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

Wednesday, October 14, 2009
10:30 am - 4:30 pm
California State University, East Bay
Oakland Professional Development & Conference Center
1000 Broadway, Suite 109, Classrooms 2 & 3 (OPDCC2)
Oakland, CA 94607
Tel. #: (510) 208-7001/987-9143

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I. Roll Call of Members

2008-09 Assembly Roll Call October 14, 2009

President of the University:

Mark Yudof

David Kay

Academic Council Members:

Henry Powell, Chair
Daniel Simmons, Vice Chair
Christopher Kutz, Chair, UCB
Robert Powell, Chair, UCD
Judith Stepan-Norris, Chair, UCI
Robin Garrell, Chair, UCLA
Martha Conklin, Chair UCM
Anthony Norman, Chair, UCR
William Hodgkiss, Chair, UCSD
Elena Fuentes-Afflick, Chair, UCSF
Joel Michaelsen, Chair, UCSB
Lori Kletzer, Chair, UCSC
Sylvia Hurtado, Chair, BOARS
Farid Chehab, Chair, CCGA
Ines Boechat, Chair, UCAAD
Alison Butler, Chair, UCAP
Keith Williams, Chair, UCEP
Shane White, Chair, UCFW
Gregory Miller, Chair, UCORP
Peter Klapp, Chair, UCPB

Los Angeles (9 - 1 TBA)

Paula Diaconescu
Malcolm Gordon
Jody Kreiman
Timothy Lane
Duncan Lindsey
Susanne Lohmann
Purnima Mankekar
Joseph Nagy
Natik Piri

Merced (1)

Nella Van Dyke

Riverside (2)

Manuela Martins-Green
Albert Wang

San Diego (5)

Salah Baouendi
Timothy Bigby
Sandra Brown
Steven Plaxe (alternate for Stephen Cox)
Jason X-J Yuan

San Francisco (3)

Dan Bikle
Deborah Greenspan
Sandra Weiss

Santa Barbara (3 – 1 TBA)

Chuck Bazerman
Richard Church

Santa Cruz (2)

Mark Carr
Marc Mangel

Secretary/Parliamentarian

Peter Berck

Berkeley (6)

Daniel Boyarin
Suzanne Fleiszig
James Hunt
Anthony Long
Mary Ann Mason
Pablo Spiller

Davis (6 – 3 TBA)

Brian Morrissey
Krishnan Nambiar
John Oakley

Irvine (3)

Hoda Anton-Culver
Luis Aviles
Kenneth Chew

MEETING OF THE ASSEMBLY OF THE ACADEMIC SENATE

June 17, 2009
MINUTES OF MEETING

I. ROLL CALL OF MEMBERS

Pursuant to call, the Assembly of the Academic Senate met on Wednesday, June 17, 2009. Academic Senate Chair Mary Croughan presided and called the meeting to order at 10:00 am. Senate Executive Director Martha Winnacker called the roll of Assembly members. Attendance is listed in Appendix A of these minutes.

II. MINUTES

ACTION: The Assembly approved the minutes of the April 22, 2009 meeting as noticed.

III. ANNOUNCEMENTS BY THE CHAIR

- Mary Croughan

- Chair Croughan thanked the Assembly members for participating in the Senate's initiative to conserve resources by distributing the agenda electronically.
- Chair Croughan also noted that a corrected version of the resolution approved by Academic Council to amend Senate Regulations in order to award honorary degrees to students affected by Executive Order 9066 was distributed. She stated that the President's written report, as well as his proposed plan for furlough implementation, also were distributed.
- Chair Croughan requested permission to amend the agenda by addressing item VII.A.1 (on honorary degrees) prior to the consultation period with the President.

IV. ANNOUNCEMENTS BY THE PRESIDENT

- President Yudof noted that he released the furlough/salary reduction implementation plans in time for the Academic Assembly to discuss them at this meeting. He noted that he has made changes to SOR 100.4 based on Senate feedback. The SOR is on the Regents' agenda to be approved simultaneously with the furlough/salary reduction plan at their July meeting. The timing was necessary because the Regents do not meet again until September, which would be too late to implement a viable furlough/salary reduction plan. He noted that it is likely that the SOR will need to be extended or revised; this is not a one-year problem.
- President Yudof stated that the targeted savings under all three furloughs/salary reduction scenarios is \$200 million. Furloughs/salary reductions would be applied to all employees, regardless of funding source (e.g., state funding vs. private grant or contract funding). The plans propose a lower level of reduction for those earning less than \$46K. The staff assembly, the Academic Senate, and other employee groups will have an opportunity to review the plans and propose alternatives.
- President Yudof noted that in addition to the \$200 million saved via a furlough program, the fee increase previously approved by the Regents will provide \$200 million. However, this still leaves an additional \$400 million that must be cut in the next twelve months. He is examining restructuring the University's debt, as well as making additional cuts to the budget at the Office of the President; these measures may save up to \$100 million. The campuses will have to absorb the remaining deficit on a proportional basis.

