

UNIVERSITY OF CALIFORNIA

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NOTICE OF MEETING

Regular Meeting of the Assembly of the Academic Senate

Wednesday, May 11, 2005 10 a.m. - 4 p.m.

The Joseph Wood Krutch Theatre Room, Building 14
Clark Kerr Campus, 2601 Warring Street
University of California, Berkeley
Telephone: 510-987-9143

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I. ROLL CALL

2005-06 Assembly Roll Call May 11, 2005

<p>President of the University: Robert C. Dynes</p> <p>Academic Council Members: (17) George Blumenthal, Chair Cliff Brunk, Vice Chair Robert Knapp, Chair, UCB Randolph Siverson (<i>alt. for Dan Simmons, Chair, UCD</i>) Joseph DiMento, Chair, UCI Kathy Komar, Chair, UCLA Manuela Martins-Green, Chair, UCR Donald Tuzin, Chair, UCSD Leonard Zegans, Chair, UCSF Walter Yuen, Chair, UCSB Alison Galloway, Chair, UCSC Michael Brown, Chair, BOARS Quentin Williams, Chair, CCGA Alan Barbour, Chair, UCAP Joseph Kiskis, Chair, UCEP John Oakley, Chair, UCFW Max Neiman, Chair, UCORP Michael Parrish, Chair, UCPB</p> <p>Berkeley: (6) Ronald Amundson Lowell Dittmer Dorit Hochbaum Kyriakos Komvopoulos Herb Strauss Barrie Thorne</p> <p>Davis: (6) Ines Hernandez-Avila William Casey Tu Jarvis Brian Morrissey Kyaw Tha Paw U Philip Yager</p> <p>Irvine: (4) Hoda Anton-Culver Ross Conner James Earthman Calvin McLaughlin</p>	<p>Los Angeles: (9) Philip Bonacich Yoram Cohen Harold Fetterman Robert Frank (<i>alt. for Margaret Jacob</i>) Vickie Mays Jose Moya Owen Smith Jane Valentine Jaime Villablanca</p> <p>Riverside: (2) Emory Elliot Mary Gauvain</p> <p>San Diego: (4) Gerald Doppelt Igor Grant Barbara Sawrey Nicholas Spitzer</p> <p>San Francisco: (4) Dan Bikle Barbara Gerbert Lawrence Pitts Peter Wright</p> <p>Santa Barbara: (3) Ann Jensen Adams Nelson Lichtenstein</p> <p>Santa Cruz: (2) Faye Crosby Michael Issacson</p> <p>Secretary/Parliamentarian Peter Berck</p>
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REGULAR MEETING OF THE ASSEMBLY OF THE ACADEMIC SENATE

*DRAFT Minutes of March 9, 2005***I. Roll Call of Members**

Pursuant to call, the Assembly of the Academic Senate met on Wednesday, March 9, 2005 by teleconference. Academic Senate Chair George Blumenthal presided. Chair Blumenthal welcomed participants and called the meeting to order at 10:00 a.m. The order of business and procedures for discussion and voting via teleconference were reviewed. Chair Blumenthal also requested that flexibility in the order of the agenda be allowed for efficient use of time. 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

ACTION: The minutes of the [Regular Meeting of November 10, 2004](#) were approved with two amendments.

III. Announcements by the President

- **Robert C. Dynes, President**

President Dynes' discussion topics were distributed electronically prior to the meeting ([Distribution 1](#)). The Assembly wishes to express appreciation for its advance receipt of the President's written remarks, and for the opportunity to directly interact with the President.

President Dynes addressed the following topics in his announcements to the Assembly:

University Budget

The University is currently pleased with its status in the ongoing state budget negotiations with the exception of one issue. The Governor's budget proposal, released on January 10, 2005, eliminates \$17 million in one-time funding provided to the University at the end of the 2004-05 budget process for K-12 academic preparation programs. The University is working with the Governor and the Legislature to demonstrate the importance of these programs and to seek restoration of this funding. Besides this one issue, President Dynes does not anticipate any major problems with the University's budget, and is encouraged to see that the state is committed to fulfilling the terms of the Compact, including a three percent increase for faculty and staff compensation, funding for a 2.5 percent increase in enrollment, continued funding for the opening of UC Merced this fall 2005, and \$305.2 million in funding for capital improvements.

Federal Budget

The President's proposed budget includes heightened constraints on discretionary spending, which affect the University's research funding. Although there are small increases for NIH and NSF funding and a proposal to expand Pell Grants, federal budget projections show flat spending on research overall, and cuts to federal outreach programs such as Gear Up, Upward Bound and Talent Search. Senior Vice President Darling will make a full presentation of the federal budget at the Regents meeting on March 16-17, 2005.

UC Campus Leadership

A national search is underway for a chancellor of UC Irvine due to the departure of former UC Irvine chancellor Ralph J. Cicerone, who was recently elected president of the National Academy of Science. The chancellorial search committee has held two meetings so far this year.

In other news, Denice D. Denton was approved by the Regents as chancellor of UC Santa Cruz in December 2004, Marye Ann Fox was inaugurated as chancellor of UC San Diego on March 3, 2005, and UC Berkeley chancellor Robert J. Birgeneau will be inaugurated on April 14-16, 2005.

Legislation Seeking Authority for CSU to Award Independent Doctorates

California State Senator Scott has introduced legislation (SB 724) that would authorize the California State University (CSU) to independently award professional/clinical doctoral degrees. CSU cites displeasure with the progress on Joint Ed.D. programs with the University, and needs for doctoral degrees in audiology and physical therapy as reasons for pursuing this alteration of a key provision of the state's Master Plan for Higher Education. President Dynes and Provost Greenwood have expressed to state lawmakers the University's opposition to this legislation, while emphasizing the success of Joint Ed.D. programs and the University's willingness to work with CSU to strengthen and possibly expand these programs.

State Pension Reform Proposals

University representatives have been discussing the Governor's pension initiatives in detail with the Governor's office, legislative leaders, and the Jarvis Taxpayers Association in attempts to preserve the University's flexibility to design a plan that best meets the diverse needs of its faculty and staff. Regent Parsky recently testified before the Legislature, expressing criticism of the Governor's proposals and strong support of the University's need to control its own retirement system independent of the state-managed PERS and STRS retirement programs.

UC-Managed National Laboratories

The University submitted its bid to manage Lawrence Berkeley National Laboratory (LBNL) in early February 2005, and a response from the Department of Energy (DOE) is expected soon. In mid-February 2005, a new set of proposed request for proposals for management of the Los Alamos National Laboratory (LANL) was released, apparently designed to stimulate competition. The DOE's release of the final request for proposals is expected soon. Although the Regents have not yet formally voted on whether to submit a bid to manage LANL, the University is working under the assumption that it will compete for management rights.

President Dynes' Advocacy Efforts

President Dynes announced his current advocacy efforts on behalf of the University, which includes traveling to diverse locales in California ranging from the Imperial Valley to Los Angeles. The President has been actively spreading word of the University's impact and role in the state of California to local Chambers of Commerce, business leaders and community groups with the goal of building large numbers of University supporters. These interactions have been uplifting for President Dynes and the University, and he would like to convey to the faculty the University's positive impact on remote corners of the state.

California Science and Mathematics Initiative

President Dynes highlighted the University's efforts in advancing the California Science and Mathematics Initiative, including the development of a plan to increase the production of science and mathematics teachers to meet California's workforce educational needs. Those currently working on the project include Executive Faculty Associate to the Provost and Professor Lynda Goff, Vice President Winston Doby, and a steering committee of University faculty and staff.

Questions, Answers and Comments

Q: Has the Office of the President considered sponsoring a UC-managed student loan program?

A: To my knowledge, no further discussions have taken place on this subject.

Q: It appears that the University is moving from an international graduate program towards a provincial graduate program due to the unavailability of funds to attract international students. Is it possible for the university to earmark funding to reverse this trend?

A: The Office of the President is deeply moved on this issue, and I am personally worried about the University's ability to attract international students. This issue is at the heart of our current efforts to rebalance the University's emphasis on undergraduate enrollments towards graduate and professional school enrollments. We are working to expand and enhance graduate education, which includes goals such as complete assessment of long-term state needs, developing new strategies for increasing graduate student support, and improving the balance between graduate and undergraduate enrollments.

Q: What types of anti-terrorism clauses, mentioned in your prepared remarks, are being included in research awards, and how might such clauses affect academic freedom?

A: The anti-terrorism clauses include restricted areas in which money can be spent, for example, research areas that avail themselves to be construed as supporting terrorism. The University is diligently working to remove these clauses from research awards.

Q: What is the funding source regarding the University's participation in the California Science and Mathematics Initiative?

A: The funding is not included in the \$17 million the University anticipates to receive for academic preparation programs, and the California Science and Mathematics initiative is also not funded independently. Currently, we are working with the Office of President and the campuses to build enthusiasm for the program in Sacramento and with California industry. The goal is to develop a compelling program and implementation framework to encourage funding support, and prospects appear positive.

Q: Could you expand on your comments concerning the Office of the President's intention to rebalance undergraduate and graduate and professional school enrollments? From a policy perspective, does this focus include shifting resources from one group to another, or working to increase funding overall?

A: I cannot exclude either option at the moment. Title Wave II enrollments are expected to level off in the future, yet at the same time, the number of graduate and professional school students is expected to increase. This has prompted the present goal to rebalance graduate and undergraduate support while maintaining the University's excellent record on supporting low-income undergraduate students. I will continue to be aggressive in collecting increased funding from the state, and other sources as well.

Q: In what ways do you see the new State Finance Director, Tom Campbell, affecting the University, and specifically, can we expect graduate student fees to be lowered?

A: Tom Campbell, also the former dean of the Haas School of Business at UC Berkeley, appears to be more receptive to lowering student fees because he does not share the view that the University's professional schools are so competitive that they do not need state funding. Campbell is aware that the Compact allows the University to absorb the benefits and losses in raising and lowering student fees, in which the state does not receive money in either instance.

Q: Could you provide an update on the University's efforts to ease homeland security restrictions, which have drastically hindered ease of travel for a majority of international graduate students?

A: I have seen the statistics and have had conversations with the former heads of the Departments of Defense and Homeland Security, and am pleased to see the lifting of visa restrictions for foreign graduate students. Furthermore, the American Association of Universities and the University are coordinating efforts to vigorously address the issue.

Q: Can current faculty and staff employees count on assurances from the Governor and other lawmakers that only employees hired after 2007 will be impacted by the state pension initiatives currently being negotiated in Sacramento?

A: Yes, this point is clear in the proposed pension initiatives. The Governor's desire is to insulate California taxpayers from the market fluctuations that can impact PERS and STRS, though not the independently well-managed UCRS, thus his touting of the "reform" proposals.

Q: Can you provide an update concerning actions or inquiries at the University related to the Patriot Act?

A: To my knowledge, there have been no inquiries or actions taken under the Patriot Act affecting the University.

Follow-up Question: Some of the language in the Patriot Act says that, for example, a University librarian is forbidden to report to a University official any approach made under authority of the Patriot Act to provide library records. Is there University policy that allows an employee who has been approached to disclose that approach, and also seek guidance from the Office of the General Counsel?

A: Yes, we recommend that any employee who has been approached should seek guidance from Campus Counsel or General Counsel and inform them of the approach.

Questions for Provost Greenwood:

Q: How are audiences responding to your presentations addressing the importance of graduate education?

A: The faculty and the campuses are extremely pleased with the presentations. In Sacramento however, legislators by and large have not given the issue much thought, especially new members of the Legislature. More seasoned members of the Legislature appear to understand the University's need to have a strong graduate education program, and are supportive of my efforts. Right now, we are working to lay the groundwork for increased state support for graduate education and keeping the state as a reliable partner, consistent with the Academic Senate's Concurrent Resolution on Graduate Education, and also sharing the message of balancing support for undergraduate and graduate education

Q: Do you have an update on the proposed framework for the Academic Senate's role in the review of the California Institutes for Science and Innovation (Cal ISI), recently sent out for review by UCORP, UCPB and CCGA?

