional future.

Faculty members' unbiased evaluation of students is an integral part of the College's mission. An amorous relationship between a faculty member and a student, even if consensual, creates the potential for favoritism (or the appearance thereof), thereby undermining the actual or perceived fairness of the evaluative process. Even when the faculty member has no current direct professional responsibility for a student, consensual amorous relationships may limit the educational opportunities or options for the student's future academic, co-curricular, and extra-curricular activities.

Accordingly, the College prohibits consensual romantic and/or sexual relationships between faculty members and undergraduate students, as well as between faculty members and those graduate students for whom the faculty member has direct professional responsibility.

The College's policy derives from the following principles that, in part, define the ethical and professional relationship of faculty members to their students.

- i-Faculty members must support the unfettered pursuit of learning in their students.
- ii-Faculty members must adhere to their proper professional roles as instructors and counselors.
- iii-Faculty members must ensure that their evaluations of students fairly reflect each student's true merit.
- iv-Faculty members must be aware that even when they have no direct professional responsibility for students, consensual amorous relationships may still be asymmetrical and/or disruptive to the community.

Policy

The College prohibits consensual romantic and/or sexual relationships (hereinafter referred to as "amorous" relationships) between faculty members and undergraduate students, as well as between faculty members and those graduate students for whom the faculty member has direct professional responsibility.

For the purposes of this policy, "faculty" shall include all full- or part-time college personnel who teach or carry out research and administrators with faculty status. The term "direct professional responsibility" refers to many faculty roles, both within and outside of the classroom, including, but not limited to: teaching, academic advising, coaching (athletics, drama, etc.), service on evaluation committees (awards, prizes, etc.), graduate or undergraduate thesis committee, etc. In effect, "direct professional

responsibility for students” includes the supervision of all college-sponsored academic, co-curricular, and extra-curricular activities.

Exemptions

Following the principles outlined above (see Introductory Remarks), the Deans of the Schools and of Arts and Sciences may grant exemptions from this policy in exceptional circumstances.

Complaints

Members of the university community who believe that violations of this policy have occurred may initiate a complaint with the appropriate department chair or academic dean. A complaint alleging that a dean or other academic administrator has violated this policy may be filed with the Provost or President. Complaints must be filed no more than two years after an alleged violation.

Sanctions and Procedures

Violations of this policy will be considered misconduct on the part of a faculty member and will be subject to institutional sanctions, including possible termination of the faculty member’s appointment. Treatment of allegations and imposition of sanctions will be governed by procedures specified in sections III (B)(13) and III (B)(8) of the Faculty Handbook.

Nothing in this policy shall be deemed as supplanting or otherwise affecting the College’s sexual harassment policy. Unsolicited and unwelcome advances of a sexual nature may violate the College’s sexual harassment policy. (See section III (C) of the Faculty Handbook).

2. *YALE UNIVERSITY*

Faculty Handbook

http://www.yale.edu/provost/handbook/handbook_xi_other_university_policies_a.html#T3

XI. Other University Policies Affecting Faculty

B. Teacher-Student Consensual Relations

The integrity of the teacher-student relationship is the foundation of the University’s educational mission. This relationship vests considerable trust in the teacher, who, in turn, bears authority and accountability as a mentor, educator, and evaluator. The unequal institutional power inherent in this relationship heightens the vulnerability of the student and the potential for coercion. The pedagogical relationship between teacher and student must be protected from influences or activities that can interfere with learning consistent with the goals and ideals of the University. Whenever a teacher is responsible for directly supervising a student, a sexual relationship between them is inappropriate. Any such

relationship jeopardizes the integrity of the educational process by creating a conflict of interest and may lead to an inhospitable learning environment for other students.

Therefore, no teacher shall have a sexual relationship with a student over whom he or she has direct supervisory responsibilities, regardless of whether the relationship is consensual. Teachers must avoid sexual relationships with their students, including those for whom they are likely to have future supervisory responsibility. Conversely, teachers must not directly supervise any student with whom they have a sexual relationship. Violations of or failure to correct violations of these conflict of interest principles by the teacher will be grounds for disciplinary action.

Teachers or students with questions about this conflict of interest policy are advised to consult with the department chair, the appropriate dean, the Provost, or one of their designates. If the issue cannot be resolved informally, a student may lodge a conflict of interest complaint with the dean of the school in which the student is enrolled or where the teacher exercises his or her supervisory responsibilities.

For purposes of this policy, “direct supervision” includes the following activities (on or off campus): course teaching, examining, grading, advising for a formal project such as a thesis or research, supervising required research or other academic activities, and recommending in an institutional capacity for employment fellowships or awards. “Teachers” includes, but is not limited to, ladder and non-ladder faculty as well as graduate and professional students and postdoctoral fellows and associates serving as teaching fellows or in similar institutional roles. “Students” refers to those enrolled in any and all educational and training programs of the University. Additionally, this policy applies to people in the Yale community who are not teachers as defined above, but have authority over students. Therefore, athletic coaches, supervisors of student employees, advisors and directors of student organizations, as well as others who advise, mentor, or evaluate students are covered by this policy.

3. *DUKE UNIVERSITY*

Policy on Consensual Relationships

<http://www.duke.edu/web/equity/Consensual%20Relationship%20Policy.pdf>

1) Statement of Values and Expectations

Duke University is committed to maintaining learning and work environments as free as possible from conflicts of interest, exploitation, and favoritism.

Where a party uses a position of authority to induce another person to enter into a non-consensual relationship, the harm both to that person and to the institution is clear. Even where the relationship is consensual, there is significant potential for harm when there is an institutional power difference between the parties involved, as is the case, for example, between supervisor and employee, faculty and student, or academic advisor and advisee.

Such relationships may cast doubt on the objectivity of any supervision and evaluation provided.

Having consensual relationships with subordinates is likely to interfere with the ability of a superior to act and make decisions fairly and without favoritism. Even if the superior is able to avoid being biased, the other people in the workplace or learning environment are likely to see themselves as being less favored and as disadvantaged by the personal relationship. In addition, the damage can continue long beyond the actual time span of the relationship and can make people suspicious of any future professional interactions between the parties.

The following policy is articulated in two parts, the first directed to employee relationships, the second to faculty-student relationships. Although these categories have many elements in common, the student-teacher relationship represents a special case, because the integrity of this relationship is of such fundamental importance to the central mission of the university. Students look to their professors for guidance and depend upon them for assessment, advancement, and advice. Faculty-student consensual relationships create obvious dangers for abuse of authority and conflict of interest actual, potential, and apparent. Especially problematic is such a relationship between a faculty member and a graduate student who is particularly dependent upon him or her for access to research opportunities, supervision of thesis or dissertation work, and assistance in pursuing job opportunities.

Duke University has adopted a consensual relationship policy for the following reasons: to avoid the types of problems outlined above, to protect people from the kind of injury that either a subordinate or superior party to such a relationship can suffer, and to provide information and guidance to members of the Duke community. Most of all, this policy seeks to help ensure that each member of the Duke community is treated with dignity and without regard to any factors that are not relevant to that person's work.

2) Definitions

For purposes of this policy, the terms "Duke University," "employee," "supervisor," "faculty," "student," and "consensual relationships" are defined as follows:

Duke University: Duke University and related entities, including Duke University Medical Center and Health Systems.

Employee: anyone employed by Duke University as faculty or staff, full-time or part-time.

Supervisor: anyone who oversees, directs or evaluates the work of others, including, but not limited to, managers, administrators, coaches, directors, physicians, deans, chairs, advisors, housestaff, and teaching assistants, as well as faculty members in their roles as instructors, as supervisors of their staff, and as participants in decisions affecting the careers of other faculty members.

Faculty: all those charged with academic instruction, including all ranks recognized as faculty under the bylaws of Duke University and its Medical Center and Health Systems, teaching assistants, academic advisors, coaches, and others who have a role in educating, supervising, or advising students as part of the programs of Duke University and its various schools.

Students: all those enrolled full-time or part-time in any program of Duke University and its various schools.

Consensual relationships: dating and sexual relationships willingly undertaken by the parties.

Note: Non-consensual situations are covered under the University's policy on Sexual Harassment, marital relationships under the Nepotism policy.

3) Policy Regarding Employee/Employee Relationships and Employee/Faculty Relationships

Except in unusual circumstances, where explicit authorization has been obtained from the appropriate superior, no one who is employed at Duke should participate in supervision, employment actions, evaluation, decisions pertaining to promotion, the direct setting of salary or wages for someone employed at Duke with whom that person has or has had a consensual relationship.

