

UNIVERSITY OF CALIFORNIA

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

Wednesday, March 10, 2004
10:00 am - 4:00 pm
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

2003-2004 Assembly Roll Call March 10, 2004

President of the University:

Robert C. Dynes

Academic Council Members:

Lawrence Pitts, Chair

George Blumenthal, Vice Chair

Ronald Gronsky, Chair, UCB

Bruce Madewell, Chair, UCD

Abel Klein, Chair, UCI

Cliff Brunk, Chair, UCLA

Irwin Sherman, Chair, UCR

Jan Talbot, Chair, UCSD

Leonard Zegans, Chair, UCSF

Walter Yuen, Chair, UCSB

Alison Galloway, Chair, UCSC

Barbara Sawrey, Chair, BOARS

Kent Erickson, Chair, CCGA

Ramon Gutierrez, Chair, UCAP

Lisa Alvarez-Cohen, Chair UCEP

Ross Starr, Chair, UCFW

Janis Ingham, Chair UCORP

Michael Parrish, Chair, UCPB

Berkeley (6)

Richard Abrams

Michael Hanemann

Dorit Hochbaum

David Hollinger

Donald Mastronarde

Raymond Wolfinger

Davis (6 – 1 TBA)

William Casey

Peter Hays

Gyongy Laky

John Rutledge

Philip Yager

Irvine (4)

Dana Aswad (alt. for Linda Georgianna)

Ross Conner

Calvin McLaughlin

Thomas Poulos

Los Angeles (9)

Kathryn Atchison

Charles Berst

Yoram Cohen

Harold Fetterman

Vickie Mays

Jose Moya

Owen Smith

Jane Valentine

Jaime Villablanca

Riverside (2)

Mary Guavain

Linda Tomko

San Diego (4)

Stuart Brody

Gerald Doppelt

Barney Rickett

Nicholas Spitzer

San Francisco (3)

Philip Darney

Francisco Ramos-Gomez

Peter Wright

Santa Barbara (3)

An Jensen Adams

Susan Koshy

Nelson Lichtenstein

Santa Cruz (2)

Peggy Delaney

Theodore Holman

Secretary/Parliamentarian

Peter Berck

REGULAR MEETING OF THE ASSEMBLY OF THE ACADEMIC SENATE

Minutes of May 28, 2003

I. Roll Call of Members

Pursuant to call, the Assembly of the Academic Senate met on Wednesday May 28, 2003 on the UCLA campus, Academic Senate Chair Gayle Binion presiding. Chair Binion called the meeting to order, and Academic Senate Director Maria Bertero-Barcelo called the roll of members of the Assembly. Attendance is listed in Appendix A of these minutes.

II. Minutes

The minutes of the Meeting of March 12, 2003 were approved as written.

III. Announcements by the Chair

Chair Binion presented an updated Agenda that would accommodate the schedules of guest speakers and that assigned time slots to agenda items. In order to allow full and fair discussion of all items and keep to the schedule, she proposed a two-minute limit for each speaker on each topic. A member may be recognized and speak again on a topic after all others who wish to have commented, time permitting.

Action: The revised agenda was adopted.

Action: The proposed time limit and structure for discussion was adopted.

The UCLA Divisional Chair requested that, during discussion of the revised APM 010, additional time be allowed for comments from a representative of the UCLA Committee on Academic Freedom.

Action: A motion was made and seconded to allow additional time for the UCLA CAF representative's comments. The vote resulted in a, which was broken by the Senate Chair's opposing vote, and the motion was denied.

Chair Binion announced that President Atkinson would not be attending the meeting and that Provost and Senior Vice President King would attend to make the President's announcements and to answer questions.

IV. Reports of Standing Committees

UCOC: Neal Garrett, Chair of UCOC, presented the nominations for the two UCOC members at large, who will serve as Chair and Vice Chair. The Academic Council approved these nominations. Professor Garrett also called members' attention to the list of systemwide committee chair and vice chairs appointments for 2003-2004 (Assembly Blue Book, p.88). He thanked the members of UCOC and remarked that there had been a good level of response this year, and expressed UCOC's appreciation of all the assistance that was received in the nomination and appointment process.

Action: A motion was made, seconded, and approved by unanimous vote to accept the nominations of Professor Jessica Utts as the 03-04 UCOC Chair and Professor Albert Stralka as the 03-04 UCOC Vice Chair.

BOARS: BOARS Chair Barbara Sawrey offered a brief overview of the committee's recent activities relating to admissions tests, mentioning in particular two committee white papers: one that discusses why admissions tests are used and one on supplemental subject matter tests. SAT and ACT have made changes in their basic tests in response to concerns raised by UC and by other institutions nationwide. These changes will be in place by 2005 and align closely with BOARS' requests. BOARS is proposing an amendment of Senate regulation 418 that would institute a "core-plus-two" admissions test protocol, which will require students to take one "core" test (either the SAT or the ACT), plus two subject matter tests of choice in the A-G subject areas. Language in the policy makes all references to tests generic. A transition plan has also been developed by BOARS and is being presented for Assembly approval. Both UCR&J and the Academic Council have endorsed the proposed amendment to SR 418.

Discussion:

Several members raised objections to the elimination of the supplemental math test requirement. One urged that the old math test not be removed before it was certain the new one would be sufficient. Another member commented that math would now be 20% of the entire admissions test content, reduced from 40%, a change that sends the message that math and science are not important. An alternative was proposed to require one of the subject tests to be in either math or science.

Professor Sawrey explained that the tests are being changed so that the current SAT II level 1C math test will now be subsumed in the SAT I math section. Campuses can still require or request students to take supplemental math tests or other tests that may be appropriate for selection of majors. She also noted that the new test structure would eliminate redundancies that now exist between the SAT II math and writing tests and the correlative sections in the SAT I. The core-plus-two testing policy will result in more breadth in the election of A-G tests. The weighting of each test at 20% can change, if necessary.

A friendly amendment was proposed to change the wording of the list of subject areas (Blue Book, p. 91) to read: "...or Visual and/or Performing Arts."

Action: A motion was made, seconded and approved by a vote of 43 to 3 to adopt the proposed SR 418 with the above amended language.

Action: A motion was made, seconded, and unanimously passed to accept the proposed transition plan for implementation of the new admissions tests.

V. Announcements by the President

Because President Atkinson could not attend the meeting, Provost and Senior Vice President C. Judson King presented the President's list of 23 discussion topics (distribution 5), touching on each topic and highlighting points in some. He made comments on two additional topics outlined below, and then took questions from Assembly members.

Los Alamos National Laboratory (LANL). Interim Director Pete Nanos has been made permanent Director of LANL until September 2005, at which time he will be reviewed for continuation in the post, if UC continues to manage the lab. The RFP for the management contract will be set by next March. To help UC with the costs of competing,

NNSA has indicated that UC may be allowed to use funds from fees; those are, however resources that are needed. Once it is certain that UC will compete, a review of the management operations at the labs will be conducted.

APM 010-Academic Freedom. Academic freedom questions arose with respect to last year's Berkeley English R1A course description, which generated considerable interest on the part of the Regents and the Governor's office. A Senate task force on course descriptions has produced a two-part report that describes UC policies and procedures for course descriptions and the role and responsibility of faculty. A recently formed commission on course descriptions and academic freedom has accepted the conclusions of the report, and will issue a public statement that may be ready in July.

Q/A

Report on Faculty Workload: The report of the joint task force on instructional activities should be issued in July, in two parts: one part will define instructional activities to the public, making a distinction between classroom hours and tutorial instruction; the other part will be a comparison of UC policy with that of other institutions, the data for which were gathered through interviews of UC faculty who had previously worked at comparison institutions, and from polls of department chairs at the "comparison eight" institutions. There is much internal variability in workload, and the task force is still refining measures for recording and monitoring these differences.

What will be done to oppose the CRECNO initiative? People can be active as individuals, but UC cannot take an advocacy position. The faculty's expertise can be called on, however, to testify on aspects of the initiative. Information on what activities can be engaged in will be sent to the Academic Senate Chair, to be forwarded to Divisions.

The RFP for LANL management and change of UC president: The Senate subcommittee on the labs will be able to provide continuing knowledge. Now there can be only speculation as to the terms of the contract, although UC could also propose what it sees as desirable. The option of partnering with industry is at this stage not attractive, but may work with subcontractors. In any case all appropriate partners would be in high demand among competitors.

Does UC have power to shape the terms of the contract? UC has support among certain people, and the University could clearly convey its concerns or preferences.

VI. University and Faculty Welfare Report

Mark Traugott, Chair, University Committee on Faculty Welfare

The current budget situation has curtailed some of the projects UCFW is working on. Health care discussions are focused on core concerns. This is not a time for major new initiatives, and most of the committee's activities are defensive.

UCRS. The fund has dwindled from \$42B to \$30B as of March, which effectively eliminates over-funding. At present, UCRP is fully funded and healthy, and is still not requiring employee or employer contributions. Resumption of contributions is possible within 2-5 years if the stock market does not improve. The Regents are cautious about any charges against the UCRS. UCFW will consider a resumption strategy and is concerned that any plan for resumption requires contributions of both employer and employees.

Health Sciences Task Force Report. This administrative report presents three options for addressing concerns that health sciences faculty have about their retirement benefits coverage. An analysis of the report by the committee's Task Force on Investment and Retirement (TFIR) supports only one of the 3 options, and prefers a fourth option it presents as a alternative. This analysis will soon be available on line.

Phased Employment/Phased Retirement. UCFW revised its original proposal to address concerns raised by EVCs, but a formal response from them has not yet been received. The EVCs were concerned about space and expressed reluctance to move from the current recall system, which is an inexpensive means of paying for teaching. In response to the latter point, UCFW has urged UCOP to lower the normal retirement age from 70 to 60, and they have agreed. This will make it possible for faculty to negotiate before retirement the terms of teaching on recall, and may in the long term reduce the financial advantage of recall.

Health Care. The transition from Aetna to Blue Cross and Blue Cross PPO was in general efficiently managed. The zero cost option has disappeared and premiums have overall increased. Changes in the coming year will likely be just as bad, with a possible 15-20% rise in costs, and no funds in the University's budget to defray these costs. The unions are criticizing the apportionment of subsidies of plans as an illegitimate transfer of benefit funds. This apportionment maintains risk adjustment and a larger range of options in health care, which UCFW defends. UCFW's task force on health care will look at options for funding in the coming year, one of which is a contribution strategy that would increase payments of those earning above 80K, and decrease by the same amount payments of those earning less than 30K.

VII. Report of the Senate's Task Force on UC Merced

Peter Berck, UCMTF Chair

Professor Berck pointed out highlights of the Task Force report (Distribution 1). Assuming UC Merced opens on schedule in the fall of 2004, it will do so with 1000 students, 100 of whom will be graduate students. At that time, one academic building of classrooms and offices will be ready, as will student dorms. The library and administration building will be completed six months after opening; and six months after that the laboratories building. In the interim, lab facilities will be set up at the old Castle Air Force Base and administrative offices will be in the town of Merced. Nine faculty are now hired who will soon be assuming regular Senate activities, such as CAP, Educational Policy, and Graduate Council. Until now, the UCM TF has carried out all Senate tasks. Hiring is the top priority, with the goal of having 60 faculty for the opening. If the opening is deferred for one year, as is now being considered by the state legislature, a physical and administration structure will be in place, with no students to use them.

VIII. Report of the Academic Council

Gayle Binion, Academic Council Chair

CRECNO. This initiative has been subject to thorough review by the Senate. Chair Binion will distribute her letter to President Atkinson, which constitutes the Senate's position. She will also assemble information on what activities the Senate may engage in to oppose CRECNO's adoption.

DOE Labs. At its last meeting the Academic Council created a new subcommittee on the labs, made up of the Chair and Vice Chair of the Council and several members of the former UCORP subcommittee on lab management. The group will focus on UC management of the labs and, in accordance with its main charge, ensure the Senate's voice is heard at UCOP on this issue. The President is assuming that the Senate will offer an official position on management. The basic question of the advisability of UC continuing to manage the DOE labs will likely be on the table, and the subgroup will make clear all considerations involved in that question, not just the ethical issue.

2003-2004 Assembly Schedule - found on p.15 of the Blue Book.

Apportionment of Assembly Representatives - found on p.16 of the Blue Book.

IX. Proposed Amendments to Senate Bylaws

George Blumenthal, Chair, Ad hoc Committee on the Senate Bylaws

Professor Blumenthal noted that the latest version of the revised bylaws (Distribution 3) is identical to that in the Blue Book, except for five changes: 1) some minor grammatical corrections; 2) Bylaws 128-215 would be effective as of September 1, 2003, except for provisions pertaining to membership; 3) revised wording in Bylaw128B; 4) a minor change in the duties of UCOPE; and 5) inclusion of a two-year term of the Chair of UCEAP. He asked that Distribution 3 be substituted for the version in the Blue Book.

Action: No objection was raised to the substitution.

He then asked that the bylaws be voted on in two separate groups: Bylaws 35-125, and Bylaws 128-215.

Action: No objection was raised to the proposed voting structure.

Senate Bylaws 35-125

These bylaws deal largely with the Academic Assembly and its activities. The main changes include: allowing use of electronic agendas; allowing a flexible order of the agenda; allowing electronic voting; changing the notice time; appointing the Chair of UCORP a member of the Academic Council; including the Academic Council Chair and Vice Chair as ex officio (non-voting) members on all standing committees except for UCR&J. On UCOC they will be voting members. These changes will be effective immediately upon adoption, which will require a two-thirds vote.

Action: A motion was made, seconded, and unanimously carried to accept the proposed amendments to Senate Bylaws 35-125.

Senate Bylaws 128-215

These are bylaws pertaining to the standing committees of the systemwide Senate. The goal in revising them was to create continuity and conformity, and render the appointment of Chairs more orderly. These changes will be effective as of September 1, 2003, except for changes pertaining to membership, which will go into effect September 1, 2004. Some further amendments to the systemwide Senate Bylaws and the Divisional Bylaws will be considered next year. Key changes here include:

- A standardized 2-year committee term and a policy of noticing members of their term when they are appointed.
- A two-year extension option with a total four-year term limit; but committee chairs and vice chairs may serve a total of six years.
- Establishment of chairs and vice chairs for all committees

- One-year terms for chairs (with exceptions)
- A provision that allows a divisional representative to a systemwide committee to essentially serve only as a liaison with the appropriate Divisional committee.
- Incorporation of committees' proposed revisions of their respective charges

Discussion

128.E. In order to clarify that students are not privileged to attend executive sessions, it was proposed to delete the phrase “sit with” in reference to student membership.

Action: This change was deferred to next year’s discussion.

128.H. Some members found the exclusion of associate deans from Senate service as unfair, noting that an associate dean and a department chair are often not distinguishable in terms of rank. Associate deans are most often part time and are fulfilling administrative duties out of a sense of service, and therefore should not be penalized by being made ineligible for Senate committee membership.

A motion was made and seconded to amend the first sentence of the justification of proposed Bylaw 128.H by qualifying administrative positions as being full time.

Discussion on the proposed amendment:

Pro – There are a number of faculty who take on part time administrative duties, but who consider themselves faculty foremost. Local CAPs look at those as meeting service requirements. It was mentioned that at UCSF the associate dean position is generally not assumed to be a higher rank than that of department chair. Will it be left up to the campuses to decide higher and lower ranking?

Con- On some campuses all administrative positions below a provost are less than fulltime. Further, the “part time” and “full time” distinction doesn’t consistently correlate with whether a position is faculty or administrative. It was pointed out that the intention of the provision is to restrict membership on committees to those who are dedicated to serving the Senate.

- Professor Blumenthal clarified that the Academic Council did not decide on the specific status of associate deans, but it was agreed that the local COCs would have some discretion. The justification predated that discussion.
- A member proposed revising the justification so that the determination of whether a position is higher than department chair can be left to divisional COC discretion. To that, one member expressed concern that whatever is done on campuses be consistent.

Action: The motion to amend the first sentence of the justification of Bylaw 128.H to read “...members holding *a full time* administrative position higher than department chair...”

was defeated by a majority vote.

160.A. The current membership of the Editorial Committee includes two co-Chairs, and some members would prefer retaining this structure. The Academic Council discussed the issue and decided that a Chair and Vice Chair structure in the Editorial Committee would better serve the needs of the Senate.

Action: A motion was made and seconded to restore the original language of Bylaw 160.A, of the Editorial Committee, which would allow it to retain the current leadership structure of co-chairs. The motion was defeated by majority vote.

Action: A motion was made, seconded and carried by a two-thirds majority vote, to adopt the proposed revisions of Senate Bylaws 128-215.

Action: It was the sense of the Assembly to accept the proposed amendment to the justification of Bylaw 128.H, which would remove the term “associate deans” from the second sentence and add it to the following sentence’s parenthetical content to read: “(e.g., college provost or associate dean).”

Action: It was the sense of the Assembly to accept the justifications of the revised Senate Bylaws as amended above, and as a whole, to be the legislative record of the Assembly’s action on the Bylaws.

X. Proposed Amendment to APM 015 – Faculty-Student Relations

Issue: 20 years ago the Assembly passed a resolution concerning romantic liaisons and asked UCP&T to develop an appropriate amendment to the Faculty Code of Conduct (APM 015); however, no such amendment was brought forth until now. The current version under consideration was drafted by UCP&T and reflects revisions adopted by Council and subsequently approved by UCP&T. The Regents are expecting an updated, Assembly-approved policy that represents the faculty’s considered position on this issue this year. If adopted, UCP&T will study the policy in its initial period of implementation, and report on any needed changes. The proposed policy bans faculty from entering into romantic or sexual relations with students under their current supervision or who will foreseeably be under their supervision in the future. Members were reminded that the amendment is to be distinguished from sexual harassment policy, and also that cases would be subject to the review of peers through divisional P&T or Charges committees. According the Office of General Counsel, none of the current campus policies on faculty-student liaisons are enforceable.

Discussion:

Berkeley members reported strong opposition on their campus to the proposed policy, although the principle in question is supported. Berkeley faculty are in favor of faculty being the source of such a policy, but urge that there be more time given to the development of a more nuanced document. Objections were raised to the language of the policy, which was seen as ambiguous and moralistic, and to the lack of guidelines for recusal or an “exit strategy.” Also noted was the need for a better distinction between sexual harassment and sexual relations.

Other Assembly members opposing the proposed policy felt that students are protected by sexual harassment policy, that sexual relations should not be sanctioned, and that the policy would be an infringement on individual behavior that is a basic social phenomenon. It was also noted that misuse of power should already be dealt with in the code of conduct.

In support of the proposed policy, other members saw it as a means of: guaranteeing some level of protection for students; addressing potential abuse of power and promoting ethics; and of stating boundaries and recognizing the professional responsibility faculty have to students.

Action: A motion was made and seconded to re-commit the proposal to the Academic Council for further discussion on the campuses.

Further discussion:

It was suggested adopting the current proposal, with the intention of revising it in the coming year. Another comment held that recommitting the policy would not be productive, since it had already been looked at thoroughly.

Action: A motion was made and seconded to call the question of the previous motion to recommit the policy to Council. The motion was carried by a two-thirds vote.

The initiator of the motion made these further points: For most faculty, this policy did appear suddenly and there has not been enough time for consideration. Once the policy goes to the Regents, there will not really be opportunity to refine it, so the best version possible should be the one that goes forward.

Action: A vote was taken on the motion to recommit the proposal to Council. The motion failed, with the majority voting in opposition.

Further Discussion: The type of sexual liaison policy that involves recusal and disclosure was discussed. This option was not chosen by UCP&T because it does not protect other students in a class, it involves possible disclosure of private activities, and it does not always adequately deal with graduate students' situations in that the faculty member's recusal could affect the student's work.

Action: A motion was made and seconded to accept the proposed amendment to APM 015, and was carried with a vote of 33 in favor, 12 opposed, and 3 abstentions.

XI. Proposed Amendment to APM 010- Academic Freedom

Chair Binion introduced the two presenters of this item: Robert Post; Professor of Law at UC Berkeley; and UC Riverside Professor Gary Watson, Chair of the University Committee on Academic Freedom, who introduced the motion to adopt the amendment on behalf of UCAF.

Professor Watson presented UCAF's participation in this matter - UCAF has been discussing the proposed amendment of APM 010 since Professor Post's original draft was circulated. Since then, and in consultation with other committees and with Professor Post, UCAF has participated in its refinement, resulting in the draft that is now being considered. UCAF endorsed this version in a vote of seven to one. The logic of the proposed amendment seemed to the committee straightforward and plausible. First, that the academic freedom is rooted in the mission of the University to pursue and disseminate knowledge; second that that the quality of scholarship is assessed by professional standards of the academy; and thirdly that the definition and application of these standards properly lie within the expertise and competence of the faculty as a body. Professor Watson suggested as a friendly amendment to the current version, placing the superscript 1, referring to footnote 1, to the end of the first sentence of the second paragraph.

Action: A motion was made to adopt the current draft, as revised by the above friendly amendment, of the proposed amendment to the to APM 010- Academic Freedom.

Professor Post offered an overview of the process of the proposed amendment's origin and composition – At President Atkinson's request, and in consultation with Senate leaders and members at UC, national authorities on the subject, and with the Office of General Counsel, Professor Post, drafted a statement on academic freedom. The original draft statement was vetted, and changes made and approved by the Academic Council. Subsequently, he discussed with UCAF their proposed revision, the version that is now on the table.

The purpose of APM 010 is to give general principles from which deductions of academic freedom can be derived. Terms that are too specific would not be appropriate for this section. If specific rules of behavior are developed, they could be incorporated in APM 015. Paragraph 1 defines academic freedom as a set of freedoms that are derived from 1) the basic principle that the mission of the university is to discover knowledge; and 2) the university's fundamental purpose of instilling in students independent thinking. Paragraph 2 states that knowledge is recognized by standards of professional expertise that characterize the faculty as a body. Paragraph 3 states that faculty are protected by the 1st Amendment of the Constitution and by the Constitution of California.

Discussion:

- UCLA's Committee on Academic Freedom objected to the lack of time allowed for review of this new version, which has not been seen by campus committees, and noted that the earlier version was seen as ambiguous.
- San Diego listed several objections, which included: the current APM 010 seems sufficient and has endured for decades; the proposed amendment has not been discussed extensively or strongly endorsed; an academic freedom statement should address faculty's responsibility to students, yet these are not adequately covered in APM 015; more time is needed to reach a compromise solution.
- Berkeley expressed grave concerns about threats to academic freedom coming from external forces (such as the Patriot Act and the Bio-terrorism Act), and felt there to be an urgent need to adopt a more useful statement on academic freedom, such as the one now proposed.

Action: A motion was made and seconded to call the question of the proposed amendment to APM 010. In a two-thirds majority vote, the motion was denied.

In further discussion, members noted that not all objections to the proposed amendment have been addressed in the review process, and that more time is needed to do so; the question was raised of how to define professional competence; a request was made for cases to be presented to help understand the policy's applicability; and the question was raised of the applicability of APM 010 in a global context or in the context of the Internet.