A: Academic Senate Chair Blumenthal answered that the Academic Council has received comments from UCORP, UCPB and CCGA, and Council must now decide its next step in providing feedback to Provost Greenwood on the Cal ISI Review Framework.

IV. Announcements by the Chair

- **George Blumenthal, Academic Senate Chair**

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

Commencement of the President's Long-Range Planning Task Force

President Dynes has convened a group charged with developing a strategic plan for the University covering the next ten to twenty years. The task force has a six month time scale, and consists of the following members: five Regents, three chancellors, Chair Blumenthal and Vice Chair Brunk as Senate representatives, and Provost Greenwood and Senior Vice President Darling as co-chairs. The task force will evaluate topics such as the challenges the University faces regarding the state budget, the structure of the University's financial system, challenges the University faces with respect to California's diversity and the University's accessibility, the ongoing crisis in graduate education, and student and faculty concerns regarding foreign competition and the University's need for building alliances.

California State University

On March 10, 2005, Chair Blumenthal will address the CSU Plenary, CSU's equivalent of the Assembly of the Academic Senate, in Long Beach, California. This is the first time in a number of years that an Academic Senate Chair has addressed the CSU Plenary in this regard.

Semiannual Joint Council-Executive Vice Chancellors' Meeting

On March 31, 2005, the Council will hold its semiannual joint meeting with the Executive Vice Chancellors. The two main topics to be addressed include the future of graduate education,

presented by CCGA Chair Quentin Williams, and UC faculty diversity, presented by UCR Divisional Chair Manuela Martins-Green.

Council-Approved Intersegmental Proposals

Council has recently approved two intersegmental proposals, which have the goal of easing transfer from the California Community Colleges (CCC) to the University. First is the Science Intersegmental General Education Transfer Curriculum (SciGETC), and second is the Proposal to Streamline the UC Course Major Preparation Articulation Process between the UC Campuses and the CCC. Both proposals will require adoption of amendments to the Regulations of the Academic Senate, which are anticipated to be considered at the May 11, 2005 Assembly meeting.

UC Advocacy Efforts

The University has waged a successful advocacy campaign using University alumni to lobby legislators in key areas affecting the University. A decision has been made to broaden the effort to include faculty, and a request for faculty volunteers will be distributed in the upcoming weeks to divisional Senate chairs to move forward in this new phase of UC advocacy activity.

Legislative Activity

There has been a lot of recent activity in the legislative arena that is of interest to the Academic Senate, including the following:

- *Governor Schwarzenegger's Pension Proposals*: The Governor has proposed by way of a constitutional amendment the elimination of all state-funded defined benefit plans, and the Jarvis Taxpayers Association has introduced a ballot initiative to the same effect. These proposals would harm the University by adversely affecting faculty recruitment and renewal. University officials are currently working to negotiate the exclusion of the University from both pension proposals.
- *Legislation Extending to CSU the Right to Grant Doctoral Degrees*: California State Senator Scott, chair of the Senate Committee on Higher Education, has introduced legislation that would extend to CSU the right to grant doctoral degrees. The University is concerned because the current joint UC-CSU doctoral degree programs are successful, and other issues of importance should dominate the public dialogue, such as the state budget, funding graduate education, the degradation of faculty salaries, and the faculty-student ratio.
- *Legislation Requesting the Regents Mandate a UC Transfer Policy Similar to CSU's Transfer Policy*: Senator Scott has also introduced legislation that requests the Regents to mandate a CSU-like transfer policy for the University. The University appreciates the independence and diversity of its undergraduate programs, and therefore adoption of a transfer policy like the one offered at CSU appears unlikely. However, the University recognizes the need to ease the transfer of CCC students into University programs, a need that was addressed in the recent Council-approved intersegmental proposals, SciGETC and the Proposal to Streamline the UC Course Major Preparation Articulation Process between the UC Campuses and the CCC.

Regents' Visits with the Academic Council

The Academic Council has expressed its appreciation for this year's regular visits with members of the Board of Regents, which have been extremely helpful and productive. This year's participants include Regents Novack, Blum, Anderson and Rosenthal. Regents Ruiz, Lozano and Núñez have all agreed to attend future Council meetings.

UC-Managed National Laboratories

In January 2005, the Regents approved the University's participation in the competition to manage LBNL, and in early February 2005 the University submitted a bid. Also in January, the first draft request for proposals for management of LANL was released, followed by a second draft released in mid-February. Although the second draft doubles the management fee awarded to the winning bidder, it also acts to stimulate competition for the LANL management contract. The University expects the final draft request for proposals to be released in the near future.

Academic Council Action on the California Institute for Regenerative Medicine

At its February 23, 2005 meeting, the Academic Council unanimously endorsed the Policy on Public Access and Archiving of Research Results Relative to the Stem Cell Research Bond Act. The proposal requires investigators to submit an electronic version of their final manuscripts to a publicly available online repository, in order to accelerate research progress and provide Californians with no-fee access to research results stemming from grants funded by the California Institute for Regenerative Medicine (CIRM). The proposal, submitted to Council by the Academic Council Scholarly Communication Subcommittee, will now be forwarded to Provost Greenwood for consideration by the Independent Citizens Oversight Committee in April 2005.

Questions, Answers and Comments

Q: How will the SciGETC proposal be implemented at the campus level?

A: SciGETC is an articulation proposal only, and the Academic Council will now need to pass legislation in order to establish proper implementation procedures.

Comment: I would like to emphasize the successful nature of the joint doctoral programs between UC San Diego and CSU San Diego. This important point should be emphasized to the public, the Legislature, and CSU officials while CSU continues to push for the right to grant its own doctoral degrees. Also, I would like to see heavy representation of those faculty involved in these successful joint programs on the task force appointed to work on this issue.

Response: Provost Greenwood's task force includes representation from the campuses and the Senate, and is charged with considering how the University should respond to Senator Scott's legislation, what options are available, and how to implement the task force's recommendations. Currently, CSU appears resistant to continuing its joint doctoral programs with the University.

V. Special Orders (none)

VI. Reports of Special Committees (none)

VII. Reports of Standing Committees

A. Academic Council

- **George Blumenthal, Chair**

1. Nomination and Election of the Vice Chair of the Assembly for 2005-2006

Chair Blumenthal announced that its January 26, 2005 meeting, the Academic Council voted to recommend the election of John Oakley, professor of law at UC Davis and current chair of UCFW, as Vice Chair of the Assembly for the 2005-06 academic year. Vice Chair Brunk introduced John Oakley to the members of the Assembly and provided a brief biography and list of accomplishments of the 2005-06 Vice Chair nominee. No other nominations were forwarded from the floor.

ACTION: The Assembly unanimously elected Professor John Oakley as the 2005-06 Vice Chair of the Assembly of the Academic Senate.

2. Approval of the Concurrent Resolution on Graduate Education

At its December 15, 2004 meeting, the Academic Council unanimously approved a proposal to introduce this year in both houses of the Legislature a Concurrent Resolution on Graduate Education at the University of California. Council's stated intent was to educate the Legislature about the deteriorating state of graduate education, to reaffirm the importance of graduate education, and to press for action by the Governor, industrial partners, the Regents, and other interested parties to strengthen their support of graduate education at the University. Chair Blumenthal announced that the Concurrent Resolution has been provided to Assembly member Carol Liu and Senator Jack Scott, both chairs of their respective Higher Education Committees, and that Council has resolved to ensure that the Concurrent Resolution is introduced in and passed by the Legislature during this session. As part of an effort to accomplish this endeavor the Council has called upon Chair Blumenthal to present the Concurrent Resolution on behalf of the Academic Senate, and therefore requests that the Assembly approve the following resolution:

“Be it resolved that the Assembly of the Academic Senate urges the Chair of the Academic Senate and the President of the University to take all possible measures to ensure that the Academic Senate's resolution on graduate education is introduced in and adopted by the State Legislature, and signed by the Governor in 2005.”

ACTION: The Assembly unanimously approved the above resolution on graduate education at the University of California.

3. a. Approval of the Proposed Guidelines and Procedures Governing the Academic Senate's Role in the Development of a New UC Campus and for Granting Divisional Status to a New Campus

The proposed guidelines and procedures were approved by the Academic Council on November 22, 2004, and are intended to provide the future leadership of the Academic Senate with direction on the Senate's role in the development of a new UC campus, clarify the process by which new divisions of the Academic Senate are authorized, and amend the bylaws to allow for the implementation of these policies. The proposed guidelines and procedures are intended to strengthen the institutional knowledge of the Systemwide Academic Senate and although they do not apply to UC Merced, they will apply to the development of any future University campuses.

ACTION: The Assembly unanimously approved the Proposed Guidelines and Procedures Governing the Academic Senate's Role in the Development of a New UC Campus and for Granting Divisional Status to a New Campus.

3. b. Approval of the proposed amendments to Academic Senate Bylaws 116.A, 116.B and 125.B to allow for the implementation of the policies in the above proposal.

At its November 22, 2004 meeting, the Academic Council approved proposed amendments to Academic Senate Bylaws 116.A, 116.B and 125.B to allow for the implementation of the policies in the above proposal, the Proposed Guidelines and Procedures Governing the Academic Senate's Role in the Development of a New UC Campus and for Granting Divisional Status to a New Campus. The Academic Council therefore recommends that the Assembly approve these proposed amendments.

DISCUSSION: Some members of the Assembly expressed concern that the proposed amendments imply that the Assembly has ceded its authority to the Academic Council, and that specifically, the proposed amendment to Senate Bylaw 116.A undercuts the Assembly's superior voice, for example, by forbidding the Assembly's approval of a division of the Academic Senate when in the rare instance Council does not approve of a division. Members of the Assembly expressed the view that the proposed amendment to Senate Bylaw 116.A would establish bad precedent by restraining the authority of the Assembly, and that the proposed amendment to Senate Bylaw 125.B adequately accomplishes the intended rule change by clarifying that the Assembly acts only on the advice and recommendation of the Council.

ACTION: The Assembly unanimously voted to amend the action requested and remove from the Assembly's consideration the proposed amendment to Senate Bylaw 116.A. The action requested by the Assembly will reflect only the adoption the proposed amendments to Senate Bylaws 116.B and

125.B as written in the Notice of Meeting of the Assembly, and not the proposed amendment to Senate Bylaw 116.A.

ACTION: The Assembly unanimously approved the proposed amendments to Senate Bylaws 116.B and 125.B.

B. University Committee on Privilege and Tenure (UCP&T)

- **George Blumenthal, Academic Council Chair**

1. Proposed Amendment to Academic Senate Bylaw 336.B.4

The Assembly was informed of a typographical correction to the proposed amendment. On page 29 of the Notice of the Meeting, the last section of the proposed wording to Senate Bylaw 336.B.4 should read without the inserted quotation marks.

Chair Blumenthal then provided an overview of the proposed amendment to Senate Bylaw 336.B.4, which was approved by the Academic Council on February 23, 2005. The proposed amendment intends to clarify that the three-year statute of limitations for disciplinary actions against faculty begins when a member of the administration or an employee in a supervisory role (e.g., program director, department chair, dean), who is obliged to report the alleged violation to the Chancellor or relevant Vice Chancellor, knew or should have known about the alleged violation of the Faculty Code of Conduct.