Except in special circumstances, where explicit authorization has been obtained from the appropriate superior, a supervisor should not employ anyone with whom he or she has or has had a consensual relationship.

Employees should be aware that entering into such a relationship with a supervisor creates the potential for risk to both parties. In particular, such a relationship will limit that supervisor's ability to direct work or promote that employee's career.

In the event that a personal relationship of this kind does exist in a supervisory context, the supervisor must disclose the relationship to the appropriate superior and initiate arrangements to address any issues of conflict of interest.

4) Policy Regarding Faculty-Student Consensual Relationships No faculty member should enter into a consensual relationship with a student actually under that faculty member's authority. Situations of authority include, but are not limited to, teaching, formal mentoring, supervision of research, and employment of a student as a research or teaching assistant; and exercising substantial responsibility for grades, honors, or degrees; and considering disciplinary action involving the student.

No faculty member should accept authority over a student with whom he or she has or has had a consensual relationship without agreement with the appropriate dean. Specifically, the faculty member should not, absent such agreement, allow the student to enroll for credit in a course which the faculty member is teaching or supervising; direct the student's independent study, thesis, or dissertation; employ the student as a teaching or research assistant; participate in decisions pertaining to a student's grades, honors, degrees; or consider disciplinary action involving the student.

Students and faculty alike should be aware that entering into a consensual relationship will limit the faculty member's ability to teach and mentor, direct work, employ, and promote the career of a student involved with him or her in a consensual relationship, and that the relationship should be disclosed in any letter of recommendation the faculty

member may write on the student's behalf. Furthermore, should the faculty member be the only supervisor available in a particular area of study or research, the student may be compelled to avoid or change the special area of his or her study or research.

If nevertheless a consensual relationship exists or develops between a faculty member and a student involving any situation of authority, that situation of authority must be terminated. Termination includes, but is not limited to, the student withdrawing from a course taught by the faculty member; transfer of the student to another course or section, or assumption of the position of authority by a qualified alternative faculty member or teaching assistant; the student selecting or being assigned to another academic advisor and/or thesis or dissertation advisor; and changing the supervision of the student's teaching or research assistantship. In order for these changes to be made and ratified appropriately, the faculty must disclose the consensual relationship to his or her superior, normally the chair, division head, or dean, and reach an agreement for remediation. In case of failure to reach agreement, the supervisor shall terminate the situation of authority.

5) Resources

Questions regarding this policy or what options may be available for resolving issues arising under it may be referred to human resources staff, departmental chairs, the Office of the Provost, the Office of Student Development, or the Office for Institutional Equity.

Additional information may be found in the Duke University Harassment Policy and Procedures at and the Duke University Personnel Policy A-15 Employment of Relatives (Nepotism) at <http://www.hr.duke.edu/policy/ppm/a-15.htm>, and the Faculty Handbook <http://www.provost.duke.edu/fhb/fhb.pdf>.

6) Guidelines

The intent of the policy is primarily to be instructive and corrective. In addition, there is no intent either to intrude on the privacy of member of the Duke Community or to interfere with appropriate mentoring relationships.

Some examples of ways to help remove a conflict of interest include the following approaches:

If a teaching assistant is interested in a student in his or her section, waiting until the end of the term before dating the student;

Where a department chair has a personal relationship with any member of his or her department, seeing to it that the relationship is disclosed to the dean and arranging for the dean or other appropriate administrator to be responsible for evaluation or promotional decisions;

When a manager has responsibility for supervising a romantic partner, arranging for an administrator *senior* to the manager to provide supervision of the subordinate. (Inserting a manager between the romantic parties in order to supervise the subordinate will not remove the conflict of interest, since the manager in the middle is still subject to pressure from above).

Adopted March 2002

4. *STANFORD*

June 2002

Update to Stanford's Policy on Sexual Harassment regarding Consensual Relationships

http://www.stanford.edu/dept/pres-provost/SexHarass/ConsRelUpdate6_02.html

6. CONSENSUAL SEXUAL OR ROMANTIC RELATIONSHIPS

a. In General - There are special risks in any sexual or romantic relationship between individuals in inherently unequal positions, and parties in such a relationship assume those risks. In the University context, such positions include (but are not limited to) teacher and student, supervisor and employee, senior faculty and junior faculty, mentor and trainee, adviser and advisee, teaching assistant and student, coach and athlete, and the individuals who supervise the day-to-day student living environment and student residents. Because of the potential for conflict of interest, exploitation, favoritism, and bias, such relationships may undermine the real or perceived integrity of the supervision and evaluation provided, and the trust inherent particularly in the teacher-student context. They may, moreover, be less consensual than the individual whose position confers power believes. The relationship is likely to be perceived in different ways by each of the parties to it, especially in retrospect.

Moreover, such relationships may harm or injure others in the academic or work environment. Relationships in which one party is in a position to review the work or influence the career of the other may provide grounds for complaint by third parties when that relationship gives undue access or advantage, restricts opportunities, or creates a perception of these problems. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to a romantic involvement, this past consent does not remove grounds for a charge based upon subsequent unwelcome conduct.

Where such a relationship exists, the person in the position of greater power will bear the primary burden of accountability, and must ensure that he or she -- and this is particularly important for teachers -- does not exercise any supervisory or evaluative function over the other person in the relationship. Where such recusal is required, the recusing party must also notify his or her supervisor, department chair or dean, so that such chair, dean or supervisor can exercise his or her responsibility to evaluate the adequacy of the alternative supervisory or evaluative arrangements to be put in place. To reiterate, the responsibility for recusal and notification rests with the person in the position of greater power. Failure to comply with these recusal and notification requirements is a violation of this policy, and therefore grounds for discipline.

b. With Students - At a university, the role of the teacher is multifaceted, including serving as intellectual guide, counselor, mentor and advisor; the

teacher's influence and authority extend far beyond the classroom. Consequently and as a general proposition, the University believes that a sexual or romantic relationship between a teacher and a student, even where consensual and whether or not the student would otherwise be subject to supervision or evaluation by the teacher, is inconsistent with the proper role of the teacher, and should be avoided. The University therefore very strongly discourages such relationships.

5. *HARVARD MEDICAL SCHOOL AND HARVARD SCHOOL OF DENTAL MEDICINE*

PROCEDURES FOR RESOLVING COMPLAINTS OF DISCRIMINATION, HARASSMENT, OR UNPROFESSIONAL RELATIONSHIPS AND ABUSE OF AUTHORITY <http://www.hms.harvard.edu/ombuds/complain.html>

I. STATEMENTS OF POLICY

A. Non-Discrimination

The President and Fellows of Harvard College have adopted the following statement of nondiscrimination policy applicable to all programs and activities of Harvard University.

The Harvard Medical School (HMS) and the Harvard School of Dental Medicine (HSDM) affirm and apply these principles:

Harvard University's policy is to make decisions concerning applicants, students, faculty and staff on the basis of the individual's qualifications to contribute to Harvard's educational objectives and institutional needs. The principle of not discriminating against individuals on the basis of race, color, sex, sexual orientation, religion, age, national or ethnic origin, political beliefs, veteran status, or disability unrelated to job or course of study requirements is consistent with the purposes of a university and with the law. Harvard expects that those with whom it deals will comply with all applicable antidiscrimination laws.

D. Unprofessional Relationships and Abuse of Authority

Amorous relationships that might be appropriate in other circumstances have inherent dangers when they occur between any HMS or HSDM faculty, fellow, or officer and any person over whom he/she has a professional responsibility, e.g., as a teacher, advisor, preceptor, or supervisor. Such relationships are fundamentally asymmetric, unprofessional, and an abuse of authority.

HMS and HSDM faculty, fellows, and officers should be aware that any romantic involvement with students, junior colleagues, or staff members over whom they have supervisory or instructional responsibility makes them liable to complaint and formal action under these procedures. Even when both parties have initially consented to such a relationship, it is the faculty member, instructor, or officer who, by virtue of his/her

special responsibility, may be held accountable for the unprofessional relationship or abuse of authority. Such relationships occurring outside a present or direct instructional or employment context are also to be avoided to eliminate the possibility that unexpected circumstances may place the faculty member, instructor or officer in an instructional, evaluative, or supervisory position with respect to the other individual. In addition, such relationships are to be avoided because they may create an impression on the part of colleagues of inappropriate or inequitable academic or professional advantage or favoritism that is destructive of the learning or working environment.

6. UNIVERSITY OF IOWA

<http://www.uiowa.edu/~vpss/policies/i.html#I>

I. University Policy On Consensual Relationships Involving Students

Section 1. Rationale.