Action: A motion was made and seconded to return the proposed amendment to APM 010 to the Academic Council and to reconsider it a year from now after extensive consultation on the campuses. The motion passed by a majority vote.

- The language of the above motion was subsequently clarified to mean that the proposed amendment to APM 010 should return to the Assembly "within a year."

Chair Binion will notify members as to whether a special meeting of the Assembly will be held on July 30, 2003.

Meeting adjourned, 3:50
Attest: Gayle Binion,
Academic Senate Chair

Minutes prepared by
Brenda Foust,
Policy Analyst

Distributions:

1. Academic Senate Task Force for UC Merced: Chair's Report to the Academic Assembly. May 28, 2003.
2. Academic Senate Chair Binion/wright letter re: APM 101-Academic Freedom
3. Proposed Amendments to the Academic Senate Bylaws, Submitted by the Academic Council Bylaw ad hoc Committee, Endorsed by the Academic Council on April 23, 2003.
4. 5/03 Revision of the Proposed Amendment to APM 010 – Academic Freedom.
5. President Atkinson's List of Discussion Topics for the Meeting of the Assembly of the Academic Senate, Wednesday May 28, 2003.

Appendix A

2002-2003 Assembly Attendance Record, Meeting of May 28, 2003

President of the University:

Richard Atkinson (alt. Provost C. Judson King)

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 (alt. Kent Erickson)

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 (alt. Cynthia Gorney)

James Bartolome (alt. Robert Spear)

Sharon Fleming (alt. Ronald Gronsky)

Michael Hanemann (alt. Ignaccio Navarrette)

Russell Jones (absent)

Donald Mastronarde

Raymond Wolfinger

Davis (6)

Peter Hays

Gyongy Laky

Jerry Powell

John Rutledge (alt. Margaret Rucker)

Evelyn Silvia

Philip Yager

Irvine (4)

Joseph Dimento

Linda Georgianna (alt. Dana Aswad)

Alexei A. Maradudin (absent)

Thomas Poulos (absent)

Los Angeles (9)

Kathryn Atchison (alt. Jaime Villablanca)

Charles Berst

Dalila Corry

Robert Ettenger

Lillian Gelberg

Ann Karagozian

Seymour Levin (alt. Jascha Kessler)

Vickie Mays

Jane Valentine

Riverside (2)

R. Ervin Taylor

Linda Tomko

San Diego (4)

Stuart Brody (alt. William Trogler)

Ellen T. Comisso

Barney Rickett

Geert Schmid-Schoenbein

San Francisco (3)

Patricia Benner

Philip Darney

Francisco Ramos-Gomez

Santa Barbara (3)

Michael Gerber

Susan Koshy

Sydney Levy

Santa Cruz (2)

Alison Galloway

John Lynch

Secretary/Parliamentarian

Peter Berck

**SPECIAL MEETING OF THE ASSEMBLY OF THE ACADEMIC SENATE
Minutes of July 30, 2003**

I. Roll Call of Members

Pursuant to call, the Assembly of the Academic Senate met on Wednesday July 30, 2003 on the UCB campus, Academic Senate Chair Gayle Binion presiding. Chair Binion called the meeting to order, and Academic Senate Director Maria Bertero-Barceló called the roll of members of the Assembly. Attendance is listed in Appendix A of these minutes.

II. Announcements by the Chair

Academic Council Chair Binion welcomed Assembly members and members of the press to the meeting. She noted that Professor Robert Post, who drafted the revision of APM 010, was unable to attend and sent his regrets.

**III. Announcements by the President
Richard C. Atkinson**

President Atkinson briefed the Assembly on selected topics and took questions from the floor.

Budget. The recently passed state budget includes deep additional cuts to the University of California. This situation will make the present era a difficult and challenging time for us. The faculty will be essential in maintaining the quality of the University.

APM 010. The impetus to revisit UC's academic freedom statement arose during the resolution of last year's Berkeley English R1A course description situation. At that time, President Atkinson was struck by the fact that the 1934 Sproul statement, drafted during the Great Depression, was seriously outdated. It had been useful to the University in navigating the political waters of the 1930s, but did not represent modern concepts of academic freedom.

UC Berkeley Law Professor Robert Post was recruited to draft the revision. Professor Post researched the policies of comparable institutions in the U.S. as well as those of the AAUP. Seven Senate committees then reviewed his new draft statement.

The revision is in harmony with academic freedom statements at many other American universities, but UC's unique system of shared governance is also reflected in the revision. The proposed revision differs from other university statements in the 2nd paragraph, in which authority for resolving issues of academic freedom is assigned primarily to the faculty themselves. The idea that faculty are judged according to professional standards of competence by their own peers is central both to the new statement and to the entire concept of the modern university.

There have been attempts from both the right and the left to impose irrelevant political impressions onto this document. Some on the left have claimed that freedoms are being taken away in the revision, while some on the right have suggested that all constraints on faculty are being removed. Studies allegedly showing that a majority of faculty are left-

of-center politically do not prove that there will be bias inherent in faculty judgments about academic freedom. If we cannot trust the faculty to make these decisions, we are in real trouble.

Some have suggested that this revision is being advanced with undue speed. However, there has been broad faculty input into this document. The campus committees and seven Systemwide committees have participated in the revision. The University is about to undergo a change in administration, and although President-elect Dynes supports the revision, there is merit in moving this forward so that he can focus on other matters of importance to UC.

APM 010 should not be seen as isolated from APM 015, the Faculty Code of Conduct, but as a framework for Academic Freedom, the limitations on which are more fully addressed in APM 015.

III. Proposed Amendment to APM 010- Academic Freedom

Remarks by Chair Binion

Academic Council Chair Binion presented the main issue of the day before the Assembly, which was the possible endorsement of one of two versions of a revised APM 010 statement on Academic Freedom. Version A was cited as the Academic Council-endorsed version, and Version B an alternate version including in the first paragraph: “Responsible instruction precludes coercing the judgment of a student, or the use of instruction as a means to nonacademic ends.” Chair Binion proposed a five-minute presentation on behalf of each version and then a general discussion with a two-minute limit for each speaker in order to allow full and fair discussion of the entire matter. Only after all members had an opportunity to speak would anyone be recognized to speak again.

Chair Binion presented the Council-endorsed Version A. She said that although the move to revise 010 had originated as a concept with President Atkinson, it had been written entirely by the faculty. UC’s system of shared governance depends on the faculty Senate’s authority to interpret questions of academic freedom. It is the collective competence of the faculty that underlies this ability. This authority, contrary to the 1934 version, does not come from the state but from the profession itself. The new formulation also recognizes for the first time the academic freedom of students, one of the justifications of which is the need to foster an independence of mind in those students.

Remarks by San Diego Divisional Chair Dimsdale

At the May Assembly, Professor Dimsdale on behalf of the San Diego division had requested a delay in the vote on 010, because UCSD members felt it would be useful to have more time to consider the proposed revision. As the underlying aspirational statement about what it means to be teaching in the university, 010 is very significant. There was a second UCSD concern that the Council-endorsed version placed too much emphasis on freedom and not enough on faculty responsibility to students and colleagues. In the meantime, Academic Council had been fine-tuning the document, and San Diego offered the alternative version to the Assembly for consideration, which had this added emphasis. This was not viewed by UCSD as a left versus right issue.

Discussion

Members debated the merits of the additional language in Version B. Some members remarked that the terms “coercion” and “nonacademic” were too ambiguous and could have negative implications. Others remarked that the concerns the additional sentence sought to address were already addressed in the document or in APM 015, and there was no need to cite one provision from 015 to highlight. Those in favor of the Version B felt it was important to emphasize faculty responsibility to protect students from coercion. Others voiced the opinion that the second half of the sentence in particular was so controversial and unclear that it should be eliminated from the text before the alternate version was brought to a formal vote.

Specific Assembly member comments included:

- As an English Professor, I am not afraid to say that I coerce my students to speak correct English and to regard prejudice as morally repulsive. Therefore, I will not support the alternative version, as it is contrary to my teaching policy.
- A seminar that leads to a patentable idea could be considered “nonacademic ends.” Other relevant and appropriate nonacademic ends often come out of classroom discussion.
- Some have sought to abolish Labor Studies on the grounds that it is an ideological project that fails to present all sides. The language in the alternative version opens the door to the eradication of certain sub-disciplines.
- 010 is an aspirational document. Such esoteric documents should air on the side of freedom.
- 015 already covers Do’s and Don’ts. Further, the amended language in the alternative version only addresses one of those points covered in 015.
- We ought to expect instructors to present alternative perspectives in the classroom even if they are committed to a particular perspective. Further, the use of instruction to nonacademic ends is not explicitly mentioned in 015.
- There are words in the original formulation of 010 that suggest that alternative points of view ought to be presented to students, who ought make decisions on their own based on the facts. I do not see that wording in the revision. What is to be gained by omitting that language?
- I would hate to go down a path where one day a scholar might deny the Holocaust and defend it on grounds of academic freedom.
- UCPB was strongly in favor of the simpler, original version. They would also suggest that 015 could be revised and refined in the future.
- The footnote was left in as part of the legislative record. It was seen as important for future Senates to have that language available to it to understand what the process and reasoning had been.
- The proposal will help academics by providing a basis for the University to defend them in battles over research and publishing restrictions.

Action: A motion was introduced to amend the alternative version of APM 010, striking the second part of sentence. That sentence would be amended to read: “Responsible instruction precludes coercing the judgment of a student.” Chair Binion called the

motion, and it was seconded. The motion was defeated on a 22-23 vote with 2 abstentions.

Action: A motion was introduced to call the question on the motion to substitute the alternate version of APM 010. The vote to call the question was unanimous. Chair Binion called the question on the motion to endorse the alternative version of APM 010. The motion was defeated 5-41 with 1 abstention.

Action: A motion was introduced to call the question on the motion to endorse the Council-endorsed version of APM 010. The vote to call the question was unanimous. Chair Binion called the question on the motion to endorse the Council-endorsed version of APM 010. The motion passed 45-3.

Meeting adjourned, 3:00
Attest: Gayle Binion,
Academic Senate Chair

Minutes prepared by
Michael LaBriola,
Committee Analyst

Appendix A

2002-2003 Assembly Attendance Record, Meeting of July 30, 2003

President of the University:

Richard C. Atkinson

Academic Council Members:

Gayle Binion, Chair

Lawrence Pitts, Vice Chair

Catherine Koshland, Chair, UCB

Bruce Madewell, Chair, UCD

Philip DiSaia, Chair UCSD (absent)

Clifford Brunk, Vice Chair, UCLA (alt. for Duncan Lindsey, Chair, UCLA)

Robert Heath, Vice Chair, UCLA (alt. for Irwin Sherman, Chair, UCR)

Joel Dimsdale, Chair, UCSD

Daniel Bikle, Chair, UCSF

Walter Yuen, Chair, UCSB

George Blumenthal, Chair, UCSC

Michelle Yeh, Chair, UCAP (absent)

Richard Church, Chair, CCGA

Andrew Grosovsky, Chair, UCEP

Barbara Sawrey, Chair, BOARS

Mark Traugott, Chair, UCFW

Janis Ingham, Vice Chair, UCORP

Richard Price, Chair, UCPB

Berkeley

Richard Abrams

Ronald Gronsky (alt. for Sharon Fleming)

Michael Hanneman

Andrew Garrett (alt. for Russell Jones)

Donald Mastronarde

Ignacio Navarrete

Raymond Wolfinger (alt. for Robert Spear)

Davis

Peter Hays

Ryken Grattet (alt. for Gyongy Laky)

Jerry Powell

Margaret Rucker (alt. for Philip Yager)

John Rutledge

Evelyn Silvia

Irvine

Joseph DiMento

Linda Georgianna

Alexei A. Maradudin

James Given (alt. for Thomas Poulos)

Los Angeles

Kathryn Atchison

Philipp Bonacich (absent - alt. for Lillian Gelberg)

Charles Berst

Tasneem Naqvi (alt. for Dalila Corry)

Ann Karagozian

Seymour Levin

Vickie Mays

Jane Valentine

Jaime Villablanca (alt. for Robert Ettenger)

Riverside

R. Ervin Taylor (absent)

Linda Tomko

San Diego

Stuart Brody (absent)

Ellen T. Comisso (absent)

Terry Jernigan (alt. for Barney Rickett)

Geert Schmid-Schoenbein

William Trogler (alt.)

San Francisco

Patricia Benner

Philip Darney

Francisco Ramos-Gomez

Santa Barbara

Michael Gerber

Susan Koshy

Nelson Lichtenstein

Santa Cruz

Alison Galloway

John Lynch

Secretary/Parliamentarian

Robert Anderson (alt. for Peter Berck)

III. ANNOUNCEMENTS BY THE PRESIDENT

Robert C. Dynes (oral report)

IV. ANNOUNCEMENTS BY THE CHAIR

Lawrence Pitts (oral report)

V. SPECIAL ORDERS

A. Consent Calendar

Variance to Senate Regulation 780 A and B, and 778 B, requested by the Senate Task Force on UC Merced

The Senate Task Force on UC Merced (UCM-TF), empowered on October 20, 1999 by the Assembly to exercise all functions of the Academic Senate normally vested in Senate divisions, has proposed *Regulations of the Merced Division Part I. General Regulations Undergraduate Students*.

In accordance with Senate Bylaw 125.B.5 and Senate Regulation 778 B:

Senate Bylaw 125.B.5: “If a proposed Divisional Regulation, which has been submitted to the Assembly of the Academic Senate for approval, is at variance with Universitywide Regulations and cannot be included in the agenda of a regular Assembly meeting to be held within sixty calendar days after Divisional action, the Academic Council, with the advice of the appropriate University Senate committees, is authorized to approve provisionally such proposed Regulations. Such approval is effective until the end of the next following term in which a regular Assembly meeting is held. Such approval must be reported to the Assembly. [See [Bylaw 115.F](#) and [Bylaw 206.D](#)]

Senate Regulation Article 3. Grades 778 B. “The grading system to be used by a Division and modifications thereof must be reviewed by the University Committee on Educational Policy and be certified for consonance with the Code of the Academic Senate by the University Committee on Rules and Jurisdiction. These Committees report their findings to the Senate Assembly for information. Thereafter the proposed grading system becomes effective as provided by Divisional action unless the Assembly determines otherwise.”

The University Committee on Educational Policy at its May 2003 meeting approved the proposed regulations and request for variances to the grading systems. Academic Council at its June 2003 meeting gave provisional approval to the UCM-TF request for the variances, pending consideration of the issue by the Assembly. The University Committee on Rules and Jurisdiction has certified the proposed Regulations for consonance with the Code of the Academic Senate.

1. The following are the relevant variance requests to Senate Regulation 780(A), which reads as follows:

“A. Except as provided in SRs [778](#), [782](#), and [784](#), the work of all students in the University shall be reported in terms of six grades:

1. passing: A (excellent), B (good), C (fair), D (barely passing)
2. not passing: F (failure)
3. undetermined: Incomplete

Grade points per unit shall be assigned by the Registrar as follows:
A 4, B 3, C 2, D 1, F and Incomplete none.”

Variance to Senate Regulation 780(A) to allow grades A, B, C, and D to be modified by a plus (+) or minus (-) and to include the grade In Progress.

Proposed Merced Regulation: 50. GRADES

A. Grading System

UC Merced’s grading system is as follows.

- A Excellent
- B Good
- C Fair
- D Barely passing
- F Not passing
- P Passed (grade of C- or better by an undergraduate student)
- NP Not passed
- I Incomplete
- IP In progress
- W Withdrew
- NR No report (when an instructor fails to report a grade for a student)

a. Credit toward Degree Requirements

A course in which the grade A, B, C, D, or P is received is counted toward degree requirements. A course in which the grade F or NP is received is not counted toward degree requirements. Grades of I or IP are not counted until such times as they are replaced by grades A, B, C, D, or P.

b. Grade Points

Grades of A, B, C and D may be modified by a plus (+) or minus (-). Grade points are assigned as follows: A+ = 4.0; A = 4.0; A- = 3.7; B+ = 3.3; B = 3.0; B- = 2.7; C+ = 2.3; C = 2.0; C- = 1.7; D+ = 1.3; D = 1.0; D- = 0.7; F = 0.0; I = 0.0; P/NP = N.A.. The grades P, NP, I, and IP carry no grade points and the units in courses so graded are excluded in determination of the grade-point average.

Justification: To determine an appropriate grading system for UC Merced, the Undergraduate Council reviewed the grading systems of a number of institutions, including each of the University of California

campuses. The UC Merced Task Force accurately represent and recognize the academic recognition (+ Grade) or a more accurate assessment (-grade) of their performance in the course.

UC Merced may offer undergraduate courses that extend beyond one academic term. The IP or In Progress grade allows faculty to submit a grade at the end of the term when the course is still in progress and will continue into an additional term. When the course has been completed, the IP grade(s) will be replaced by the final grade.

2. The following are the relevant variance requests to Senate Regulation 780(B) which reads as follows:

“B. All grades except Incomplete are final when filed by the instructor of record in an end-of-term course report. However, the correction of a clerical or procedural error may be authorized as the Division directs. No change of grade may be made on the basis of reassessment of the quality of a student's work. No term grade except Incomplete may be revised by re-examination.”

Variance for Senate Regulation 780(B) to include the grade In Progress as an exception to grades that are considered final.

Proposed Merced Regulation: 50 Grades.

B. Change of Grade

All grades except Incomplete and In-Progress are considered final when assigned by an instructor at the end of a term. An instructor may request a change of grade when a computational or procedural error occurred in the original assignment of a grade, but a grade may not be changed as a result of re-evaluation of a student's work. No final grade may be revised as a result of reexamination or the submission of additional work after the close of term.

D. In Progress (IP)

For a course extending over more than one term, where the evaluation of the student's performance is deferred until the end of the final term, provisional grades of In Progress (IP) shall be assigned in the intervening terms. The provisional grades shall be replaced by the final grade, if the student completes the full sequence. The grade IP is not included in the grade-point average. If the full sequence of courses is not completed, the IP will be replaced by a grade of Incomplete. Further changes in the student's record will be subject to the rules pertaining to I grades.

Justification: The purpose of the In-Progress grade is to allow for courses that extend beyond one academic term and to not penalize students who participate in such courses

V. **SPECIAL ORDERS (CONT'D)**
B. **Annual Reports (2002- 2003)**

**ACADEMIC COUNCIL
ANNUAL REPORT 2002-2003**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The Academic Council is the administrative arm of the Assembly of the Academic Senate and acts in lieu of the Assembly on non-legislative matters. It advises the President on behalf of the Assembly and has the continuing responsibility via its committee structure to investigate and report to the Assembly on matters of Universitywide concern.

2002-2003 ISSUES:

During the 2002-2003 academic year, the Academic Council took under review and made recommendations on a total of over fifty initiatives, proposals, reports, variances, and APM policy changes covering a wide range of topics and programs. These included retirement benefits for the health sciences faculty; phased retirement; undergraduate admissions; tobacco funding; copyright; Senate structure and resources; Subject A; postdoctoral scholars; sabbatical leave; family medical leave; and first five-year review of the Agriculture Experiment Station. The Academic Council's comments and final recommendations on many of these issues are posted on the Senate's website at: <http://www.Universityofcalifornia.edu/senate/reports/>. While each one of these was important in giving direction to overall University policy, the following three additional analyses stand out as being particularly significant.

Classification by Race, Ethnicity, Color or National Origin (CRECNO). Popularly known as the Racial Privacy Initiative, this proposed amendment to the State Constitution would prohibit the collection and/or maintenance of most data on race and ethnicity by the State of California, including the University. Normally the Senate does not take positions on political issues, but it felt compelled to do so in this case. The adverse consequences of this Initiative for the University's research missions, as well as public policy, were too severe to be overlooked. Among our most serious concerns were that CRECNO would impair the University's ability to measure how well it is serving the diverse population of the state, and may impede research involving race and ethnicity. These and other concerns were expressed in the Council's letter to President Atkinson (<http://www.Universityofcalifornia.edu/senate/reports/crecnoresp.pdf>), and were conveyed to the Regents. At their May meeting, the Regents voted 15 to 3, with one abstention, to oppose CRECNO. The Senate had expected to take an active role in educating the public about the detrimental effects this amendment would have on the people of the state but the change in date for the matter to be considered (from March 2004 to October 2003) has restricted our ability to do so.

Faculty-Student Relations Policy- APM 015. In spring of 2002, the Academic Council re-endorsed a resolution on faculty-student relationships that was passed in 1983 by the

Academic Senate, and asked the University Committee on Privilege and Tenure (UCP&T) to draft an addition to the Faculty Code of Conduct concerning legislation on faculty-student sexual liaisons. UCP&T began a discussion of this matter in January 2002 and developed a draft amendment to APM 015 that was sent out for general Senate review in January 2003. The proposed amendment made 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 reasonably expect to have such in the future. Following a lively debate, the Assembly approved the policy change on May 28, and the Regents, at their July meeting, voted to adopt the amendment. President Atkinson issued it shortly thereafter. To see the new policy: (<http://www.ucop.edu/acadadv/acadpers/apm/apm-015.pdf>).

University Statement on Academic Freedom - APM 010. In the process of reviewing events surrounding a controversial writing course at Berkeley last fall, it became clear to President Atkinson that the University's Statement on Academic Freedom, which was issued by President Sproul in 1934, was not useful in addressing contemporary questions. As a result, the President asked Boalt Hall Law Professor, Robert Post, to work with faculty colleagues and the Office of the General Counsel to draft a new statement for the University. When the draft was completed, it was reviewed over a four-month period by the campuses, the Standing Committees of the Systemwide Senate, and the Academic Council. The Senate's discussions, together with a close collaboration between the University Committee on Academic Freedom and Professor Post, resulted in a final version that was endorsed by a vote of 45 to 3 at the Assembly meeting on July 30. We currently await President Atkinson's action on this matter. The final version that was endorsed by the Assembly can be found at: (<http://www.Universityofcalifornia.edu/senate/assembly/jul2003/jul2003ii.pdf>)

TASK FORCES AND SPECIAL COMMITTEES:

It is the practice of the Academic Council to empanel a task force or special committee to address questions that require intensive work that do not fall entirely within the jurisdiction of one Senate committee. This year, the Council utilized an especially large number of these groups to advise the Council on many significant issues.

Course Descriptions. At the request of President Atkinson, the Academic Council empanelled a task force to review the experience of the English R1A course taught at Berkeley in fall semester 2002; to review how (non-standard) courses, such as "umbrella," "single-offer," or "varying subject" are reviewed for content; and to review the operant norms for faculty with respect to how they describe their courses. The task force completed its work and the final reports can be found at: (<http://www.Universityofcalifornia.edu/senate/reports/englishr1a.pdf>), and (<http://www.Universityofcalifornia.edu/senate/committees/council/coursetaskforce.pdf>)

Graduate/Professional Admissions. The Academic Council convened a task force to review graduate and professional school admissions guidelines and principles. While this was done in part in response to a resolution of the State Legislature calling upon the University to implement comprehensive review at the graduate and professional school level, it was a subject deserving of Senate attention. The task force was asked to consider

whether it is possible to frame a set of criteria for the various departments, schools and programs to consider in determining proper reliance on GRE, MCAT, LSAT or GMAT. The work of this task force will continue into the next academic year.