DISCUSSION: Some members of the Assembly raised concerns about the proposed amendment's purported granting of immunity to administrators who do not report alleged violations within the three-year statute of limitations. Chair Blumenthal clarified that if this situation were to occur, an administrator would have violated their responsibility under the Faculty Code of Conduct and would face their own disciplinary action; and under this example, the faculty member cannot then face charges because the statute of limitations protects the faculty member from stale evidence, witnesses who may have disappeared, faded memories, and lost documentation. Chair Blumenthal further stated that the proposed amendment purports only to clarify that the three-year statute of limitations begins to run also at the time a Chancellor's designee knew or should have known of an alleged violation, and that at the moment no substantive changes to Senate Bylaw 336.B.4 are under consideration. One member of the Assembly made an additional point of clarification, that the proposed amendment does not purport to grant faculty immunity from accountability altogether because the alleged individual victim still retains his/her regular avenue of recourse in a court of law, if applicable. The proposed amendment only prevents the University from going forward with a disciplinary action against a faculty member past the three-year limit, and therefore protects the University's institutional interest to take timely action when a faculty member's position is under attack.

ACTION: The Assembly approved the proposed amendment to Senate Bylaw 336.B.4 with a two-thirds majority vote (32 in favor, 8 opposed, 1 abstention).

C. University Committee on Faculty Welfare (UCFW)

- **John Oakley, UCFW Chair**

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

Proposals Affecting the UC Retirement System (UCRS)

The recent pension proposals introduced by the Governor and the Jarvis Taxpayers Association would affect only prospective employees, however the proposals are adverse to the University's interests to lose Regental autonomy in controlling a well-managed retirement plan. If either proposal is adopted and UCRS is not disaggregated from other public employee retirement systems, it appears likely that the University could regain Regental autonomy in the future by presenting the University's compelling concerns to the voters.

Review of Parking Principles

UCFW is conducting a triennial review of Council's Parking Principles, adopted June 2002, which attempt to install best practices in the management of user-funded parking programs at each campus. After completion of its review, UCFW will report back to the Assembly if the committee believes that further action is required.

Mortgage Origination Programs

The Office of the President has reported savings of two to three million dollars in its Mortgage Origination Program, which periodically offers package mortgage deals to University employees. When the Office of the President recently requested bids for buyers of its loans, the most favorable bid received was from a credit union offering two to three percent more than any other buyer, but its offer also required the issuers of the loans to become members of that credit union. UCFW got involved and with assistance from the Office of the President, UCFW drafted a notice for each enrollee informing them of this provision and offering them an opt-out opportunity. This action resulted in only 38 out of 264 enrollees opting-out of the program, and 225 loans were sold for \$104.8 million, placing the University ahead by two to three million dollars.

UC Healthcare Audit of Enrollees

Twenty percent of enrollees in UC-sponsored health plans are being asked to participate in an audit, which was prompted by the discovery of a significant number of ineligible and unqualified dependents enrolled in UC health plans. The ineligible enrollees are costing the University eight million dollars per year, and UCFW wishes to express support for the audit in eradicating fraud from the UC health plan system under this period of heavy budget cuts and rising healthcare costs.

Questions, Answers and Comments

Q: Do you have any recent projections for when employee contributions are planned to resume under UCRS?

A: The final tipping point for UCRS appears to occur in two to five years, and the expectation is that employee contributions would be phased-in over a two to three year period to ease the transition. Phased-in contributions appear likely whether or not the Regents retain autonomy over management of UCRS.

Q: It appears that the University is losing a large amount of money due to ineligible dependents being enrolled in UC health plans, which the current health care audit seeks to resolve. Would it be worthwhile then for the University to conduct an audit of 100 percent of its employees in an effort to eradicate all fraud and abuse from the system?

A: At its meeting this Friday, March 11, 2005, UCFW receive additional figures to determine if the benefits of a 100 percent audit outweigh the administrative costs in conducting it. An additional point to be made is that the problem of ineligible enrolled dependents appears largely to stem from employees believing that their dependent is qualified, when in fact they are not (e.g., relationship categories: thinking of one's nephew as equivalent to one's son).

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

- **Michael T. Brown, BOARS Chair**

BOARS Chair Brown provided an update to members of the Assembly concerning the committee's recent evaluation of the University's participation in the National Merit Scholarship Program (NMSP). BOARS has written two letters, including one to Chair Blumenthal asking for assistance in requesting appropriate agencies of the Office of the President to evaluate the appropriateness of the University's participation in the NMSP. BOARS has also written to each campus admissions committee, recommending its review of admissions policies which grant preferences to applicants based solely on their NMSP status. These actions were prompted by BOARS' ongoing investigation into campus admissions criteria, which led to a letter written by former Associate President and former College Board Trustee Patrick Hayashi concerning the University's participation in the NMSP and which specifically addressed the NMSP's lack of validity associated with selection procedures and serious adverse impact concerns.

BOARS performed its own review of the NMSP and the College Board's use of the Preliminary Scholastic Assessment Test (PSAT), and has concluded that the NMSP uses selection procedures that violate national principles governing responsible use of standardized tests for three reasons. First, the NMSP sets a simple cut-off score to make an initial distinction between "meritorious" and "non-meritorious" students. Students who fall but one point below the cut-off score are summarily eliminated from further review. One of the fundamental principles governing responsible use of standardized tests is that major decisions should never be made on the basis of small differences in scores. Second, the NMSP uses no other pertinent academic information in making its initial determination besides the simple cut-off score, e.g., high school grades or academic

courses taken. A third principle that is violated is that tests should be used for the purposes for which they have been designed and validated; BOARS has neither uncovered nor been provided with such evidence.

BOARS also believes the criteria and selection procedures employed by the NMSP have an educationally unwarranted and negative impact on disadvantaged students - underrepresented minorities and low-income students. The College Board, which owns, markets, and administers the PSAT, has not provided BOARS with data on the socioeconomic characteristics of students who make the first cut as compared to the overall pool of test-takers. However, other evidence, for example, performance on the Scholastic Assessment Test (SAT) with which it is highly correlated, strongly suggests that the PSAT as used by the NMSP overwhelmingly favors a narrow group of affluent students attending well-endowed high schools.

Finally, BOARS has learned that most UC undergraduate campuses participate in the NMSP, awarding \$1.4 million to 1,155 students systemwide in 2003-2004. BOARS believes that instead, these funds could be used to fully fund graduate students, needy students in general, or could be allocated towards other campus-based scholarship programs.

VIII. University and Faculty Welfare Report (none)

IX. Petitions of Students (none)

X. Unfinished Business (none)

XI. New Business (none)

Meeting adjourned at 1:00 p.m.

Attest: George Blumenthal, Academic Senate Chair

Minutes Prepared by: Michelle Ruskofsky, Academic Senate Analyst

Distributions:

1. [President Robert C. Dynes Discussion Topics for the Meeting of the Assembly of the Academic Senate, Wednesday, March 9, 2005.](#)

Appendix A

2004-2005 Assembly Attendance Record, Meeting of March 9, 2005

<p>President of the University: Robert C. Dynes</p> <p>Academic Council Members: George Blumenthal, Chair Cliff Brunk, Vice Chair Robert Knapp, Chair, UCB Dan Simmons, Chair, UCD Joseph DiMento, Chair, UCI (absent) Kathy Komar, Chair, UCLA Manuela Martins-Green, Chair, UCR Donald Tuzin, Chair, UCSD Leonard Zegans, Chair, UCSF (absent) Walter Yuen, Chair, UCSB Alison Galloway, Chair, UCSC Michael Brown, Chair, BOARS Quentin Williams, Chair, CCGA Alan Barbour, Chair, UCAP (absent) Joseph Kiskis, Chair, UCEP John Oakley, Chair, UCFW Max Neiman, Chair, UCORP (absent) Michael Parrish, Chair, UCPB</p> <p>Berkeley (6) Ronald Amundson Lowell Dittmer Dorit Hochbaum Kyriakos Komvopoulos Herb Strauss Janet Adelman (alt. for Barrie Thorne)</p> <p>Davis (6) Ines Hernandez-Avila (absent) Linda Morris (alt. for William Casey) Tu Jarvis Brian Morrissey (absent) Kyaw Tha Paw U Philip Yager</p> <p>Irvine (4) Hoda Anton-Culver (absent) Ross Conner James Earthman (absent) Calvin McLaughlin</p>	<p>Los Angeles (9) Philip Bonacich Yoram Cohen Robert Frank (alt. for Harold Fetterman) Margaret Jacob Vickie Mays Jose Moya Owen Smith Jane Valentine Jaime Villablanca</p> <p>Riverside (2) Emory Elliot Mary Gauvain</p> <p>San Diego (4) Gerald Doppelt Igor Grant Barbara Sawrey Nicholas Spitzer (absent)</p> <p>San Francisco (4) Dan Bikle Barbara Gerbert Lawrence Pitts Peter Wright</p> <p>Santa Barbara (3) Ann Jensen Adams Nelson Lichtenstein (absent) Muriel Zimmerman</p> <p>Santa Cruz (2) Faye Crosby Michael Issacson</p> <p>Secretary/Parliamentarian Peter Berck</p>
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III. ANNOUNCEMENTS BY THE PRESIDENT

- Robert C. Dynes (written report)

IV. ANNOUNCEMENTS BY THE CHAIR

- George Blumenthal (Oral Report)

V. SPECIAL ORDERS (None)

VI. REPORTS OF SPECIAL COMMITTEES

Report of the Academic Senate's Task Force on UC Merced (UCM)(Action)

- Shawn Kantor, Chair

ACTION REQUESTED: The approval of the establishment of the UC Merced Division

BACKGROUND and JUSTIFICATION

Message From Academic Senate Chair George Blumenthal:

Professor Shawn Kantor, chair of the Academic Senate's Task Force on UC Merced and Chair of the UC Merced proto-division of the Academic Senate, has submitted a petition requesting that the Academic Assembly approve the establishment of a Merced Division of the Academic Senate. This UC Merced formal request is appended.

In support of this request, Professor Kantor addresses the four key elements needed to become a division:

- **Bylaws** – The UCM Task Force has drafted a full set of divisional bylaws, which were vetted by the entire UCM faculty. These bylaws are currently being reviewed by UCR&J.
- **Resources** – At its March meeting, the Academic Council approved a letter to UCM Chancellor Carol Tomlinson-Keasey setting forth the minimum support requirements for Council to agree to the establishment of a division. This letter is included in the packet. At this time, I would note that EVC Ashley and Chancellor Tomlinson-Keasey have been engaged in good faith discussions with Professor Kantor and me regarding an acceptable funding plan for a Merced division, and I am optimistic that these discussions will be successfully concluded. In any event, Council has taken the position that Assembly approval of a Merced division should not be effective until Council determines that there is adequate funding for the division to operate effectively and professionally.
- **Divisional Membership** -- As of July 1, Merced will have at least 51 Senate members, of which 39 are faculty members without an administrative appointment. In addition, Professor Kantor notes that there are 11 offers in the process of going out as well as 15 other active recruitments in various stages of completion. Of the current non-administrative faculty, 18 are tenured, and this number of tenured faculty is expected to grow at the rate of 2-4 per year over the next few years. [Note that Executive Vice Chancellor and Provost David Ashley, estimates that 13 additional faculty will join UCM

by opening day, which would yield 64 Senate members and 52 faculty without administrative appointments

- **Capacity to Operate as a Division** – Professor Kantor points out that except for the CAP function, the proto-division at Merced has essentially operated this year as a division of the Senate, with authority delegated to it from the UCM Task Force. In support of that assertion, Professor Kantor has supplied the [agendas and minutes](#) of all proto-divisional committee meetings. The membership of UCM CAP, which is a Special Committee of the Academic Council, is roughly half from Merced and half from other UC campuses, and Professor Geoffrey Mason (UCSC) chairs it. The UCM CAP has begun the practice of allowing several “listeners” from the full professoriate at UCM to attend their meetings, and I understand from the chair of the UCM CAP that every single full professor (other than administrators) at UCM has volunteered to serve as a “listener”. The proposed Merced bylaws allow for external members of CAP, and Professor Kantor points out in his letter that it is his expectation that if the UCM division is approved, then CAP would continue to have significant membership from other UC campuses. While it would certainly be possible for the Academic Council to retain control of the CAP function for some defined period of time after the Merced division begins, it is possible that UCM divisional control of CAP might produce more regular oversight and reporting on the CAP outcomes.