The integrity of the University's educational mission is promoted by professionalism that derives from mutual trust and respect in faculty-student relationships. Similarly, the University is committed to the principle of protecting the integrity and objectivity of its staff members in the performance of their University duties. It is therefore fundamental to the University's overall mission that the professional responsibilities of its faculty and staff be carried out in an atmosphere that is free of conflicts of interest that compromise these principles.

Romantic and/or sexual relationships where one member of the University community has supervisory or other evaluative responsibility for the other create conflicts of interest and perceptions of undue advantage. There are also special risks in any sexual or romantic relationship between individuals in inherently unequal positions of power (such as teacher and student, supervisor and employee). Such relationships may undermine the real or perceived integrity of the supervision and evaluation provided, and the trust inherent particularly in the student-faculty relationship. They may, moreover, be less consensual than the individual whose position confers power believes. The relationship is likely to be perceived in different ways by each of the parties to it, especially in retrospect.

Moreover, such relationships may harm or injure others in the academic or work environment. Relationships in which one party is in a position to review the work or influence the career of the other may provide grounds for complaint when that relationship gives, or creates the appearance of, undue access or advantage to the person involved in the relationship, or when it restricts opportunities or creates a hostile environment for others.

Such relationships also have the potential for other adverse consequences, including the filing of charges of sexual harassment and/or retaliation under the University's Policy on Sexual Harassment if, for example, one party to the relationship wishes to terminate the relationship to the other party's objection. In those circumstances when sexual harassment is alleged as the result of a romantic and/or sexual relationship, the existence

of the relationship is not a per se violation of the Policy on Sexual Harassment. However, the apparent consensual nature of the relationship is inherently suspect due to the fundamental asymmetry of power in the relationship and it thus may be difficult to establish consent as a defense to such a charge. Even when both parties consented at the outset to a romantic involvement, this past consent does not remove grounds for or preclude a charge or subsequent finding of sexual harassment based upon subsequent unwelcome conduct.

This policy applies to consensual romantic and/or sexual relationships between individuals of the same sex or of the opposite sex.

Section 2. Prohibited Relationships – Policy Statement.

For the foregoing reasons, all romantic and/or sexual relationships between faculty and students in the instructional context are prohibited at the University of Iowa. [NOTE: This Policy applies only to relationships involving students. However, romantic and/or sexual relationships in other contexts — between faculty members, between faculty and staff, or between staff members, where one person supervises the other — also may be problematic, and are governed by the Conflict of Interest in Employment policy in the Operations Manual at III.8.]

No faculty member shall have a romantic and/or sexual relationship, consensual or otherwise, with a student who is enrolled in a course being taught by the faculty member or whose academic work is being supervised, directly or indirectly, by the faculty member.

For definitions of “faculty” and “instructional context,” please refer to Section 5 below.

Section 3. Discouraged Relationships Requiring Disclosure and Management.

In light of the potential for apparent and actual conflicts of interest, the following relationships are strongly discouraged at the University of Iowa; where such relationships arise, however, they are required to be disclosed and managed as indicated below:

a. Between faculty and students: Outside of the instructional context, a faculty member (including graduate students with teaching responsibilities) who engages in a romantic or sexual relationship with a student must promptly disclose the existence of the relationship to his or her immediate supervisor if there exists a reasonable possibility that a conflict of interest may arise. When a conflict of interest exists or is likely to arise, such relationships appear to others to be exploitative of or create apparent advantage for the student, and may later develop into conflicts of interest prohibited by all above in situations that cannot be anticipated fully.

A potential conflict of interest exists when the student is a graduate student in the same department or program as the faculty member, or is an undergraduate student and is majoring or minoring in the same department as the faculty member. A conflict of interest also may arise if the student is studying in a department separate from the faculty

member. When a potential conflict of interest exists or is reasonably likely to arise, the faculty member must promptly disclose the relationship to his or her supervisor.

Once the relationship is disclosed, the immediate supervisor will evaluate the situation to determine whether an actual conflict of interest exists or is likely to arise and will develop a management plan to address the potential conflict of interest. The faculty member has the professional and ethical responsibility to remove himself or herself from any decisions that may reward or penalize the student involved and otherwise adhere to the management plan.

b. Between staff members and students: Romantic and/or sexual relationships between staff members and students employed under their supervision are governed by the University of Iowa Policy on Conflict of Interest in Employment (University Operations Manual III.8). It may sometimes be difficult to determine whether the staff-student relationship exists in an employment or in an instructional context. Where such an ambiguity exists, the context will be assumed to be instructional and the relationship subject to the prohibition set forth in Section 2 above.

Section 4. Examples of Prohibited and Discouraged Relationships between Faculty and Students.

The following examples are provided for illustrative purposes only. This is not intended to be an exhaustive list of situations in which this Policy applies.

- 1) Student B is in a class taught by Professor A. The Consensual Relationships Policy prohibits a romantic or sexual relationship between these two parties in the instructional context. When the class has concluded and Professor A has submitted the final grades, this policy may continue to prohibit Professor A from engaging in a romantic or sexual relationship with Student B, or may discourage such a relationship, depending upon the academic affiliation of Student B and the likelihood that a conflict of interest may arise.
- 2) Professor A and Student B, a graduate student in Professor A's department, are involved in a romantic relationship. This policy prohibits Professor A from teaching and supervising Student B, and mandates disclosure and management of any potential conflict of interest.
- 3) The partner of Professor A enrolls in an academic program at the University offered by the same college in which Professor A's department is located. If the partner enrolls in the same academic program or department as Professor A, this policy requires Professor A to disclose the relationship and that any potential conflict of interest be managed to ensure that Professor A does not teach or supervise the partner, or involve himself or herself in any decision that may reward or penalize the partner. If the partner's academic program operates independently of Professor A's department, Professor A would not be required to disclose the relationship unless the potential for a conflict of interest might arise.

4) Graduate Student C and Graduate Student D are married and enrolled in the same academic program. This policy prohibits D from enrolling in a class taught by C (as instructor, teaching assistant, or grader) and vice-versa. If C (or D) were to complete his or her graduate program and acquire the status of faculty member (such as adjunct professor, visiting professor, or assistant professor) in the same department, this policy would apply as in Example 2. C would be required to disclose the relationship to the DEO and remove himself or herself from any decisions that may reward or penalize Graduate Student D.

These examples illustrate the application of this Policy which applies only to relationships involving students. However, romantic and/or sexual relationships in other contexts may also be problematic, and are governed by the Conflict of Interest in Employment policy in the Operations Manual at III.8.

Section 5 Definitions. For the purposes of this policy, the terms set forth below are defined as follows:

a. Faculty or faculty member means all those who teach at the University, and includes graduate students with teaching responsibilities and other instructional personnel. This term also includes faculty, staff members, and graduate students whose duties include supervision or evaluation of a student's academic work.

b. Instructional or instructional context means a context that involves academic instruction or evaluation or supervision, direct or indirect, of a student's academic work. These terms also include employment situations where the primary motivation for participation by the employee is instructional. Such situations include, but are not limited to, the employment of medical residents, teaching assistants, and student research assistants.

Section 6. Bringing Complaints

1. **Who may bring a complaint.** A complaint alleging a violation of this Policy may be brought by any person. "Any person" includes, but is not limited to, any third party who believes that a conflict exists or that he or she may be or may have been disadvantaged by virtue of the existence of a romantic and/or sexual relationship prohibited by this Policy. The process may also be initiated by the Office of the Provost of the University (for relationships involving faculty), by the Office of the Vice President for Finance and University Services (for relationships involving staff), or by the Office of Affirmative Action, or by the designee of any of those offices. Consensual relationships that are terminated by one party to the objection of the other party may also lead to separate claims of sexual harassment which may be brought pursuant to the procedures outlined in the Policy on Sexual Harassment.

2. **Where to bring a complaint.** Complaints alleging a violation of this Policy are to be brought to and investigated by the Office of Affirmative Action consistent with the requirements and provisions for complaints brought pursuant to the University of Iowa

Policy on Sexual Harassment (University Operations Manual II.4) and the procedures applicable to complaints brought under that Policy (University Operations Manual II.5).

3. **Process for formal disciplinary action.** The Office of Affirmative Action will investigate the complaint, giving both the complainant and respondent an opportunity to be heard. The respondent will have an opportunity to respond to the allegations and evidence provided by the complainant, and to provide a statement of the facts as perceived by the respondent. At the conclusion of the investigation, the Office of Affirmative Action will issue a written finding as to whether there is a reasonable basis to believe there has been a violation of this Policy.