Honors/AP. A task force was empanelled by the Academic Council to formulate a recommendation on the appropriate role of Honors/AP/IB and community college courses in the admissions process and, in the case of AP and IB courses, the credit given by the campuses. It is expected that the work of this task force will be completed during 2003-04.

Professorial Steps. In response to concerns that have been raised in recent years about the rationale behind the step system at the Professor level, the Academic Council created a task force to consider whether a step with uniquely high standards should be maintained, and, if so, whether Step VI is the right point in a professorial career to place a review of that nature. This group's work will continue into next year.

Academic Council's Special Committee on the National Labs (ACSCONL). Because of recent events concerning the Labs, and UC's future relationship with them, the Academic Council felt that it was now more important than ever for the Senate to be active participants in discussions involving the future of the Labs. It was decided that this could be achieved most easily if the Academic Council established a task force with greater centrality at the Office of the President, which would report regularly to the Academic Council. As a result, the former UCORP subcommittee on the Labs was reconstituted as a Special Committee of the Academic Council and the Chair and Vice Chair of the Academic Council are included in the membership. The immediate focus is on the issues currently surrounding the relationship between UC and the Labs.

REORGANIZATION:

Council Organization. Since 1999, when the southern office in Irvine was closed and all of the administrative activities were consolidated in a single location at the Office of the President (UCOP) building in Oakland, the Academic Council has been undergoing a reorganization. As of this past academic year, the office is fully staffed and with a redesigned website (<http://www.Universityofcalifornia.edu/senate/>) and the introduction of a new online newsletter, *The Senate Source*, the reorganization is now close to complete. The increased visibility and ease of access afforded by the new location at UCOP has enabled the Senate to become more actively involved in all of the important decision making at the Systemwide level and to be more pro-active on issues of particular interest to the faculty and Senate.

Senate Bylaws. Consistent with the reorganization was a three-year effort to revise the Systemwide Senate's Bylaws. The goal was to streamline and update the bylaws affecting the operations of the Academic Assembly and to standardize the composition, service term and procedures governing the work of Senate's standing committees. The Assembly at the May 2003 meeting approved the revised bylaws. Those bylaws having to do with Assembly operations will become effective on September 1, 2003, and those governing the standing committees will go into effect in September 2004. It is the hope that these changes will both improve the efficiency and lower the cost of Senate operations.

Joint Administrative/Senate Retreat: Under the leadership of Council Chair Binion and with the cooperation of Provost King, the Academic Council held its first joint retreat with the executive vice chancellors. The goal of the retreat was to foster a greater communication on matters of shared interest between the campus EVCs and the Systemwide Academic Senate. The three discussion topics, which were each facilitated jointly by a faculty and EVC member, included: UCFW's proposal on Phased Employment/Phased Retirement; Ethics and Integrity: Faculty-Student Relations; and Shared Governance: Models of Effective Academic Senate-Administration Interaction. Because the retreat was found to be both useful and informative, the Academic Council plans to make this an annual event meeting in alternate years with the chancellors and the executive vice chancellors.

Relationship with the Regents. Last fall, the Senate leadership sought to become more fully integrated in the newly restructured meetings of the Regents. This included the Senate Chair and Vice Chair now serving as advisory members on all Regental committees. While substantial progress has been made, the Senate leadership is still not as fully incorporated into the consultation process between meetings as would be desirable. During the July meeting, the Council discussed whether this could be improved if the Senate Chair and Vice Chair were voting members of the Regents. In a straw vote taken at the conclusion of the discussion, the majority of the Council members were in strong support of the faculty representatives being granted voting status. It was their view that this would greatly enhance the Senate's involvement in decision-making processes. The Council recommended, however, that the non-voting status be maintained for another year during which time the Senate Chair and Vice Chair would work informally to be included in more of the Regents' pre-meeting discussions. Their progress will be assessed at the end of the year when the Council will make a final decision on this issue.

ACKNOWLEDGEMENTS:

The Academic Council acknowledges and expresses its gratitude to the following members of the Senior Administration who have taken time from their demanding schedules each month to brief Council members and answer their questions on all of the current issues: President Richard Atkinson; C. Judson King, Provost and Sr. Vice President-Academic Affairs; Bruce Darling, Sr. Vice President-University Affairs; Joseph Mullinix, Sr. Vice President-Business and Finance; and Lawrence Hershman, Vice President for Budget. This fall, the University will lose two of its chief leaders – Richard Atkinson and Jud King. The number and nature of the contributions these leaders have made to the University of California are too numerous to list here, but one of their important legacies is an unquestioned support of shared governance and their willingness to work closely with the Senate on the challenging issues faced by the University. The Academic Council wishes Richard Atkinson and Jud King well in the next chapter of their lives.

Respectfully Submitted:

Gayle Binion, Chair
Lawrence Pitts, Vice Chair

Divisional Chairs:

Catherine Koshland, Berkeley
Bruce Madewell, Davis
Philip DiSaia, Irvine
Duncan Lindsey, Los Angeles
Irwin Sherman, Riverside
Joel Dimsdale, San Diego
Daniel Bikle, San Francisco
Walter Yuen, Santa Barbara
George Blumenthal, Santa Cruz

Guest:

Peter Berck, UC Merced Task Force

Senate Committee Chairs:

Barbara Sawrey, BOARS
Richard Church, CCGA
Michelle Yeh, UCAP
Andrew Grosovsky, UCEP
Mark Traugott, UCFW
Janis Ingham, UCORP (Vice Chair)
Richard Price, UCPB

Council Staff:

Maria Bertero-Barcelo, Executive Director
Betty Marton, Policy Analyst
Brenda Foust, Policy Analyst

**UNIVERSITY COMMITTEE ON ACADEMIC FREEDOM (UCAF)
ANNUAL REPORT 2002-2003**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The University Committee on Academic Freedom (UCAF) met four times in Academic Year 2002-03: October 18 2002, December 13, 2002 and March 7 2003 in Oakland; and June 11 2003 as part of a Joint Senate Committee Forum on Academic Freedom held at UC Berkeley. Members also participated in three conference calls. Two calls involved members of the Academic Freedom Forum planning subcommittee, and the third was a discussion with Professor Robert Post about his draft revision to APM 010. Members also conducted a significant amount of committee work electronically. In December, Chair Ian Coulter left the committee to begin a sabbatical, at which point Gary Watson assumed the role of Chair. Former Chair Meg Wallhagen also remained involved as a consultant, particularly with Forum planning, and joined a portion of each meeting by phone. UCAF appointed an Acting Vice-Chair, Professor Barbara Epstein of UCSC.

California Master Plan

In December, UCAF submitted comments to Council regarding a report from the Joint Committee to Develop the California Master Plan for Education. UCAF concluded that the State of California report contained many implications contrary to basic principles of academic freedom. The Master Plan would restrict the authority and freedom of faculty to regulate content of university coursework, including their ability to set goals on how to best meet general education requirements; it would restrict the ability of the faculty to make curriculum decisions by imposing a system of external testing; and it would improperly tie faculty evaluations and rewards to student achievement.

Racial Privacy Initiative

In January, UCAF submitted comments expanding on its 6-24-02 statement concerning the proposed Racial Privacy Initiative (RPI). Members opined that if RPI provisions banning the collection of racial data were enacted, the freedom and ability of scholars to conduct health sciences research beneficial to society would be severely limited. For instance, research using such data is necessary to study mortality, morbidity, disease rates and health behaviors among population sub-groups. The RPI would also diminish UC's competitiveness in the market for federal research funding. Although the RPI was seen as negative in any form, UCAF recommended that one way to mitigate these concerns would be to amend the medical research exemption to exempt all academic research.

UCORP Resolution on SUTI

In July, UCAF submitted comments to Council regarding UCORP's "SUTI Resolution: Resolutions Regarding Sensitive But Unclassified Technical Information." UCAF supported UCORP's declaration that an overall institutional policy goal should be to protect freedom of inquiry and publication in the university. However, an issue of concern to UCAF was whether faculty conducting this type of research would be prohibited from doing so in the future if the Resolution were adopted. They worried that an unintended by-

product of this Resolution would be actually to limit individual faculty members' academic freedom by prohibiting them from conducting research that the federal government has defined as SUTI. UCAF urged Council and the Administration to be sensitive to transitional problems for faculty (if any) conducting SUTI-defined research as the new policy is implemented.

UC Management of DOE Laboratories

UCAF received an update from Robert Powell, the UCAF liaison on the UCORP Subcommittee on UC-DOE Relations, which had just released a report and set of recommendations. Members discussed the implications of laboratory management contracts and policy, the status of researchers in the labs and the potential for more Senate involvement in their management. Particular to academic freedom were the issues of whether more Senate involvement could mean a more open environment or whether classified research is naturally at odds with academic freedom and the mission of the university.

APM 010

At the request of President Atkinson, the University's outdated 1934 statement on Academic Freedom, APM 010, was redrafted UCB Law Professor Robert Post. UCAF was invited to participate in the process of review; rewriting and approval of the statement. Members discussed the various versions of the draft through email and also met by conference call with Professor Post to discuss the revision. UCAF submitted comments along with its own proposed revision of 010. With UCAF's support, a final, Academic Council-endorsed version was sent to the Academic Assembly for approval on July 30.

Academic Freedom Forum

The joint Systemwide Senate Forum on Academic Freedom was held at the UCB Faculty Club on June 11. A total of 30 participants, including UCAF members and representatives from UCAAD, UCAP, UCORP, UCP&T and UCEP were in attendance. Presenters included UCB Law Professor Robert Post speaking on "Academic Freedom: Its History and Evolution"; UCSC Chancellor MRC Greenwood on "Academic Freedom and Science Research Policy: A Personal View"; UCSF Professor Lisa Bero on "Corporate and Economic Pressures on Academic Freedom"; and University Counsel Cynthia Vroom on "The Patriot Act and the University." A panel discussion followed the speakers' formal presentations. Resources for the joint meeting were made available through the support of several of the participating committees that donated their budgets for unused 02-03 meetings. Plans were being developed to disseminate the knowledge gained at the event to a larger audience, perhaps through the Senate website.

Other Issues and Activities

Finally, members used a part of each regular meeting to give reports and updates about issues facing the local committees. Discussion included consideration of a UCSF faculty petition to ban research funding by the tobacco industry; the civil liberties issue in connection with federal government access to student records; implementation of the USA Patriot Act; the UCB R1A course controversy; the authority of Institutional Review Boards

(IRBs); accusations of anti-Semitism brought against a student journalist and a professor at UCSC; and discussion of academic freedom cases at other universities.

Respectfully submitted,

Gary Watson, Chair

Ronald Amundson, Berkeley

Hans Bode, Irvine

Philip Bonacich, Los Angeles

Barbara Epstein, Santa Cruz

Patrick Fox, San Francisco

Steve Hedrick, San Diego

Michael Jubien, Davis

Gregory Kelly, Santa Barbara

Stephen Sringoringo (student representative-UCB)

Michael LaBriola, Committee Analyst

**UNIVERSITY COMMITTEE ON ACADEMIC PERSONNEL (UCAP)
ANNUAL REPORT 2002-2003**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The University Committee on Academic Personnel (UCAP) held six meetings during Academic Year 2002-03 and additionally conducted business by E-mail. UCAP considered and submitted reports on 21 items and discussed 6 additional items. UCAP members also served on various committees as representatives of the Committee. A summary of issues considered by UCAP this year is outlined in the following.

1. Faculty Service Legislative Report, Item 6440-001-0001 of the Supplemental Report, “Tenure and Promotion Decisions.” Responses from all campus Committees on Academic Personnel (CAPs) were compiled and forwarded to the Academic Council on 17 December 2002. UCAP members were unanimous in their view that service is a significant area of evaluation in the UC personnel review process. UCAP’s response was forwarded to Assistant Vice President Ellen Switkes and Director Myron Okada, who had requested that UCAP review and comment, in preparation for their completion of a report to the Legislature on this issue.

2. Unit 18 Lecturers Negotiations—UCAP was kept apprised of developments related to ongoing negotiations and bargaining between UC and the Union representing Unit 18 Lecturers by updates from Assistant Vice President Switkes and Director Okada. UCAP discussed and commented on the issues but did not offer any official response.

3. Proposed Revised Academic Personnel Policy APM 715—Family and Medical Leave. UCAP accepted and approved the proposed revision without further comment. A letter was sent to Academic Council on 16 December 2002.

4. Proposed Revised Academic Personnel Policy APM 740—Sabbatical Leave. On 16 December 2002 UCAP forwarded its comments to Council. UCAP was in favor of substituting significant University service for teaching requirement for a sabbatical spent in residence, as an exception to policy. UCAP approved in general a revision to allow recipients of a sabbatical leave at less than full salary to receive additional compensation for research from other universities. In addition, members favored an additional recommendation that faculty be allowed to also teach elsewhere during sabbatical leave. The justification for this is that this would cost the University nothing, and faculty teaching at another institution could bring visibility and stature to the University. UCAP recommended that the University Committee on Faculty Welfare (UCFW) look at retirement issues such as retirement credit resulting from service credit during sabbatical. The Committee did not reach consensus on the revision that allows a faculty member who holds a full-time administrative position for five years or more to take a sabbatical immediately after that service, based on the pay rate of the administrative position. Members concluded that not all administrators should qualify automatically for this and felt that a better definition was needed for who would be eligible for the sabbatical at an administrative pay rate.

5. New Academic Personnel Policy for Formal Review APM 390—Postdoctoral Scholars. In its letter to Council on 16 December 2002 UCAP agreed that the policy would be beneficial to postdoctoral scholars, recommended clarification and expansion of the title codes, and expressed concern about potential negative impact on postdocs in humanities and social sciences, who already find it difficult to secure positions and funding. If campuses cannot provide the additional funding necessary to meet the requirements, they might hire fewer postdocs in these fields.

6. Scholarly Communications Proposal/ E-scholarship in personnel review. Overall, UCAP endorsed the Office of Systemwide Library Planning's Proposal for Discussion and forwarded its approval and comments to the Academic Council on 12 December 2002. UCAP considered the establishment of repositories for depositing and accessing scholarly works as a positive step for the system and noted that e-scholarly communities in highly specialized fields have been evolving since the 1990s; a top-down approach to monitoring the impact of technology on culture and behavior in academia may not be necessary. UCAP believes there are important issues for the personnel review process, however. CAPs need to evaluate on-line publications by looking at the editorial board and review process of each journal to determine its quality and impact. In addition, it would be very helpful if faculty, department chairs, and deans could provide candidate-specific information and criteria for on-line publications.

7. Teaching Evaluation—Assessment of teaching and dependency of departments on student evaluations. Criteria for evaluating teaching in personnel review. These issues were discussed as a UCAP initiative, and will continue to be discussed. UCAP is interested in UC's accountability with respect to this topic and would benefit from consultation with guest speakers who work on developing student evaluations. UCAP did not forward any formal response on this topic.

8. Appointment to University Professor—Ad Hoc Nominating Committee. Pursuant to APM 260, UCAP engaged in this confidential personnel action by providing nominations of faculty to serve on two ad hoc faculty review committees to consider two recommended appointments of University Professor.

9. Equivalent Rank Status for Specialists in Cooperative Extension. UCAP was asked to review a recommendation proposed by UC Davis Chancellor Vanderhoef in his letter to President Atkinson in March 2002 that Cooperative Extension Specialists be granted "equivalent" status, similar to agronomists in the Professor series. UCAP reported in the 9 April 2003 letter to Council its vote of six members opposed and three members in favor of supporting the recommendation. Members who opposed the recommendation expressed concerns that campuses might be negatively impacted during current budgetary pressures, that other series (e.g., in-residence and clinical professor series) might raise equity concerns, and that CE specialists are not a homogenous group in which every member can meet the research criteria for the professorial rank. A recommendation was made that career review of every CE Specialist could address this concern. UCAP also recommended

that two titles could be developed within the series, should there be different standards for research and publication within the group.

10. The Step System/Step VI Barrier Step. UCAP remains interested in review of the Step System and anticipates receiving and commenting on a report from the Academic Council Task Force charged with reviewing the Step System and in particular the Step VI barrier step.

11. Amendment to APM 015—the Faculty Code of Conduct (Faculty-Student Relations/Sexual Liaison Policy). UCAP reviewed the proposed amendment and also policies on faculty-student relationships from other institutions of higher education and other related documents, including a Resolution on Faculty-Student Relations adopted by the Assembly of the Academic Senate on November 30, 1983. UCAP responded to the Academic Council on 12 February 2003 that members were in favor generally of adopting a faculty-student sexual liaison policy, but took no formal vote or action because of concerns that there should be further discussion and clarification of policy to apply to administrators who may or may not be instructors. A recommendation for revising language related to “types of unacceptable conduct” was later dealt with by the Academic Council, to UCAP’s satisfaction.

12. Racial Privacy Initiative (RPI)/Classification by Race, Ethnicity, Color and National Origin (CRECNO). In a letter to Academic Council on 18 March 2003 UCAP reported its unanimous vote to oppose RPI/CRECNO as an initiative that has strong potential to cut off lines of scholarly inquiry and knowledge. UCAP also called on the Academic Council to request that the Regents defend the University’s interests and oppose it also. UCAP Chair participated in Council discussion that resulted in the Council opposing the Initiative and calling on the Regents to oppose it.

13. Division CAP Activity Survey Compilation. Division CAPs were asked to update the information on CAP Activity Survey. The updated survey will be distributed at the first UCAP meeting of academic year 2003-04.

14. Request for formal review of proposed revisions to APM 310; New draft policy APM 311; Technical changes to APM 620-14. As reported in its 22 May 2003 letter to Council, UCAP voted on the three APM proposals collectively. UCAP accepted the proposed revisions with eight members in favor, one opposed, and no abstention. Two members were absent. One member who opposed would submit a minority view.

15. Report from UCORP Subcommittee on the Labs. UCAP reported in its letter to Council on 15 April 2003 that members were supportive of the UCORP Subcommittee Interim Report and cited its “sensible recommendations and very reasonable steps.”

16. Report from the President’s Summit on Faculty Gender Equity. UCAP supports gender equity in the UC system. Its members concurred with recommendations on advancement in the Faculty Gender Equity Report and recommended that faculty not be asked to engage in excessive or disproportionate service early in their careers. UCAP

expressed its and CAPs' sensitivity to this problem and also suggested a minor revision in its letter to Council on 17 April 2003.

17. Request for review of proposed revisions to APM 010 - Academic Freedom and revised proposed revisions to APM 010. UCAP reviewed and discussed the original proposed revised amendment to APM 010 at its April meeting, forwarded recommendations that were effected in a subsequent revision, and reviewed a second proposed revised amendment at its June meeting. In its 19 May 2003 letter to Academic Council, UCAP expressed its unanimous support of the proposed amendment and also forwarded comments and a recommendation. In its 17 July 2003 letter to Council, UCAP endorsed the UCAF-amended revision of APM 010 by consensus, but did not take a formal vote. In addition, the Committee forwarded two suggestions for the Council and Assembly to consider.

18. Formal review of proposed new APM 278, 279, 210 and a proposed revision to APM 133-0. A vote was taken on the proposals collectively. UCAP reported to Council in its 16 July 2003 letter that members approved unanimously the proposed revisions. Additionally, the Committee forwarded three concerns for consideration. 1) the term "voluntary" was deemed to be demeaning and should be eliminated and replaced with the former term, "Without Salary" (WOS). 2) The "Voluntary Clinical Professor" series includes a statement in policy that the group will receive 30-day advance notice in a termination letter; however, this is not part of the salaried "Clinical Professor" policy, which UCAP considers an oversight. 3) Professional competence and teaching are the two primary criteria for personnel review in the "Clinical Professor" series. It has always been stated that research and creative activity and service are desirable and encouraged, but not required. University service will be required in the new provision. Also, under professional competence, a new component, creative activity has been added as a requirement. UCAP expressed the concern that consideration of creative activity within two different criteria for personnel review could cause confusion.

19. Proposed Senate Bylaw revisions. As reported to Council in a 2 May 2003 letter, UCAP voted on a proposed addition to UCAP membership of the Chair of the University Committee on Affirmative Action and Diversity (UCAAD). Seven members were opposed, none were in favor, and two members abstained. In a separate vote, UCAP voted on a motion to urge that the Chair of UCAAD be a member of the Academic Council. Nine members were in favor, none opposed, and there were no abstentions. UCAP members supported membership of Chairs of all Senate standing Committees on Council; however, the Committee made no further recommendation or action on this because of current fiscal and logistical concerns.

20. Interaction between UCAP and University Committee on Affirmative Action and Diversity (UCAAD). UCAP Chair Michelle Yeh and UCAAD Chair Deborah Nolan met by telephone. On 10 July 2003 UCAP conveyed to Council that it shares UCAAD's view that affirmative action and diversity are integral to the mission of the University and continues to support the UCAAD request that the UCAAD Chair become a regular member of the Academic Council. To facilitate better communication between the two committees,

beginning in academic year 2003-04 UCAP will invite the Chair of UCAAD to approximately two regular meetings. The Vice Chairs of both Committees were unable to participate in the telephone meeting and were informed of this agreement.

21. University Committee on Faculty Welfare (UCFW) Task Force on Investment and Retirement (TFIR) analysis and response to UC Health Sciences Task Force Retirement Compensation Plan. UCAP responded to Council on 17 July 2003 that the documents were difficult to understand and assess, since they apply to a specific group of faculty. UCAP did not vote on the proposals or choose an option. Most of the issues raised were seen as not directly related to UCAP.

22. Possible Incorporation of Monterey Institute of International Studies (MIIS) into the University of California. UCAP responded to Council on 17 July 2003 that it would like to be apprised of future development of any proposal arising from these preliminary discussions, especially with regard to the review process involving faculty transfers.

Additional business:

1. UCPB Report, “Increasing Access and Sustaining Excellence: A Budget Proposal from UCPB May 2002.” UCAP received the document but did not submit comments.

2. California Master Plan for Education. UCAP reviewed and discussed but did not submit an official response.

3. California State Auditor’s Report/Audit of UC’s Partnership Agreement: Faculty Workload Issues. UCAP discussed the issues but did not forward an official response.

4. UC Merced: Initial Appointment UCM Academic Appointments. UCAP regularly consulted with the UC Merced CAP representative, offered advice, and discussed new appointments. UCAP did not forward an official response.

5. Half-time FTE. UCAP discussed and offered advice to a member who introduced this topic as a campus CAP concern. No official response was forwarded.

6. Member items. Members occasionally brought items from campus CAPs for committee discussion. Members frequently shared information on individual CAP practices.