The action being requested of the Academic Assembly is to approve the following change in the Bylaws of the Academic Senate:

Present and Proposed Language (Proposed language in bold and underlined. Language to be eliminated reflected in bold strikeout.)

Title I. Membership and Authority

305. Divisions

The Academic Senate has ~~nine~~ ten Divisions: Berkeley, Davis, Irvine, Los Angeles, Merced, Riverside, San Diego, San Francisco, Santa Barbara, and Santa Cruz.

This bylaw amendment would take effect only when the Academic Council certifies that there is an agreement in place to provide sufficient funding for the UCM division to operate effectively and professionally, consistent with the [April 11, 2005 letter](#) to Chancellor Tomlinson-Keasey.

Office of the Chair
Telephone: (510) 987-9303
Fax: (510) 763-0309
Email: george.blumenthal@ucop.edu

Assembly of the Academic Senate, Academic Council
University of California
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200

April 11, 2005

**CAROL TOMLINSON-KEASEY
CHANCELLOR – UC MERCED**

Re: Resources Needed to Establish and Support a UC Merced Division

Dear Carol:

Knowing how important it is to both you and the Academic Council that a fully functional Merced Division be established by opening day, I thought it might be useful for me to set forth, in writing, the Academic Council's position regarding the funding of the Merced Division. I know that we have agreed that David Ashley and Shawn Kantor will be discussing these matters with a view toward reaching an agreement that you and the Academic Council can endorse.

I anticipate that the Academic Assembly will approve the establishment of a division at Merced at its May 2005 meeting, since the UCM faculty has proposed the establishment of a UCM Division and has submitted a set of proposed divisional bylaws. However, I also anticipate that the Assembly will approve a Merced Division only on the condition that you have met the minimum resource requirements, listed on page two of this letter, and that there is a written agreement between you and the Academic Council on a timeline for when the Merced Division will be funded at the level recommended in Academic Council's 2004 report, "Framework for Establishing a Divisional Academic Senate Office."

As you well know, the Standing Orders of the Regents mandate that UC operate under a system of shared governance in which the Academic Senate bears the primary responsibility for admissions policy, courses and curricula, and the approval of degrees and graduation requirements, and, in addition, be consulted prior to decisions on both academic personnel matters and budgetary allocations. In order for the new Merced Division to effectively and fully carry out these responsibilities in shared governance, it is critical that it have adequate professional administrative staff support, and divisional faculty leaders who are compensated for the time they will need to commit to this new enterprise. This is particularly important for Merced, since there are relatively few faculty there who are familiar with UC's system of shared governance.

I have kept the Academic Council fully informed about the discussions we have had to date, and at its March 30 meeting, the Academic Council endorsed this letter, including the conditions set forth below.

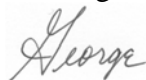
The guidelines for determining the appropriate resources needed to establish and maintain a workable senate office are contained in the Academic Council's 2004 report, ["Framework for Establishing a Divisional Academic Senate Office."](#) President Dynes forwarded this report to the chancellors this past September and asked them to consider the needs of the Senate, as a vital participant in shared governance, when allocating campus resources. In recognition of the extreme funding constraints under which the Merced campus is operating as opening day approaches, the Academic Council will not expect UCM to begin its new divisional office with the level of support outlined in the report. Rather, Council will accept a lower level of funding at opening, but by agreeing to do so will require a written agreement and timeline from you showing when and how the Merced campus will support the divisional senate office in reaching the report's recommended funding levels. Presumably, ramp up of funding could be financed through enrollment growth funding.

The Academic Council has identified the following resource requirements as the minimum necessary to establish and maintain a beginning Division of the University of California Academic Senate. Once UC Merced has these resources in place, the Academic Council will give its final approval of UC Merced's proposal for divisional status:

- Full time MSP level Director – We believe that a division cannot operate professionally without the services of a professional director of the Senate office.
- 2/9 Summer support for the Academic Senate Chair
- Compensation (in the form of research funding) for the Senate Chair, and discretionary funds to be allocated for research support by the Divisional Chair or the Committee on Committees to other relevant Divisional Committee Chairs (e.g., CAP, CAPRA, etc.)
- Staff support (at the AA II level) to support the Senate Chair and Director
- Appropriate office space and access to meeting rooms
- All necessary equipment – Chair, Director and AA each have their own computer
- A fax and copier or immediate vicinity access
- Access with priority to a Programmer
- An agreement in principle to provide future funding for Senate awards of faculty research grants and teaching awards, as is the practice at all other UC campuses.

We look forward to working with you in anticipation of welcoming the UC Merced faculty into the University of California Academic Senate. Please let me know how I, or members of the Academic Council, can assist in UC Merced's progress toward attaining divisional status. The Academic Senate's Executive Director, Maria Bertero-Barcelo, is also an excellent resource to call upon for information and help.

Best regards,



George Blumenthal, Chair
Academic Council

Encl. ["Framework for Establishing a Senate Operation" and President Dynes's 9/21/04 letter](#)
Copy: Shawn Kantor, UC Merced Task Force and Merced Proto-Division Chair
David Ashley, UCM-EVC and Provost
Academic Council

GB/bm

April 18, 2005

GEORGE BLUMENTHAL, Chair
Academic Senate

Re: Petition for UC Merced's Transition to Divisional Status

Dear George:

On behalf of the UC Merced faculty, I am honored to present UC Merced's petition to become a division of the Academic Senate of the University of California. This petition has the unanimous support of the Merced Proto-Divisional Council. The UC Merced Task Force will be meeting by teleconference on Monday April 25, 2005, and a discussion of this Petition will be a main agenda item. I anticipate being able to report on the Task Force's position on UC Merced's transition to divisional status at the Academic Council meeting on April 27, 2005.

In his May 2003 report to the Academic Assembly, former UC Merced Task Force Chair Peter Berck concluded that "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 tradition of meaningful shared governance." I am proud to report that the Task Force's expectations have largely been realized during the 2004-2005 academic year. UC Merced faculty have independently taken on the duties associated with elevating the Merced faculty's prominence in the shared governance process both locally and system-wide and have taken on the critical senate roles of approving courses and curricula and consulting the administration on resource allocation issues. At this time CAP activities are still handled mostly by external members, though Merced has four senior faculty on the committee and three additional senior faculty have been appointed to act as 'observers' so that they may become acculturated to the CAP process. The Merced faculty are eager to take on the added responsibility of CAP and to assume a more prominent role in the administration of the committee.

Given the Merced faculty's increasing independence and experience with Academic Senate work, we feel well prepared to transition to divisional status. Attaining division status will elevate the prominence of the Academic Senate on the Merced campus and will have the motivational effect of signaling to Merced faculty that they are peers in the University of California system.

Based on our prior conversations I understand that at least three essential elements are needed for our transition to a full division: approved bylaws; dedicated resources that will ensure the professional operation of the Merced senate office; and an appropriate number of Academic Senate members. I would add another criterion to the portfolio – capacity to independently carry out the work of the senate.

Bylaws

A set of bylaws was drafted by the Task Force in early 2004, slightly revised by the Rules Committee appointed by the Merced Committee on Committees in late 2004, was vetted by all Merced faculty in December 2004, and then approved by the Proto-Divisional Council in early 2005. On January 13, 2005, I transmitted the proposed Bylaws of the Merced Division to your office. Once we receive comments back from UCR&J, we will proceed with putting the proposed Bylaws to a vote of the Merced faculty. As the Merced faculty had the opportunity to comment on the proposed bylaws late last year, I foresee no major issue in obtaining final faculty approval.

Resources

The disposition of our senate office resources is still under negotiation with EVC David Ashley. While I do not have concrete information to provide at this time, I am optimistic that my communications with the EVC will result in a set of resources that will provide a propitious start for the Merced division and that will be consistent with the resource parameters established by the Academic Council. I hope to be able to convey a memorandum of understanding between the Merced senate and EVC Ashley within the month.

Membership

Appendix I contains a listing of the Academic Senate members who are currently in residence at Merced or whose appointments begin July 1, 2005. By July the Merced Academic Senate will have a minimum membership of 51, of which 12 members hold administrative appointments. The tabulation below provides detail on the nature of the membership:

Faculty	39
Professor	16
Associate Professor	2
Assistant Professor	20
Lecturer (PSOE)	1
Administration	12

I have every expectation that we will have many more than 51 senate members by July 1, with the additional members being non-administrative faculty. For example, the School of Engineering has five cases that are before CAP, Natural Sciences has two cases through CAP review with offers outstanding, and Social Sciences/Humanities/Arts has four cases in front of CAP. Moreover, there are approximately 15 active recruitments going on between Engineering, Natural Sciences, and Social Sciences/Humanities/Arts, all varying in terms of completion. I am confident that by the start of the Fall 2005 semester Merced will have an adequate number of faculty to operate as an effective and vibrant division of the Academic Senate.

Capacity

As mentioned above, the Merced faculty have largely taken on the administration of their own senate committees this academic year. Operating under a proposed set of bylaws, in September 2004 the Merced faculty elected a Committee on Committees that has appointed a chair of the proto-division, a vice chair, a secretary/parliamentarian, and chairs and members of the Committee on Academic Planning and Resource Allocation, Undergraduate Council, and the

Graduate and Research Council.¹ The Proto-Divisional Council consists of the chair, vice chair, and secretary of the proto-division, the chairs of the CoC, CAPRA, UGC, and GRC, as well as one senate member who was elected at-large. The UC Merced CAP is an independent committee of the Academic Council, chaired by Professor Geoffrey Mason (Santa Cruz). Merced has four senior faculty on the committee and is adding three “observers” so that more Merced faculty can become acculturated to CAP’s important functions and processes. While the Merced senate looks forward to taking on the additional obligation of CAP, I should note that our proposed bylaws allow for outside UC faculty to serve on the Merced CAP. Given the size of our faculty on opening day, I anticipate that the Merced division would exercise the option of including external UC faculty on CAP.

In terms of system-wide participation, the relatively small UC Merced senior faculty means that our participation will initially be greatest for UCOC, as well as for the major committees represented on the Academic Council: BOARS, CCGA, UCAP, UCEP, UCFW, UCORP, and UCPB. We understand that of the 18 Assembly standing committees, these committees in particular will play a key role in the development of the Merced campus. Further, historian Gregg Herken is an active member of the Academic Council’s Special Committee on the National Labs. Finally, the chair of the proto-division also attends, as a guest, the monthly Academic Council meetings, which the UC Merced divisional chair would attend as a full voting member.

To follow is a brief synopsis of the activities of Merced’s Proto-Divisional Council and major committees. Minutes from their meetings have been submitted to the Academic Senate and are available for inspection.

Proto-Divisional Council (Chair, Shawn Kantor)

The Council has devoted the year to elevating the role of shared governance on the Merced campus and in creating and formalizing the institutions that will facilitate faculty input into the governance of the university. At the start of the academic year various aspects of faculty shared governance at the campus-wide level were in their infancy. Equally disturbing, the institutions that foster shared governance and “collegial governance” were virtually absent in the three schools. The Council has worked to remedy these shortcomings as swiftly as possible.

The Chair meets with the Chancellor once monthly and with the EVC/Provost about every 1.5 weeks. Both the Chancellor and EVC have been favorably responsive to the Council’s goal of formalizing the faculty’s input on major decisions that would affect the university’s academic mission or resource allocation. With the Council’s encouragement, the Chancellor and EVC have held at least three all-faculty meetings to discuss issues that are of broad interest to the faculty, namely facilities and information technology. Moreover, the Council has been invited to comment on various policy proposals, and in fact we are moving to a situation where the senate is being asked to submit a nominee for the committee formulating policy proposals. Finally, the senate has quickly established standard operating procedure that any hiring of important staff personnel that impacts student or faculty welfare requires faculty participation in the search and/or interview process.