- (a) In those cases where the respondent is a faculty member, the Office of the Provost will review the finding of the Office of Affirmative Action and will determine whether there is a reasonable basis to believe that this Policy has been violated, and will proceed as described in Section 4(a) below.
- (b) In those cases where the respondent is a staff member whose duties include supervision or evaluation of a student's academic work, the decision to pursue formal disciplinary action, as well as the decision regarding the formal disciplinary action to be pursued, will be made by the Provost in consultation with the vice president responsible for the unit employing the charged staff member.
- (c) In those cases where the respondent is a graduate assistant, the decision to pursue formal disciplinary action, as well as the decision regarding the formal disciplinary action to be pursued, will be made by the Dean of the Graduate College or that person's designee.

Potential formal disciplinary actions that may be taken when a person has been found to have violated this Policy include, but are not limited to, the following: mandatory education or training, verbal warning, written warning, suspension, termination, or a combination of the above.

4. Any proposed disciplinary actions resulting from violations of this Policy by:
- (a) persons holding faculty appointments will be governed by the Faculty Dispute Procedures (University Operations Manual III.29) and the portion of the Procedures dealing with faculty ethics (University Operations Manual III.15).
 - (b) staff members will be governed by applicable University policies, including the Ethics and Responsibility Statement for Staff (University Operations Manual Section III.16), and the applicable discipline and/or grievance procedures (see University Operations Manual Section III.28 and/or relevant collective bargaining agreement).
 - (c) graduate assistants, when dismissal is sought, will be governed by the Graduate Assistant Dismissal Procedure (University Operations Manual III.12.4). When disciplinary action other than dismissal is taken by the Dean of the Graduate College, a graduate assistant may appeal through any existing contractual grievance procedures.

7. UNIVERSITY OF MICHIGAN

Faculty Handbook

<http://www.umich.edu/~provost/handbook/11/11.3.html>

11.3 Consensual Relationships

Romantic or sexual relationships between faculty and staff, junior and senior faculty members, or faculty and students are not expressly prohibited by University policy. However, even when both parties have consented, the relationship can raise serious concerns about the validity of the consent, conflicts of interest, and unfair treatment.

The University considers sexual relationships between faculty (including teaching assistants) and students, even mutually consenting ones, to be a basic violation of professional ethics and responsibility when the faculty member has any professional responsibility (broadly interpreted) for the student's academic performance or professional future. Faculty members are required to disclose to the appropriate administrative supervisor any consensual romantic or sexual relationship with a student. Similar concerns arise when individuals are in a position to evaluate the performance of someone with whom they have an intimate relationship. Thus consensual romantic or sexual relationships where one person is responsible for work or academic evaluations of the other should also be disclosed to the appropriate administrative supervisor so arrangements can be made for objective evaluation and decision-making. For the full text of the University policy regarding Consensual Relationships (which is a section of the Sexual Harassment Policy), see SPG 201.89. Any questions about the Consensual Relationship Policy, including the disclosure requirement, should be addressed to the Director of Academic Human Resources at 763-8938.

As stated in the University Sexual Harassment Policy, in the event of a charge of sexual harassment, the University will, in general, be unsympathetic to a defense based upon consent when the facts establish that a professional faculty-student, student-staff, or supervisor-employee power differential existed within the relationship. (SPG 201.89)

The Senate Advisory Committee on University Affairs (SACUA) adopted a statement on faculty-student relationships in 1986, entitled "Gender and Respect in the University Community," which is specifically referenced in the current University Sexual Harassment Policy (adopted December 1, 1993). The complete text of that statement is reproduced below.

Gender and Respect in the University Community

The Senate Advisory Committee on University Affairs (SACUA) has recently discussed the sensitive topic of sexual relationships between faculty and students and would like to share our observations with you.

Faculty members have complex—sometimes paradoxical—obligations and responsibilities regarding students. We share with these adult students, and contribute substantially to, an important period in their intellectual and professional growth. When they are our co-workers, as teaching and research assistants or junior colleagues in research and scholarship, we are simultaneously responsible for them and dependent upon them.

The relationship between faculty and adult students, however complex it may be, is ultimately and structurally asymmetrical. Like any professional relationship, it rests upon a special form of trust and reciprocal respect. Sexual relationships between faculty members and students risk diminishing or even voiding this trust and respect to the detriment of all. Moreover, the asymmetry of this relationship means that any sexual relationship between a faculty member and a student is potentially exploitative and should be avoided.

Sexual interactions between faculty and students may be characterized variously as coercive, offensive or consenting. Any attention paid to an individual which suggests that his or her grade or other evaluation will be influenced by sexual activity is coercive and cannot be condoned. We are particularly concerned with such practices since they undermine the professional trust upon which the faculty-student relationship is founded and clearly conflict with University policy.

Similarly, we oppose offensive or derogatory treatment of individuals or groups of students based on their gender. Behavior that stigmatizes in this way is a violation of the respect with which we are all obliged to treat each other. Salacious remarks or illustrations in lectures, or consistently inviting comments or opinions from members of one gender more than the other are two examples. Likewise, overly insistent attention to the personal aspects of a student's life demonstrates an offensive disregard for the personal autonomy of students.

Especially difficult is the problem of what might appear on the surface to be a consenting sexual relationship. Because of the asymmetry of the faculty-student relationship, consent is very difficult to assess. In particular, we feel that when the faculty member has any professional responsibility for the student's academic performance or professional future, sexual relationships, even mutually consenting ones, are a basic violation of professional ethics and responsibility.

We take special note of teaching assistants who have the same responsibilities in relation to their students as the professorial faculty. Supervising faculty have an obligation to make this clear to their assistants.

Our general principle is this: the position, autonomy, respect and authority of the faculty impose a particular responsibility in the matter of sexual relationships with students; the structured asymmetry of faculty-student relationships cannot be overcome by collegiality or mutual affection. Those who neglect this principle also neglect their professional responsibility as faculty members.

Adopted by the Senate Assembly on September 15, 1986

8. UNIVERSITY OF NORTH CAROLINA

[http://www.northcarolina.edu/legal/policymanual/300.4.1.1\[g\].pdf](http://www.northcarolina.edu/legal/policymanual/300.4.1.1[g].pdf)

Guidelines on Implementing Improper Relationships Policy

On March 15, 1996, the Board of Governors adopted a policy concerning “Improper Relationships Between Students and Employees” for immediate implementation by all constituent institutions. The new policy governing relationships between University students and employees identifies and defines a type of misconduct that can result in sanctions, including discharge from employment, against any employee who violates its provisions. The chancellors are responsible for insuring that both employees and students are effectively informed, on a continuing basis, about the type of misconduct prohibited by this policy; and they must insure that appropriate policies and procedures for receiving, investigating and resolving charges of misconduct are in place.

The revised anti-nepotism policy, separately approved by the Board of Governors, also must be effectively publicized by the chancellors, so that all affected employees will be aware of the broadened definition of “related persons” to whom its restrictions apply.

[This is a rewrite of Administrative Memorandum #360]

VII. REPORTS OF STANDING COMMITTEES (Continued)

A. Academic Council (Continued)

6. Ad Hoc Committee on Bylaw Revisions (discussion)

George Blumenthal, Chair

An update on the efforts of the Task Force to clarify the composition, service term, and procedures governing the work of Academic Senate Committees. It is anticipated that the proposed amendments to the Senate bylaws will be approved by Academic Council and UCR&J in time for the Assembly's to consider at its May Assembly meeting,

VII. REPORTS OF STANDING COMMITTEES (Continued)
B. Board of Admissions and Relations with Schools (BOARS) (discussion)

Status of BOARS recommendations for improved admissions tests

- d. Update on core exams
- e. "Proposal for Use of Supplemental Subject Matter Tests in the UC Admissions Process"
- f. Timeline

Proposal for Use of Supplemental Subject Matter Tests in the UC Admissions Process

In January 2002, the Board of Admissions and Relations with Schools (BOARS) issued a discussion paper² proposing a set of principles to serve as the foundation for the University of California's admissions testing policy and suggesting future directions for specific tests the University should adopt. The latter recommendation had two elements:

- 1) "a new "core" examination covering the essential competencies needed for successful college work—reading, writing, and mathematics;"
- 2) "two one-hour long examinations in specific content areas within the subjects covered by the University's "a-g" requirements³, allowing for some level of student choice in the selection of specific tests."

In the months following release of the BOARS paper, faculty discussions regarding the admissions test proposal have focused primarily on the core examination. These discussions have taken place simultaneously with BOARS' continued work with the major admissions testing agencies and with internal discussions at those agencies regarding possible changes to the national tests. These discussions have been very fruitful and BOARS expects in the 2002-03 academic year to make recommendations regarding specifications of the new core tests being developed by the testing agencies.