UCAP representation:

UCAP was represented on additional Committees, Task Forces and Work Groups this year, including: Academic Council, Assembly of the Academic Senate, Academic Planning Council, UC Merced Task Force, Faculty Step System Task Force, and Faculty Workload Task Force.

Acknowledgments:

UCAP benefited from the regular consultation and reports from Assistant Vice President Ellen Switkes and Director Myron Okada of University of California Office of the

President, Office of Academic Advancement, and from Academic Council Chair Gayle Binion. UCAP also thanks Professors Mayfair Yang and Jenny Cook-Gumperz, who served as alternates for the appointed UCSB Divisional representative.

Respectfully submitted,

Michelle Yeh (D), Chair

Ramon A. Gutierrez, Vice Chair (SD), Vice Chair

Pamela Samuelson (B)

Robert Rucker (D)

Alan Barbour (I)

Emily Klenin (LA)

Geoffrey Mason, *ex officio*, Merced CAP Representative (SC)

John M. Ganim (R)

Gerry Boss, Edward Yu (SD alternates)

Sandra Weiss (SF)

John T.C. Gerig (SB)

Alan Richards (SC)

Gayle Binion, (Member, *ex officio*, as Chair of Academic Council)

Louisa Tapley-Van Pelt, Committee Analyst

**UNIVERSITY COMMITTEE ON AFFIRMATIVE ACTION AND DIVERSITY
(UCAAD)
ANNUAL REPORT 2002-2003**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The University Committee on Affirmative Action and Diversity held three meetings during Academic Year 2002-03 to conduct its business with respect to its duties outlined in Senate Bylaw 140. The issues that were considered by UCAAD this year are outlined briefly, as follows:

Unfinished Business from UCAAD 2001-02: Response to UC Admissions Initiatives. UCAAD completed its review of a draft position on comprehensive review, Eligibility in a Local Context, and admissions testing, as outlined by the previous year's Committee.

The President's Summit on Faculty Gender Equity. The business of the Summit and the outcome report issued by UCOP subsequent to the Summit, *Report on the University of California President's Summit on Faculty Gender Equity Nov. 6-7, 2002* were highly relevant to Committee business and thus important topics for discussion at all three meetings. UCAAD's response on the Report to the Academic Council on 20 May 2003 strongly supported the spirit of the Report and its numerous recommendations. Further, UCAAD made two specific recommendations that it believed would further the goals expressed in the Report:

“•Implementation of the recommendations in the report will require continued attention to diversity issues throughout the many activities of the Senate. UCAAD is the arm of the Academic Senate whose duties center on considering the broader implications of policies that affect faculty affirmative action and diversity. Including the Chair of UCAAD as a member of the Academic Council would provide a coordinated perspective on these issues, and send a strong message that the Senate intends to assume leadership in addressing diversity.

•Relevant sections of the APM (e.g., 210, 245) should be modified to more explicitly include diversity activities as part of the measure of excellence in the University. UCAAD will forward, under separate cover, two specific recommendations in this regard. The Committee also urges that all relevant Senate Committees consider how they might also further this activity.”

UCAAD also commented on specific points in the Summit Report and, finally, applauded the intent and result of the Faculty Gender Equity Summit in addressing under representation of women as faculty and academic leaders. Most importantly, UCAAD recommended that UCOP convene a similar Summit to consider minority faculty equity issues.

Racial Privacy Initiative (RPI): Prohibition Against Classifying by Race by State and Other Public Entities/Classification by Race, Ethnicity, Color or National Origin (CRECNO). UCAAD forwarded a statement on RPI to the Academic Council on 5 February 2003. UCAAD discussed UC compliance with existing Federal affirmative action regulations for qualification for Federal grants, contracts and other, and likely exemptions under RPI and also State collection of data for availability pools that provide racial breakdowns of a student body. UCAAD stated its concern that “forcing the University to cease to collect data on race and ethnicity of its applicants and admittees to UC campuses deprives the public of the information needed to assess fully the equitable operation of the mechanism that determines the makeup of the UC student body...” UCAAD also expressed its concern that passage of RPI would hamper UC research by having a chilling effect on faculty who value freedom of inquiry, and thus impact UC’s excellence. At a later meeting, Academic Council Chair Gayle Binion updated the Committee on CRECNO, formerly RPI, with respect to a unanimous vote of opposition to the initiative by the Academic Council, and its status as a Regents item.

Proposed amendment to APM 015, the Faculty Code of Conduct (Faculty-Student Relations). UCAAD’s response to Council on 12 May 2003 expressed support for developing a systemwide policy that addresses faculty-student relations, and included a recommendation to reverse the order of items listed under “Types of unacceptable conduct” to clarify a timing issue regarding potential future relationships. Members agreed on inappropriate and unacceptable conducts, but expressed a concern about whether and what sanction could be imposed in the breach of policy. An overriding concern was that unequal power relationships between faculty and students needed to be addressed.

APM 245. UCAAD recommended that relevant sections of APM 245 (and others related to academic administrators and other academic personnel) should be modified “to more explicitly include diversity activities as part of the measure of excellence in the University.” At its final meeting of the year, several members worked on possible wording and recommended that next year’s Committee follow up on this activity.

In addition to issues for which the Committee submitted official responses, members continued to discuss its document on Best Practices for Hiring and Retention, possible revisions and continuing updates and reports from campus committees related to campus practices. The Committee discussed Search Committee practices. UCAAD members provided campus reports from campus committees and brought items of interest from campus committees for consultation with and advice from other members. These included discussion of exit interviews and surveys, creation of and liaison with campus equity officers, recruitment practices, equity reviews and career reviews, and concerns about faculty enrichment.

Symposium on Academic Freedom. UCAAD was represented at the Symposium held on June 11, 2003 by UCAAD Chair Deborah Nolan, Vice Chair Ross Frank and members Allan Stuart-Oaten and Katherine King.

Additional business: Apart from items and issues that closely follow the Committee's charges and duties, UCAAD was asked to review additional documents and deliberate on other matters:

Proposed Revised Academic Policies APM 715—Family and Medical Leave, APM 740 Sabbatical Leave, and APM 390 Postdoctoral Scholars. UCAAD responded to Council on 13 December 2002 that it had no objections to revisions proposed and noted no affirmative action concerns in the policies.

Proposed revisions to APM 310, new draft APM 311 and technical changes to APM 620-14. UCAAD responded to Council on 14 May 2003 that it found no affirmative action concerns or issues of special concern to UCAAD in the policies, and therefore had no comment on these.

California Master Plan for Education. UCAAD received the *Report of the Joint Committee to Develop a Master Plan for Education*, did not find any affirmative action or diversity concerns, and chose not to submit a response.

UCAAD Representation:

UCAAD was represented on additional Committees, Task Forces and Work Groups this year, including: the Symposium on Academic Freedom, the President's Gender Equity Summit. UCAAD Chair Nolan served on the Step VI Task Force.

Committee Consultations and Acknowledgements:

The Committee benefited from the regular consultation, reports and data received from UCOP consultant Sheila O'Rourke, Executive Director, Academic Compliance, who briefed the committee on numerous items and issues, including the following:

- President's Summit on Faculty Gender Equity
- Gender Equity Hearings in Sacramento
- Faculty-Student Relations/Sexual Liaison Policies from Higher Education Institutions
- American Council on Education National Conferences on African-American and Chicano-Latino Issues
- Faculty Enrichment Program
- President's Postdoctoral Fellowship Program
- Audit issues regarding gender disparity
- Data and statistics on faculty hiring and retention

UCAAD also consulted with Academic Council Chair Gayle Binion on Academic Council business, and Academic Senate Executive Director Maria Bertero-Barcelo on Committee and Senate office matters. UCAAD thanks Professors Clara Chu (LA), Douglas Haynes (I), Octavia Plesh (SF), and Maria Charles (SD), who served as alternates for Divisional representatives.

Respectfully submitted,

Deborah Nolan (B), Chair

Ross Frank (SD), Vice Chair

Gibor Basri (B)

Michele Praeger (D)

Douglas Haynes (I)

Marlene Zuk (R)

Stephen Baird (SD)

Diane Wara (SF)

Allan Stewart-Oaten (SB)

David Cope (SC)

Louisa Tapley-Van Pelt, Committee Analyst

**BOARD OF ADMISSIONS AND RELATIONS WITH SCHOOLS (BOARS)
ANNUAL REPORT 2002-2003**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

During the 2002-2003 academic year, the Board of Admissions and Relations with Schools (BOARS) convened twelve times including a joint meeting with the UC Admissions Directors. Additional business was conducted in subcommittee meetings. Highlights of the committee's activities and accomplishments are noted in this report.

Admissions Tests

As a follow-up to last year's discussion paper on admissions tests, BOARS submitted a second paper in September 2002 addressing supplemental tests in specific subjects areas. The University's current testing policy requires that applicants submit scores from SAT II achievement tests in three subject areas: Writing, Mathematics, and a third area of the student's choice. In light of the development that writing would now be tested as part of the "core" requirement, BOARS recommended that the requirement for the subject matter test be reduced from three to two tests. BOARS specified that these tests must be taken from two different areas of the six subjects covered in the University's "a-g" requirements: History/Social Science, English, Mathematics, Laboratory Science, Language other than English, and Visual and Performing Arts. BOARS also recommended that, pending future research on the predictive validity of the different exams, the three components of the core test and two additional subject scores be weighted equally relative to one another in the Eligibility Index. In May 2003, the Academic Council endorsed the "core-plus-two" concept and BOARS' recommendations with respect to the subject matter tests. These recommendations were subsequently reflected in a change in Senate Regulation 418 and approved by the Academic Assembly in May 2003.

Although the new core tests are not yet sufficiently developed for BOARS to ascertain whether they satisfy BOARS testing principles, the committee recognized the need to begin informing current high school students of the details of the new testing requirement. In April 2003, BOARS presented a transition plan, which recommended that beginning with the entering freshman class of 2006, the University would accept, on an interim basis, scores on the ACT with Writing and the new SAT examinations in satisfaction of the core test requirement. These interim approvals will be in effect for two years. BOARS will complete an in-depth review of the new admissions tests and their alignment with the testing principles no later than 2008. In the intervening years, BOARS will collect data on the new tests that will enable this evaluation. This plan was approved by the Assembly in May and by the Regents in July 2003.

In May 2003, the Academic Council also reaffirmed BOARS' continued work with ACT, Inc. and the College Board in the development of new tests. The testing subcommittee actively interacted with the two testing agencies by reviewing blue prints and test specifications. In March 2003, members of the testing subcommittee visited the ACT office in Iowa and learned about ACT's test development process. In June 2003, the entire BOARS committee met with College Board and Educational Testing Service

representatives and reiterated the importance of basing the tests on the college preparatory curriculum and their ability to provide diagnostic feedback to students and schools.

ACT, Inc. will offer an optional writing test along with its existing national test beginning in 2005. The College Board will add a mandatory writing exam to its existing core test and make substantial content changes to the SAT I. The College Board will begin administering this test in March 2005.

Comprehensive Review

At the November 2002 Regents meeting, BOARS presented its report “First-year Implementation of Comprehensive Review in Freshman Admissions: A Progress Report from the Board of Admissions and Relations with Schools.” In the report, BOARS made several key findings and concluded that comprehensive review was implemented in conformance with UC policy and BOARS principles; academic achievement remained predominant, and high academic standards were maintained; and access was preserved for students of all demographic backgrounds. In the report, BOARS also identified several issues for further study including the relationship between the selection process and UC success, ensuring students provide accurate information on the application, the role of hardship in the admissions process, and the clarity of the admissions process.

The report was well received by the Regents, but three follow-up items resulted from Regents’ requests for additional information.

- 1) The Regents requested that faculty reviewed some applicant files to determine whether the admissions decisions made for those files were reasoned, consistent, and defensible. In response, faculty members on each selective campus conducted a review of a sample of Fall 2002 applicant files. Across all campuses, BOARS members reported that comprehensive review was implemented in full compliance with University policy, that the processes developed to implement the policy are characterized by a high degree of integrity and consistency, and that the admission decisions resulting from these processes were reasoned, consistent and defensible.
- 2) Regents also requested that BOARS review the clarity of systemwide and campus documents to ensure that the public’s understanding of the comprehensive review process. A subcommittee examined both Universitywide and campus-specific admissions documents and found considerable variety in the information presented about admissions processes. The group made several recommendations on how to improve communications and make publications more consistent, complete, and current.
- 3) One Regent was concerned that UC is losing top students to other institutions as a result of comprehensive review. In response, BOARS initiated a matriculation study to analyze the college destinations of high-achieving students who were denied admissions at UC. The study will be completed next year.

A joint meeting of BOARS and the UC Admissions Directors was held in July 2003. Admissions Directors reported on the Fall 2003 admissions processes and the outcomes. The six selective campuses reported that the second year of comprehensive review went

smoothly and processes continue to be refined. UCSC reported that it would implement comprehensive review for fall 2004, making it the seventh selective UC campus. Common issues concerning all of the campuses included the increasing volume of freshman applications, the need for increased resources, staff workload, and the impact of budget cuts. The systemwide verification process of applicant information also went very well and no student was canceled directly as a result of the verification process.

Other Admissions Process Issues

Outreach programs in admissions consideration. Some BOARS members participated in a joint BOARS-administration subcommittee to consider how participation and achievement in outreach and other academic development programs should be evaluated in the admissions process. The subcommittee developed principles to guide admissions offices on this issue.

Personal statement on the application form. BOARS reviewed and approved a proposal from the Admissions Processing Task Force to change the format of the personal statement on the application. In an effort to make the personal statement more helpful to the comprehensive review process, the proposal recommended three specific prompts to which applicants would be asked to provide two short responses and one extended response. Each prompt will also include a rationale statement that captures the basis for the question. BOARS agreed that the new format will give applicants a better opportunity to provide information that will support and augment the admission review process. The new format will be printed in the next application.

Electronic application. Plans are underway to implement a fully electronic application process. Beginning in Fall 2005, students will be required to complete the UC application online. BOARS continues to receive updates on the progress of the planning process and provide input.

International Baccalaureate Courses

A BOARS subcommittee reviewed the policy for International Baccalaureate (IB) courses and how IB courses should be considered in the admissions process. After reviewing curriculum guidelines and comparing them to Advanced Placement (AP) guidelines, the subcommittee made specific recommendations on which high-level and standard-level IB courses should receive honors credit.

High School Issues

Eligibility path for non-traditional students. BOARS reviewed a UCOP proposal to clarify the eligibility path for students educated through non-traditional schools and programs (e.g. charter schools, magnet schools, etc.). The proposal recommended defining guidelines for non-traditional schools to establish a-g course lists. BOARS discussed and approved a policy requiring all public and private schools to be WASC-accredited in order to establish an a-g course list thus creating a clear and viable path to UC eligibility for students from non-traditional schools. For students who do not attend schools with UC-approved courses lists (e.g. home schooled students), eligibility could still be attained through the Eligibility by Examination Alone policy or Admissions by Exception.

Sheltered, SDAIE, ELD/ESL courses. BOARS also reviewed the policy on Sheltered, SDAIE (Specially Designed Academic Instruction in English), and ELD/ESL (English Language Development/English as a Second Language) courses. The committee agreed that these courses should be accepted for the b-English requirement.

Review and Updates of Other Issues

During the course of the year, the committee also discussed and/or commented on the following proposals and issues: Part-time enrollment, CRENCO Initiative (RPI), Subject A, Master Plan, Proposal to Streamline the Course Major Articulation Process, and bylaw revisions. BOARS also monitored and received updates regarding the implementation process for the Dual Admissions Program, outreach activities, long-range enrollment issues, and UC Merced.

BOARS Representation

The Chair, Vice Chair, or members represented BOARS in various other committees including the Academic Council, UC Merced Task Force, UCEP, UCOPE, ICAS, ICC Transfer Committee, UCCP, and the Admissions Processing Task Force. Members also participated in the counselor conferences.

Acknowledgments

BOARS would like to acknowledge the 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; Sue Wilbur, Director-Admissions; Saul Geiser, Director- Research and Planning; Nina Robinson, Director-Policy and External Affairs; Judy Kowarsky, Associate Director-Admissions; Roman Stearns, Special Assistant to the Admissions Director.

Respectfully submitted,

Barbara Sawrey, Chair (UCSD)
Michael Brown, Vice Chair (UCSB)
Calvin Moore (UCB)
Mikal Saltveit (UCD)
James Given (UCI)
Keith Stolzenbach (UCLA)
Dennis Focht (UCR)
Jane Stevens (UCSD)
Dick Flacks (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 2002-2003**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The University Committee on Committees (UCOC) has been 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." This includes 16 of the 18 Senate committees with the exception of 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, out of which its own Chair is appointed.

To fulfill its charge, UCOC held three meetings in Academic Year 2002-03: December 6, 2002, and February 10 and March 21, 2003. Members also conducted a significant amount of committee work by electronic means.

ACADEMIC SENATE COMMITTEE APPOINTMENTS

Before turning its attention to 2003-04 membership, UCOC began the year by identifying candidates for unfilled 2002-03 committee positions, including Chairs for UCAF and UCOL and an at-large member for UCR&J. UCOC established goals for 2003-04 appointments, including the achievement of a diverse overall balance within committees with respect to discipline and geographical representation. Each UCOC member agreed to act as a liaison to two committees and to initiate personal contact with each of their assigned Chairs, Vice-Chairs and committee members to identify significant issues and obtain input on potential new Chairs and Vice-Chairs.

Members reported on their interactions with Chair and Vice-Chairs in meetings and over email until a slate of candidates was developed. Members discussed all nominations, voted and contacted the selected candidates after determining their willingness to serve. UCOC was able to successfully complete systemwide appointments ahead of schedule, and a completed slate of Committee Chairs and Vice-Chairs was presented to the Academic Assembly on May 28, 2003.

In addition to appointing Chairs and Vice Chairs to systemwide committees, UCOC is responsible for appointing members of the Editorial Committee. In 2002-03, the Editorial Committee had four vacant slots and also faced turnover of both its Northern and Southern Co-Chairs. Members agreed to extend the term of the Southern Co-Chair by one year in order to reinstate a cycle of rotating only one new Co-Chair per year. In consultation with the Editorial Committee Co-Chairs and UC Press Director, members worked with their Divisional Committees to identify candidates with the requested disciplines to fill the Editorial Committee vacancies.

It is also the responsibility of divisional COC members to appoint representatives to the systemwide committees. It was agreed that UCOC members would work with their

divisions to identify candidates for these appointments by considering relevant experience and confirming the candidates' commitment and willingness to serve a full term.

OTHER BUSINESS

Bylaw Changes

In March, members reviewed the work of an ad hoc committee assigned to review and revise Academic Senate Bylaws. Proposed changes included increased uniformity in the structure of bylaws across committees so that all committees represented on Council would have at-large Chairs and Vice-Chairs, and committees not represented on Council would all have at-large Chairs and Vice-Chairs who are also divisional representatives. UCOC supported these changes.

Members also discussed a bylaw change proposal that originated with UCOC in 2001-02, which would exclude faculty with ranks above Department Chair from service on systemwide committees. Members agreed to base this new Bylaw on language in the 01-02 UCOC Annual Report. The bylaw states that it is not appropriate to appoint faculty who hold administrative titles above department chair to positions on Universitywide committees because of potential conflict of interest, or the appearance of a conflict of interest inherent in this kind of appointment.

Subcommittees

Members were asked to consider the growing role of Subcommittees in Senate affairs and what the UCOC's role might or should be in overseeing membership to these bodies. Choosing Subcommittee members is beyond the purview of UCOC, but the committee decided it might have a role in educating Chairs that subcommittee members serve at the discretion of the Chair, that subcommittees are technically dissolved at the end of the year and should be reconvened with each new academic year. UCOC considered asking for formal statements from Chairs describing the terms of Subcommittee membership, explaining why it was convened or reconvened and why members were chosen.

Finally, UCOC members were consulted and updated on Academic Council business and office procedures as needed by Academic Council Chair Gayle Binion, Academic Council Vice-Chair Lawrence Pitts and Executive Director Maria Bertero-Barceló.

Respectfully submitted,

Neal Garrett, Chair

2002-2003 UCOC Membership:

Neal Garrett, Chair	(UCLA)
Jessica Utts, Vice Chair	(UCD)
Roger Bourland (fall) / Todd Franke (spring)	(UCLA)
Richard S. Brown	(UCI)
Julie Carlson	(UCSB)
Pam Den Besten	(UCSF)
Roger Falcone	(UCB)

Theodore Groves (UCSD)
John Isbister (UCSC)
Marion Miller (UCD)
Albert Stralka (UCR)
Gayle Binion, *Ex officio* member, Academic Council Chair
Lawrence Pitts, *Ex officio* member, Academic Council Vice Chair
Committee Support:
María Bertero-Barceló, Executive Director, Academic Senate
Michael LaBriola, Committee Analyst

**COORDINATING COMMITTEE ON GRADUATE AFFAIRS (CCGA)
ANNUAL REPORT 2002-2003**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The Coordinating Committee on Graduate Affairs (CCGA) met a total of nine times during the 2002-2003 academic year. Highlights of the Committee's activities and accomplishments are noted in this report.

Reviews of Proposed Graduate Degree Programs

One of CCGA's primary responsibilities is reviewing all campus proposals for new graduate degree programs. A total of 17 proposals were forwarded to CCGA for review during the academic year. The following table is a summary of actions of these proposals as of August 2003. In a few instances, programs were approved only after being revised in accordance with CCGA recommendations.

Program Proposed	Disposition
UCLA, S.J.D. in Law	Approved 11/19/02
UCLA-University of Singapore, Executive M.B.A.	Approved 11/19/02
UCSD, M.A.S. in Clinical Research	Approved 1/28/03
UCSB-Cal Poly SLO, Joint Ed.D	Approved 2/25/03
UCI-CSULA/CSULB/Cal Poly Pomona, Joint Ed.D.	Approved 2/25/03
UCSC, M.S./Ph.D. Bioinformatics	Approved 5/20/03
UCSD, M.B.A.	Approved 5/20/03
UCSD-SDSU, Au.D. Audiology	Approved 5/20/03
UCI, M.S./Ph.D. Networked Systems	Approved 6/17/03
UCSB, M.A./Ph.D. Chicano Studies	Approved 6/17/03
UCSC, M.F.A. in Digital Arts/New Media	Approved 6/17/03
UCLA, M.A. in Conservation of Archaeological and Ethnographic Materials	Approved 6/17/03
UCR, M.F.A. in Visual Art	Approved 6/17/03
UCB-CSUH/SFSU/SJSU, Joint Ed.D.	Approved 6/17/03
UCM, Individual Graduate Program leading to M.A., M.S., Ph.D. degrees	Approved 6/17/03
UCSD, Ed.D.	In Progress
UCD, Ph.D. in Linguistics	In Progress

CCGA also reviewed and approved proposals to discontinue, reconstitute, or change an existing graduate program or unit. These included:

- UCD-UCB Haas proposal to discontinue the joint M.B.A./J.D. program
- UCB proposal to convert the Doctor of Optometry (O.D.) degree from undergraduate to graduate status
- UCD proposal to change the name of the Graduate Group in "Physiology" to "Molecular, Cellular, and Integrative Physiology"

- UCSC proposal to change the name of the “Division of Natural Sciences” to the “Division of Physical and Biological Sciences”
- UCD proposal to reconstitute the “College of Biological Sciences” to the “Division of Biological Sciences”

Joint UC/CSU Ed.D. Proposals

CCGA reviewed and approved three joint UC/CSU Ed.D. proposals this year. These proposals were developed in response to last year’s agreement between the CSU and UC systems to create educational doctoral programs that meet the educational leadership needs of California. To ensure that the programs met the standards of UC excellence and quality, CCGA members engaged in thorough reviews and discussions. In each of the reviews, CCGA stressed that the success of these programs required adequate faculty resources and ongoing funding. The committee also emphasized the importance of conducting an outside evaluation of these programs in three years. These concerns were communicated with the participating campuses and the Joint Ed.D. Board.