¹ A Privilege and Tenure Committee was appointed but its services were never utilized.

In the absence of the numerous senate committees that other campuses might have, Council members have taken on ad hoc work that does not necessarily fall within the domain of the three main standing committees. Thus, Council has dealt with issues relating to faculty welfare, diversity of the faculty, evaluation of instruction, and ongoing program review.

Mechanisms for shared governance within the three Schools and College One were completely lacking at the start of the year. The starting point was a situation in which the Deans acted as interested faculty members, administrative chairs, and deans all at the same time. There were no formal structures that delineated faculty participation in the shared governance of their Schools. As a result, the Council has moved forward with establishing proto-faculty governments in each School which has entailed writing bylaws for the governments and electing chairs and executive committees. Once Merced becomes a division, we will move forward in formalizing these Faculty Governments, as required by Academic Senate Bylaw 50. Within the month, the faculty in all the three Schools will have representatives who can communicate directly with the Deans and begin to formalize shared governance institutions at the School-level.

The Council also observed governance deficiencies in the normal administrative operations of the Schools. Capacity constraints and conflicts of interests are natural outcomes of a situation in which the deans were delegated, de facto, APM 240 and 245 duties. The Council passed a resolution that petitioned the Chancellor and EVC to assign in writing, after faculty consultation, APM 245 duties to the appropriate member or members of the Academic Senate and charged the Council itself to educate the faculty on the governance issues involved within the Schools. On behalf of the Council, Professor J. Arthur Woodward, who has over 25 years of experience at UCLA and who was the chair of the psychology department there for over a decade, wrote a document for the EVC and the faculty detailing the reasons for introducing administrative chairs at this stage in UC Merced's development. The document is included here as Appendix II. As a result of the Council's resolution, EVC Ashley will soon send the question of how the administrative chair's duties described in APM 245 will be distributed within each School. The deans, after consulting with their own faculty, will submit proposals to the EVC. At a minimum each School will appoint an administrative chair to handle personnel matters.

Committee on Academic Planning and Resource Allocation (Chair, Christopher Viney)

CAPRA accepted a charge from the EVC to play a significant role in the planning process for FTE allocation at UC Merced. CAPRA defined clear Guiding Criteria for Evaluating Schools' 5-year Strategic Plans and 1-year Academic Resource Plans (see Appendix III). The criteria draw attention to the type of information that CAPRA (and the EVC) can usefully take into account in making informed recommendations and decisions. It is expected that the Schools' planning documents will address realistic resources needed to attract and accommodate new FTEs and the future growth of their activities. CAPRA is in the process of evaluating and making recommendations on the current revised planning documents submitted by Schools.

CAPRA has expressed strong concern that the structure of the annual planning cycle as implemented this year (involving inputs from just the three major-granting Schools, submitted individually) does not optimize faculty input, is not adequately representative of all the impacted stakeholders (which should include College One, the Institutes, and the Graduate Groups), and does not adequately promote interdisciplinarity.

CAPRA has engaged in dialog with the EVC with regard to implementing revised, more inclusive procedures in subsequent years, and is confident that improvements will be made.

As a continuing project, CAPRA is developing guidelines that address the optimization of space allocation from the perspective of faculty whose performance depends on the suitability and adequacy of space available for their research and teaching. Given the likely space limitations that UC Merced will face as its faculty grows rapidly, CAPRA is currently taking the lead role in recommending viable alternatives to the impending space shortage.

Undergraduate Council (Roger Bales, Chair)

This academic year the UC Merced Undergraduate Council (UGC) has met eight times and has another four meetings planned. The UGC handles all undergraduate issues, including admissions, course and curriculum approval, undergraduate student welfare, scholarships, and other issues that come up. Having a single council handling undergraduate affairs is necessary owing to the limited number of senior faculty at UC Merced presently. There are currently nine regular UGC members, two from each UC Merced School, plus three from other UC campuses. Disciplinary representation includes two faculty from engineering, three from the sciences, one from social science, two from the humanities, and one from the arts. There are also four ex-officio members of UGC.

Much of the UGC's effort has gone to reviewing curriculum and catalog changes, as new majors ramp up and as UC Merced prepares for its first class of undergraduate students this fall. UGC has approved new tracks or changes in tracks in five of the nine majors currently offered, plus about 70 new or revised course proposals. An equal number of course proposals are awaiting action. This relatively heavy load of course and curriculum changes came about because many new faculty have come on board since the inaugural catalog was prepared. UGC has also set policies for scholarships and a subcommittee reviewed applications for the awarding of Regents Scholarships. A number of other policy issues were addressed by UGC. Still remaining on the agenda for this academic year are proposals for six new majors, plus some policy issues that will require thoughtful and thorough deliberation.

Graduate and Research Council (Thomas Harmon, Chair)

Over the past year the GRC has been overseeing the development of UC Merced's academic programs for graduate studies and creating policies that will foster UC Merced's research mission. With respect to academic programs, GRC has completed the review of policy and bylaw documents for five graduate groups: [Environmental Systems](#), [Quantitative and Systems Biology](#), [Molecular Science and Engineering](#), [Social, Behavioral and Cognitive Sciences](#), and [World Cultures and History](#). These graduate groups are not being shepherded through the system-wide approval process yet, but are at various stages of completing their proposals to the Coordinating Council on Graduate Affairs (CCGA). Roughly 15 graduate students are in residence at UC Merced and the GRC, in collaboration with Dean of Graduate Studies Keith Alley, met twice with the graduate students in open forums to discuss the state of graduate education at the university. These students elected two representatives who have been attending the monthly GRC meetings.

With respect to UC Merced's research mission, GRC has been collecting information and is in the process of drafting criteria for the creation of core research facilities. When a satisfactory draft has been created, GRC will make it available for review by the Merced faculty. Other major topics currently being discussed are royalty income and indirect cost return. Again, GRC will be drafting policies and possibly algorithms for insuring prudent use of these funds in the spirit of supporting research and graduate education at UC Merced.

Concluding Remarks

The UC Merced faculty are eager to take on the responsibilities associated with becoming a division of the University of California's Academic Senate. The faculty are moving rapidly toward establishing the institutions that will foster effective shared governance on the Merced campus. By becoming a full division of the Academic Senate, the faculty are enthusiastic about participating in the shared governance of the University as well.

Thank you very much for considering our petition to become a division of the Academic Senate.

Respectfully,

Shawn Kantor
Chair, UC Merced Task Force and Merced Proto-Division

cc: Cliff Brunk, Vice Chair
María Bertero-Barceló, Executive Director
UC Merced Proto-Divisional Council

Appendix I

List of UC Merced Academic Senate Members

Faculty	School	Rank/Admin	Date of Hire
Bales, Roger	Eng	Professor	6/1/2003
Barlow, Miriam	NS	Assistant Professor	7/1/2005
Choi, Jinah	NS	Assistant Professor	4/1/2005
Colvin, Michael	NS	Professor	7/1/2003
Conklin, Martha	Eng	Professor	6/1/2003
Forman, Henry	NS	Professor	7/1/2003
Goggins, Jan	SSHA	Assistant Professor	5/1/2005
Green, Jessica	NS	Assistant Professor	7/1/2004
Harmon, Thomas	Eng	Associate Professor	7/1/2003
Herken, Gregg	SSHA	Professor	7/1/2003
Kantor, Shawn	SSHA	Professor	7/1/2004
Kelley, Anne	NS	Professor	7/1/2003
Kelley, David	NS	Professor	7/1/2003
Kim, Arnold	NS	Assistant Professor	7/1/2004
Leppert, Valerie	Eng	Assistant Professor	7/1/2003
Malloy, Sean	SSHA	Assistant Professor	7/1/2005
Manilay, Jennifer	NS	Assistant Professor	7/1/2005
Martin-Rodriguez, Manuel	SSHA	Professor	9/1/2004
Matlock, Teenie	SSHA	Assistant Professor	7/1/2004
Medina, Monica	NS	Assistant Professor	7/1/2005
Meyer, Matthew	NS	Assistant Professor	1/1/2005
Mitchell, Kevin	NS	Assistant Professor	7/1/2004
Mostern, Ruth	SSHA	Assistant Professor	7/1/2004
Newsam, Shawn	Eng	Assistant Professor	7/1/2005
		Lecturer/Writing Program	
Ochsner, Robert	SSHA	Director	7/1/2005
O'Day, Peggy	NS	Associate Professor	7/1/2003
Ojcius, David	NS	Professor	7/1/2004
Ortiz, Rudy	NS	Assistant Professor	1/1/2005
Ramicova, Dunya	SSHA	Professor	7/1/2004
Reyes, Belinda	SSHA	Assistant Professor	7/1/2004
Ricci, Cristian	SSHA	Assistant Professor	7/1/2004
Shadish, William	SSHA	Professor	7/1/2003
Tokman, Mayya	NS	Assistant Professor	7/1/2005
Traina, Sam	NS	Professor/Director, SNRI	7/1/2002
Viney, Christopher	Eng	Professor	7/1/2003
Winder, Katie	SSHA	Assistant Professor	7/1/2005
Winston, Roland	Eng/NS	Professor	7/1/2003
Woodward, J. Arthur	SSHA	Professor	7/1/2004
Yoshimi, Jeffrey	SSHA	Assistant Professor	7/1/2004

Administration

Tomlinson-Keasey, Carol	Admin	Chancellor
Ashley, David	Admin	EVC/Provost
Desrochers, Lindsey	Admin	VC for Admin
Alley, Keith	Admin	VC for Research
Lawrence, Jane	Admin	VC for Student Affairs
(candidate pending)	Admin	VC for Univ Relations
Wright, Jeff	Eng	Dean
Pallavicini, Maria	NS	Dean
Hakuta, Kenji	SSHA	Dean
Miller, Bruce	Admin	Librarian
Ruiz, Encarnacion	Admin	Admissions officer
Kuo, Kent	Admin	Registrar

Appendix II

UC Merced CAPRA:

Guiding Criteria for Evaluating Schools' 5-year Strategic Plans and 1-year Academic Resource Plans

Background

1. CAPRA has welcomed the charge from EVC Ashley (memo to CAPRA Chair dated 15 November 2004; attached) that it should perform two reviews during the annual planning cycle:
 - a review of individual School plans, with feedback given to Schools as to how the plans might be optimized;
 - a review of the revised plans, with comments and recommendations provided to the EVC.
2. It is anticipated that, each year, the first of these reviews will commence in mid-January, when Schools provide current versions of their planning documents to CAPRA.
3. CAPRA and EVC would like Schools (Faculty and Deans) to be aware of CAPRA's significant evaluation criteria.
4. CAPRA considered the (very limited) information about evaluation criteria that apply on other UC Campuses, as well as experience about practices elsewhere. CAPRA also recognizes that unique circumstances pertain to UC Merced as a new campus, and the need for the evaluation criteria to evolve together with the campus. It is expected that in future years, CAPRA will refine and revisit the ideas set forth here, and that this will be done with input from the full Faculty, including the Deans and Provost.

5. CAPRA anticipates that UC Merced's Institutes, ORUs, Graduate School and General Education Colleges (e.g. College One) will annually prepare 5-year Strategic Plans and 1-year Academic Resource Plans according to the same schedule and routing as the plans from Schools that offer undergraduate majors.

Guiding Criteria

Each School should be free to format its plans in whatever style is best suited to communicating its particular needs and vision. However, it is anticipated that persuasive Strategic Plans and Academic Resource Plans will be characterized by many of the attributes in the list that follows. Not all attributes will apply to all cases, and those that assume an analysis of track record cannot, of course, apply immediately. However, *Schools are encouraged to proceed now on the basis that track record may count in the future.*

CAPRA's primary concern is for the effective allocation of FTEs and space across the campus. It is expected that Schools' planning documents will address realistic resources needed to attract and accommodate new FTEs and the future growth of their activities, including:

- likely cost of cash and/or in-kind startup package
- likely laboratory space requirements
- likely office space needs of associated research staff and graduate students
- likely special infrastructure needs (classroom space, library holdings, IT, specialized software for teaching, central facilities, animal room, clean room, fume hoods, heating/cooling, electrical service, shielding, regulatory compliance staff...)
- plans for mentoring new junior Faculty.