With many of the immediate issues concerning the proposed core test nearing resolution, BOARS has turned its attention once again to the subject-based tests that would complement the core examination.

Summary of Recommendations

With regard to the use of supplemental subject matter examinations in the determination of UC eligibility, **BOARS recommends that:**

² University of California Academic Senate Board of Admissions and Relations with Schools, "The Use of Admissions Tests by the University of California." University of California, January 2002. This paper is available at the following website: <http://www.ucop.edu/news/sat/boars.html>.

³ (a) History/Social Science, (b) English, (c) Mathematics, (d) Laboratory Science, (e) Language Other Than English, (f) Visual and Performing Arts, and (g) other College Preparatory Electives.

- 1) **Students be required to submit scores on two supplemental subject examinations to be chosen from two of the six curricular areas specified by the University’s “a-g” course requirements; and**
- 2) **On a provisional basis, scores from these tests be weighted equally to the scores from the three components of the new core examination, such that the core examination accounts for sixty percent of the test score component of the University’s Eligibility Index and the two supplemental subject matter examination scores account for forty percent. The relative weight in the Index of test scores versus grades would not change—i.e., high school grades would remain the dominant factor in the Eligibility Index.**

The remainder of this paper describes the rationale that led BOARS to adopt these recommendations.

History of the Use of Supplemental Subject Examinations

A battery of three subject-specific achievement tests has been a part of the University of California’s admissions testing policy since the adoption of the testing requirement in 1967. Over the years, however, the particular combination of tests required has changed a number of times:

- For the first ten years of the requirement, applicants were required to submit scores for the SAT II examinations in (1) writing, (2) either mathematics or science, and (3) either social science or foreign language.
- In October 1977, upon recommendation of the Academic Senate, The Regents approved the adoption of an early form of the Eligibility Index (to be defined by the Senate) and narrowed the choice of test options to include (1) writing, (2) mathematics (but not science), and (3) either social science or foreign language.
- **In 1982 (effective for fall 1983), BOARS voted to continue to require the writing and mathematics examinations and to broaden the options for the third test to include science and English Literature as well as social science and foreign language—the pattern that exists today.**

Although the subject examinations have always been a part of the University’s testing requirement for eligibility purposes, and have also been used in the assessment of academic qualifications for purposes of admission selection on the campuses that cannot admit all UC-eligible applicants, scores on the subject examinations were not a formal part of the University’s Eligibility Index prior to 1999. In 1998, following issuance of a validity study indicating the predictive power of the supplemental tests (and, in particular, the SAT II Writing examination), BOARS recommended that scores on the subject tests be incorporated into the test score component of the Eligibility Index and weighted twice as heavily as the SAT I/ACT.

Principles to Guide the Design of the Supplementary Subject Matter

Portion of the New Admissions Testing Requirement

As noted above, UC’s current testing policy requires both the verbal and quantitative portions of the SAT I/ACT examinations and additional subject matter tests in writing, mathematics, and a third area of the student’s choice. One of the primary findings of BOARS’ study of the testing requirement is that, as the requirement has historically been structured, the two sets of tests are considerably redundant and do not cover the subject areas required in the a-g college curriculum as broadly as they might. **BOARS recommends that the University’s new testing policy view the two portions of the testing requirement as more complementary than duplicative:** the core examination tests all applicants’ achievement in the three key areas required for success in college—reading, writing, and mathematics—, while the subject tests introduce more breadth and an element of choice for individual students.

Thus, BOARS has identified the following primary purposes the subject examinations can and should serve:

- 1) to validate student preparation in a broader range of the required a-g college preparatory curriculum than is possible in the core test;
- 2) to allow students to “shine” by submitting scores in areas where they have particular strengths and interests;
- 3) to aid in the selection process for selective campuses or majors by allowing students to signal achievement and preparation in specific areas related to their intended field or major; and
- 4) to provide students an element of choice in the scores they submit.

During the discussions that led to its recommendations for a new core test, BOARS also identified as a central principle that the new testing requirement should not add significantly to the burden the tests pose to students in terms of time or cost. Because the writing examination, which has previously been a required subject test, is essentially being “moved” to become part of the core examination (which will then become longer and, in all likelihood, more expensive), **BOARS recommends reducing the number of additional subject tests required from three to two.** This would keep the number of tests and the testing time relatively stable.

Issues to Consider in the Design of the Supplementary Subject Matter

Portion of the New Admissions Testing Requirement

In considering various options for the supplementary subject matter tests, BOARS identified several key issues that need to be addressed with regard to this portion of the proposed new admissions test policy.

Measures of Test Validity

In its January 2002 discussion paper, BOARS identified predictive validity as an important quality of tests to be used for college admissions. It is expected that the new tests that compose the core examination will have statistical properties that allow them to predict first-year success with at least the same degree of reliability as current tests.

The concept of validity is more complex, however, with regard to tests of specific supplementary subject areas in which students have some level of choice in the subjects to be tested. First, although the subject matter tests currently in use by the University generally have predictive validity when considered on their own, BOARS' research indicates that they contribute less incremental predictive ability to a regression analysis that already includes scores from tests of basic writing, reading, and mathematics tests. Second, assessing predictive validity is difficult when test-takers are given choices because of sample bias—students choose tests of fields they know the best, and the degree to which their performance in these subjects is related to their performance overall will vary from student to student (i.e., for students whose knowledge or preparation in the field tested is relatively higher than their knowledge or preparation overall, the specific test score may be less predictive of overall success in college).

Finally, the degree to which performance on individual subject tests is related to overall success in college depends significantly on later course-taking patterns and on choice of major—behaviors that cannot be known at the time students apply. Test scores in mathematics and physics can reasonably be expected to correlate strongly with performance for students who become engineering majors. But not all students pursue study in the same field in which they wish to present test scores. A student who has excelled in foreign language in high school and wishes to demonstrate her proficiency by taking the French examination may choose to study environmental science in college. There is no reason to expect that her ability in French would be highly predictive of her grades in her first-year science courses.

Nonetheless, subject examinations remain useful measures of preparation in the specific areas tested and are educationally important in the determination of UC eligibility and admission because they demonstrate achievement in a broader range of a-g subject areas—the primary purpose BOARS believes the supplemental subject matter tests should serve. They also support the desirable policy goal of allowing applicants to demonstrate an area of particular strength in high school. Thus, BOARS concluded that while *content validity*—the degree to which scores on specific tests are demonstrably related to preparation and mastery of that particular field of study—and predictive validity are both important properties of admissions tests, content validity should play a somewhat more prominent role for the supplementary subject matter tests to be used by the University than predictive validity, while the latter remains a more important statistical measure for the core test. BOARS also notes the importance of continuing to evaluate regularly any tests used in the UC admissions process for both content and predictive validity.

The Need to Test a Range of Mathematics Preparation

As a corollary to the expressed purpose of introducing breadth into the areas covered by the test battery, BOARS members identified as a general principle that the subject areas covered in the additional examination should not duplicate those assessed in the core test—thus writing and mathematics would no longer be required in the supplemental subject test battery because they are already tested in the core. Carrying this principle a step further, a policy designed to ensure maximum breadth of subject areas tested would not allow students to present a mathematics score to fulfill the supplementary subject test requirement. However, BOARS members concluded that mathematics represents a special case.

The University's basic requirement for eligibility is three years of high school mathematics, beginning with Algebra I and proceeding through the equivalents of Geometry and Algebra II. Many students present this level of preparation in Mathematics and go on to success in college-level work. However, college-level study in many disciplines in the sciences, engineering, and business/economics requires greater levels of mathematics preparation. Thus the University recommends that students complete a fourth year of math. And, an increasing number of students begin Algebra in the eighth grade (as specified by the California State Content Standards) and are thus able to complete a fifth mathematics course (usually Calculus or Statistics) in high school.

This level of preparation is commendable, but it is not required for all students and testing all applicants on topics covered in courses beyond Algebra II is neither necessary nor desirable. A positive aspect of the University's current testing policy is that the availability of two different levels of subject matter examinations (currently the SAT II Mathematics Level 1C or Level 2C) allows students to choose whether they wish to take an advanced math test as part of their subject matter test requirement. Many disciplines (e.g., physical sciences and engineering) strongly recommend that applicants interested in their fields take these higher-level exams and the scores are weighted heavily in the selection process for some math-based majors that cannot admit all UC-eligible applicants.