UC Merced Graduate Initiatives

This year, CCGA had several opportunities to give input on UC Merced graduate issues including a perspective to establish a School of Management and a proposal for an Individual Graduate Program. Early in the year, CCGA met with UCM Graduate Dean Keith Alley to discuss the campus’ planning strategies and process for developing new graduate programs. Later in the year, CCGA was presented with a proposal for an Individual Graduate Program leading to the M.S., M.A., and Ph.D. degrees. CCGA recognized the challenge of developing graduate programs before a critical mass of faculty has been hired, and approved the proposal on an interim basis. In connection with the approval, members outlined several contingencies to be addressed before students are enrolled. Most importantly, CCGA recommended the development of a graduate handbook, a set of general graduate student policies, and graduate group bylaws. The committee also recommended that the programs undergo a formal review within four years. CCGA will monitor the completion of these contingencies and plans to meet with the founding faculty members next year.

Multicampus Research Units

As one of the Compendium committees, CCGA comments were also sought on several MRUs issues:

AES of DANR. CCGA reviewed the five-year report of the Agricultural Experiment Station (AES) of the Division of Natural Resources (DANR). While CCGA recognized AES’ contribution to the state, but found the review report lacking in details about graduate education.

IGCC, UC MEXUS, UC LMRI. CCGA reviewed the reports on the 15-year comparative review of the Institute on Global Conflict and Cooperation (IGCC), UC Institute for Mexico and the United States (UC MEXUS), and Linguistic Minority Research Institute (LMRI), and concurred with the Review Committee that all three MRUs have successfully filled their missions and should continue.

Bioengineering Institute of California. Overall, CCGA supported the basic idea of establishing a Bioengineering MRU, but noted that the proposal's modest financial support does not seem adequate for the long-term goals of the MRU.

Review of Other Policies and Issues

During the course of the year, the committee also reviewed and commented on the following issues and proposals:

- UCI proposal to establish a School of Information and Computer Science
- Model Development Plan for the UC Center in Sacramento
- APM-390 Postdoctoral Scholars
- Proposed Policy on Ownership of Course Materials
- The Master Plan
- Evaluation of International Graduate Applicants
- Graduate Student Financial Support/Return to Aid Funds
- Campus 5-year perspectives for 2003-04
- Proposed incorporation of the Monterey Institute of International Studies into UC

Respectfully submitted:

Richard L. Church (SB), Chair
Kent Erickson (D)
Nicholas Sitar (B)
Trish Berger (D, spring)
David Brownstone (I)
William Roy (LA)
Pierre Keller (R)
Andrew Dickson (SD)
Sharmila Majumdar (SF)
Gale Morrison (SB)
Quentin Williams (SC)
Carmel Levitan (graduate student)
Dorothy Kim (graduate student)
Emily Hung, Committee Analyst

**UNIVERSITY COMMITTEE ON EDUCATION ABROAD PROGRAM (UCEAP)
ANNUAL REPORT 2002-2003**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The University Committee on Education Abroad Programs (UCEAP) met four times in the 2002-2003 academic year, including a two-day session for the annual joint meeting with the Council of Campus EAP Directors (CDD). In the course of the year UCEAP considered and acted on the following major issues:

Interaction with the University Office of Education Abroad Programs (UOEAP)

Reorganization of UOEAP. The UCEAP Chair sat on the hiring committees for the Chief Administrative Officer and the Associate Director of Academic Integration, UOEAP's new senior administrative positions.

Consultation with UOEAP Director/Associate Vice Provost for International Activities and other Consultants. UCEAP was regularly updated on the following issues and activities: UCOP's response to international developments; security measures at study centers; enrollment issues; budgetary strategies for campus office funding; EAP's role in the University's international activities; marketing and communication strategies; the status of and planning for Casa de California; California House in London; program development; program reviews; academic integration.

Program Review, Development and Monitoring

Reviews. Providing a secondary level of review, UCEAP commented on the respective ad hoc review committees' reports for the Scandinavia and India study centers, making formal recommendations to UOEAP. UCEAP members also served as Senate liaisons on ad hoc review committees for the Italy, Costa Rica, and Vietnam centers.

New Programs. UCEAP reviewed materials on the development of programs in Maastricht, Brazil, and Beijing. The committee approved the final proposal for the Joint UC/Lund Summer Program on Critical World Issues.

Program "Watch List." UCEAP reviewed and advised on the development of a "watch-list" process that will identify programs for possible remediation or elimination, establishing criteria for those actions and ensuring Senate involvement in the process.

Bylaw Revision and Committee Structure:

- Supplementing the proposed revision of the committee bylaw, which as part of the general review of the Senate bylaws was submitted last year, UCEAP submitted a petition to the ad hoc Senate Bylaws Committee in April asking that the committee chair's term by exception be a two-year term, and that a suitable structure for the vice chair's term be instituted accordingly. This petition was approved by the Academic Council and subsequently by the Assembly at its May 28 meeting.
- In addition to other proposed changes to the bylaw, the committee's proposed name change was approved; beginning September 1, 2003 the committee will be titled University Committee on International Education.
- UCEAP reviewed the need for its standing subcommittees and committee liaisons, voting to dissolve the Subcommittee on Academic Quality and the Subcommittee on

Advisory Committees and Formal Review Committees, while retaining an ongoing Subcommittee on Program Development and the curriculum advisory liaisons for UC's stand-alone programs.

Study Center Directors

Selection. At its December 2002 meeting, the committee selected directors for upcoming terms at the following study centers: UK/Bloomsbury, UK/Edinburgh, Japan (Tokyo), France (Bordeaux), Italy (Sienna/Rome), and Egypt. Recommendations for directorships were sent to the President for formal appointment.

Review of Selection Process. A joint UCEAP/CCD subcommittee reviewed the process for selecting study center directors, making recommendations on recruitment, the interview structure, interview questions, and gender equity in selection outcomes.

Student Conduct

- UCEAP initiated a follow up on last year's events involving two students who had violated University travel restrictions. The students were dismissed from EAP, but felt that their case had not been given fair consideration. UCEAP members conducted interviews with the students in an effort to clarify their perspective as well to identify possible problems in the disciplinary process.
- A joint UCEAP/CCD subcommittee reviewed the student conduct policy and made recommendations for its revision. A final proposed revision will be considered next year.

Joint Issues with Campus Directors

In the course of the year and at its joint meeting with the campus EAP directors, UCEAP members discussed the following issues:

- Articulation / Integration
- Funding for EAP offices
- Office Staff workload and morale
- Program capacity issues
- Effective dissemination of program information
- Student discipline
- Timeliness of grade reports

Other Issues

Academic Integration. UCEAP reviewed and advised on the continuing efforts on all campuses to integrate EAP courses into departmental curricula. Members regularly reported on this issue in their campus reports, and the committee was consulted on academic integration strategies being developed by UOEAP.

Graduate students in EAP. UCEAP discussed enhancing the role of EAP in graduate studies, and issues relating to reciprocity students.

The 2003-2004 Session

In the coming year, the newly titled UCIE will, in addition to its regular duties relating to academic oversight and review, focus on the need to establish EAP's role as a significant

factor that can help address overall University enrollment concerns, and enhance EAP's profile within the sphere of UC international activities.

Acknowledgments

UCEAP would like to extend sincere thanks to the following UOEAP consultants for their commitment and work: Director and Associate Provost John Marcum; Academic Dean Howard Wang; Associate Director of Academic Integration Scott Cooper; and New Programs Manager Linda York.

Respectfully submitted:

Michael O'Connell, Chair (SB)
Armen der Kiureghian (B)
Jean-Xavier Guinard (D)
Jan Scherfig (I)
Hans Wagener (LA)
Richard Godbeer (R)
Charles Oates (SD)
Christine Kennedy (SF)
Forrest Robinson (SC)
Lawrence Pitts (Academic Council Vice Chair, ex officio)
Brenda Foust, Committee Analyst

**UNIVERSITY COMMITTEE ON EDUCATIONAL POLICY
ANNUAL REPORT 2002-03**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The University Committee on Educational Policy (UCEP) held nine meetings during Academic Year 2002-03 to conduct its business with respect to its duties as outlined in Senate Bylaw 170 and also in the *Universitywide Review Processes for Academic Programs, Academic Units, and Research Units* (the “Compendium”).

Committee Business: Issues considered by UCEP this year are outlined briefly, as follows:

Preliminary proposal (perspective) submitted by UC Merced for a School of Management, with curricula leading to B.S., M.B.A. and Ph.D. degrees. As a Compendium committee, UCEP forwarded a response to the Academic Council on October 15, 2002 that acknowledged the proposal’s preliminary status and provided recommendations and suggestions from members on expectations for articulating a vision, rationale and justification in a fully developed proposal.

California Master Plan for Education. UCEP spent a portion of five meetings reviewing the September 9, 2002 *Report of the Joint Committee to Develop a Master Plan for Education*, and, later, to the Draft Academic Senate response to that Report. First, UCEP submitted to the Council general remarks that addressed the new Plan’s failure to appropriately recognize and appreciate certain key elements of the original Master Plan, or to provide a convincing rationale for developing the new document. UCEP stated the importance of developing creative and innovative young minds as a foremost obligation of the University and expressed concern that the Joint Committee Report instead seems to consider the goal of a University education to be familiarity with a common body of knowledge that would be mandated formulaically. UCEP also provided more specific comments, both positive and negative, that related to individual recommendations in the Report. Second, UCEP submitted on February 26, 2003 a supportive and favorable response to the Academic Senate’s Draft Response to the Report. UCEP remains actively engaged in critically reviewing educational practices and improving undergraduate instruction within the research university setting and anticipates participating in any UC consideration and comment regarding legislative bills that might arise from the Plan’s adoption.

UC Santa Cruz Proposal for Name Change of the Division of Natural Sciences to the Division of Physical and Biological Sciences. UCEP noted in its response to Council on 15 November 2002 that changing the name of an existing department/division did not require systemwide review. The Committee deferred to and concurred with campus judgment that the proposed name change is more reflective of the Division’s objectives.

UCI Proposal to Establish a School of Information and Computer Science. UCEP endorsed and supported establishment of this School in its November 4, 2002 response,

noted a concern about its effect on the existing computing group within Electrical & Computer Engineering, and offered a few recommendations.

Expanding UC's Part-time Enrollment Program Proposals to Allow Part-time Enrollment for Students Transferring to UC from a California Community College.

UCEP identified several questions, potential unintended consequences, and concerns in its 23 December 2002 response. Overall, the Committee believed the proposals had not been developed and reviewed adequately and urged that any further development of the proposals address these reservations.

Proposed Policy on Ownership of Course Materials.

UCEP's 6 December 2002 response stated that the proposed Policy is a generous one that is favorable to and advantageous for UC faculty in terms of protecting course materials for ladder rank faculty. However, there was some concern regarding Lecturer SOEs (who are Academic Senate members), who were not identified in the group of academic appointees and titles that were defined in the Policy.

Subject A Update.

In response to a request from Senior Vice President and Provost King, UCEP considered a name change to the Subject A exam and assessment of the various means of satisfying the Subject A requirement. On 10 April 2003 UCEP reported that it supported a systemwide study, limited to one year and making use of existing data, to determine whether any significant or useful distinctions could be made among the various means of satisfying the requirement. In concert with University Committee on Preparatory Education (UCOPE), UCEP forwarded on 29 April 2003 proposed name changes for both the Subject A exam and the Subject A requirement for Council and Assembly consideration.

Scholarly Communication Proposal: "The Emerging Influence of Technology on Scholarly Communications and Publishing: Planning for a Decade of Change."

In its 12 December 2002 letter UCEP responded favorably toward the educational policy implications of the proposal and identified research and academic personnel issues and concerns that could be addressed by the relevant Senate committees, UCORP and UCAP.

UCSC Proposal for Establishment of College Ten.

UCEP commented on 12 December 2002 that, although under Compendium procedures UCEP reviews establishments of Colleges, College Ten was primarily residential, already operational (thus, Senate review was perfunctory), and did not offer a full-scale academic program. There were no real objections to the Proposal; however, UCEP expressed a concern that its tightly drawn programmatic theme might not convey a sense of serving a diverse group of majors. Members concurred with UCSC CEP's recommendation to rewrite the draft to include other groups of students—in particular, arts and engineering—and apply that also to the recently established College Nine at UCSC.

Regents Standing Order for UC Merced. UCEP's 1 April 2003 response to Council stated that SOR amendments proposed for UC Merced were consistent with those of the other nine campuses. UCEP approved them and also forwarded a concern and recommendation.

Request from UC Davis for a diploma notation for undergraduate minors. UCEP responded to Council on February 4, 2003 that it approved unanimously the request from UC Davis for a diploma notation for undergraduate minors. Although the transcript falls under campus purview, whereas the diploma notation is an issue for systemwide action, UCEP nevertheless recommended that the notation appear on the student transcript as well as on the diploma.

BOARS Report, Proposal for Use of Supplemental Subject Matter Tests in the UC Admissions Process. In its response to Council on 1 April, 2003 UCEP generally approved the Proposal, made a recommendation, affirmed the need for Academic Senate involvement in exam design and selection, and acknowledged BOARS' lead in these matters, while requesting broad Senate consultation in the process.

Intersegmental Major Preparation Articulated Curriculum (IMPAC) Transfer and Articulation Issues. On 1 April 2003 UCEP expressed positive support for a Proposal drafted by UCOP administrators and Senate members and noted that its adoption might increase the ease of the articulation process. UCEP recommended decreasing the number of campuses required for default articulation from "five" to "four or more."

Proposed Regulations of the Merced Division Part I General Regulations Undergraduate Students. On 30 May 2003 UCEP approved the proposed regulations and request for variances to the grading system. In addition, UCEP offered comments and recommendations related to dropping courses, withdrawal from the University, and returning a student from probationary status to good standing.

UC Davis preliminary proposal for reconstituting the Division of Biological Sciences as the College of Biological Sciences. On 5 June 2003 UCEP as a Compendium committee forwarded a response that acknowledged the proposal's preliminary status, stated that there was insufficient detail to develop a conclusion about the proposed reconstitution, and listed concerns and questions that would be essential to address in a fully developed proposal.

Campus five-year perspectives for 2003-2008. UCEP discussed the statutory obligation of campuses to produce five-year lists, and the ongoing planning process that they reflect, with Vice Provost for Academic Initiatives Julius Zelmanowitz; UCEP as a Compendium committee reviews five-year lists. Members did not notice any overlap that would cause concern at the systemwide level, but expressed concern about proliferation at the undergraduate level of narrow or "pigeon-holed" majors and proliferation of new majors, with increased administrative costs associated with reviewing all majors within a department. The Committee raised several questions in its response to the Academic

Council on 4 June 2003, and also recommended that campus CEPs take responsibility for discussing certain developments.

UCEP initiatives. UCEP initiated a recommendation on alignment of campus calendars, sent to Council on 11 June 2003.

Additional business: Apart from those items and issues that closely follow the Committee's charges, duties and purview, UCEP issued formal responses on the following:

- Evaluation of Transcripts of Foreign Applicants to UC Graduate Programs. University Committee On Research Policy (UCORP) requested of the Council that appropriate Senate committees discuss concerns related to this topic. UCEP commented in December 2002 that it welcomes a systemized investigation and review, led by CCGA, with UCEP having a secondary role in the process.
- Racial Privacy Initiative. UCEP reiterated concerns of last year's Committee that, if the proposed legislation passes, lack of data related to ethnic and minority populations could have significant consequences for UC faculty research and freedom of inquiry. UCEP urged that the Senate make the case vigorously to the Regents as they formulate a University response.
- Proposed amendment to APM 015—The Faculty Code of Conduct (Faculty-Student Relations issue). See UCEP letter to Academic Council on 2 May 2003.
- Proposed amendment to APM 010—Academic Freedom. See UCEP responses to Council on 30 April and 11 June 2003.
- APMs 715—Family Medical Leave; 740—Sabbatical Leave; 390—Postdoctoral Scholars. See UCEP response to Academic Council on 10 December 2002.
- APM 310—Professional Research Series; new draft APM 311—Project Scientist series; APM 620.14—Off-scale salaries. See UCEP response to Council on 30 April 2003.
- APM 278 and 210-6—Clinical Professor series, APM 279—Voluntary Clinical Professor Series, and APM 133-0—limitation on total period of service with certain academic titles. See UCEP response to Council on 3 June 2003.

Other: UCEP discussed and commented on issues related to Proposed Senate Bylaws Revisions, Distance Learning, California Digital Library, Information Literacy Initiative, Health Sciences Education, Faculty Instructional Activities, UC Merced Planning, the Academic Senate Website, and the business of Academic Council, Assembly of the Academic Senate, ICAS, and campus Committees on Educational Policy and Committees on Courses of Instruction. UCEP received and commented on several reports: *The University of California Capital Center: A Model Development Plan*, *Final Report of the Task Force on Course Descriptions*, the *UC Health Sciences Task Force Report*, UCFW's Task Force on Retirement and Investment analysis, *Report from the President's Summit on Faculty Gender Equity*, and the *Interim Report to UCORP from UCORP Subcommittee on the Relationship between the University of California and the DOE Labs*. UCEP was occasionally requested to nominate individuals to serve on various systemwide ad hoc committees and task forces.

UCEP Representation: UCEP was represented on additional Committees, Task Forces and Work Groups this year, including: Academic Council, Assembly, Academic Planning Council, BOARS, Intersegmental Committee of the Academic Senates of the California Community Colleges, California State University and University of California (ICAS), Faculty Instructional Workload/Activities Task Force and UC Merced Task Force.

Acknowledgements: UCEP benefited from regular consultation and reports from the following: Julius Zelmanowitz, Vice Provost for Academic Initiatives and Julie Gordon, Director of Intercampus Academic Program Coordination. UCOP also consulted with and/or received reports from: Michael Drake, Vice President for Health Affairs; Sandra Smith, Assistant Vice President for Planning and Analysis; Jane Lawrence, UCM Undergraduate Council Chair; Karen Merritt, Director, Academic Planning, UCM; Christina Maslach, Vice Provost, Undergraduate Education, UCB; Daniel Greenstein, University Librarian; Gary Lawrence, Director, Library Planning and Policy Development; Esther Grassian, LAUC President & Information Literacy and Outreach Coordinator, UCLA College Library; Carol Hughes, Assistant Librarian, UCI; Stephen Handel, Assistant Director, Outreach; Lawrence Pitts, Academic Senate Vice Chair, Wendell Potter, UCOPE Chair; and María Bertero-Barceló, Executive Director, Academic Senate. UCEP thanks Professors Rebecca Turner (UCSF), Roz Spafford (UCSC) and Rise Axelrod (UCR) who served as alternates for appointed Divisional representatives.

Respectfully submitted,

Andrew Grosovsky (R), Chair
Lisa Alvarez-Cohen (B), Vice Chair
J. Keith Gilless (B)
Joseph Kiskis (D)
Robert Newcomb (I)
Robert G. Frank, Jr. (LA)
Howard Wettstein (R)
Walter Burkhard (SD)
Patricia Benner (SF)
Denise Segura (SB)
Carol Freeman (SC)
Gayle Binion, Member *ex officio*, as Chair of Academic Council
Merit Mikhail, Undergraduate student representative
Matt Andrews, Graduate student representative
Louisa Tapley-Van Pelt, Committee Analyst

**UNIVERSITY COMMITTEE ON FACULTY WELFARE (UCFW)
ANNUAL REPORT 2002-2003**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The University Committee on Faculty Welfare (UCFW) met eight times, and its Task Forces on the Future of UC Health Plans and on Investing and Retirement met five and three times respectively during the 2002-2003 academic year. As might be expected in a time of fiscal constraint, the preoccupations of UCFW have to some degree turned in a defensive direction, aimed at protecting the integrity of the existing benefits and retirement systems. However, the Committee has continued to pursue important initiatives it inherited from its predecessors as well as to develop new proposals. Highlights of the Committee's activities and accomplishments are noted in this report.

RETIREMENT ISSUES

Two retirement-related issues occupied much of the UCFW's agenda time during this past year: a proposal for a phased employment-phased retirement program, and recommendations for improving the retirement benefits for the UC health sciences faculty. In anticipation of these and other retirement-related issues, the UCFW Chair reconstituted the Task Force on Investment and Retirement (TFIR), which was inactive during 2001-2002 because of the Senate's budgetary constraints. UCFW is grateful to the Associate Vice President-HR&B and to the Treasurer/Vice President-Investments who agreed to fund the work of this important group.

Phased Employment/Phased Retirement Proposal (PE/PR). A proposal for a Phased Employment/Phased Retirement (PE/PR) program was initiated by UCFW and discussed with the Administration over the past several years in various forms. It is a program that would allow Senate members to make the transition from full-time employment to part-time and then to full retirement through a reduction in the load of teaching and service commitments. From the beginning, the Executive Vice Chancellors (EVCs) were unenthusiastic about the proposal for a variety of reasons, including the potentially large take rate by ladder rank faculty. In light of their concerns, this past fall UCFW undertook to revise the proposal by adjusting its specific terms and making it a more flexible policy. The explicit premise of this modified proposal was that the program should result in no reduction in the average age of faculty retirements (presently 63 years) and that it should have no adverse impact on the University's retirement plan (UCRP). UCFW's revised proposal was presented and discussed during a joint session of the Academic Council and the Council of Vice Chancellors in March. The EVCs voiced concerns about space allocation, equity issues, and teaching load, but the most critical issue appeared to be the impact PE/PR would have on the relatively attractive terms (for the campus administrations, that is) on which they are currently able to recall faculty. A formal response from the EVCs was promised, but was not received until July, after UCFW had already held its final meeting of the year. It raised six objections, four of which seemed unresponsive to the PE/PR document, perhaps intended to close off discussion rather than

to resolve outstanding issues. The EVCs did express a willingness to discuss a new Recall Program that “would include the option of negotiating recall arrangements prior to the faculty member’s retirement.” They were apparently unaware that a recent change has already made this possible. (Please see the paragraph on “normal retirement age,” immediately below.) UCFW had already concluded that if the EVCs continued to express concerns with a PE/PR program, and its implementation appeared unlikely, the committee would undertake a review and analysis of the terms and frequency of use of faculty recalls at the several campuses with a view toward making the application of such programs more consistent as well as more rewarding for faculty. The PE/PR concept will remain on the long-term agenda of UCFW in the expectation that the changing circumstances of the University will create more favorable circumstances for its adoption at a future date.