In addition, a persuasive plan will address and/or demonstrate the following:

1. Likely postgraduate and/or undergraduate student demand for the affected programs, and the employability of students after graduation.
2. A clear sense of purpose and direction with respect to academic and research goals, along with an indication of how the School might respond to sudden changes in circumstance (e.g. windfalls, cuts, or special initiatives).

With the volatility of circumstance in mind, CAPRA urges the EVC to retain an ability to respond to opportunities and needs outside the regular schedule of the planning cycle.

3. How the plan complements (and explicitly doesn't duplicate) the use of resources proposed by other Schools. It will consider trans-disciplinary research and teaching that expands the horizons of graduate groups, majors and/or Schools. Opportunities for FTEs shared between schools will be explored.
4. Both proactive (creating opportunity) and reactive (responding to opportunity) elements.

5. Elements of both program nucleation and program growth. For both elements, the plan will demonstrate how the affected programs will be encouraged to achieve international excellence.
6. (In time) references to external reviews / standards (e.g. WASC / professional accreditation) in arguing its case.
7. (In time) consistency with previous plans. If it is not consistent, an explanation for the divergence will be provided. Plans will include a realistic timeline for bringing new FTEs on board.
8. Desiderata concerning the diversity of UC Merced's faculty, and the route to achieving them. If the proposing School has not made significant efforts to optimize its diversity in the past, what evidence is there that the effort will be made with the new FTE(s)?
9. Workload balancing, including the likely extent of reliance on adjunct appointments.
10. An assessment of the most likely obstacles to the plan's success.
11. Explicit strategies for evaluating the plan's success when implemented.
12. The extent to which the plan reflects consensus / buy-in from the School's faculty.

VII. REPORTS OF STANDING COMMITTEES

A. Academic Council

- George Blumenthal, Chair

1. **Presentation to the Assembly of Professor John Oakley, the 2005-06 Vice Chair/2006-07 Chair of the Academic Senate**
2. **Nomination and Election of the Vice Chair of the University Committee on Committees (UCOC) for 2005-06 (Oral report, Action)**

In accordance with [Senate Bylaw 150.A.1](#). Committees, "... The members-at-large are to be named by the Assembly for two-year staggered terms. Each at large member will serve as Vice Chair in the first year and shall normally succeed as Chair in the second year."

ACTION REQUESTED: Assembly is asked to elect a member-at-large to serve as the 05-06 UCOC Vice Chair and to succeed as its Chair in 06-07.

3. **Proposed Amendment to Senate Bylaw 128**

In accordance with [Senate Bylaw 116. Authority of the Assembly](#) – Part II. E. "The Assembly is authorized to approve modifications to the University Academic Senate legislation...Except for Bylaws marked "[Protected – see Bylaw 116.E]", modification of Bylaws requires the approval of two-thirds of all voting member of the Assembly present; modification of Regulations requires the approval of a majority of all voting members of the Assembly present...Modifications of legislation shall take effect immediately following approval unless a different date is specified or required."

The following proposed amendment to [Senate Bylaw 128](#) was approved by the Academic Council at its March 30, 2005 meeting and was found to be consonant with the Code of the Academic Senate by the University Committee on Rules and Jurisdiction (UCR&J).

ACTION REQUESTED: The approval of the proposed amendment to Senate Bylaw 128

JUSTIFICATION

Under our current bylaws, the Universitywide Committee on Committees formally appoints all members of the Standing Committees of the Assembly, usually based upon recommendations forwarded from divisional committees on committees. In addition, UCOC appoints the chairs and vice chairs of all Assembly Committees. However, our bylaws are currently mute about the membership of subcommittees or task forces formed by Assembly Committees. While such subcommittees and task forces may consist of a subset of members from the parent committee, it may also be the case that the

membership consists predominantly of members who are not a part of the parent committee or any other Assembly Committee. At the present time, neither the Universitywide Committee on Committees nor the Academic Council has any oversight of the membership of subcommittees or task forces.

Our bylaws require that all Systemwide Senate agencies must report formally through their establishing agency. Thus, Senate subcommittees and task forces must formally report to their parent committee, and Assembly Committees, when providing formal advice to the President, must formally provide that advice only through the Academic Council or the Assembly. However, Senate Committees (and subcommittees and task forces) commonly consult informally with members of the administration; therefore, it is essential that the composition of all Senate agencies, including subcommittees and task forces, remain under the control of the Universitywide Committee on Committees.

It is not the intention here to needlessly handcuff Senate committees as they organize themselves into subcommittees to efficiently go about their work. Furthermore, we must recognize that there are numerous occasions when subcommittees might proceed more efficiently if they included members of other Standing Committees. Therefore, the amended bylaw provides that the Universitywide Committee on Committees must formally appoint any member of a subcommittee or task force of an Assembly Committee who is not already a member of an Assembly Committee. In essence, this requires that UCOC appoint all subcommittee and task force members who have not already been appointed to some committee by UCOC. This amendment to Senate Bylaw 128 will insure balance on subcommittees and task forces and will help ensure that the Senate perspective is maintained.

Note that there are circumstances when Senate committees can benefit from the advice of an advisory group whose membership may include committee members, other Senate members, or individuals who are not members of the Academic Senate. Such an advisory panel may not informally advise the administration on behalf of the Senate. When such an advisory panel can facilitate a Senate committee's work, the Chair of the Academic Council will appoint its members.

The action being requested of the Academic Assembly is to approve the following change in the Bylaws of the Academic Senate:

PROPOSED AMENDMENT TO SENATE BYLAW 128

128. Membership of Standing Committees of the Assembly

- I. A standing committee of the Assembly may appoint one or more subcommittees or task forces, which must always report back to the main committee, but the University Committee on Committees must appoint all subcommittee or task force members who are not already members of any standing committee of the Assembly.**

VII. REPORTS OF STANDING COMMITTEES (CONTINUED)

A. Academic Council (Continued)

- **George Blumenthal, Chair**

4. Proposed Amendment to Senate Regulation 477 (Action)

In accordance with [Senate Bylaw 116. Authority of the Assembly](#) – Part II. E. “The Assembly is authorized to approve modifications to the University Academic Senate legislation...Except for Bylaws marked “[Protected – see Bylaw 116.E]”, modification of Bylaws requires the approval of two-thirds of all voting member of the Assembly present; modification of Regulations requires the approval of a majority of all voting members of the Assembly present...Modifications of legislation shall take effect immediately following approval unless a different date is specified or required.”

The proposed Senate Regulation 477 was approved by the Academic Council at its April 27, 2005 meeting and sent to the Universitywide Committee on Rules and Jurisdiction (UCR&J) for their concurrence that the proposed Senate Regulation 477 is consonant with the Code of the Academic Senate.

ACTION REQUESTED: The approval of the proposed Senate Regulation 477

JUSTIFICATION

Currently, when students transfer from a Community College to a UC campus, the courses they have taken for lower division major preparation will transfer for that purpose only if there is a specific agreement (called an articulation agreement) between their old CCC campus and the department to which they are transferring. For that reason, each department at the (soon to be) nine undergraduate UC campuses must determine which of the courses at the corresponding department in each of the 109 Community Colleges is appropriate for transfer for major preparation. This is a faculty responsibility, since we are responsible for determining which courses will transfer, based upon the quality of the courses. Similarly, UC departments must determine whether a sequence of courses offered at every Community College will satisfy the department’s lower division requirements.

This proposed Senate Regulation 477 would potentially streamline that process by stating that if four campuses articulate a course or lower division sequence of courses for major preparation, then the course or sequence of courses would automatically be articulated at all other UC campuses as well unless a campus specifically opts out of the agreement. Campuses would be able to opt out of such articulation within one year, and departments would have an annual opportunity to opt out as well. For that reason, this is not a mandate for departments to accept courses or sequences of courses. Rather, this regulation could lessen the burden on departments willing to accept the articulation agreements specifically worked out by departments at other UC campuses. The regulation also requires adequate notice for departments and suggests that the implementation should have as little effect as possible on students when a department decides to opt out of an articulation agreement after the Community College student has relied on the

agreement. This legislation in no way requires that departments align their lower division requirements with those of other UC campuses.

A “*Draft Proposal to Streamline the Course Major Articulation Preparation Process between UC Campuses and the California Community Colleges,*” which offers context and justification for the proposed regulation, and its addendum “*Supplemental Examples and Implementation Possibilities*” have been reviewed by the Divisions and Standing Committees of the Academic Council. On February 23, 2005, the Academic Council approved in principle the draft proposal, and on April 23, the Academic Council adopted a final draft of the proposed enabling legislation presented here for the Assembly’s approval.

PROPOSED SENATE REGULATION 477

When four or more UC campuses agree to accept a course from a given California Community College as transferable for preparation for a specific major, the course will be deemed as transferable for the same major at all UC campuses one year after notification of the campuses. Similarly, if four or more campuses agree to accept a set of courses as adequate for lower-division major-preparation for a UC upper-division major discipline, that set of courses will be deemed as accepted for lower-division preparation in the same major at all the UC campuses one year after notification of the campuses. During the year following initial notification, individual campuses may decline to participate in the agreement. Additionally, all campuses will be given an annual opportunity to opt out of any previous obligation resulting from this Regulation. The Academic Council or the Senate agency it so designates shall advise the President on the implementation of this regulation so as to ensure that there is adequate notice for all campuses, that campuses have an annual opportunity to opt out of this obligation, and that community college students who intend to transfer to UC are minimally affected by a campus’s decision to no longer accept a course or set of courses.

ADDITIONAL BACKGROUND and JUSTIFICATION*:

The University of California has worked hard to improve the transfer of students between UC and California Community Colleges (CCCs). One cornerstone of this effort is the development of “articulation agreements” to show how a course or groups of courses at a CCC may be transferred for credit to a UC or California State University (CSU) campus. General education articulation agreements show how certain courses satisfy GE requirements at the UC/CSU campuses. Similarly, major-preparation articulation agreements delineate how community college courses will satisfy the lower division course requirements for UC academic majors.

UC faculty are responsible for the review and approval of articulation agreements between UC campuses and CCCs. In each discipline, they review community college course outlines and supplementary material to determine if a course offered at a community college is comparable enough to the UC course that it can be accepted for

credit. Depending on the type of articulation agreement, credit can be granted as general elective credit (Transfer Course Agreement or TCA), general education curriculum credit (Intersegmental General Education Transfer Curriculum or IGETC), or campus-specific credit (campus general education credit or major-preparation credit). Of these, the annual TCA and IGETC agreements are developed systemwide by UCOP staff working under faculty supervision and in the case of IGETC also in conjunction with CSU faculty and staff. UC has long-established TCA and IGETC agreements with all of the CCCs.

Developing campus-level articulation agreements between institutions is a mammoth undertaking. Given the 108 CCCs, 8 (soon to be 9) undergraduate UC campuses and approximately 650 distinct undergraduate majors offered in the UC system, about 700,000 separate major-preparation articulation agreements are needed for UC to be fully articulated with the CCCs. Creating and keeping track of these agreements between and among campuses is costly, yet vital, to the transfer process. Transfer students and counselors at the community colleges rely on the agreements to provide students with the appropriate roadmap in their preparation for the BA degree to which the student plans to transfer. Unfortunately, major-preparation agreements between many UC campuses and many CCCs do not exist. Without major-preparation agreements, potential transfer students will know if the course they are taking is generally transferable by consulting the TCA, but they will not know if the department at a particular UC campus will accept the course as lower division preparation for the major.

