

UNIVERSITY OF CALIFORNIA **ACADEMIC SENATE**
REGULAR MEETING OF THE ASSEMBLY OF THE ACADEMIC SENATE
Approved
Minutes of November 10, 2004

I. Roll Call of Members

Pursuant to call, the Assembly of the Academic Senate met on Wednesday November 10, 2004 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 May 12, 2004 were approved as written.

Action: The minutes of the Special Meeting of June 30, 2004 were approved as written.

III. Announcements by the President

- **Robert C. Dynes, President**

President Dynes' discussion topics were distributed electronically prior to the meeting (distribution 1). Several Assembly members noted the value of receiving the President's written remarks in advance of the meeting, and thanked the President and his staff for preparing this important and helpful resource. The Assembly also expressed appreciation for having the opportunity to directly interact with the President.

Budget

The 2005-06 Budget for the University will be presented to The Regents for approval at their November meeting. This budget proposal is based on the Higher Education Compact Agreement with Governor Schwarzenegger and includes: funding to provide a 1.5% cost of living increase, merit salary increases, and parity adjustments for faculty and staff; funding for enrollment growth of 5,000 FTE students; and income generated from Compact-mandated student fee increases of 8% for undergraduates and 10% for graduate and professional students. The University has received assurances that the governor will honor the Compact Agreement.

Long-range Planning

The University is currently undertaking an effort to formulate long-range plans for the future needs of the state and the institution. The Regents recently held a retreat at which long-range planning was discussed and similar planning sessions have been held by a variety of UC's constituencies. The central priority that has emerged from these planning discussions is the need to preserve the quality of the University. Other common goals and priorities have included: reinvesting in research and graduate education; securing reliable sources of funding; fostering the

diversity of the student and faculty bodies; expanding the international role of UC; contributing to K-12 education, especially in science and math; maximizing the efficiency of operations; and building a reliable core of supporters that can advocate for the University. A complete list of these priorities is now being compiled and a planning group will be established to outline the next steps for the University.

Stem Cell Research

Proposition 71, a statewide ballot measure to fund up to \$3 billion in bonds for stem cell research, was passed by the voters during the November elections. UC plans on taking an active role in making certain this funding is used in an ethical manner and that high-quality science is sponsored by this initiative. UC representatives will be included as members of the Independent Citizens Oversight Commission responsible for governing the California Institute for Regenerative Medicines established by this measure.

UC-Managed National Laboratories

In October the Department of Energy (DOE) released a draft request for proposals (RFP) for the management of the Lawrence Berkeley National Laboratory (LBNL). The University is reviewing and providing comments on this draft and it is expected that the final RFP for LBNL will be released in December. A draft RFP for the Los Alamos National Laboratory (LANL) is expected later this month. UC continues to have discussions with potential corporate partners to team with the University in managing the business operations of the laboratories. Whether or not the University chooses to compete for the management of any of the national laboratories will depend primarily on the language of the final RFPs.

Questions, Answers and Comments

Q: What are the University's plans for addressing the serious market lags of UC's staff salaries?

A: The University's future funding plans include salary increases for both faculty and staff. This includes an across-the-board salary recovery for all staff and targeted parity adjustments for staff whose salaries are especially below the market rate.

Q: UC campuses have seen significant reductions in the rates of foreign graduate enrollments in recent years, some of which can be attributed to graduate school tuition increases. Do you see this as a problem that deserves priority status? Can UC provide more funds to graduate divisions on campuses for non-resident tuition fellowships and support for foreign graduate students?

A: This as an urgent problem and the issue of graduate student support has been raised repeatedly in our long-range planning discussions. One of UC's strengths has been our ability to attract and educate graduate students from throughout the world. One of the first steps the University is taking in response to this problem is its proposal for a 50% return-to-aid for graduate students.