BOARS has recommended that the new core test required of all students cover high school mathematics through three years (roughly the same as the former SAT II Level 1C examination). But BOARS recognizes that some students wish to demonstrate a higher level of mathematics preparation and that this information is very important in making selection decisions for math-based disciplines. Therefore, BOARS members agreed that the ability for students to choose to submit scores on a higher-level math exam (e.g., the SAT II Mathematics Level 2C examination or another test that might be developed in the future) should be built into the options for the subject tests.

Issues Associated with the Language Examinations

As noted earlier in this paper in the discussion of the history of the use of supplemental examinations, subject examinations in languages other than English have been incorporated in the University's test requirement since its inception. This is consistent

with the inclusion of the study of languages other than English as item “e” in the a-g requirements and, more broadly, with the classical view of language knowledge as a key element in the training of an educated person.

More recently, however, the specific role and weight of scores on examinations in languages other than English have come into question. This development stems from a number of sources. As the proportion of students in California who learn another language prior to or simultaneously with English has grown, and increasing numbers of these individuals have sought higher education, larger proportions of students are presumed to be taking supplemental subject examinations in their native languages. The likelihood of this being the case has increased as new tests in modern non-European languages (e.g., Chinese, Japanese, Korean, and Modern Hebrew) have been developed in the past fifteen years. These issues may have become more prominent when scores on the supplemental examinations were made a formal part of the Eligibility Index.

In this context, some questions have emerged regarding the fairness of the University’s consideration of language examination scores in determining eligibility. The first is whether allowing students whose first language is not English to take a test in their native language constitutes an unfair advantage: some observers presume that these students have not had to study as hard—if at all—to do well on the examination as have non-native speakers and, therefore, that their scores are less related both to academic achievement in high school and to likely success in college. Others note that second-language ability is not evenly distributed across various communities. Supporters of the continued use of language tests have responded that the subject tests currently in use go beyond conversational knowledge of a language to test grammar and the ability to think critically in the language and that students who have spoken a language “on the street” are not likely to do well on the tests absent a foundation in the classroom. They also observe that the vast majority of students—native speakers included—who choose to take examinations in languages other than English have indeed studied the language in high school.

BOARS members concur that, overall, individuals from some groups are more likely to have access to a language other than English outside of the classroom. Whether this constitutes an “unfair” advantage, however, and what can or should be done to address this question are more complex issues.

In considering these questions, BOARS members observed that knowledge of a language other than English is fundamentally valued in the academic community, regardless of how this knowledge is gained. As noted above, language study has been a part of the a-g requirements since their inception in the 1930’s; this reflects a long-standing tradition that includes mastery of more than one language as one of the basic components of a liberal education. Fluency in other languages enriches one’s understanding of English and of the grammatical and linguistic rules on which all languages are built. And because language study also involves study of the countries in which a particular language is spoken, it broadens perspective on cultures, nations, and societies other than one’s own. BOARS members observed that this perspective has never been more important than it is

today, given our increasingly global economy and society and, in particular, California's status as a multi-cultural state on the edge of the continent.

Given these factors, BOARS members could not identify any compelling educational rationale for excluding languages other than English from the supplemental subject test battery. Nor could they identify any means by which a distinction could or should be drawn between tests taken by native speakers and those taken by non-native speakers. Defining what constitutes a native speaker is far from simple—should a Chinese-American student whose parents speak only English but insisted that their child study Chinese in a Saturday language academy for four years be proscribed from taking the Chinese examination? What about the Caucasian student whose parents were posted by the armed forces in Germany? Or a Latino student who learned Spanish at home but also studied the language for five years in middle and high school and earned a 5 on the AP Spanish examination? Nor could BOARS members endorse the idea that only subjects studied in school should be tested. All students gather knowledge both inside and outside the classroom; what matters is how much they learn, not how or where they learned it.

Thus, BOARS members concluded that, while students from certain backgrounds may indeed be more likely to enjoy the advantage of early exposure to a language other than English, and while all questions about the fairness of particular tests must be given serious consideration, these issues do not alter the fundamental appropriateness of allowing all students the same options for submitting test scores that reflect accomplishment in the full range of a-g subjects, including languages other than English.

Recommendations for the Supplementary Subject Matter Test Requirement

Test Availability

At present, the only subject matter admissions tests available to high school students are the SAT II examinations, which are currently offered in a number of fields that can be roughly aligned with the University's a-g requirements as follows:

- a) **History/Social Science:** American History, European History and World Cultures, World History
- b) **English:** Literature⁴
- c) **Mathematics:** Mathematics Level II⁵
- d) **Laboratory Science:** Biology, Ecological Biology, Chemistry, Physics
- e) **Language Other than English:** Chinese, French, Hebrew, German, Italian, Japanese, Korean, Latin, Modern Hebrew, Spanish
- f) **Visual and Performing Arts:** no tests currently available
- g) **College Preparatory Electives:** contained in a-f categories

⁴ Note that the currently available Writing examination is excluded because it is presumed to be incorporated into the core examination.

⁵ Similarly, the currently available Math Level 1C examination is excluded because it is presumed to be duplicative of the math content incorporated into the new core examination.

While the discussion below is framed in terms of the currently available tests, **BOARS anticipates—and encourages—the development of additional tests which might serve as alternatives to the SAT II in the above fields or offer opportunities to demonstrate achievement in other areas** encompassed in the a-f curricular areas but not currently represented in the SAT II battery. Such tests could be developed by the College Board to augment its current battery, by other testing agencies like ACT, Inc., or could be adapted from current tests such as the Golden State Examination. Tests developed for this purpose would need to be evaluated to determine that they do indeed cover the topics at the appropriate college-preparatory level specified in the a-g requirements.

Combination of Tests Required

Given the goals and constraints described in this paper, BOARS members identified the following options for specification of the testing requirement.

1. Allow students entirely free choice in the selection of any two tests to submit to satisfy the requirement—that is, students could submit any combination, including two tests from the same broad subject area (e.g., Biology and Chemistry, French and Spanish, American History and World History). The advantage of this option is that it provides the greatest amount of choice for students. Its disadvantage is that it does not guarantee breadth in terms of the fields covered in the subject examinations.
2. Allow students to choose examinations from any two of the subject areas specified in the a-g curriculum for which subject tests exist—i.e., History/Social Science, English (Literature), Mathematics, Laboratory Science, Language Other than English (no tests currently exist in the sixth required area, Visual and Performing Arts). The advantage of this option is that it would still allow for a substantial degree of student choice while also ensuring breadth.
3. Require students to submit one score from a test in either mathematics (Level 2) or science and the second from another field of the student's choice (not science or mathematics). The advantage of this option is that it sends a clear message that scientific knowledge, while perhaps not critical to success across all fields (and thus distinct from the fields covered in the core examination) is nonetheless so important to our society that UC-bound students must demonstrate proficiency in it. Requiring the second test to be from a field outside of math and science would preserve breadth.

A variant of this option would be to allow students to submit a score from any test for the second score. This option would allow students headed for technical fields to demonstrate achievement in two fields related to their major—e.g., math and physics for future engineers or biology and chemistry for pre-med students—but would violate the breadth principle which is fundamental to BOARS' conception of the purpose of the subject examinations.

4. Rather than dividing them up according to the a-g subjects, categorize the various tests according to standard notions of disciplines within the University—i.e.,

history/social science; math and science; Literature, languages, and the arts—and allow students to choose one from each category. The advantage of this option is that it introduces applicants to traditional academic divisions and may be more natural for faculty members. Its disadvantages are that it might confuse students and that, by placing the tests in a smaller number of categories, it somewhat restricts choice.

After fully considering each of these options, **BOARS recommends that the University allow students to submit test scores from any two of the six subject areas specified in the a-g requirements** (Option #2 above). This option allows ample choice without sacrificing the desire to demonstrate additional breadth, which is a key purpose of the supplemental subject matter examinations. In addition, it strikes an appropriate balance by permitting students interested in pursuing careers in engineering and science to submit scores from a higher-level math test as well as a science test, while not requiring supplemental tests in science or math from those interested in humanities and social science (as Option #3 would have). In contrast, BOARS felt Option #1 sacrificed breadth for choice and Option #3 did not offer students sufficient choice. Option #4 did not seem to offer substantial advantages that would mitigate the reduced choice and increased confusion it might present.

Weighting of the Supplementary Subject Matter Tests in the University's Eligibility Formula

As noted earlier in this paper, at present, scores from the three required subject matter tests and SAT I/ACT are combined in a linear formula (the Eligibility Index) with high school GPA to determine eligibility for UC. In this formula, high school grades are given by far the greatest weight, consistent with their substantially greater statistical relationship to overall college performance. Based on validity studies conducted in the mid-1990's, the three subject matter tests currently are weighted twice as heavily as the scores from the verbal and math portions of the SAT I (or the ACT equivalent). Thus, each subject matter test accounts for 25% of the weight of the test score component of the Index and the SAT I/ACT combined score accounted for the remaining 25%.