To distribute articulation agreements statewide to students, counselors and others, the University has contributed significant resources to ASSIST², an intersegmental, web-based, transfer planning system. ASSIST is the State's official repository of all official articulation between California Community Colleges and UC and CSU campuses. Any student can log onto ASSIST for free and determine how the courses they complete at a community college will transfer to a CSU or UC campus, assuming that a major-preparation articulation agreement has been established.

Although ASSIST has been in place for over a decade and has effectively categorized articulation agreements among the three segments, the inefficient process for generating agreements between UC campuses and individual community colleges has changed little since the 1960s. All UC campuses essentially conduct a review of every community college course every few years to determine how such courses may be used to satisfy campus-specific major or campus-specific GE requirements. This process is conducted in practically the same way, in parallel fashion, at the undergraduate UC campuses.

The course approval process conducted on each UC campus appropriately gives that faculty oversight of courses that are proposed for transfer into their curriculum. It assures that the faculty members who design courses and curricula can protect the integrity of the curriculum at each UC campus. In this way, program faculty should be confident that transferring students are adequately prepared to succeed in the curriculum offered at a particular UC campus.

² *Articulation System Stimulating Interinstitutional Student Transfer*

It seems likely, though, that the course review and approval process across the campuses can be streamlined to provide faster and more efficient development of articulation agreements, particularly where consensus exists among a number of UC campuses.

With the proposed regulation in place, faculty from each campus could choose to rely on the expertise of one another for the articulation of lower-division major-preparation courses offered at California Community Colleges. Campuses will be notified that the course is about to be designated acceptable at all UC campuses for a particular major, and with a year long review period there would be time to design and develop an alternative agreement should an alternative appear to be more appropriate at a given campus. Though systemwide major-preparation articulation agreements may be difficult to achieve or simply inappropriate in some instances given that majors and their requirements vary from campus to campus, such systemwide articulation agreements should be established and agreed to whenever possible. Through these efforts both the UCs and the CCCs will be better equipped to work together towards the shared goal of adequately preparing students for the upper-division major programs they wish to enter.

* The text of the justification is adapted from “*A Draft Proposal to Streamline the Course Major Articulation Process between UC Campuses and California Community Colleges*” (August 30, 2004); and “*Supplemental Examples and Implementation Possibilities for Streamlining UC Major Preparation Articulation*” (draft November 4, 2004).

VII. REPORTS OF STANDING COMMITTEES (CONTINUED)

A. Academic Council (Continued)

- **George Blumenthal, Chair**

5. Proposed Amendment to Senate Regulation 478 (Action)

In accordance with [Senate Bylaw 116. Authority of the Assembly](#) – Part II. E. “The Assembly is authorized to approve modifications to the University Academic Senate legislation...Except for Bylaws marked “[Protected – see Bylaw 116.E]”, modification of Bylaws requires the approval of two-thirds of all voting member of the Assembly present; modification of Regulations requires the approval of a majority of all voting members of the Assembly present...Modifications of legislation shall take effect immediately following approval unless a different date is specified or required.”

The proposed [Senate Regulation 478](#) was approved by the Academic Council at its April 27, 2005 meeting and sent to the Universitywide Committee on Rules and Jurisdiction (UCR&J) for their concurrence that the proposed Senate Regulation 478 is consonant with the Code of the Academic Senate.

BACKGROUND and JUSTIFICATION

At the beginning of this academic year, the Intersegmental Council of Academic Senates asked the UC, CSU and CCC Academic Senates to review and approve a proposal developed by faculty involved with the Intersegmental Major Preparation Articulation Curriculum (IMPAC) that would better prepare transfer students who are majoring in high unit disciplines, particularly those in the sciences. The goal of the Science General Education Transfer Curriculum (SciGETC) program is to make it easier for students intending to major in the physical and biological sciences, who transfer to UC from a community college, to simultaneously prepare for their major while satisfying all but two of the courses they need to satisfy the general education requirement. Specifically, the following proposed amendment to [Senate Regulation 478](#) would allow students in the physical and biological sciences to defer two of their Intersegmental General Education Transfer Curriculum (IGETC) courses, something that is currently allowed only in the case of hardship.

Currently, there are two ways in which students who transfer to UC after completing two years at a community college can satisfy their UC campus general education requirements. First, they can complete all of the courses required for general education at the campus to which they have transferred. Alternatively, during their first two years at a community college, they can take a sequence of courses called the Intersegmental General Education Transfer Curriculum (IGETC), which is spelled out in Senate Regulation 478. Students who complete the IGETC sequence before transfer do not have to complete the general education requirements at the UC campus to which they have transferred. Therefore, IGETC allows community colleges to satisfy the UC general education requirements in their two years at a community college, no matter to which UC campus they ultimately transfer.

At the present time, only in the case of a documented hardship are students permitted to defer two of the IGETC courses until after transfer. However, many community college students in the physical and biological sciences, with a heavier load of lower division courses, are unable to simultaneously prepare for their major while also satisfying the IGETC curriculum. Consequently, the proposed SciGETC program would allow students in those majors to defer two IGETC courses until after they transfer -- one course in Arts/Humanities and one course in the Social and Behavioral Sciences. In addition, since SciGETC would apply only to science students, they would not be required to take both a physical and biological science course. A year-long laboratory course in a single field would suffice. Note that most engineering programs at UC already have very different and less course intensive general education requirements; for that reason, SciGETC would not apply to engineering students.

The SciGETC program is an important positive step in facilitating the transfer of science students from the community colleges to UC. The central element of the SciGETC program allows students in the physical and biological sciences to defer two IGETC courses until after transfer so that they will have more time available at community college for lower division major preparation. Since there will be some cost associated with the implementation of this amendment, if it passes, Provost and Senior Vice President Greenwood has assured the Academic Council that the University would meet its responsibility to adequately fund the implementation of this proposal.

ACTION REQUESTED: The approval of the proposed amendment to Senate Regulation 478:

Present language appears in normal text. Proposed language is noted in bold underlined

B. University Policy for the Intersegmental General Education Transfer Curriculum (Am 3 May 90)

The University's policy for the Intersegmental General Education Transfer Curriculum is as follows:

1. To fulfill the lower division B/GE requirements prior to transferring to the University of California, a student has the option of fulfilling the Intersegmental General Education Transfer Curriculum or fulfilling the specific requirements of the school or college of the campus to which the student will transfer.
2. If the lower division B/GE requirements are not satisfied prior to transfer, the student will be subject to the regulations regarding B/GE lower division requirements of the school or college of the campus to which the student transfers, with the following exception. A student may fulfill the lower division B/GE requirements by fulfilling the Intersegmental General Education Transfer Curriculum (IGETC) after the transfer, provided all four of the following conditions are met. (Am 25 Feb 99)
 - a. A student may complete a maximum of two courses of the

IGETC after transfer.

- b. **EITHER (1)** The last-attended community college must certify the IGETC area(s) and the one or two courses yet to be completed, and that the lack of these courses was for good cause such as illness or class cancellation. **OR (2)** **For students intending to major in the physical and biological sciences, the last-attended community college must certify that the student has substantially completed the articulated lower division courses for the major and that the student has completed the Intersegmental General Education Transfer Curriculum except for (i) one course in Arts and Humanities and (ii) one course in Social and Behavioral Sciences; students in this category may satisfy the IGETC requirement in Physical and Biological sciences with a year-long sequence in a single laboratory science.**
- c. A student who has been approved to complete one or two IGETC courses after transfer may take a certified IGETC course in the area remaining to be completed at any California community college subject to the UC campus rules regarding concurrent enrollment or, at the option of the UC campus, may take approved substitute courses at that UC campus.
- d. The IGETC must be completed within one academic year (two semesters or three quarters plus any summer that might intervene) of the student's transfer to UC.

VII. REPORTS OF STANDING COMMITTEES (CONTINUED)

A. Academic Council (Continued)

- George Blumenthal, Chair

6. Academic Council Resolution on Restriction on Research Funding Sources (Action)

At its July 21, 2004 meeting, the Academic Council adopted a Resolution on Restrictions on Research Funding Sources. In October of 2004, the Academic Council, in response to concerns raised by some faculty members regarding the need for broader consultation on the issues the resolution addresses, sent [the Resolution](#) out for full Senate review and consideration of whether it should stand as written and adopted, or should be amended or rescinded. [Formal responses](#) from all nine Divisions and from six standing committees of the Assembly (CCGA, UCAF, UCAP, UCFW, UCORP, and UCPB) showed extremely strong support for the resolution in principle. Based on those formal comments and recommendations, the Academic Council unanimously adopted an amended version of the Resolution on Restrictions on Research Funding Sources, which is presented here for the Assembly's approval.

JUSTIFICATION:

On July 21, 2004, the University Committee on Research Policy (UCORP) presented to the Academic Council the [“Report on Problematic Restrictive Clauses in Contracts, Grants and Gifts for Research”](#) and its attendant Resolution on Restrictions on Research Funding Sources. The Academic Council adopted both the report and the Resolution, and they were subsequently sent to President Dynes with the request that they be distributed to the various campus administrations.

The report and the Resolution were the outcome of UCORP's almost two-year-long engagement with the issue of restrictions on research awards. The committee had, in October 2002, identified tobacco industry funding as a key issue, and throughout the year had discussed the UCSF vote on whether to accept tobacco funding, and the University's negotiations with the American Legacy Foundation (ALF) regarding a restrictive clause in its grants relating to tobacco industry funding. In July 2003, UCORP was given a formal charge from then-Academic Council Chair Binion to review UC's stance on tobacco funding bans within units of the University, along with a broader charge to review UC research funding policies and “strings” on research awards. In fulfillment of that charge, UCORP issued its July 2004 Report and the attendant Resolution on Restrictions on Research Funding Sources, the core argument of which was aimed at preserving the academic freedom of individual faculty members. Although the Resolution was prompted by faculty votes within individual units of the University to ban “tobacco money,” it was not particular to that one source or issue.

UCORP's view of the academic freedom questions raised by this issue accords with the American Association of University Professors' (AAUP's) academic freedom position. The [2002-03 AAUP Committee “A” Report](#) states in part:

“A very different situation obtains, however, when a university objects to a funding agency because of its corporate behavior. As a practical matter, the distinction between degrees of corporate misdeeds is too uncertain to sustain a clear, consistent, and principled policy for determining which research funds to accept and which to reject. An institution which seeks to distinguish between and among different kinds of offensive corporate behavior presumes that it is competent to distinguish impermissible corporate wrongdoing from wrongful behavior that is acceptable. A university which starts down this path will find it difficult to resist demands that research bans should be imposed on other funding agencies that are seen as reckless or supportive of repellent programs. If the initiative in calling for these bans on the funding of faculty research comes from the faculty itself, our concerns about the restraints on academic freedom are not thereby lessened.”

By adoption of both the previous version of the Resolution and the current version (amended 3/31/05) that is now before the Assembly, the Academic Council is expressing its belief that banning certain sources of funds by a majority vote of the faculty within a unit is a fundamental infringement of the academic freedom of the individual UC researcher who may wish to accept such funding and who is otherwise acting in compliance with UC policy. UC policy requires that scholarship be judged solely by professional standards, and the Resolution is aimed at showing that bans based upon judgments regarding the funding source or speculations about how the research might be used fundamentally interfere with a faculty member’s freedom to carry out a research program. The amended Resolution clarifies that the UC Board of Regents has sole authority to set research policy that would ban the acceptance of research funding from a particular source. It also makes clear the right of an agency of the UC Senate to request that the Regents adopt a policy to refuse funding from a particular source, and the necessary path for making such a request.

ACTION REQUESTED: Approval of the Resolution on Restrictions on Research Funding Sources.