Comment: The University should consider making an effort to educate the public and elected officials about the benefits to the institution, state and nation of having foreign students and scholars at the University. Perhaps UC could be proactive and develop a report that demonstrates the contributions foreign students and scholars have made to the state and nation.

Q: What measures are planned to reduce the student/faculty ratio?

A: As part of the 2005-06 Budget about \$10 million will be allocated to the campuses for academic programs. This funding will be used to improve the student/faculty ratio and instructional support.

Q: What actions are planned to improve the diversity of students and faculty?

A: The University continues to stress our Student Academic Preparation programs. In addition UC has made a commitment to work with the state's K-12 schools as part of the California Science and Mathematics Initiative. This initiative aims at increasing the number of highly qualified K-12 science and mathematics teachers and the number of students that receive degrees in science, engineering and mathematics. To help broaden the diversity of the faculty pool, the University currently offers a Presidential Fellowship. An extra FTE has been added for the hiring of these fellowships, and many of the Presidential Fellows have become UC faculty. Several years ago a survey on female faculty hiring was performed and since then the numbers of women hired for both junior and senior faculty positions has been rising. Similar surveys of other groups are planned in order to identify any problem areas.

Q: What range of increase in differential fees for professional schools do you think is tolerable? And what are the implications of a differential fee increase on access and UC being viewed as a unified system?

A: The University is trying an experimental program this year by allowing the professional schools, if they so choose to do so, to increase their fees 10 percent above the baseline. Any increased fee revenue is returned to school. None of the medical schools have opted to participate in the program, but a few of the business and law schools have opted to increase their fees by 10 percent. The Administration will carefully study what sort of impact these differential fee increases will have both on those schools and the other schools in the system. It is anticipated that some of the increase in fees will be used for student aid purposes, which may have an impact on access.

Q: We have heard recently of proposals for UC campuses to become direct lenders for student loans. Are these considerations proceeding, and if so, will the University try to balance the interests of the institution as well as the benefits for the students and parents?

A: This is currently a topic of debate within the University. Part of the motivation for the proposal is that if UC acts as a lender it could provide loans to our students at lower rates.

Q: How does the University's level of private funding compare to that of other institutions? This seems to be an area where the University could advocate for funding of foreign graduate students through private scholarships – does UC proactively inform donors of specific areas of need?

A: Potential donors usually have very specific ideas about what they want to fund through their donations. UC's receipt of private philanthropy has increased to \$1 billion per year; however, when this amount is calculated per faculty member, it is below the rates of private funding received by other comparable institutions. We've been working to identify areas where the University can be more aggressive in securing stable private funding sources.

Q: Bonds have primarily funded the University's capital growth, which is critical to the growth of campuses and enrollment. In light of the states unstable fiscal situation, can the University expect to continue to receive state funds for capital growth?

A: As part of the Compact Agreement, the governor committed to supporting ongoing capital funding for UC at the same level provided during the past two years.

Q: Does the University have a coordinated action plan for the new funding provided by the approval of Proposition 61 (Children's Hospital Bonds) and Proposition 63 (Mental Health Services Expansion and Funding)?

A: The Office of the President has assigned key administrators to coordinate the University's efforts to receive funding through these ballot measures.

Q: Are there concerns that Proposition 71 (Stem Cell Research) might negatively impact UC by inadvertently curtailing funding for other types of research initiatives in the state?

A: The University took a neutral position on Proposition 71 because there are some negatives associated with passing such a measure. Bond initiatives such as this create an even larger debt load for the state. General funds are used to pay off this debt load, and as a result, there is less flexibility in the Department of Finance's ability to fund other legitimate research initiatives.

Q: How are investments for UC made and what are the future plans for maintaining security for retirement?

A: UC has a treasurer, David Russ, who is responsible for managing the investments of the University. The Regents have an advisory group that oversees the strategies, philosophies, and details of where and how we invest. For more details on the University's investment, an Annual Investment Report is provided on the UC Treasurer's website.

