

REGULAR MEETING OF THE ASSEMBLY OF THE ACADEMIC SENATE

MINUTES OF MEETING

NOVEMBER 9, 2005 VIA TELECONFERENCE

10:00 A.M. – 1:00 P.M.

**I. ROLL CALL OF MEMBERS**

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

**II. MINUTES (none)**

**III. ANNOUNCEMENTS BY THE PRESIDENT**

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

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

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

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

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

**IV. ANNOUNCEMENTS BY THE CHAIR**

- Cliff Brunk, Chair

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

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

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

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

### **Questions, Answers and Comments:**

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

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

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

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

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

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

### **V. SPECIAL ORDERS (none)**

### **VI. REPORTS OF SPECIAL COMMITTEES (none)**

### **VII. REPORTS OF STANDING COMMITTEES**

#### **A. Academic Council**

- Cliff Brunk, Chair
- John Oakley, Vice Chair

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

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

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

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

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

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

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

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

- Resolution 4: "Any planned compensation structures for senior management *should* be subject to full review by the Academic Senate and be instituted in a measured

fashion, with transparency and accountability, and include appropriate consideration of performance (analogous to the Committee on Academic Personnel for faculty).”

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

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

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

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

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

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

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

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

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

**ISSUE:** George Blumenthal, UCSC Assembly representative and one of the authors of the *Academic Assembly Resolution On University Salaries*, explained that this resolution was

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

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

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

- Cliff Brunk, Academic Council Chair

At its October 26, 2005 meeting, the Academic Council approved the establishment of the Academic Council Science Mathematics Initiative Group (SMIG). SMIG's membership will consist of one representative from each campus and an at-large chair, with Alice Agogino, Berkeley divisional Senate chair, serving as interim SMIG chair. Chair Brunk announced that he is presently receiving member nominations from the campuses, and that he and Alice Agogino will confirm the final SMIG membership list as soon as possible. Due to Provost Greenwood's recent resignation and the ramifications of her intimate involvement with the Science Mathematics Initiative (SMI), the Senate is still working on transition issues with the Provost's office and Acting Provost Hume. Chair Brunk wished to assure the Assembly that SMI continues to remain a high priority of the administration and the Senate, and both parties are doing everything within their means to keep SMI on track and running efficiently. Chair Brunk also assured the Assembly that Acting Provost Hume is fully aware of SMIG and its consultative role with the final development and implementation of SMI. Finally, Chair Brunk expects SMIG to meet as soon as possible following the November 18, 2005 deadline for the campuses to submit their SMIG member nominations.

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

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

- John Oakley, ACSCONL Chair

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

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

- Raymond Russell, Chair

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

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

UC Compensation: Substantial changes to employees' compensation packages are on the horizon, including the resumption of employee contributions to the UC Retirement Program (UCRP), expected as of July 2007, and UC's consideration of retiree health benefits due to a change in the Governmental Accounting Standards Board (GASB) accounting rules.

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

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

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

- Michael Brown, Chair

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

Admissions – Honors-Level Grade Bump: Chair Brown provided a brief timeline of the admissions studies conducted by BOARS over the past few years regarding the bonus point applied to student GPAs for certified honors-level courses used to determine UC eligibility.

BOARS and related task forces of the Academic Council have analyzed extensive predictive validity studies, access and equity studies, and signaling and behavioral effects of the grade bump policy. On the basis of this information, recently at its November 4, 2005 meeting, BOARS approved a letter to be sent to campus admissions policy committees with the following recommendation: students' participation in honors-level courses, as one of many possible indicators of academic rigor, have value that are supportable in selection, but not in eligibility. Supporting data analyses related to this topic will also be included in BOARS' letter.

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

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

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

**X. UNFINISHED BUSINESS (none)**

**XI. NEW BUSINESS**

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

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

Meeting adjourned at 12:25 p.m.

Attest: Cliff Brunk, Chair, Academic Senate

Prepared by: Michelle Ruskofsky, Policy Analyst, Academic Senate

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

**President of the University:**

Robert C. Dynes

James Earthman  
Jodi Quas  
Leslie Thompson

**Academic Council Members:**

Cliff Brunk, Chair  
John Oakley, Vice Chair  
Alice Agogino, Chair, UCB  
Dan Simmons, Chair, UCD  
Kenneth Janda, Chair, UCI  
Adrienne Lavine, Chair, UCLA  
Anne Myers Kelley, Chair UCM (present for portion)  
David Ojcius, Vice Chair UCM (alt for UCM Chair  
present for portion)  
Manuela Martins-Green, Chair, UCR  
Jean-Bernard Minster, Chair, UCSD  
Deborah Greenspan, Chair, UCSF  
Walter Yuen, Chair, UCSB  
Faye Crosby, Chair, UCSC  
Michael Brown, Chair, BOARS  
Duncan Lindsey, Chair, CCGA  
Anthony Norman, Chair, UCAP (absent)  
Denise Segura, Chair, UCEP  
Raymond Russell, Chair, UCFW  
George Sensabaugh, Chair, UCORP  
Stan Glantz, Chair, UCPB

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

Philip Bonacich  
Dalila Corry (absent)  
Robert G. Frank, Jr.  
Margaret Haberland  
Margaret Jacob  
Kathleen Komar  
Vickie Mays  
Jane Valentine  
Jaime Villablanca

**Merced (1)**

Arnold D. Kim

**Riverside (2)**

Joseph W. Childers (absent)  
Emory Elliot  
R.A. Luben (alt.)

**San Diego (4)**

Igor Grant  
David Luft  
Thomas O'Neil  
Barbara Sawrey

**San Francisco (3)**

Dan Bikle  
Barbara Gerbert  
Lawrence Pitts

**Santa Barbara (3)**

Richard Church  
Mary Hegarty  
Ann M. Plane

**Santa Cruz (2)**

George Blumenthal  
Quentin Williams

**Berkeley (6)**

Paula S. Fass (absent)  
Janet Adelman (alt.)  
Judith E. Innes (absent)  
Kyriakos Komvopoulos  
Bernard Sadoulet  
Herb Strauss  
L. Ling-Chi Wang (absent)

**Davis (6)**

Andrea J. Fascetti  
Robert Irwin  
Lovell Tu Jarvis  
Brian Morrissey  
Terence Murphy  
Judith Stern

**Irvine (4)**

Hoda Anton-Culver

**Secretary/Parliamentarian**

Jean Olson