**Resolution of the Academic Council
Restrictions on Research Funding Sources
Adopted by the Academic Council, March 31, 2005**

Preamble: This resolution states that no unit of the University, whether by faculty vote or administrative decision, has the authority to prevent a faculty member from accepting external research funding based solely on the source of the research funds. The authority to set such research policy rests with the UC Board of Regents. Nothing in this resolution would prevent individual faculty members from voluntarily eschewing a particular source of research funding. Agencies of the Academic Senate may, through their divisions, propose that the statewide Academic Senate request, through the President, that the Board of Regents adopt a policy to refuse funding from a particular source.

WHEREAS, Only the UC Board of Regents has the plenary authority to establish policies on the acceptance of research funding; and

WHEREAS, Agencies of the Academic Senate may, through their divisions, propose that the statewide Academic Senate request, through the President, that the Board of Regents adopt a policy to refuse funding from a particular source; and

WHEREAS, No Committee, Faculty, or Division of the Academic Senate of the University of California has the plenary authority either to set aside the principles of academic freedom or to establish policies on the acceptance of research funding; and

WHEREAS, Freedom of inquiry is a fundamental principle of the University of California; and

WHEREAS, The University of California faculty code of conduct requires that “[Professors] respect and defend the free inquiry of associates”; and

WHEREAS, The University of California policy on academic freedom requires that scholarship be judged solely by reference to professional standards, and that researchers “must form their point of view by applying professional standards of inquiry rather than by succumbing to external and illegitimate incentives such as monetary gain or political coercion”; and

WHEREAS, The University of California has existing policies that encourage the highest ethical standards in the conduct of research, require disclosure of conflicts of interest, guarantee the freedom of publication, and prevent misuse of the University's name; and

WHEREAS, Restrictions on accepting research funding from particular sources on the basis of moral or political judgments about the fund source or the propriety of the research, or because of speculations about how the research results might be used, interfere with an individual faculty member's freedom to define and carry out a research program; now, therefore, be it

Resolved by the University of California Academic Council, That the principles of academic freedom and the policies of the University of California require that individual faculty members be free to accept or refuse research support from any source consistent with their individual judgment and conscience and with University policy. Therefore, a unit of the University may not refuse to process, accept, or administer a research award based on the source of the funds; nor may such a unit encumber a faculty member's ability to solicit or accept awards based on the source of the funds, except as directed by the UC Board of Regents.

VII. REPORTS OF STANDING COMMITTEES (CONTINUED)

A. Academic Council (Continued)

- **George Blumenthal, Chair**

7. Report from the President's Council on the National Laboratories (Oral Report)

8. Report from the Academic Council Special Committee on National Labs (ACSCONL) (Oral Report)

- **Cliff Brunk, Chair**

9. Apportionment of Representatives to the 2005-06 Assembly (Information)

In accordance with [Senate Bylaw 105. A. 4.](#), the Academic Council at its April 27, 2005 meeting approved the apportionment of the 40 Divisional Representatives for 2005-06. On the basis of Divisional Academic Senate membership as of March 2005, [the Webster Method of Calculation](#) was used to determine the number of Divisional representatives. The apportionment of representatives for 05-06 is as follows:

DIVISION	NUMBER OF REPRESENTATIVES/DIVISION
Berkeley	6
Davis	6
Irvine	4
Los Angeles	9
Riverside	2
San Diego	4
San Francisco	4
Santa Barbara	3
Santa Cruz	2
TOTAL:	40

VII. REPORTS OF STANDING COMMITTEES (CONTINUED)

A. Academic Council (Continued)

- **George Blumenthal, Chair**

10. 2005-2006 Assembly Meetings (Information)

In accordance with Senate Bylaw 110.A.3.b., the following dates for the 05-06 Assembly meetings were set in consultation with the President of the Senate and the Academic Council.

Meeting Dates and Locations

Submission Receipt Date³

October 19, 2005 (most probably via teleconference)
November 9, 2005 (most probably via teleconference)
February 8, 2006 (possibly face-to-face Oakland/Berkeley)
April 12, 2005 (most probably via teleconference)
May 10, 2006 (face-to-face Oakland/Berkeley)
June 14, 2006 (most probably via teleconference)

September 8, 2005
October 7, 2005
January 6, 2006
March 6, 2006
April 7, 2006
May 8, 2006

³ Final date on which the Secretary/Parliamentarian can receive reports and other submissions for inclusion in the *Notice of Meeting*.

VII. REPORTS OF STANDING COMMITTEES (CONTINUED)

B. Coordinating Committee on Graduate Affairs (CCGA) (Action)

- **Quentin Williams, Chair**

Proposed Amendment to [Senate Regulation 600B](#). (Action)

In accordance with [Senate Bylaw 116. Authority of the Assembly](#) – Part II. E. “The Assembly is authorized to approve modifications to the University Academic Senate legislation...Except for Bylaws marked “[Protected – see Bylaw 116.E]”, modification of Bylaws requires the approval of two-thirds of all voting member of the Assembly present; modification of Regulations requires the approval of a majority of all voting members of the Assembly present...Modifications of legislation shall take effect immediately following approval unless a different date is specified or required.”

The proposed amendments to [Senate Regulation 600B](#) was approved by the Academic Council at its April 27, 2005 meeting and sent to the Universitywide Committee on Rules and Jurisdiction (UCR&J) for their concurrence that the proposed amendments are consonant with the Code of the Academic Senate.

BACKGROUND and JUSTIFICATION

Our current Senate Regulation 600.B prohibits faculty colleagues from bestowing graduate degrees upon each other at their own campuses. In December 2004, the Coordinating Council on Graduate Affairs (CCGA) proposed amending Senate Regulation 600.B after it had come to the committee’s attention that the regulation may prevent UC faculty from pursuing professional development that could be highly beneficial to their careers and to the University. CCGA’s proposal was reviewed by Senate Divisions and Standing Committees of the Academic Council. Based on that review, the Academic Council recommends that Senate Regulation 600.B be modified as set forth below.

The original intent of this regulation was to prohibit faculty colleagues from bestowing post-baccalaureate degrees upon fellow faculty members at their own campuses. This regulation prevents a form of ‘nepotism’, in which a faculty member might be awarded an advanced degree by his/her own colleagues – a situation in which could be rife with conflicts of interest.

The growth in new graduate degrees, such as the Masters of Advanced Studies (MAS), offers UC faculty the opportunity to advance their careers through engaging in additional training and education. There are already a number of MAS degrees on UC campuses (Davis, San Francisco, San Diego), with the promise of more to come. These types of degrees are of particular interest to faculty within the fields of medical and biology science who might be interested in adding to their expertise in clinical work. Aside from the MAS, another example of faculty interest would be a professor in any of a range of disciplines who wishes to earn an MBA or law degree at his/her own campus. Maintaining the status quo of this regulation means limiting faculty enrollment in MAS and other advanced degree programs to faculty from outside the relevant campus and/or

non-Senate faculty members. Moreover, it restricts the careers and intellectual growth of UC faculty, who would have to pursue additional degrees at another institution.

In order to retain the original intent of the regulation, the Academic Council recommends restricting the granting of advanced degrees to faculty who have no power or influence over the department issuing the degree. In other words, a UC Senate faculty member would not be able to receive a degree from the department or program in which he or she holds an appointment; but departments or programs could bestow degrees on candidates who hold Senate appointments outside the degree-granting department/program. The most efficient way to change this regulation is not to simply grant exceptions at each division, but to replace the first clause of the first sentence with:

“No voting member of the Senate shall be recommended for a post-baccalaureate degree by the department or program in which he or she has an appointment unless...”

The proposed language replaces the term “higher degree” with “post-baccalaureate degree.” in order to remove any ambiguity inherent in the word “higher.”

It is also important to avoid any potential conflicts of interest. Degree candidates who are also Senate members should not have power or influence over the degree granting department or program in terms of resources funding, degree granting, and academic personnel actions. However, potential conflicts of interest can be avoided if the degree candidate has the ability to recuse him or herself from any decisions/actions involving the degree granting department or program. Therefore, the following clause would be added to the regulation:

“In addition, degree candidates who are voting members of the Senate may not be members of committees or be in positions of administrative authority that have influence or control over the resources, funding, degree granting, and academic personnel actions of the degree granting department or program unless they are able to recuse themselves from any decisions/actions involving the said department or program.”

ACTION REQUESTED: Approval of the proposed amendments to Senate Regulation 600B.

Present Wording:

600.

- B. No voting member of the Senate shall be recommended for a higher degree by his or her Division unless, prior to the date of final action on the member's appointment to a rank carrying the voting privilege, the dean of the member's Graduate Division shall have certified to the appropriate authority that the member has met all the requirements for that degree. Such appointments may be retroactive.

Proposed Wording:

600.

- B. ~~No voting member of the Senate shall be recommended for a higher degree by his or her Division unless~~ **No voting member of the Senate shall be recommended for a post-baccalaureate degree by the department or program in which he or she has an appointment unless**, prior to the date of final action on the member's appointment to a rank carrying the voting privilege, the dean of the member's Graduate Division shall have certified to the appropriate authority that the member has met all the requirements for that degree. Such appointments may be retroactive. **In addition, degree candidates who are voting members of the Senate may not be members of committees or be in positions of administrative authority that have influence or control over the resources, funding, degree granting, and academic personnel actions of the degree granting department or program unless they are able to recuse themselves from any decisions/actions involving the said department or program.**

VII. REPORTS OF STANDING COMMITTEES (CONTINUED)

C. Board of Admissions and Relations with Schools (BOARS) (Oral Report)

- Michael Brown

D. University Committee on Faculty Welfare (UCFW) (Oral Report)

- John Oakley, Chair

E. University Committee on Committees (UCOC) (Information)

- Albert Stralka, Chair
Appointments of 2005-06 Systemwide Committee Chairs and Vice Chairs

The University Committee on Committees has made the following appointments of Chairs and Vice Chairs for 2005-2006:

Academic Freedom (UCAF)

Chair: Herma Hill Kay

Vice Chair: Jerold Theis (D)

Academic Personnel (UCAP)

Chair: Anthony Norman (R)

Vice Chair: Mary Croughan (SF)

Affirmative Action (UCAAD)

Chair: TBA

Vice Chair: Gibor Basri (B)

Board of Admissions and Relations with Schools (BOARS)

Chair: Michael Brown (SB)

Vice Chair: Mark Rashid (D)

Coordinating Committee on Graduate Affairs (CCGA)

Chair: Duncan Lindsey (LA)

Vice Chair: Reen Wu (D)

Editorial

Chair: Carol Lansing (SB)

Vice Chair: Diane Wolf (D)

International Education (UCIE)

Chair: Fred Burwick (LA)

Vice Chair: Anita Guerrini (SB)

Educational Policy (UCEP)

Chair: Denise Segura (SB)

Vice Chair: Keith Gilles (B)

Faculty Welfare (UCFW)

Chair: Raymond Russell (R)

Vice Chair: Susan French (LA)

Information Technology and Telecommunications Policy (ITTP)

Chair: Andrew Kahng (SD)

Vice Chair: David G. Messerschmitt (B)

Library (UCOL)

Chair: Ben Crow (SC)

Vice Chair: Elaine Tennant (B)

Planning and Budget (UCPB)

Chair: Stan Glantz (SF)

Vice Chair: Chris Newfield (SB)

Preparatory Education (UCOPE)

Chair: Roswell Spafford (SC)

Vice Chair: John Eggers (SD)

Privilege and Tenure (UCP&T)

Chair: TBA

Vice Chair: TBA

Research Policy (UCORP)

Chair: George Sensabaugh (B)

Vice Chair: Wendy Max (SF)

Rules and Jurisdiction (UCR&J)

Chair: Donald Potts (SC)

VIII. PETITIONS OF STUDENTS (None)

IX. UNFINISHED BUSINESS (None)

X. UNIVERSITY AND FACULTY WELFARE REPORT (None)

X. NEW BUSINESS