Q: Is there a coordinated effort for monitoring and responding to the problems research investigators have been experiencing with regards to the topics they are proposing for research?

A: The National Academies have been closely monitoring and responding to this issue. The UC faculty are well represented on the governing councils of the National Academies.

IV. Chairs Announcements

- **George Blumenthal, Academic Senate Chair**

Chair Blumenthal introduced some of the issues currently facing the Academic Senate, including some items that will likely come before the Assembly this year:

Long-Range Planning

Various groups within the University have conducted discussions about the long-term future of the University. There are new realities that the University is facing (e.g., barriers to foreign graduate student enrollments, the state's fiscal crisis changing California demographics). In order for UC to maintain its place as the leading public research university in the world, we need to think about how to strategically position ourselves in view of these new realities. The senate committees and divisions are encouraged this year to deliberate about how the University should position itself for both the immediate and long-range future.

Crisis in Graduate Education

One of the issues raised during the institution's long-term planning discussions is the crisis in graduate education. Over the past decade UC's position with regard to graduate education has

declined relative to other universities. This is a difficult situation because of both external and internal circumstances.

Advocacy and Political Activity

Historically the Academic Senate has not been an active participant in legislative or political activities. Last year, under the direction of Chair Lawrence Pitts, the Academic Senate Office assigned a staff person to act as a Legislative Analyst and identify and track legislation of interest to the Senate. As a result of this new activity, the Senate has had a more active role in the formulation of policy and UC's response to proposed legislation, as well as greater interaction with UC's legislative staff and the state legislature.

Last year the University started an active advocacy campaign in an effort to promote the crucial nature of UC's role in the state's future. This advocacy campaign has involved alumni, students, business leaders, parents and others throughout the state. These efforts will continue as a long-term campaign and faculty will be an important part of that advocacy effort. The divisions are encouraged to make contact and develop relationships with their local legislators.

Research Funding Issues

During the past two years UCORP has been examining the issue of identifying appropriate and inappropriate restrictions on research funds. At the end of last year UCORP submitted a "Report on Problematic Restrictive Clauses in Contracts, Grants and Gifts for Research" and an accompanying "Resolution on Restriction on Research Funding Sources." This report and resolution were both endorsed by the Academic Council at its July 2004 meeting. Since that time, questions have been raised as to whether the resolution should have been more broadly considered by the Senate. At the October Academic Council meeting, it was decided that the resolution would be sent out to the systemwide committees and divisions for general review.

CALISIs

Over the past two years, the Academic Council has repeatedly asked the Office of the President to establish an agreement on the nature and extent of senate involvement in the review process of the California Institutes for Science and Innovation (CALISIs). No formal response from the administration has been received thus far; however, recently the Senate leadership was asked to work with the Provost's office to outline a possible approach to the review of the Institutes. This outline will be discussed at the November Academic Council meeting.

Intersegmental Issues

A couple of intersegmental proposals are currently before the committees and divisions for review and will ultimately come to the Assembly for final consideration:

- *SCIGETC*. This proposal, modeled after the Intersegmental General Education Transfer Curriculum (IGETC) program, would allow students in science disciplines to postpone up to two of the general education course requirements until after transfer. The intention of this program is to allow transfer students to receive certification for general education courses without impeding their ability to also take the lower division courses required for their high unit major.
- *Proposal to Streamline the Course Major Preparation Articulation*. Currently courses for majors preparation are approved on a course-by-course basis between a UC campus

and an individual community college. The intention of this proposal is to streamline and simplify this process by creating a mechanism for establishing systemwide articulated courses for lower division major requirements.

UC Merced

It is anticipated that a proposal will come before the Assembly this year for the Merced campus to be established as a senate division. The Academic Council is making efforts to ensure that the Academic Senate Office in Merced is adequately staffed for the operations of the division.