As part of the adoption of a new admissions testing requirement, the University will need to develop a new formula for incorporating test scores in the computation of eligibility. In the long run, this formula will presumably be constructed based on relative predictive validity of its various components. However, because the core examinations are new, we will not have predictive validity information until several years after the new test requirement is put in place. Moreover, the Index may also have to be adjusted in the coming years based on results of eligibility studies to be conducted by the California Postsecondary Education Commission (CPEC) both before and after the new testing policy goes into effect. Thus BOARS recognizes that, while it is necessary to create a weighting scheme to go into effect with the next tests, any decisions made now about the eligibility formula are provisional in nature. Nonetheless, it seems highly unlikely that the statistical grounds that led the University to weight the subject tests more heavily than the SAT I/ACT in 1999 will still pertain after the creation and adoption of new core examinations that are more closely aligned with college preparatory curricula and that include a writing test.

Thus, as an interim measure (until new tests have been in use long enough for UC to study their relative value in predicting college success), **BOARS recommends that tests maintain roughly the same weight relative weight versus grades that they currently have and that the five tests that comprise the new testing requirement—that is, the three components of the core exam and the two supplemental subject matter tests—be weighted equally in the eligibility formula.** Thus, scores on the core examination would contribute 60% of the weight and each supplemental examination would contribute 20% of the weight in the test score component of the Index. **BOARS further recommends that, after the new tests have been in place long enough to develop the necessary longitudinal performance data, the University conduct validity studies of the new core test and subject matter tests and revise the Eligibility Index as needed.**



DEPARTMENT OF CHEMISTRY AND BIOCHEMISTRY, 0303

9500 GILMAN DRIVE
LA JOLLA, CALIFORNIA
92093-0303

January 18, 2003

GAYLE BINION
Chair, Academic Council

Subject: Admissions Tests

Dear Gayle,

At its meeting on December 16, BOARS discussed the process and timeline for completing the Senate discussion of our recommendations regarding the University's policy on admissions tests. Several members indicated that their campus divisions had received the BOARS paper "Proposal for Use of Supplemental Subject Matter Tests in the UC Admissions Process," but had questions about its relationship to our earlier paper ("The Use of Admission Tests by the University of California," January 2002) and about the nature and timing of input Academic Council is seeking. At the request of BOARS, I am writing to address some of these questions and suggest an approach and timetable—which I hope the Council can discuss at our January 29 meeting—to completing Senate deliberations on this issue.

As you know, the context for our discussion of admissions tests has changed substantially since BOARS issued its first discussion paper in January 2002. At that time, BOARS recommended a new "core" test of critical reading, writing, and mathematics, to be supplemented by two tests in specific subject areas—a concept BOARS refers to as "Core-Plus-Two." Because at that time neither the ACT nor the SAT I included a test of writing and the SAT I was generally found to be insufficiently related to the college preparatory curriculum to meet BOARS' requirements, BOARS concluded that "no currently available test" met its requirements. Thus it appeared that new core tests—possibly unique to California—would have to be developed.

Since that time, however, both of the major national testing agencies have announced changes to their existing tests that appear to bring those tests into conformance with BOARS' recommendations. Thus it now appears that, in terms of actual policy changes, the action required by the Senate in order to adopt BOARS' recommendations may be relatively narrow: essentially conforming the names of the two currently accepted core tests to their new names, changing the number of subject tests required from three to two, and modifying the language specifying the mix of tests that can be used to meet the subject test requirement.

At the same time, however, BOARS faces some challenges with regard to timing. We have proposed that the first applicants to whom the new requirement will apply would be the high school class graduating of 2006. Both testing agencies have announced that their new core tests will be available in 2004 and BOARS is working actively with them to review

blueprints and specifications as these become available. However, the exact timetable for when additional details on these core tests become available is out of the University's hands and it is not in the interests of the faculty or our future students to rush this review process.

With regard to finalizing the subject matter portion of the requirement, however, we face some urgency. As you know, at present students are required to take three subject examinations in addition to the core (SAT II Math, SAT II Writing, and one additional SAT II exam), only one of which they are allowed to choose. Under the new policy, the SAT II Mathematics and SAT II Writing exams will no longer be required, their content essentially being subsumed in the core exams. So students will now need to identify two subjects, not one, in which they will take supplemental tests. Students who will apply for Fall 2006 are already high school freshmen and many of them will enroll during their sophomore year (2003-04) in courses for which they may want to take subject matter tests. They would take these tests in May or June of 2004 and we would need to inform them of the new requirement in Fall 2003 publications and at counselors' conferences scheduled for September 2003. Thus there is pressure to take action on the subject matter test portion of the new policy this spring, so that it can be taken to The Regents no later than their July 2003 meeting.

In order both to ensure sufficient time to continue BOARS' work with the testing agencies and to address our need to inform potential applicants of the expanded subject test requirement, I would like to suggest that Academic Council consider taking the following actions no later than its April meeting.

1. Endorse in concept the "Core-plus-Two" testing proposal recommended by BOARS in January 2002.
2. Endorse BOARS' recommendation that the number of additional subject tests required be reduced from three to two, to be chosen from two of the six "a-g" subject areas.
3. Affirm that the approval of specific examinations that meet requirements is delegated to BOARS and renew Council's previous endorsement of BOARS' continued work with ACT, Inc. and the College Board/Educational Testing Service in specifying the overall design of new core examinations.
4. Pass these actions onto the Academic Assembly for approval at the Assembly meeting on May 28.

On behalf of BOARS, let me express our deep appreciation for the continued support and advice we have received from you and the members of the Academic Council.

Sincerely,

Barbara A. Sawrey
Chair, Board of Admissions and Relations with Schools (BOARS)

cc: BOARS members

VIII. PETITIONS OF STUDENTS (none)

IX. UNFINISHED BUSINESS (none)

X. UNIVERSITY AND FACULTY WELFARE REPORT

Mark Traugott, Chair, University Committee on Faculty Welfare (oral report)

The UCFW report will include the following issues:

- Health Care Plans
- Phased Retirement
- Parking

The Academic Council at its June 2002 meeting approved the following Parking Policy Principles.

**Parking Policy Principles
Approved by UCFW, June 12, 2002**

Preamble

The University of California, like all major California employers, recognizes its obligation to promote alternatives to single-occupancy vehicle transportation to and at its facilities. These alternatives include convenient bus, train, and bicycle access as well as shuttle services on the campus itself. However, for most faculty and staff, driving to work and parking on campus remains a necessary fact of life.

Parking is a complex issue that elicits strong and sometimes contradictory reactions from members of the University of California community. While some approach it as a practical problem, closely tied to their ability to fulfill their job responsibilities, others emphasize the planning, environmental, or even philosophical dimensions of the parking conundrum. While acknowledging these differences, UCFW believes that current parking policies have the unfortunate effect of generating unproductive conflict and resulting in a significant loss of morale among University employees. The lack of adequate parking can also have a negative impact on the mission of the University, producing consequences that range from heightened stress, to reduced opportunities for collegial or faculty/student contact, even including the occasional missed class.

The 1960 Master Plan for Higher Education recommended that parking be offered as a fringe benefit to faculty as a means of making university employment more attractive. Rather than accept that recommendation, UC policy administers parking as a "self-sustaining enterprise." However, as implemented, a significant share of parking revenues has actually been diverted to other programs. Although some of the subsidized activities are access-related, not all have been directly connected to transportation services. Additional practices that violated the "self-sustaining" character of parking operations have included the appropriation of short-term interest on parking reserves and the practice of charging those who purchase parking permits for the cost of constructing each new space, then charging them again if that space is subsequently destroyed by construction projects and has to be replaced.

UCFW notes that other California institutions of higher learning, including the California State University and Community College systems, provide parking to employees at much lower cost or even at no charge.

UCFW recognizes that parking revenues diverted to other uses may help support public transportation and shuttle services, the enhancement of alternative methods of transportation like bicycle paths, and even campus discretionary funds, all worthwhile functions in themselves. Our committee also acknowledges that for certain purposes, it may make sense to view parking as one aspect of the larger problem of "access" to our campuses. And UCFW agrees that it would be irresponsible suddenly to end all such subsidies if the result were to place essential programs at risk.

However, it is unreasonable to treat campus parking budgets as a source of revenue for expenditures that bear only an indirect connection to parking. And since the cost of such programs, whether or not related to transportation, has the potential to far exceed the revenue stream generated by moderate parking fees, reliance on permit income as a primary funding source could prove counterproductive. It is especially unfair to expect those who buy permits to subsidize the University's capital projects by having to buy a replacement parking space when a construction project destroys one that they have already paid for.