At the urging of UCFW, the Office of the President sought approval to lower (from 70 to 60 years) the “normal retirement age” that is reported to the IRS. This adjustment was formally approved in July. This change has no impact on the age or conditions under which UC employees retire. Its sole practical effect has been to remove the past restriction on negotiating recall arrangements in advance of retirement for employees sixty years of age or older. UCFW’s assumption in advocating this change (which is also a necessary prerequisite for any future PE/PR program) is that it would improve faculty members’ negotiating position to establish the terms of recall before having to make the irrevocable decision to retire.

Retirement Compensation for the Health Sciences Faculty. UCFW was asked to serve as the lead Committee for the Senate’s review of the UC Health Sciences Task Force report, “Recommendations for Improving Retirement Benefits for UC Health Sciences Faculty.” UCFW asked its Task Force on Investment and Retirement (TFIR) to provide an analysis of the report’s recommended options and their potential impact on UCRP. In its report back to UCFW, TFIR provided both an analysis of the report’s options and a new alternative of its own. In UCFW’s discussions, members were unanimous in their agreement that the existing pension coverage for health sciences faculty is inadequate because it applies only to a portion of the individual’s total compensation. The Committee believed that an appropriate form of coverage for additional income should be provided, consistent with the premise that any new arrangement should not materially weaken UCRS, should not encourage pension spiking, and should not result in double retirement coverage of the same salary. The Committee strongly favored the TFIR alternative, which matches defined benefit coverage to relatively fixed “X compensation” and relies on defined contribution coverage for individually negotiated and potentially variable “Y and Z income”. Of the options proposed in the administrative Task Force report, UCFW opposed #3 and #5 and found option #4 acceptable, though distinctly less appropriate than the TFIR alternative.

After preliminary discussion within the Academic Council --- and at its specific request --- UCFW participated in a process intended to arrive at a compromise solution. At the beginning of July, a meeting of two representatives from UCFW and two members of the Academic Council arrived at a proposal that would retain the current form of defined benefit coverage in the health sciences and add defined contribution coverage at the 7%

level for any income not covered by UCRP, the latter to be paid for by the funding source. At its July meeting, Academic Council endorsed the compromise solution by a vote of 16 to 1.

UCRP. The Committee heard reports on the state of the University of California Retirement Plan (UCRP). Since 1990, neither UC nor its employees have been required to make contributions to UCRP, but because of the negative stock market returns, contributions now appear likely to resume within the next five years. The UCFW Chair has officially asked TFIR to consider strategies for the resumption of employer and employee contributions. TFIR will also be monitoring events at the National Laboratories in case any changes in UC's contractual relationship should have potential impacts on UCRP.

UPDATE ON UCFW INITIATIVES

Educational Fee Waiver for Dependents of UC Employees. In May 2001, the Academic Council unanimously approved UCFW's recommendation that the funding of an educational fee waiver program 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 budgetary concerns, President Atkinson assured UCFW that the proposed fee waiver program remained a high priority and would be revisited in 2001-02. Last September, the President wrote a letter to the Academic Council Chair to inform her that because of the State's continuing fiscal crises and the University's need to be restrained in making financial commitments, it is unlikely that funding for this program could be found over the next few years. In spite of this setback, UCFW voted to continue to pursue the implementation of an educational fee waiver program and formed a workgroup to explore various strategies for identifying funding sources and for keeping the educational fee waiver issue alive.

Parking Policy Principles. In June 2002, the Academic Council unanimously adopted UCFW's proposed Parking Policy Principles. This year, the Committee began to explore ways to advance some or all of the provisions included in the principles. For the coming year, UCFW has established a Task Force on Parking to help campus representatives work with their respective Administrations on parking issues. There have been indications that headway has been made with some campus administrators to consider submitting the cost of replacement parking as a line item in construction contracts. The Task Force will vigorously pursue this and other provisions during the coming year.

In addition to the Fee Waiver and Parking Policy Initiatives, UCFW continued to monitor the University's progress in the areas of childcare, domestic partner benefits, and faculty housing programs.

WORK OF THE UCFW TASK FORCE ON THE FUTURE OF UC HEALTH PLANS

The major focus of the UCFW Task Force on the Future of UC Health Plans was to work with Administration in exploring ways the University might address the continuing rise in the cost of health care premiums. The Task Force developed a set of principles intended to provide a framework for managing employer and employee contributions to health insurance. The principles, as listed below, were endorsed by UCFW members at their June meeting.

- Contributions should be structured to allow UC to attract and retain high quality workers (both faculty and staff.)
- Contributions should be structured to facilitate access to high quality health care for all members of the UC community.
- Contributions should be structured to provide UC employees with a choice of plans through the use of risk-adjusted contributions.
- Health care premiums should not be so costly that employees, especially the less highly compensated, elect to opt out of health insurance.
- Providing access to high quality health care is a value to the University community quite different than access to other benefits (such as transportation or life insurance). As a result of these differences, UCFW supports pay-based contributions for health care (but not for other benefits.)
- The contribution methodology should be adjusted from year-to-year depending on premium costs and the availability of State funding.

UCFW and its Task Force will continue to work with the Administration in the coming months to explore multiple strategies for the implementation of these policies. The Task Force will also continue its work on the development of a set of preventive health guidelines for UC employees, and to explore the pros and cons of a “carve-out plan” for pharmaceutical benefits.

UNIVERSITYWIDE POLICIES AND ISSUES

UCFW was asked to comment or take action on a series of proposals and policies during this academic year:

APM 390-Postdoctoral Scholars. This proposal would establish two new title codes for Postdoctoral Scholars – one to cover employees and one for non-employees. The main features of the proposal were a minimum salary rate, requirement for 100% employment, a health insurance provision, and a national limitation of five years of cumulative service. UCFW had no objections to the policy as proposed, though the Committee observed that the practical effect of the changes could be a reduction in the number of available postdocs.

APM 740-Sabbatical Leave Policy. The major proposed revisions were: A faculty member would be allowed to substitute significant University service for some or all of the teaching requirement for a sabbatical in residence; recipients of a sabbatical leave at less than full salary would be allowed to receive additional compensation for research at another university; and a faculty member who holds a full-time administrative position for five years or more would be allowed to take a sabbatical immediately after that service

based on the administrative pay rate. UCFW approved the revision with a minor amendment, but noted that the provision to allow additional compensation should also be expanded to include teaching activities at another university.

CRECNO Initiative (Classification by Race, Ethnicity, Color and National Origin).

This initiative, which has qualified for the October 2003 ballot, would forbid state-funded agencies from classifying individuals by race or ethnicity. The discussion was intended to help assess the impact of this Initiative on faculty and the University and to help shape the Senate's position. Many of the comments had to do with the ambiguity of what constitutes the "state" and whether individual faculty members would be seen by this Initiative as constituting the state. A major issue for UCFW was the impact this Initiative might have on the availability of the state's databases, which are critical to much of the longitudinal research conducted in areas of public policy.

Sexual Liaison Policy. This proposed policy would revise the Faculty Code of Conduct, making it inappropriate for a faculty member who has the responsibility for the academic supervision of a student, or is likely to have in the future, to have a romantic or sexual relationship with that student. While UCFW agreed with the general tone of the statement, it had concerns about the lack of specificity in the phrase, "or is likely to have in the future," and recommended that it be clarified. The provision was ultimately amended by Council to read: "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."

APM 010-Statement on Academic Freedom. UCFW endorsed the new language on academic freedom and noted that it would also be important for the University to be on record as supporting the academic freedom rights of students, as reflected in the new proposed APM 015 language.

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 extends to and are enjoyed by all constituencies within the University of California.

Respectfully submitted:

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Dan Mitchell, At-Large Member (LA)
Lawrence Waldron, CUCEA Chair
Robert Anderson, UCRS Board Member
Carl Zytowski, CUCEA Vice Chair
Robert May, Co-Chair, Task Force on UC Health Plans
Harold Simon, Co-Chair, Task Force on UC Health Plan
Betty Marton, Committee Analyst

**UNIVERSITY COMMITTEE ON INFORMATION TECHNOLOGY
AND TELECOMMUNICATIONS POLICY (ITTP)
ANNUAL REPORT 2002-2003**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

Under Senate Bylaw 155, the University Committee on Information Technology and Telecommunications Policy (ITTP) is charged with representing the Senate in all matters of instruction and research policy involving the use of information technology and telecommunications and advising the President concerning the acquisition and use of information and telecommunications technology.

ITTP met once during the 2002-2003 academic year. Highlights of the Committee's activities and accomplishments are noted in this report.

Role and Future of ITTP

In the past, the ITTP committee has had periods of relative inactivity, due in part to a need for establishing a link with a specifically designated consultant who would work with the committee on a regular basis. This spring, Kristine Hafner, Associate Vice President of Information Resources and Communications, and David Wasley, Assistant to the Associate Vice President of Information Resources and Communications, agreed to serve as consultants to the ITTP committee. This interaction with the administration has been invaluable to the committee by providing a conduit of timely information and resources.

The committee this year focused primarily on the role and future of ITTP. Members identified potential areas in which ITTP could have an impact:

Systemwide Collaborations. There may be IT issues in which it would benefit the campuses if they worked together as a unit towards a common approach or solution. ITTP could work on identifying these issues. Suggestions included: working to standardize backend IT in certain areas; reuse of infrastructure; and systemwide leveraging for purchasing, licensing, and negotiations with vendors.

Sharing Campus Practices. At the meeting, members reported on the structure and activities of their divisional committees. The committee concluded that there is great value in sharing practices and experiences, both good and bad. The ITTP committee can help increase the awareness and propagation of best practices.

Advising the Administration. Administrators may not know about or understand technology that is new and complex. This is an area where the faculty may be able to provide crucial advice regarding the latest IT developments.

Future Topics. The committee generated the following list of specific topics for ITTP to consider examining in the coming year:

- Appropriate Use Policies

- Fund Capture Model/Cost Recovery Policies
- Distance Learning
- Technical Support
- Disaster Preparedness and Recovery
- Wireless
- Intellectual Property
- Student Equipment Expectations
- Security and Privacy
- Videoconferencing
- Supercomputing/High-Volume Computing

Assignments/Projects

Rather than have each divisional committee look at the entire spectrum of IT topics individually, members felt it would be more effective and efficient if ITTP identified key IT topic areas and then assigned one area to each of the campuses to examine and report on. These reports could provide a foundation for and help generate future ITTP discussions. Several members volunteered to have their divisional committee work on these topical reports.

In-Depth Discussion

ITTP members devoted significant portions of their meeting to in-depth discussions on selected information technology and telecommunications policy issues, which included:

University IT Policy. Recently there has been a great deal of emphasis in federal and state legislation regarding concerns about the security of information and the ability to protect information assets. The University has data and information systems that are now recognized as being very vulnerable. The University has had to take a look at its ability to safeguard that information, and is putting in place new policies with respect to information security and is also developing procedures to notify individuals in the case of a breach of information.

Instructional Technology. There is permanent ongoing funding to the University from state operating money that is earmarked specifically for instructional technology. Within the UC Office of the President, there is no one person who spends their time exploring systemwide needs in instructional technology or learning management. This is considered to be completely a campus decision. This is an area in which the ITTP committee could potentially be helpful.

IT Cost Recovery Policies. Other higher education institutions now charge students a fee for the right of access to email, wireless, etc. Some of the UC campuses are considering or have already begun charging students fees for IT access and maintenance. This has sparked debate about what should and should not be subsidized by the University for both students and faculty. Historically the University has felt that it was natural to basically

subsidize most services where possible, so moving to actual real costs would be a major culture change.

Other Information and Updates

The committee was informed of the following activities by its consultants from the Office of Information Resources and Communications:

CalREN Network Upgrade. Members were informed of the progress of upgrades to the California Research and Education Network (CalREN). Two years ago the Corporation for Education Network Initiatives in California (CENIC), which is comprised of five institutions (UC, CSU, Stanford, USC and Caltech), began designing the next generation of CalREN. The new network will be completed in 2003 and will be optically based with secure telecommunications interconnect points throughout the state. It is possible over this new infrastructure to support much more than the existing CalREN network could.

Information Technology Infrastructure Task Force. The UC Office of the President created an Information Technology Infrastructure Task Force to examine IT related capital needs. The group is composed of several campus Chief Information Officers, Planning and Budget Officers, and Vice Chancellors for Administration. The task force has established two objectives: (1) develop a resource framework to determine how the University can project some long-term investment needs; (2) figure out what funding models might be appropriate.

National Meeting of NACUBO and EDUCAUSE. The National Association of College and University Business Officers (NACUBO) and EDUCAUSE, a nonprofit association whose mission is to advance higher education by promoting the intelligent use of information technology, recently hosted a meeting in Washington, DC. The University of California participated along with approximately 40 other higher education institutions. The topic of the meeting was how higher education institutions can articulate the value of investment in information technology.

ITTP Representation

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

Acknowledgment

ITTP is grateful for the invaluable contributions made by its consultants from the Office of Information Resources and Communications: Associate Vice President Kristine Hafner and Assistant to the Associate Vice President David Wasley.

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Kimberly Peterson, Committee Analyst

**UNIVERSITY COMMITTEE ON LIBRARY (UCOL)
ANNUAL REPORT 2002-2003**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

Under Senate Bylaw 185, the University Committee on Library (UCOL) is charged with advising the President concerning the administration of the libraries of the University in accordance with the Standing Orders of the Regents.

UCOL met once during the 2002-2003 academic year. Highlights of the Committee's activities and accomplishments are noted in this report.

Universitywide Planning Efforts

University Librarian Daniel Greenstein reported to the committee on Universitywide planning efforts for the libraries and scholarly information. A new strategic plan for libraries is currently being developed. This new plan will supersede the 1996 Strategic Plan, which was a report of the Library Planning and Action Initiative. An outline draft of the new strategic plan will be completed in August 2003. Two members of UCOL also later participated with University Librarian Greenstein in a conference call on strategic planning.

Librarians Association of the University of California (LAUC)

LAUC President Esther Grassian and LAUC Vice President Linda Kennedy reported to the committee on the structure, role, and concerns of the Librarians Association of the University of California. LAUC has been actively pursuing issues such as information literacy, access to government information, privacy, and collective selection of materials for UC campus libraries. The statewide LAUC also just recently passed a strong resolution opposing the Patriot Act and related measures.

Information Literacy

UCOL examined the issue of information literacy and discussed concerns about the growing number of students at the University of California that are information illiterate. LAUC President and Information Literacy Coordinator Esther Grassian and LAUC Vice President Linda Kennedy provided members with anecdotal examples and evidence of information illiteracy and the benefits of information literacy training. LAUC has examined other institutions' definitions and has developed a preliminary definition of information literacy, which states: "Information literacy is the ability to identify an information need, locate information efficiently, evaluate information, and use information effectively."

Other higher education institutions, such as the California State Universities, have adopted institutional or systemwide information literacy resolutions, but the University of California has not. UCOL agreed that the implementation of information literacy efforts for the University of California should be campus specific rather than a systemwide mandate; however, members felt that the divisions should be made aware of and encouraged to take up the issue of information literacy. In response, UCOL drafted and endorsed a "UCOL Resolution on Information Literacy," which suggests the campus senates address this issue and encourages collaboration among faculty and librarians to

create teaching activities that generate information literacy. This resolution has been sent through the UCOL representatives to the members of their respective library committees and has been forwarded to the Academic Council for consideration.

Future Agenda Items

Members suggested the following topics for UCOL to consider focusing on next year:

- Respond to the further state budget revisions and their implications for the library.
- Consult with the University Librarians regarding their strategies for dealing with the budget cuts.
- Examine the issues regarding electronic journals and publishers.
- Invite the new President or some other appropriate UC official to update him/her on the library situation.
- Receive an update from the LAUC regarding information literacy efforts.
- Examine the issues involving the archiving and digitizing of resources.
- Consider how to get the faculty more involved in library issues and challenges.
- Publicize and inform the faculty of library issues.

UCOL Representation

UCOL is also represented on the University Committee on Information Technology and Telecommunications Policy – the UCOL Chair is an *ex officio* member of ITTP.

Acknowledgment

UCOL wishes to acknowledge the contributions of its administrative consultants: Esther Grassian, LAUC President and Information Literacy Coordinator; Linda Kennedy, LAUC Vice President; and Daniel Greenstein, Associate Vice Provost for Scholarly Information, University Librarian for Systemwide Library Planning, and Executive Director of the California Digital Library.

Respectfully submitted:

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Kimberly Peterson, Committee Analyst

**UNIVERSITY COMMITTEE ON PLANNING AND BUDGET (UCPB)
ANNUAL REPORT 2002-2003**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

UCPB met eight times in the 2002-2003 session. The major activities of the committee and the issues it addressed during the year are noted in the following report.

Consultations with UCOP

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

- The Budget - state budget negotiations and economic projections, presentations to the Regents, budgetary strategies.
- Planning Issues - quality and access issues in the face of budgetary constraints; enrollment projections; response to the audit of the Partnership Agreement; admissions GPA; summer instruction; graduate student issues.
- Multicampus Research Units (see below)
- Library and Scholarly Publication Issues
- Endowment Spending

Multi-Campus Research Units

- *Participation in Reviews.* In accordance with its role as stipulated in the compendium, UCPB considered and commented on the 15-year comparative review of UC Mexus, The Linguistic Minority Research Institute (LMRI), and the Institute for Global Conflict and Cooperation (IGCC). UCPB endorsed the continuation of all three MRUs, expressing general support for the current direction being taken by IGCC and UC Mexus, and making several specific recommendations for ways to enhance the LMRI
- *Proposal for Establishment of New Bioengineering MRU.* UCPB expressed general support for this proposal, recommending a short-term follow up review once it is established to re-assess its status as an MRU and to monitor progress.
- *Other.* Additionally, the committee reviewed the 2001-02 Annual Report on Changes Affecting ORUs and MRUs; offered nominations for members for the 15-Year review committee for California Sea Grant; and discussed the outcome of the Senate's review of CalSpace.
- *Consideration of the MRU Review Process.* The committee held several in-depth discussions on the planned restructuring of the MRU review process itself, on which the Office of Research had in the past year solicited recommendations from UCPB and UCORP. Some of the focal points were: freeing up funds for new programs, creating a structure for competition for funds, and identifying an appropriate review structure for MRUs that are facilities based. As one of its first orders of business for the upcoming year, UCPB will finalize its discussion of the MRU review purpose and process, and submit a set of formal recommendations.
- *Senate Review of the California Institutes for Science and Innovation*

Last year, UCPB initiated a discussion of long-term planning for the California Institutes for Science and Innovation, engaging in dialogue with UCOP and with the

Institute Directors on several areas of concern. The committee followed up in 2002-03 with a focus on establishing Senate oversight and what the review structure would be. UCPB formulated a formal position stating the premises for review and recommending a two-tiered (i.e., both campus and systemwide level) structure for Senate review of the Cal ISIs, which was submitted to the Academic Council and forwarded, along with a recommendation from UCORP, to the Office of Research.

Academic Initiatives

UCPB considered and acted on the following proposed academic initiatives:

Proposal on Part-time Enrollment for Community College Transfer Students – UCPB recommended implementation as a pilot program that will have a follow up evaluation.

- *UC Davis Preliminary Proposal to Reconstitute the Division of Biological Sciences as the College of Biological Sciences* – endorsement pending full proposal
- *UC Santa Cruz Proposal for a Name Change from the Division of Natural Sciences to the Division of Physical and Biological Sciences* –approved
- *Preliminary Review of the Model Development Plan for the UC Capital Center (UCCC)* - The committee recommended that UCCC development and improvements be planned for and carried out in phases and with ongoing Senate involvement. Although there may be future questions about faculty, residences, and student enrollment, UCPB saw the Sacramento Center as having strong potential for forging beneficial links with state government and as a desirable center for research.
- *UC Santa Cruz Proposal for Establishment of College Ten* - approved in principle with recommendations.
- *UC Irvine Proposal for Establishment of the School of Information and Computer Science* – approved.
- *UCM School of Management*- (see below)
- *5-Year Perspectives*: In accordance with the Compendium, UCPB receives a compilation of campus Five-year Perspectives each year from UCOP for comment. The committee suggested that review of the lists be made more meaningful by including additional information on programs that are likely to develop into proposals in the near future. More specific direction from the Office of Academic Initiatives as to the kind of response and the purpose of the review was also suggested for future distribution of the Perspectives.

Indirect Cost Recovery

This year UCPB continued its review of indirect cost recovery in fulfillment of the charge given the committee by the Academic Council in November of 2001. An interim report was submitted last year. This year a final report went to the Academic Council for endorsement at its July meeting. The final report, which was the product of a UCPB subcommittee in consultation with UCORP, presented findings on how recovered indirect costs are generated, used, and perceived, and offered a set of recommendations on oversight and allocation. The report was forwarded to the President for response and possible action.

Accountability 1.5

Another project undertaken last year and continued in 2002-03 was a reconsideration of and update of 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. This year a UCPB subcommittee adopted a working model for overall methodology, indices, benchmarks, and data gathering and analysis. An interim report is planned for the fall, with a final report to be completed within the 2003-04 term.

Budget Proposal

UCPB's proposal "Increasing Access and Sustaining Excellence" was submitted to the Academic Council at the end of the 2001-2002 term, but did not receive full divisional and committee review until the end of the current year. In light of the escalating budgetary issues of this year, the proposal, which sets forth recommended principles and actions in response to the budget, will be updated. A revised proposal will be one of the first orders of business for the 2003-04 session.

Review of Proposed Amendments to Sections of the APM

UCPB reviewed and formally responded to the following proposed amendments to APM sections and proposed new APM sections:

- *APM 740 – Sabbatical Leave*
- *APM 390 – Post Doctoral Scholars*
- *APM 310 - Professional Research series; Proposed New APM 311 -Project Scientist series; Technical Changes to APM 620-14 – Off-scale Salaries*
- *APM 715 – Family Medical Leave*
- *APM 010 - Policy on Academic Freedom*

UC Merced

A UCPB representative sat on the UCM Task Force and reported task force activities to the committee. UCPB opined on the "Perspective for a UCM School of Management," recommending that a full proposal take into consideration concerns regarding quality and feasibility. In addition, UCPB invited the UCM Executive Vice Chancellor and the Chair of the UCMTF to its March meeting to discuss UCM planning in general, and in particular the unfolding effects of the state budget on the opening of the campus.

UCPB Liaisons with Other Systemwide Bodies

The Chair, Vice Chair or a committee 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, the Systemwide Library and Scholarly Information Advisory Committee, and the Joint Task Force on Faculty Instructional Activities.