V. Special Orders

A. Consent Calendar

Action: The Assembly approved the Consent Calendar items (as listed under Special Orders, Item V of the published agenda):

- UCLA Division's Request for a Variance to Senate Regulation 764

B. Annual Reports (2003-04)

Action: The Assembly received the 2003-04 annual reports of the standing committees of the Academic Senate.

VI. Reports of Special Committees (none)

VII. Reports of Standing Committees

B. Academic Council

- 1. The Assembly adoption of Sturgis Standard Code of Parliamentary Procedures as its rules of order to govern questions of order not covered by Senate legislation.**

- **George Blumenthal, Academic Council Chair**

Academic Senate Bylaw 120.D.6, which was approved by the Assembly at its May 2004 meeting, indicates "The Assembly shall, by majority vote, adopt a set of rules of order to govern questions of order not covered by legislation..." The Academic Council has proposed the adoption of the Sturgis Standard Code of Parliamentary Procedure for all rules of order not covered by Senate legislation, with the exception of Sturgis's rules governing "Division of a Question." The Academic Council has recommended the adoption of Roberts Rules of Order for the "Division of a Question." Roberts Rules are preferred in this instance because they require a majority vote of approval for a motion to be divided into separate parts, as opposed to Sturgis which requires no vote. Sturgis is preferred overall because it is standardized and more easily understood.

Action: The adoption of the proposed rules of order was approved unanimously.

2. Academic Council Special Committee on National Labs (ACSCONL)

- **George Blumenthal, Academic Council Chair**
- **Cliff Brunk, ACSCONL Chair**

Competition Timeline

The University of California manages three laboratories for the Department of Energy (DOE) - the Lawrence Berkeley National Laboratory (LBNL), the Lawrence Livermore National Laboratory (LLNL), and the Los Alamos National Laboratory (LANL). The expected timeline for DOE to release its requests for proposal (RFPs) and the contract expiration dates for each of these labs is:

- *LBNL*. UC's management contract for LBNL expires on January 31, 2005. DOE released a draft RFP for management of LBNL on October 15, 2004. The University is currently reviewing the document and has 30 days to provide comment. It is expected that a final RFP will be released in December.
- *LANL*. UC's management contract for LANL expires on September 30, 2005. The University expects that a draft RFP for LANL will be released in the coming weeks.
- *LLNL*. UC's management contract for LLNL is set to expire on September 30, 2005; however, DOE has indicated it will likely extend the contract to allow for the competition of LANL and LLNL to occur at different time.

Statement of Principles

The Academic Council approved ACSCONL's "Statement on Competing for the NNSA Laboratories" at its October meeting. This statement contains a set of key principles that should factor into UC's evaluation of the management terms required under the RFPs and the final decision whether or not to compete for the labs.

Survey Results

Last year ACSCONL conducted an electronic survey of senate faculty on whether or not UC should compete for the contracts to continue to manage LANL and LLNL. A total of 26 percent of the faculty responded to the survey and voted by more than a 3-1 majority in favor of competing for both laboratories. Since that time there have been two similar polls conducted by other UC groups. A survey of the lecturers and librarians resulted in a 7 percent response rate and an overall vote against competing for the labs. A survey of undergraduate students was conducted through the annual University of California Undergraduate Experience Survey (UCUES). Approximately 11 percent of the undergraduate students responded to these survey questions and voted 3-1 in favor of UC competing for the laboratories. The main reason cited by the students for favoring UC management was the belief that the University, as a public and responsible institution, would be able to operate the labs in a way that was ethical and to the benefit of the national interest.

Idaho National Lab Contract

DOE announced yesterday that Battelle has been selected to manage the newly formed Idaho National Laboratory (INL), which was created from the merger of the Idaho National Engineering and Environmental Laboratory and Argonne National Laboratory West. The University of Chicago, which has historically managed Argonne's East and West Laboratories, was unsuccessful in its joint bid with Bechtel for the management of this laboratory.

Questions, Answers and Comments

Q: Does UCOP have any insights into why the University of Chicago was unsuccessful in its recent lab management bid and are there any parallels with UC's situation?