There are several reasons why UCFW is convinced that the present system is in need of fundamental reform. First, parking fee increases are an inappropriate way to discourage automobile use, since many people have little or no practical choice in how they get to work or how they get around once they arrive at work, if they are to fulfill essential professional and familial responsibilities. The morale of such employees understandably suffers when the cost of permits rapidly rises in a way that seems to bear no relationship to improvements in the availability or convenience of parking. The issue of fairness has also been raised by the two-tier system that potentially results when contractual arrangements with certain categories of employees limit fees for some, leaving others to bear a disproportionate share of the total costs.

It should also be recognized that the strategy of diverting parking fee revenues to other uses must eventually reach its limits, as it appears to have already done on some campuses. When permit fees rapidly increase, it tends to diminish the proportion of all employees who park on campus, thus reducing the base from which subsidies for other programs can be extracted. At the same time, at least on some campuses, escalating fees have resulted in people driving to work, parking on nearby neighborhood streets, and then walking, biking, or taking a shuttle for the remaining distance. This increases tensions between local residents and the University, in addition to requiring that employees expend additional time and effort to get to work.

In proposing the principles that follow, UCFW adopts what it considers a pragmatic position. It recognizes that moving suddenly to make parking a benefit, as envisaged by the Master Plan, would increase the demand for spaces beyond the existing supply. It acknowledges that even returning to the nominal UC policy that parking should be a

"self-sustaining enterprise" --- which seems to imply that it would neither subsidize nor be subsidized by non-parking operations --- would potentially devastate essential activities like campus shuttles. But on grounds of recruitment/retention, fairness, morale, and sensible institutional practice, it feels that the changes embodied in the following statement of principles would go some ways toward rectifying a situation that constitutes an ongoing source of friction within the university community. For all these reasons, UCFW urges the Academic Council to approve the following set of Parking Policy Principles.

Parking Policy Principles

1. The availability of parking is of critical importance to most faculty members.

Public transit does not provide a reasonable alternative for most faculty members because it is either unavailable or unreasonably extends commute time and deprives faculty of needed flexibility in work hours, and of the ability to work late, to juggle family and work responsibilities, to transport materials to and from campus, and to participate broadly in university affairs. Campus policies therefore need to seek a balance between keeping the cost of parking moderate and assuring that the amount of parking available is reasonably proportioned to the number of permits sold.

2. Providing employee parking that is sufficient, secure, and reasonably priced is in the best interest of the University. The accommodation of faculty and staff parking needs should be acknowledged as an obligation distinct from, if not administratively independent of, the University's interest in providing students and the public with reasonable access to each campus.

The 1960 Master Plan for Higher Education recommended that parking be provided as a benefit to faculty "to make college and university teaching attractive as compared with business and industry." This concern remains important today as the University is unable to offer salaries that compete with the private universities that are our true competition in faculty hiring and retention.

Although University practice does not follow the Master Plan recommendation in that it requires that employee parking be administered as a self-sustaining enterprise, in recent years local campus administrators have at times gone much further. Parking fees charged to faculty and staff are greater than necessary to cover the costs of providing them with parking spaces, and the resulting surpluses are regularly used to subsidize other campus operations. New roads, buildings, and landscaping have been financed out of parking revenues, which have also been used to augment discretionary funds available to some Chancellors through diversion of STIP income and ground rent charges.

These practices unfairly take advantage of the many faculty and staff who have no practical choice but to drive to campus if they wish to earn a livelihood. They also create substantial ill will, and in the case of lower-paid employees, particularly, impose financial burdens that are significant. In these and other ways, current parking fee

practices undercut the University's efforts to be an employer of choice for both faculty and staff.

The needs of University employees should be distinguished from those of students (whose access to parking is already restricted by policies on most campuses) and from members of the public (some of whom may require access for such purposes as medical care, but others of whom elect to come on campus at their discretion to participate in artistic or cultural events.) The University has a strong interest in accommodating, to the extent possible, these constituencies' desire for convenient access (especially when it contributes to instructional programs, as in the case of community physicians teaching in the medical schools; when it can be satisfied with remote parking, as in the case of students; or by allowing the public the use, outside of normal working hours, of spaces intended for employees.) But such arrangements should be differentiated from the University's primary obligation to make it possible for its employees to do their jobs by providing sufficient parking at a reasonable price.

3. The goal of campus parking policies should be to ensure that future increases in permit fees are gradual, moderate, and clearly justified by parking-specific expenditures. Existing subsidies to non-parking programs should be capped at their current level on each campus. An exception to this principle should only occur for transportation-specific expenditures that are clearly shown to support benefits to the permit holders.

By setting the current dollar amount of such subsidies (inflation adjusted on a per permit basis) as their upper limit, existing transportation-related operations that rely on parking revenues will not be jeopardized; but those who depend on access to parking will receive some assurance that future fee increases will be more predictable and tied directly to the cost of providing the service being purchased. Exceptions to this principle should only occur for transportation-specific expenditures that are clearly shown to support benefits to the permit holders.

4. When existing parking is destroyed to accommodate campus development, the cost of constructing replacement parking should, to the greatest extent possible, be included in and charged to the cost of the new development.

New construction should result in an increase in the amount of parking available in order to ensure that both pre-existing and new parking needs are met. Unfortunately, construction projects often destroy parking spaces and may even result in a net decrease to the total number of spaces available on a campus. The practice of requiring that parking budgets be levied to pay for replacement spaces amounts to an inappropriate subsidy of the University's capital costs by permit holders. There is no prohibition on the use of State funds to pay for parking expenses, and State funds have been used to pay for parking construction on at least one UC campus. Even if such a prohibition existed, it would be unreasonable to apply it to spaces that have already been paid for one or more times by permit holders.

The normal expectation should be that, to the greatest extent possible, the full, current cost of replacement parking will be incorporated into the cost of new construction and that this policy will apply to both state-funded and non-state-funded projects. However, when the cost of replacement parking would make it impossible for a campus to undertake a state-funded project deemed crucial to its academic mission, a campus administration may propose an exception by consulting the body designated under principle 6 with the understanding that the burden of proof rests with those advocating that the policy on replacement parking be overridden.

5. The cost of parking should be equitably distributed among those purchasing a given category of permit (for example, "A" stickers). If the University negotiates a lower rate for some purchasers of parking permits (for example, under the terms of a collective bargaining agreement), it should reimburse the parking program for the difference between the negotiated rate and the rate otherwise charged for the same category of permit.

These principles recognize that from an employee's perspective, purchasing a parking permit is part of the cost of earning a living. UCFW is also aware that there may be reasons why it is in the interests of collectively organized employees to trade off higher wages or other considerations for lower parking costs. While the University may be justified in agreeing to such a tradeoff, it is only reasonable to expect the University to reimburse the parking program for lost revenues, using the salary savings or other benefit that the University has realized through such an agreement. Not to do so would imply that, since the system must remain "self-supporting," other permit purchasers who are not the beneficiaries of the lower rates are being asked to subsidize those who are.

7. Adherence to these principles requires meaningful oversight of each campus's parking operations by a committee created by and responsible to the divisional Academic Senate. Although the form and precise charge of this body will vary according to the needs of the local campus, it should receive full and continual disclosure of all data necessary for its members to form and express educated judgments about the conformity to these principles of the campus's program for providing parking to faculty and staff.

Senate oversight at the divisional level is not meant to preclude either the formation of parallel oversight bodies responsible to different constituencies or the continued operation of existing parking-related administrative advisory committees. However, bodies that address multiple issues or that represent multiple constituencies lack the focus and sense of accountability necessary to bring single-minded, critical, and independent scrutiny to bear on the relationship between parking revenues and parking costs as viewed from the employee perspective.

Whether representatives of other parking-user constituencies should be invited to sit on a particular campus's Senate oversight committee should be decided by the divisional Senate. What is crucial is not the exclusion of non-Senate members from membership, but rather the notion that the oversight committee should constitute a stakeholders' body

of parking permit purchasers with a clearly defined line of responsibility running directly to the Academic Senate in its traditional role as a governing body independent of the campus administration.

The oversight committee should be a necessary participant in all parking-related decisions, including setting of policy, the expenditure of revenues, and the setting of fees. The oversight committee should also participate in decisions about campus transportation improvements that will enhance the usefulness of parking facilities.

XI. New Business

Next meeting of the Assembly: Wednesday, May 28, 2003, UC Los Angeles