UCPB reviewed and formally commented on the following additional issues and proposals:

- *UCORP Resolution on SUTI* – endorsed
- *Proposed Retirement Benefits for UC Health Sciences Faculty* - UCPB recommended that among the proposed options for changing health sciences retirement benefits, the one having the least impact on UCRS should be pursued.

- *Outside Funding Constraints* - UCPB recommended to Council that the Senate continue its consideration of restrictions attached to outside funding and how policy is made regarding such agreements.
- *Equivalency Status for Cooperative Extension Specialists* - UCPB did not support the proposal, recommending that the notion of tenure be dissociated from the request for a change in status for CE Specialists, and that an alternative policy be drafted for case-by-case review of requests for a change in status to a non-tenured faculty appointment.
- *Five-Year Review of the Agricultural Experiment Station of the Division of Natural Resources*
- *Senate Response to the Joint Committee Report on the Master Plan for Education*
- *Proposed Revisions of Senate Bylaws*
- *Discussion with UCORP on the activities of the Subcommittee on DOE Labs*

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, and Cathie McGowan, Director, Science & Technology Programs.

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**UNIVERSITY COMMITTEE ON PREPARATORY EDUCATION
ANNUAL REPORT 2002-2003**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The University Committee on Preparatory Education held two meetings during Academic Year 2002-03 to conduct its business with respect to its duties outlined in Senate Bylaw 215. The Committee activities engaged in and issues that were considered by UCOPE this year are outlined briefly, as follows:

2002 Subject A Examination.

Pursuant to its charge of oversight of standards for administering the Subject A Examination, UCOPE reviewed and discussed data and information about its administration the previous spring that was presented by Director George Gadda, Subject A Committee Chair, and also Jeanne Hargrove, Subject A and High School Articulation Coordinator, Student Academic Services. This included test validity data, annual pass rate, information on the pool of examinees, and other related statistical data.

2003 Subject A Examination Essay/Prompt Selection.

UCOPE completed its annual selection of the essay/prompt to be administered in the Subject A examination in the spring of 2003 by accepting unanimously one passage from among a selection of passages presented by the Subject A Examination Chair and previously selected by the Subject A Examination Subcommittee.

2003 Subject A Examination Passing Standard/Norming the Subject A Examination.

UCOPE members discussed pretest essays provided by the Subject A Examination Committee Chair and agreed unanimously on scores for all pretest essays (these matched also the scores assigned by Subject A Subcommittee readers).

Review of Subject A Requirement and Subject A Examination.

UCOPE responded to questions raised in a letter from Senior Vice President and Provost C. Judson King regarding Subject A, that pertained to assessing the effectiveness of various ways students satisfy the Subject A requirement and whether the name and purpose of the Subject A examination and/or requirement should be restated. In a letter to the Academic Council on 25 February 2003 UCOPE stated its belief that a systemwide review of the various approaches students use to satisfy the Subject A requirement should be undertaken, and offered the expertise of the committee in setting up such a study. UCOPE offered to oversee the study and also be an active participant. A series of recommendations were made. In addition, UCOPE stated the importance and usefulness of relating methods of satisfying the Subject A requirement to performance on the Subject A examination. UCOPE stated its belief that writing performance in subsequent courses, including required first-year writing courses, should be the primary criterion used to judge the writing ability of UC's students and the effectiveness of the various methods used to satisfy the Subject A requirement.

UCOPE Chair Potter met with University Committee on Educational Policy to discuss Subject A issues. Subsequent to that meeting, UCOPE and UCEP sent a joint letter to the Academic Council on 29 April 2003 in which proposed name changes for both the Subject A exam and the Subject A requirement were forwarded for Council and Assembly consideration. The joint Committee actions were reported thus:

- UCOPE and UCEP recommend and support changing the name of the Subject A examination to: University of California Analytical Writing Placement Exam;
- UCOPE and UCEP recommend and support changing the name of the Subject A requirement to: University of California Entry Level Writing Requirement

BOARS Report, Proposal for Use of Supplemental Subject Matter Tests in the UC Admissions Process. BOARS Chair Barbara Sawrey, an *ex officio* member of UCOPE, made a presentation on the Report and received feedback from UCOPE members for consideration by BOARS. UCOPE took no action on this.

Diagnostic Writing Service Update. The DWS website has not been funded for UC; thus, UCOPE's DWS Subcommittee is inactive. An update on funding was presented by Roman Stearns, Special Assistant to the Director of Admissions. CSU will continue with its model of DWS as a fee for service.

English as a Second Language (ESL) Subcommittee. Subcommittee Chair Jan Frodesen held one meeting. Individual campus reports on ESL issues, enrollment trends, program achievements and developments, and problems and concerns were provided. A report from that meeting was presented at UCOPE's last meeting of the year. The ESL Subcommittee discussed the following:

ESL transfer student data analysis, undergraduate issues related to ESL-designated students who do not pass Subject A, UC Write Program, ESL students who satisfied Subject A at a community college the summer before entering UC, and international graduate student issues, including oral proficiency testing across campuses and training for graduate teaching assistants who are international students and are from diverse linguistic backgrounds.

ESL Subcommittee would like to meet more than once a year, but recognizes, as does UCOPE, the current budgetary constraints that have led to reduction in numbers of Senate committee meetings. ESL Subcommittee would also like to have its Chair sit on UCOPE as a member.

Proposed Amendments to Senate Bylaws.

Overall, UCOPE approved the standardized set of revisions to the Senate Bylaws. After considerable discussion of its own proposed Bylaw 192, UCOPE acted on two issues at its April 29, 2003 meeting and on that date forwarded a letter to Council reporting its actions:

- 1) With respect to section A. Membership, UCOPE members voted to include two UCOPE Subcommittee Chairs—the Chair of the ESL Subcommittee and the Chair of the Subject A Examination Subcommittee--as members of the Committee, as did a previous UCOPE membership.

- 2) With respect to section B. Duties, UCOPE members proposed and voted in favor of adding language that addresses the purview of both UCOPE and the UCOPE ESL Subcommittee in monitoring the language needs of students from diverse linguistic backgrounds. UCOPE takes a broader view of second language reading and writing issues that are not otherwise addressed within the Senate Committee structure and, more specifically, its ESL Subcommittee addresses the academic performance of those students who do not pass the Subject A examination and are designated as ESL students.

Additional business:

The following reports, items, and/or issues that are outside UCOPE's specific charge and duties were also received and discussed:

- Draft Proposal to Streamline the Course Major Articulation Process between UC Campuses and California Community Colleges. UCOPE's 14 May 2003 letter to the Academic Council reported that transfer and articulation process is specific to major preparation and is thus outside the specific Committee charge and purview; therefore, UCOPE did not have a specific response to the Draft Proposal.
- California Master Plan for Education. No official Committee response was sent. Chair Potter reported on the potential impact of legislative bills that might arise from the Master Plan.
- Student Writing Beyond the First Year at UC. UCOPE addressed the issue of writing achievement of undergraduates, more broadly considered. Although UCOPE does not consider writing beyond the first year, and beyond satisfying the Subject A requirement, the Committee believes it can provide guidance to the Academic Council in pursuing an inquiry into student writing in general.

UCOPE Representation:

UCOPE was represented on additional Committees, Task Forces and Work Groups this year, including ICAS, and ICAS ESL Subcommittee. UCOPE Chair Wendell Potter attended a meeting of the University Committee on Educational Policy to consult with its members on Subject A issues.

Committee Consultations and Acknowledgements:

UCOPE benefited from regular consultation and reports from the following consultants: George Gadda, UCLA Writing Director and Chair of the Subject A Examination Committee, Susan Wilbur, Director of Undergraduate Admissions, Jeanne Hargrove, Subject A and High School Articulation Coordinator, Student Academic Services. The Committee also received a report from Roman Stearns, Project Coordinator, Admissions and Outreach. Chair Potter maintained a consultative liaison with Jan Frodesen, Chair of UCOPE's ESL Subcommittee.

UCOPE also consulted with Academic Council Chair Gayle Binion on Academic Council business, and Academic Senate Executive Director María Bertero-Barceló on Committee and Senate office matters. UCOPE thanks Professor M. Cecilia Freeman (UCSC) who served as an alternate for the Divisional representative at one meeting, and represented the ESL Subcommittee in submitting the ESL Subcommittee Report at another meeting.

Respectfully submitted,

Wendell Potter (D), Chair

David Stern (B)

No Representative (D)

Susan Carole Jarratt (I)

Arvan L. Fluharty (LA)

Shaun Bowler (R)

John Moore (SD)

Henry Sanchez (SF)

Susan McLeod (SB)

Roz Spafford (SC)

Barbara Sawrey (Member *ex officio*, as Chair of BOARS)

Anshuman Singh (Graduate student representative)

Louisa Tapley-Van Pelt, Committee Analyst

Jan Frodesen, Chair, ESL Subcommittee

**UNIVERSITY COMMITTEE ON PRIVILEGE AND TENURE (UCP&T)
ANNUAL REPORT 2002-2003**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

In accordance with Senate Bylaw 195, the University Committee on Privilege and Tenure (UCP&T) considers general policies involving academic privileges and tenure. In addition, the committee constitutes special Hearing Committees and maintains statistical records of the grievance, disciplinary, and early termination cases taking place on each of the campuses.

UCP&T met twice during the 2002-2003 academic year. Highlights of the Committee's activities and accomplishments are noted in this report.

Faculty-Student Relationships Policy (APM 015)

In response to questions raised by the UC Board of Regents, in January 2002 UCP&T began exploring the idea of developing a policy governing romantic or sexual relationships between faculty and students. The committee discussed a number of possible courses of action and reviewed various documents including policies from other colleges and universities and the "Resolution on Faculty-Student Relations Adopted by the Academic Assembly of the University of California on November 30, 1983."

UCP&T elected to propose that language be added to the Academic Personnel Manual Section 015, the Faculty Code of Conduct, Part II – Professional Responsibilities, Ethical Principles, and Unacceptable Faculty Conduct, Section A. Teaching and Students. This proposal was comprised of two parts:

- (1) An addition to the ethical principles governing faculty behavior regarding teaching and students, which states that whenever a faculty member is responsible for academic supervision of a student, a romantic or sexual relationship, even if consensual, is inappropriate and jeopardizes the integrity of the educational process.
- (2) The addition of two examples of unacceptable conduct regarding faculty-student relationships. One of these examples prohibits a faculty member from entering into a romantic or sexual relationship with a student for whom the faculty member has academic responsibility or should reasonably expect to have such responsibility. The other example prohibits a faculty member from exercising academic responsibility for any student with whom the faculty member has a romantic or sexual relationship.

In January 2003 UCP&T submitted "Proposed Revisions to APM 015 – Policy on Faculty-Student Relationships" to the Academic Council for review. A revised version of the faculty-student relationships policy was endorsed by the Academic Council on April 23, the Assembly of the Academic Senate on May 28, and the Board of Regents on July 17.

Statistical Reporting Format

In May 2001 the Assembly of the Academic Senate approved a series of revisions to the Senate Bylaws, as proposed by UCP&T. Revised Senate Bylaw 195, which governs UCP&T, requires that:

The Committee shall maintain statistical records of the grievance, disciplinary, and early termination cases taking place on each of the campuses, as specified in SBL 334.B.

and revised SBL 334.B states that:

At the end of every year, the Divisional Committee will supply a summary of its cases to the University Committee on Privilege and Tenure, to be used for statistical purposes only. This summary shall not include the name of any individual involved in a case before the Divisional Committee. For any matter held over from the previous year, the Committee shall report the final disposition of the case. The Divisional Committee shall also report any final disagreement with their Chancellor.

To fulfill the statistical records and reporting requirements of SBL 195 and 334.B, last year UCP&T began developing a “Divisional P&T Activity Survey” form. The form was finalized this year after receiving feedback from UCP&T members and consultants, as well as Divisional Senate P&T staff. The form has been distributed to the Divisional P&T Committees, and UCP&T is in the process of collecting the first year (AY 2002-03) of statistical information.

Amendments to SBL 335/Whistleblower Compliance

At the April 15 meeting the committee discussed a request from Ellen Switkes, Assistant Vice President of Academic Advancement, asking UCP&T to amend Senate Bylaw 335 so that the Locally Designated Official (LDO), as provided under the Whistleblower Policies, receives reports of protected disclosures or retaliation complaints. It was agreed that to fulfill the University’s obligations for reporting under the Whistleblower Policy and Whistleblower Protections Policy, SBL 335 must be amended. In response, UCP&T drafted and approved revisions to SBL 335. These proposed revisions were submitted in May to the Academic Council for review and endorsement.

Other Reports

The Committee also reviewed and wrote opinions on the following policies and proposals:

- California Master Plan for Education
- Racial Privacy Initiative/CRECNO
- Proposed APM 390 (Postdoctoral Scholars)
- Proposed revised APM 740 (Sabbatical Leaves)
- Gender Equity Summit Report
- Academic Senate Bylaws revisions
- Proposed revised APM 010 (Academic Freedom)

Other Activities

The UCP&T Chair attended a meeting of the Divisional Senate Directors and P&T Staff on February 28 at UCLA. This meeting focused largely on the “Divisional P&T Activity Survey.”

A UCP&T member served on the planning committee for the Senate’s Academic Freedom Symposium. Several UCP&T members attended the symposium in June.

Acknowledgment

UCP&T wishes to acknowledge the hard work and commitment of its administrative consultants: Maria Shanle, University Counsel; and Sheila O’Rourke, Executive Director of Academic Compliance and Special Assistant to the Provost.

Respectfully submitted:

Jodie S. Holt (R), Chair
Mark Strovink (B)
Arnold Sillman (D)
Isaac D. Scherson (I)
Paul Micevych (LA)
Duncan Agnew (SD)
Erika Froelicher (SF)
William Bielby (SB)
Carolyn Martin-Shaw (SC)
Kimberly Peterson, Committee Analyst

**UNIVERSITY COMMITTEE ON RESEARCH POLICY (UCORP)
ANNUAL REPORT 2002-2003**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

As specified in Senate Bylaw 200, the University Committee on Research Policy (UCORP) is responsible for fostering, formulating, coordinating, and revising general research policies and procedures and advising the President on research.

UCORP met a total of eight times during the 2002-2003 academic year. Highlights of the Committee's activities and accomplishments are noted in this report.

UC-DOE Laboratories Subcommittee

With the approval of the Academic Council, a subcommittee of UCORP was formed in the spring of 2001 to examine issues concerning the relationship between the University of California and the Department of Energy Laboratories. This year the subcommittee completed an interim report, which outlined recommendations for changes in the way in which the faculty interacts with the National Laboratories. At the February meeting of UCORP, the interim report was presented by the Subcommittee and was endorsed with one amendment.

In May the Academic Council discussed the report of UCORP's UC-DOE Laboratories Subcommittee, but deemed that some of its recommendations were out of date because they were made prior to the decision of the Secretary of Energy to compete the Los Alamos National Laboratory contract when the University of California's contract expires (September 30, 2005). One of the major recommendations of the Subcommittee report was that there be some Senate committee that remained connected to the National Laboratories' issues. This recommendation was supported very strongly by the Academic Council and it was decided that the UCORP UC-DOE Laboratories Subcommittee should be reconstituted as a subcommittee of the Academic Council called the Academic Council Subcommittee on the National Laboratories (ACSONL). The new subcommittee's membership includes the Chair and Vice Chair of Council, the UCORP Chair, and three members from the original UCORP subcommittee.

Research Unit Reviews

In accordance with the Universitywide Review Processes for Academic Programs, Academic Units, and Research Units (the "Compendium"), UCORP participated in the Academic Senate's evaluation of the reviews of and proposals for the following research units:

Five-Year Review of the Agricultural Experiment Station (AES). For several months the committee discussed the first Five-Year Review of the Agricultural Experiment Station (AES) of the Division of Agriculture and Natural Resources (DANR). UCORP agreed with the Review's conclusion that AES could function more efficiently and more effectively, and in response recommended that AES provide a status report on its progress in addressing the issues raised in the Five-Year Review by the end of 2004.

MRU 15-Year Reviews. UCORP reviewed the reports on the 15-Year Reviews of three Multicampus Research Units (MRUs): the Institute on Global Conflict and Cooperation (IGCC), the University of California Linguistic Minority Research Institute (UC LMRI), and the University of California Institute for Mexico and the United States (UC MEXUS). UCORP recommended that these three MRUs be continued.

New MRU Proposal. UCORP reviewed and commented on a proposal for a new MRU entitled “Bioengineering Institute of California.” UCORP’s report identified various concerns about the proposal, but also supported the concept of a bioengineering MRU.

In-Depth Discussion

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

Review of the California Institutes for Science and Innovation (Cal ISIs). Throughout the year UCORP discussed concerns about the review processes for the California Institutes for Science and Innovation (Cal ISIs). UCORP disagrees with the notion that the Cal ISIs are not multicampus research entities and therefore are not subject to systemwide Senate review. In March the committee submitted a report to the Academic Council that documents various policies of the Regents and the President that support the Cal ISIs undergoing systemwide Senate review. In this report, UCORP stated that the Cal ISI units are clearly “organized research units” as defined by the Regents, and therefore subject to Senate review. Furthermore, as units that serve more than one campus, they are multicampus research units as defined by current Presidential policy and review should occur using the MRU procedures already in place.

Sensitive but Unclassified Technical Information (SUTI). On March 19, 2002, White House Chief of Staff Andrew Card introduced a new category of “sensitive” but unclassified information related to homeland security. When this sensitive but unclassified technical information or “SUTI” language is included in grants, it allows for ex post facto classification of research or a declaration that the research is “sensitive,” thus allowing the granting agency to block or limit publication and promulgation of the research. This SUTI category in effect creates a new gray area between classified and unclassified research.

UCORP first became aware of this issue through discussions with Vice Provost for Research Lawrence Coleman in October. For several months the committee examined this issue and in response composed a preamble and resolution, which advocates for SUTI to be treated according to the University’s existing policy on classified research. UCORP submitted its SUTI Resolution to the Academic Council in March with a recommendation that it be endorsed and proposed to the University administration for implementation as a systemwide research policy.

Anti-Tobacco and Other Grant Restrictions. At the January meeting of UCORP, the committee heard from Professor David Burns (UCSD) and Vice Provost for Research Lawrence Coleman regarding issues involving a grant from the American Legacy Foundation (ALF). This grant included a clause that prohibited the organizational unit

receiving the ALF grant from also receiving funding from the tobacco industry. After a series of negotiations between ALF and the University of California and modifications to the grant language, the University in the end declined the grant. After reviewing the issue, UCORP supported the principle guiding the University's decision to accept neither the original nor the modified terms of the ALF grant, namely the University's policy of not accepting grants that may prevent or discourage investigators other than the Principle Investigator from obtaining funds from certain sources.

In a related matter, in January UCORP also examined the results of UCSF's faculty vote on whether or not to accept tobacco industry funding. The Academic Council, in July, committed to UCORP the review of the University of California's stance on the issue of banning tobacco funding, along with a broader charge to review the University's research-funding policies. The committee will examine this issue in-depth next year.

Invited Guests

Throughout the year, UCORP invited a number of guests in addition to their regular consultants to inform the committee of a variety of issues and areas within the University of California. These special guests and their topics included:

National Laboratories and Homeland Security. In February, the committee met with Cory Coll, Director of Laboratory Collaborations, William Barletta, Director of the Accelerator & Fusion Research Division of the Lawrence Berkeley National Laboratory (LBNL), and Laura Gilliom, Director of the University Relations Program of the Lawrence Livermore National Laboratory (LLNL). These representatives from the Laboratory Administration and National Laboratories requested advice from UCORP regarding how best to engage the campuses with the National Laboratories in responding to and stimulating new initiatives to support the nation's homeland security needs. Director Gilliom and Director Barletta also presented information on the ways in which LLNL and LBNL are organized for and involved in homeland security issues.

Libraries and Scholarly Information. Daniel Greenstein, Associate Vice President for Scholarly Information, University Librarian for Systemwide Library Planning, and Executive Director of the California Digital Library, spoke to UCORP in March about Universitywide planning efforts for libraries and scholarly information.

Systemwide Divisions. This year UCORP sought to learn more about the various entities that are involved on a systemwide level in the University of California research enterprise but are separate from the Office of Research. Representatives from these different offices were invited to various UCORP meetings to discuss the ways in which their programs are created, funded, managed and reviewed.

- Vice President W. R. Gomes attended the March meeting of UCORP and reported on the Division of Agriculture and Natural Resources.
- Vice President Michael Drake attended the June meeting of UCORP and reported on the Division of Health Affairs.

Other Reports

The committee also reviewed and wrote opinions on the following policies and proposals: UC Merced School of Management Perspective; UC Center in Sacramento: Model Development Plan; UCI Department of Information & Computer Science Name Change; Policy on Ownership of Course Materials; Proposed Revised APM 715 – Leaves of Absence/Family Medical Leave; Proposed APM 390 – Postdoctoral Scholars; Proposed Revised APM 740 – Leaves of Absence/Sabbatical Leaves; Racial Privacy Initiative/CRECNO; Proposed Revisions to APM 015 – Policy on Faculty-Student Relationships; Proposed Revised APM 310 – Appointment and Promotion, Professional Research Series; Proposed APM 311 – Appointment and Promotion, Project (e.g., *Scientist*) Series; Technical Changes to APM 620.14 – Off-Scale Salaries; Proposed Revised APM 010 – Academic Freedom; Proposed Amendments to Academic Senate Bylaws; Equivalent Status Rank for Cooperative Extension Specialists proposal; Campus 5-Year Perspectives for 2003-08; Preliminary Proposal Regarding Possible Incorporation of the Monterey Institute of International Studies into the University of California, Santa Cruz; and Increasing Access and Sustaining Excellence: A Budget Proposal from UCPB.

UCORP Representation

The Chair, Vice Chair, or a member represented UCORP on the following Committees during the year: Academic Council, Academic Council Subcommittee on the National Laboratories, Academic Freedom Symposium Planning Committee, Council on Research, Industry-University Cooperative Research Program Steering Committee, National Laboratories President's Council, National Laboratories Science and Technology Panel, Subcommittee on Research Initiatives, Scholarly Information Program Task Force, UC Merced Task Force, and the University Committee on Planning and Budget.

Acknowledgment

UCORP is grateful for the invaluable contributions made by the following members of the Office of Research: Lawrence Coleman, Vice Provost for Research; Rulon Linford, Associate Vice Provost for Research and Laboratory Programs; Susanne Huttner, Associate Vice Provost for Research, Major Research Initiatives and Industry-University Partnerships; Carol McClain, Director of Multicampus Research Programs; Cory Coll, Director of Laboratory Collaborations; and Cathie Magowan, Director of Science and Technology Research Programs and Initiatives.