A: The reasons for DOE's decision to choose Batelle over the other prospective bids for the Idaho National Lab have not been revealed. It is unclear if this decision has any implications for UC's situation.

Q: Have any industrial partners for a UC lab management bid been identified? And what criteria will be used for selecting a partner?

A: The University is currently in discussions with several potential industrial partners that might team with the University to compete more effectively for the LANL and LLNL contracts. If any partnership occurs, UC intends to retain control of the oversight of the science and technology aspects of the labs.

Q: How will the Academic Senate be involved in the decision to bid for the lab contracts?

A: The senate's involvement in these discussions occurs primarily through ACSCONL, which meets regularly with the lab management and other UC leadership. The "Statement of Principles" recently endorsed by the Academic Council also presents recommendations for future faculty involvement with the laboratory management.

C. University Committee on Educational Policy (UCEP)

- **Joseph Kiskis, UCEP Chair**

1. Proposed Amendment to Senate Bylaws 170 and 180 and Senate Regulation 544

The Assembly was informed of a typographical correction to the proposal: on page 73, the proposed addition to Regulation 544 should read:

D. UC courses approved by either UCEP or CCGA as system-wide courses shall be listed in Divisional catalogues.

UCEP Chair Joseph Kiskis provided an overview of the proposed amendments to Senate Bylaws 170 and 180 and Senate Regulation 544. The proposed modifications would grant UCEP and CCGA the authority to approve existing UC courses as systemwide courses. The intention of this proposal is to allow a more seamless transfer of credit for courses taken through UC's online programs (e.g., "Arabic without Walls") and off-campus programs (e.g., UCDC).

DISCUSSION: Some Assembly members expressed concern that the proposal does not present any criteria for evaluating whether a course is appropriate for approval as a "systemwide course." It was recommended that this implementation mechanism be formalized before proceeding with the approval of this proposal. UCEP Chair Kiskis and others indicated that CCGA and UCEP would only be reactive to proposals from instructors and programs, such as UCDC, that wish to have their courses listed as "systemwide courses." The originating campus's

course approval committee would have already approved any courses considered for designation as “systemwide courses.”

Other members questioned how this proposal, if implemented, would streamline the transfer of credit process. Senate Regulation 544 already permits students in good standing to enroll in and receive credit for courses taken at another UC campus. In response, it was indicated that many students have to file an excessive amount of paperwork with the Registrar in order to register in and receive credit for courses taken at another UC campus or an off-campus UC program. Under this proposal, courses approved as “systemwide courses” would appear in the catalogs of each campus. This would allow the students to enroll in a systemwide course through their campus’s regular course registration mechanism.

Action: The proposal to amend Senate Bylaws 170 and 180 and Senate Regulation 544 was approved with a majority vote (39 in favor, 3 opposed, 0 abstentions).

2. Proposed Amendment to Senate Regulation 630

Senate Regulation 630.B grants an exception to the Senior Residency Requirement for engineering students. The historical reasons for the development of this exception to the residency requirement are unclear, however today the exception is never used. UCEP recommends that Senate Regulation 630.B be rescinded and that the remaining sections of the regulation be renumbered to reflect this change.

Action: The Assembly unanimously approved the proposed amendment to Senate Regulation 630.

C. University Committee on Faculty Welfare (UCFW)

- **John Oakley, UCFW Chair**

UCFW Chair Oakley referred Assembly members to the committee’s 2003-04 annual report for information on the activities UCFW engaged in during the last academic year (pp. 48-50 of the Notice). This year, UCFW is exploring ways in which the University can maintain an attractive environment for the faculty during this time of budgetary crisis. It has been the committee’s counsel that the University’s top budgetary priority ought to be to address the market lags of faculty and staff salaries at UC. UCFW also has two active task forces:

- The committee maintains an active role in the oversight of the University’s investments through the UCFW Investment and Retirement Task Force.
- UCFW’s Health Care Task Force monitors health care costs, resolution of problems with insurance providers, and the University’s response to the inflationary factors that affect our health insurance premium rates.

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

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

BOARS Chair Brown updated the Assembly on the plans for the committee this year. Although BOARS has a great deal of continuing business from last year, the committee’s most important

challenge is to formulate a strategic vision of admissions in the contemporary context and to rethink UC's admissions policy from the vantage point of that vision. Though the University has had a historic commitment to do so, it has never achieved a student body that approximates the demographic distribution of public high school graduates in the state. Currently approximately 40 percent of California's high schools account for 80 percent of UC admissions – the top 50 private schools in the state have almost two-thirds of their graduates admitted, the top 50 public schools have a little over 40 percent of their graduates admitted, and the bottom 50 public schools have only 3 percent of their graduates admitted to the University. BOARS is trying to answer the question of what the University can do to better admit and enroll excellent students that represent the broad diversity and backgrounds characteristic of the state of California. Other items that BOARS has recently worked on include:

- In response to concerns that some campuses may have implemented admissions practices that offered preferences to local residents, BOARS reconsidered Admissions Selection Criterion #14 and issued a clarification of the intent of the policy: "BOARS' Position Statement on Admissions Selection Criterion #14 and Geographic Preferences."
- Last year the Eligibility and Admissions Study Group suggested that BOARS examine the current guidelines for UC's Admissions by Exception (AbyE) policy. The committee is in the process of drafting AbyE guidelines and will be seeking feedback about the draft and possible implementation plans from the campuses.

VIII. University and Faculty Welfare Report (none)

IX. Petitions of Students (none)

X. Unfinished Business (none)

XI. New Business (none)

Meeting adjourned, 1:00 p.m.
Attest: George Blumenthal
Academic Senate Chair

Minutes prepared by
Kimberly Peterson
Senate Analyst

Distributions:

1. President Robert C. Dynes Discussion Topics for the Meeting of the Assembly of the Academic Senate, Wednesday, November 10, 2004

Appendix A

2004-2005 Assembly Attendance Record, Meeting of November 10, 2004

<p>President of the University: Robert C. Dynes</p> <p>Academic Council Members: George Blumenthal, Chair Cliff Brunk, Vice Chair Robert Knapp, Chair, UCB Ted DeJong, Vice Chair, UCD (alt. for Dan Simmons, Chair, UCD) Joseph DiMento, Chair, UCI Kathy Komar, Chair, UCLA Manuela Martins-Green, Chair, UCR Jean-Bernard Minster, Vice Chair, UCSD (alt. for 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 George Sensabaugh, Vice Chair, UCORP (alt. for Max Neiman, Chair, UCORP) Michael Parrish, Chair, UCPB</p> <p>Berkeley (6) Ronald Amundson (absent) Lowell Dittmer (absent) Dorit Hochbaum (absent) Kyriakos Komvopoulos Herb Strauss Barrie Thorne</p> <p>Davis (6) Ines Hernandez-Avila William Casey Tu Jarvis Kyaw Tha Paw U Philip Yager</p> <p>Irvine (4) Hoda Anton-Culver (absent) Ross Conner (absent) James Earthman Calvin McLaughlin</p>	<p>Los Angeles (9) Philip Bonacich Yoram Cohen (absent) Harold Fetterman (absent) Margaret Jacob Vickie Mays (absent) Jose Moya (absent) Owen Smith Jane Valentine Jaime Villablanca (absent)</p> <p>Riverside (2) John Ganim (alt. for Emory Elliot) Mary Gauvain</p> <p>San Diego (4) Leroy Dorman (alt. for 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 Kum Kum Bhavnani (absent) Nelson Lichtenstein (absent)</p> <p>Santa Cruz (2) Faye Crosby Michael Issacson</p> <p>Secretary/Parliamentarian Peter Berck</p>
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