Respectfully submitted:

Darrell Long, Chair
Janis Ingham (SB), Vice Chair
George Sensabaugh (B)
Marion Miller (D, fall and winter)
James Murray (D, spring)
Alexei Maradudin (I)
Hans Schollhammer (LA)
Max Neiman (R)
Henry Abarbanel (SD)
Sharon Hall (SF)
Kimberly Peterson, Committee Analyst

ACADEMIC SENATE TASK FORCE ON UC MERCED
(Chair's Report to the Academic Assembly
May 28, 2003)

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The UC Merced Task Force was established as a special committee in 1998 by action of the Academic Council and Assembly to serve as a Senate for UC Merced until it is established as a Division. The Task Force votes in accordance with Bylaw 55 on all new faculty appointments, approves curriculum and courses of instruction, and advises the Chancellor or Provost on all administrative appointments, campus development, physical planning, and budget. The Task Force membership includes a Chair, representatives from each of the nine Divisions and leaders from six systemwide Academic Senate Committees (Appendix I).

Campus Planning and Progress

UC Merced is scheduled to open in fall 2004 with approximately 1000 students. At that time, the new campus will have one academic building and a student housing/dining facility. Facilities at Castle Air Force Base will be used for faculty offices and research labs. It is anticipated that the Leo and Dottie Kolligian Library, the Engineering/Natural Sciences Building, and a Wellness/Recreation center will be completed during 2005. Because UCM is not yet accredited, the campus will use systems at UC Davis to issue financial aid and for other admissions and registration functions.

New Appointments

Task Force members are key participants in UCM's academic search process. The Task Force serves as the department and votes on all faculty appointments and, together with other UC faculty, serve on search committees, vet files, and meet candidates. The Deans of the Natural Sciences and Engineering Divisions continue to lead the search for candidates to fill the senior ranks in their programs. Publicized announcements for seminars given by faculty candidates at a UC host campus, are regularly distributed to host campus faculty and Task Force members, and much useful feedback have been drawn from them. As of May 1, 2003, nine founding faculty have been hired and will begin their appointments on July 1, 2003. These scholars will be instrumental in formulating the shape and emphasis of courses, curriculum and research; in hiring other faculty; and generally determining the direction of the new campus. UCM had originally planned to open with 80 ladder faculty, but that plan has already been scaled down to 60 ladder faculty because of the fiscal situation.

Members of the Task Force also serve on the search committees for major administrative appointments. During 2002-2003, the following appointments were made:

- Dean of Graduate Studies and Vice Chancellor for Research
- Dean for the Social Sciences, Humanities and Arts
- Director of the Sierra Nevada Research Institute
- Vice Chancellor for University Advancement

The search continues for a Director for the World Cultures Institute, which will promote an understanding of the diverse peoples of California through the social sciences, humanities and the arts.

UCM CAP

UCM appointments are reviewed by a Committee on Academic Personnel whose members are appointed by the Academic Council, on the recommendation of the University Committee on Academic Personnel (UCAP). The UCM CAP has initiated discussions with the Task Force and Provost about UCM's policy for off-scale appointments.

Academic Structure

The Task Force recommended that the Regental Standing Orders be amended to include UCM's Academic Schools and Colleges. (UCM is composed of three Schools, a College and a Graduate Division all of which act as one faculty to the maximum degree permitted by the systemwide Senate bylaws.) The Academic Assembly at its March 2003 meeting approved the proposed amendments, and they will be brought to the Regents for action in July.

UCM will be organized into three Schools, each headed by a Dean, and into a number of Colleges. The Colleges are the homes of undergraduate students and are organized along interdisciplinary themes not yet chosen. They provide student services and an interdisciplinary program or programs that include general education. Students may choose colleges and majors independently. Graduate students will initially be in an Individual Graduate Programs and later in Graduate Groups. Faculty members will belong to both a College and to a School, which is the locus of faculty hiring. They may also belong to one or more interdisciplinary institute/s, ORUs or MRUs. The Task Force approved a plan for an academic structure that defines and fosters an interdisciplinary research relationship across programs in the various Schools and Institutes (Appendix II).

Undergraduate Council

The Task Force formally established an Undergraduate Council with the authority to advise TF on all purely undergraduate matters. The Task Force has delegated the authority to approve Summer Session courses to the Undergraduate Council and, with the arrival of UCM faculty, anticipates delegating the authorities usually exercised by Courses and Curricula, Educational Policy, and Admissions Committees to that body. At present, the membership of the Undergraduate Council is composed of several Task Force members, the Deans, and the Vice Chancellor of Student Affairs. Task Force actions in the area of undergraduate affairs include:

- The development by Undergraduate Council and approval by the Task Force of *Regulations Governing Undergraduate Students*, which include policies on the grading system, minimum standards of progress towards completion of degrees; UCM's founding principles of community, and necessary variances from the systemwide grading requirements, for instance the use of plusses and minuses have been requested.

- The approval of a modified *Five-Year Perspectives Report* outlining degree programs offered in UCM's first five years (Appendix III).
- The approval of an Undergraduate Council report on *Part-Time Enrollment*.
- The approval of an Admissions Policy for Transfer Students developed by the Undergraduate Council.

Graduate Council

The Task Force established a Graduate Council with the authority to review graduate program proposals. All graduate approval matters will be reviewed by the Graduate Council before coming to the Task Force for approval. Task Force actions in the area of graduate affairs include:

- A proposal for an Individual Graduate Program (IGP) developed by the Graduate Dean and a past CCGA Chair. The IGP will be an interim mechanism leading to the M.S., M.A., and Ph.D. degrees. It will serve as an umbrella over the five graduate areas until enough faculty are hired for UCM to offer degrees in each of these areas.

Gifts and Endowments

As Endowed Chair agreements reach a mature stage, the Vice Chancellor of University Advancement sends forward the details about the agreement with a request for formal approval by the Task Force. One Chair (in Mass Communications) was added in 2002-2003, which brings the total number of Endowed Chairs to 14 (Appendix IV). Funds raised from private sources will total \$34.5 million by the end of fiscal year 2002-2003. New gifts and pledges in the past year included a \$5 million pledge from the Gallo Foundation for a School of Management and a \$229,276 grant to create digital copies of the prestigious art and research collection of the Ruth and Sherman Lee Institute for Japanese Art.

Conclusion/Looking Forward

The role of the UC Merced Task Force is expected to gradually diminish in 2003-2004. As senior faculty are hired, substantial authority will be delegated to bodies made up mostly or even entirely of UCM faculty. Where the previous years of Task Force existence have been dedicated to serving as a Senate, its role will shift to building an enduring UCM Division that will carry on the proud UC institution of meaningful shared governance.

Appendix I: 2002/03 Task Force Members

Task Force Membership:

Peter Berck, B, Task Force Chair
Robert Flocchini, D, Task Force Vice Chair
Gayle Binion, SB, Chair-Academic Council
Cliff Brunk, LA, CCGA
Richard Fateman, B, Campus Rep.
Barbara Gerbert, UCSF, Campus Rep.
Andrew Grosovsky, R, UCEP
Ramon Gutierrez, SD, UCAP
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.
Barbara Sawrey, SD, BOARS
Lawrence Pitts, SF, Vice-Chair-Academic Council
Janice Plastino, I Alt., Campus Rep.
John Poulos, D, UCM CAP Vice Chair
Anthony Pratkanis, SC, Campus Rep.
Richard Price, SF, UCPB
Paul Wright, B, Campus Rep.

Appendix II – 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 III – Five-year Perspectives Report

UNIVERSITY OF CALIFORNIA, MERCED FIVE-YEAR PERSPECTIVES REPORT FOR 2004-5 to 2007-08

Programs planned for 2004-05

- B.S. in Computer Science and Engineering
- B.S. in Environmental Engineering
- B.S. in Biological Sciences [replaces B.A./B.S. in Biological Sciences]
- B.S. in Earth Systems Sciences [replaces 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.A./M.S./Ph.D. in Individual Graduate Program [addition]
- M.S./Ph.D. in Computer and Information Systems
- M.S./Ph.D. in Environmental Systems
- M.S./Ph.D. in Quantitative Biology [formerly Systems Biology]
- M.A./Ph.D. in World Cultures
- M.S./Ph.D. in Social and Behavioral Sciences

Programs planned for 2005-06

B.S. in Bio Engineering
B.S. in Mechanical Engineering
B.S. in Mathematics/Statistics [formerly B.S. in Statistics]
B.A. in Human Biology and Behavior [formerly B.A. in Human Biology]
[Eliminate: B.S. in Chemistry/Biochemistry—see 2006-07 list]
B.A. in Literature and Languages [name change from Comparative Literature and Languages]
B.A. in Public Policy
School of Management—B.S. [to be added in later years: MBA, Ph.D.]
M.S./Ph.D. in Bio Engineering

Programs planned for 2006-07

B.S. in Electrical Engineering
B.S. in Industrial and Systems Engineering
B.S. in Chemistry
B.S. in Nursing [baccalaureate completion program linked to CCC RN programs]
M.S./Ph.D. in Mechanical Engineering
M.S./Ph.D. in Chemistry and Chemical Biology
M.S./Ph.D. in Physics and Astronomy

Programs planned for 2007-08

B.S. in Chemical Engineering [formerly planned for 2005-06]
B.S. in Materials Science and Engineering
B.S. in Physics and Astronomy
M.S./Ph.D. in Electrical Engineering

Programs planned for 2005-06 through 2007-08

Two-three additions each year, selected from the following:

BA Performance Studies
BA Art History
BA/BS Psychology
BA/BS Economics
BA History
BA/BS Anthropology
BA Sociology
BA Political Science

Appendix IV – Endowed Chairs

UC Merced Endowed Chairs:

#14	Merced Sun Star Chair in Mass Communications	\$500,000
#13	Presidential Chair	\$500,000
#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 (<i>New</i>)	\$500,000
#3	Shaffer Endowed Chair in Engineering	\$500,000
#2	Coats Endowed Chair in the Arts	\$500,000
#1	Vincent Hillyer Endowed Chair in Early Literature	\$500,000

Pending:

#15	Fred Ruiz Chair in Business	\$500,000
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VI. REPORTS OF SPECIAL COMMITTEES (none)

VII. REPORTS OF STANDING COMMITTEES

**A. Academic Council
Lawrence Pitts, Chair**

- 1. Nomination and Election of the Vice Chair of the Assembly for 2004-2005 (oral report, action)**
- 2. Ratification of the Appointment of the 2004-2007 Secretary/Parliamentarian (action)**

In accordance with Senate Bylaw 15, at its meeting of January 21, 2004, the Academic Council, in consultation with the President, approved the appointment of Professor Peter Berck to continue as Secretary/Parliamentarian of the Assembly for another three-year term commencing September 1, 2005. **The Assembly is asked to ratify the appointment.**

- 3. Report from the President's Council on the National Laboratories (oral report)**
 - 4. Academic Council Special Committee on National Labs (ACSCONL)
George Blumenthal, Chair (action)**
- Approval of Proposal for an Electronic Survey of the Senate Faculty on Issues Related to UC's Management of the DOE Labs**

Proposal for Electronic Survey of the Senate Faculty:

The Academic Council and its Special Committee on the National Labs is recommending that the Academic Assembly approve an electronic survey of all Senate faculty on questions related to UC's management of the Lawrence Livermore National Lab (LLNL) and the Los Alamos National Lab (LANL). The survey is intended to elicit the nuances of faculty opinion regarding the labs and whether UC should bid for the continued management of LLNL and LANL. [The Lawrence Berkeley National Lab (LBNL) will not be included in the survey since the research occurring there is not classified and is well integrated with research activities at UCB; there is no serious controversy about UC bidding for continued management.]

If the Assembly endorses this request, the Systemwide Academic Senate will conduct the electronic survey with assistance from the UCSF Divisional Senate Office. The survey will be conducted via the Internet during the first week of May 2004. About one week prior to the survey, Senate members will receive Email instructions on how to participate.

It is our intention to elicit faculty views on a variety of issues such as whether UC should compete to retain management of the labs, whether management of one lab or the other is more important to UC, the importance of academic freedom at the labs, and the appropriate role of the Academic Senate in the management of the labs. As soon as the results of the survey are tabulated, they will be reported to the Office of the President Administration, the Board of Regents, and released to the public.

JUSTIFICATION

The University of California has managed the three Department of Energy (DOE) labs, Lawrence Berkeley National Labs (LBNL), Los Alamos National Lab (LANL) and Lawrence Livermore National Lab (LLNL) for roughly sixty years. Both the Regents and the DOE have periodically agreed to renew our contract to manage these labs, and the UC faculty has frequently provided its opinion regarding the renewal of these contracts. During contract renewal discussions in 1990 and in 1996, the Senate conducted mail ballots to determine faculty sentiments about renewal. The response rate in both elections was disappointingly low.

Recently, Congress enacted legislation mandating that the management contracts for all three DOE labs be opened for competition within the next two years. It is not yet clear when the competition will occur, but a Request for Proposals for one or more of the labs could be released as early as summer 2004. The ultimate decision about whether or not to compete for these contracts will have to be made by the Board of Regents shortly after the RFP is released. The Academic Council feels that the faculty should take this opportunity to participate actively in shaping the future direction of the University's relationship with the labs and should express its views in a timely fashion, before the Regental decision. To help achieve this aim, the Council constituted a Special Committee—ACSCONL—to provide input to the Office of the President on issues that must be faced prior to any decision about the competition, to provide relevant information to the faculty, and to solicit the views of the Senate regarding whether or not to compete for these contracts. In fulfilling this charge, ACSCONL believes that an electronic survey of Senate members would be the most efficient and effective means to ascertain their concerns and opinions. In the months leading up to the survey, ACSCONL will issue a series of "white papers" concerning the labs, and several campuses will hold town meetings to discuss the issues. Following the survey, the views of the faculty will be communicated to the University Administration, to the Board of Regents, and to the public.

VII. REPORTS OF STANDING COMMITTEES (CONT'D)

A. Academic Council (Cont'd)

**5. Ad Hoc Committee on Bylaw Revisions (oral report, discussion)
George Blumenthal, Chair**

**B. University Committee on Privilege and Tenure (UCP&T)
Carolyn Martin-Shaw, Chair (Action)**

- Approval of Amendments to Senate Bylaw 335

The University Committee on Privilege and Tenure (UCP&T) recommends that Senate Bylaw 335, which governs the standards and procedures employed by Privilege and Tenure committees for grievance cases, be modified as set forth below. The following proposed amendment to SBL 335.B.1-2 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. The Academic Council, with the concurrence of the University Committee on Rules and Jurisdiction, is recommending that the Academic Assembly approve the proposed amendment to SBL 335.

Present Wording:

SBL 335. Privilege and Tenure: Divisional Committees -- Grievance Cases

335.

B. Preliminary Procedure in Grievance Cases

1. For the purpose of advising Senate members on the available relief in case of a potential grievance, each Division, in accordance with specifications to be determined by such Division, shall appoint an individual or panel (preferably former members of the Privilege and Tenure Committee, but not current members) who shall be available to each grievant to discuss the claim of violation of rights and privileges and to provide advice on the appropriate procedure to be followed. Such individuals or panel members shall not serve as representatives of any grievant, and they shall maintain full confidentiality to the extent allowable by law. An aggrieved Senate member may consult with the individuals appointed under this provision with the understanding that the grievance will not be disclosed and that the consultation shall not constitute notice of the grievance to the campus or University administration.
2. Upon receipt of a written grievance, the Privilege and Tenure Committee shall first determine whether or not the grieving Senate member has made out a *prima facie* case. This determination shall be limited to a review of the written grievance only. A *prima facie* case shall be deemed established if the Committee concludes that the

allegations as stated in the written grievance, if true, would constitute a violation of the faculty member's rights and privileges.

Proposed Wording:

SBL 335. Privilege and Tenure: Divisional Committees -- Grievance Cases

335.

B. Preliminary Procedure in Grievance Cases

1. For the purpose of advising Senate members on the available relief in case of a potential grievance, each Division, in accordance with specifications to be determined by such Division, shall appoint an individual or panel (preferably former members of the Privilege and Tenure Committee, but not current members) who shall be available to each grievant to discuss the claim of violation of rights and privileges and to provide advice on the appropriate procedure to be followed. Such individuals or panel members shall not serve as representatives of any grievant, and they shall maintain full confidentiality to the extent allowable by law. An aggrieved Senate member may consult with the individuals appointed under this provision with the understanding that the grievance will not be disclosed and that the consultation shall not constitute notice of the grievance to the campus or University administration. **In cases where the grievance contains allegations of improper governmental activities and/or allegations of retaliation for reporting improper governmental activities, panel members shall inform grievants of their right to make a protected disclosure of allegations of improper governmental activities and/or allegations of retaliation for reporting improper governmental activities to the Locally Designated Official (LDO) pursuant to the Whistleblower Policy and the Whistleblower Protection Policy. Panel members also shall inform grievants that any such allegations that are part of a grievance brought to the Privilege and Tenure Committee will be reported to the LDO in accordance with the Whistleblower Policy and/or the Whistleblower Protection Policy.**
2. Upon receipt of a written grievance, the Privilege and Tenure Committee shall first determine whether or not the grieving Senate member has made out a *prima facie* case. This determination shall be limited to a review of the written grievance only. A *prima facie* case shall be deemed established if the Committee concludes that the allegations as stated in the written grievance, if true, would constitute a violation of the faculty member's rights and privileges. **If the grievance includes allegations of improper governmental activities and/or allegations of retaliation for reporting improper governmental activities, the Committee shall report those**

allegations to the LDO in accordance with the Whistleblower Policy and/or the Whistleblower Protection Policy.

JUSTIFICATION:

Effective January 1, 2000, California Government Code Section 8547 was revised and renamed the California Whistleblower Protection Act. This revised statute effectively expanded the types of communications that must be treated as whistleblower reports by creating the concept of a “protected disclosure” as the triggering event for officially notifying the University of alleged wrongdoing. A protected disclosure need not be in writing and is defined in the Government Code as:

Any good faith communication that discloses or demonstrates an intention to disclose information that may evidence (1) an improper governmental activity or (2) any condition that may significantly threaten the health or safety of employees or the public if the disclosure or intention to disclose was made for the purpose of remedying that condition (Section 8457.2.d).

Several significant elements of the new statute required amendment of Business & Finance Bulletin G-29, Procedures for Investigating Misuse of University Resources and the Policy and Procedures for Reporting Improper Governmental Acts and Protection Against Retaliation for Reporting Improper Acts. To ensure compatibility with the new state law, a University task force developed two new policies, the Policy on Reporting and Investigating Allegations of Suspected Improper Governmental Activities (Whistleblower Policy) and the Policy for Protection of Whistleblowers from Retaliation and Guidelines for Reviewing Retaliation Complaints (Whistleblower Protection Policy), which became effective on October 4, 2002.

Aspects of these two new University policies impact the divisional Privilege and Tenure committees’ preliminary procedures for grievance cases that are outlined in SBL 335. The UC Whistleblower Policy dictates that a “Locally Designated Official” or “LDO” be designated by each campus, Laboratory, the Office of the President and the Division of Agriculture and Natural Resources to serve as “the official with primary responsibility to receive reports of allegations of suspected improper governmental activities” (p. 3). The UC Whistleblower Protection Policy in turn specifies that this LDO must be provided with a copy of all grievance complaints alleging retaliation that are filed pursuant to academic or staff personnel policies or collective bargaining agreements. For members of the Academic Senate, the Whistleblower Protection Policy defines the applicable personnel policy as the Senate’s procedures for grievance cases outlined in SBL 335 (pp. 3-4).

At the request of the Office of the President, the University Committee on Privilege and Tenure (UCP&T) considered amendments to Senate Bylaw 335 so that the LDO, as provided under the Whistleblower Policies, receives reports of protected disclosures or retaliation complaints. It was determined that in order to fulfill the University’s obligations for reporting under the Whistleblower Policy and the Whistleblower Protection Policy, SBL 335 must be amended. Our committee also elected to explicitly

state in SBL 335 that potential grievants must also be informed by panel members of (1) their right to make a protected disclosure to the LDO and (2) that any whistleblower retaliation allegations that are part of a grievance brought to the Privilege and Tenure Committee will be reported to the LDO in accordance with the Whistleblower and Whistleblower Protection policies. UCP&T supports and requests the adoption of these amendments to SBL 335.

VII. REPORTS OF STANDING COMMITTEES (CONT'D)

C. University Committee on Educational Policy (UCEP)

Lisa Alvarez-Cohen, Chair (Action)

- Approval of Amendments to Senate Bylaw 630

The University Committee on Educational Policy (UCEP) recommends that Senate Regulation 630E, governing residency requirements for the Bachelor's Degree, be modified, in order to accommodate students wishing to take their senior year in the UC Center in Sacramento (UCCS) as set forth below. The following proposed amendment to SR 630E 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. The Academic Council, with the concurrence of the University Committee on Rules and Jurisdiction, is recommending that the Academic Assembly approve the proposed amendment to SR630.

Present Wording:

630.

- A. Except as otherwise provided in this section and SR 614, 35 (or 24 semester) of the final 45 (or 30 semester) units completed by each candidate for the Bachelor's degree must be earned in residence in the college or school of the University of California in which the degree is to be taken. (Am 9 Mar 83; Am 23 May 01)

- 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)
 1. 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)
 2. 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)

Proposed Wording:
630.

- A. Except as otherwise provided in this section and SR 614, 35 (or 24 semester) of the final 45 (or 30 semester) units completed by each candidate for the Bachelor's degree must be earned in residence in the college or school of the University of California in which the degree is to be taken. (Am 9 Mar 83; Am 23 May 01)
- E. Except when Divisional Regulations provide otherwise, a student in the Education Abroad Program, ~~or~~ the UC Washington, D.C., Program, or the UC Center in Sacramento Program may meet the residence requirement in accordance with the following provisions: (Am 27 May 99)
1. A student who completes the graduation requirements while in the Education Abroad Program, ~~or~~ the UC Washington, D.C., Program, or the UC Center in Sacramento 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, or the UC Center in Sacramento Program. (Am 9 Mar 83)
 2. 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, or the UC Center in Sacramento 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)

JUSTIFICATION: UC campuses require students to be “in residence” for the final quarter or semester before graduation. Spending the final quarter or semester in the UC Center in Sacramento (UCCS) would be extremely beneficial to many students, but is precluded by current policies. UCEP has reviewed the problem and believes that it could be reasonably resolved by allowing students to consider an earlier residence sufficient for fulfilling residency requirements as is currently done for the Education Abroad (EAP) and UC Washington Center programs. This is an easy alternative and places the UCCS Program on the same grounds as EAP and UC Washington programs. Thus UCEP proposes that the regulation governing credit offered through the EAP and UC Washington Center programs be modified to allow courses taken in UCCS to come under the same guidelines.

VII. REPORTS OF STANDING COMMITTEES (CONT'D)

D. Board of Admissions and Relations with Schools (BOARS)

Barbara Sawrey, Chair (oral report, discussion)

Report on Admission and Eligibility and other BOARS activities

VIII. UNIVERSITY AND FACULTY WELFARE REPORT

John Oakley, Vice Chair, University Committee on Faculty Welfare (oral report)

IX. PETITION OF STUDENTS (none)

X. UNFINISHED BUSINESS (none)

XI. NEW BUSINESS