- The President noted that this year, the federal stimulus package offset the state budget cuts. Without these funds, the real budget reduction would have been over \$1 billion. He stated that he is very concerned about the 2010-11 budget, which will not benefit from federal stimulus monies. It is highly probable that a mid-year fee increase will be considered. The Office of the President hopes to achieve future savings through carefully examining enrollment, since personnel costs comprise approximately 80% of the University's budget, and IT costs by sharing systems. He noted that due to the budget cuts, "over-enrollment" is far more than 11,000 students.
- President Yudof emphasized to the EVCs that campus budget cuts should be targeted, and not across-the-board. He noted that EVP Lapp has been in daily contact with the EVCs regarding the budget and campus plans.
- President Yudof stated that in the current version of the proposed state budget, Cal Grants will be continued and there funds will be available for Educational Partnerships/outreach efforts.

Questions and Comments

Q: I want to note that furloughs for faculty are meaningless. Also, it would be better to have a more progressive plan, protecting those with very low incomes.

A: It's a salary cut, whatever we call it. We will look at progressivity, but we need a plan that can be administered without too many complications. The problem is that there are far more middle income earners than high earners, so you need to tax the great middle. My best estimate is that we will be in serious budgetary trouble for at least two years, but we will revisit the furlough program after one year when it expires.

Q: At UCSF, most of our staff members are paid from non-state funds. How will contract and grants funds that are restricted to specific projects make up for the lack of state funds? How can you ensure that the federal government or industry will accept this?

A: These furloughs do not contribute to savings. But I'm concerned about the morale issue. How can you justify having two people with the same title who are funded through different sources, and one is furloughed and the other isn't? We can not privilege certain people over others; we must share the pain. UCOP will write to the funding sources. The savings can be used to extend the grant or hire more people. If a funding agency refuses to do this, we will not ask you to violate the grant. But faculty should approach this in good faith.

Q: I appreciate your transparency. How much flexibility will exist at the campus level and how will it be policed? Also, what will happen if we are in budget crisis for 3 to 4 years? How will we deal with mass desertion of the most talented faculty?

A: We intend not to create exceptions. If the economic crisis continues, the University will have difficulty with retention. But remember that freezes and reductions are happening at universities across the country. We plan to convene a task force on the Future of UC to address the issues in the long-term.

Comment: Regarding competitiveness, we can expect the stock market to recover before the state of California does. So a year from now, the University could see real threats to its competitive position because endowments will recover before the state budget does.

A: I agree, you may well be right; it's a plausible scenario.

Comment: Given that California may recover more slowly than the rest of the country, I suggest using the University's AAA bond rating to borrow money to get through this, temper the salary cuts, and contribute to the retirement system.

A: We will consider borrowing, but be mindful that borrowing is what got the state into trouble. I'm not sure that we can legally borrow for contributions to the retirement fund. Borrowed funds need to be paid back through the operational budget. You can only issue bonds for certain things. We had to absorb \$178 million in cuts in the month of June, and had to borrow to bridge that. And if interest rates go up over time, you lock yourself into higher interest rates.

Q: I appreciate your comment about long-range planning. The legislation to remove the autonomy of the UC Regents is dangerous. Can you give faculty some guidance on how to oppose this?

A: I think we will win that one. We have mounted a massive advocacy effort. In one week, 5,000 letters went to the legislature on this issue. I strongly encourage faculty members to write letters or make phone calls in your capacities as individual citizens. However, be aware that it is illegal to use University resources like letterhead or a computer to engage in advocacy.

Q: Thank you for being forthright. We do ourselves a disservice unless we make clear the impact of the budget reduction. I'm in favor of seeing furloughs in a way that shows the public what that means. Close campuses, reduce the academic calendar. Consider selling property. We need to demonstrate to the people of California the results of a long-term reduction in state support.

A: Selling property provides one-time funding, which does not address operating expenses. I do want to show the pain, but at the same time, I have a loyalty to do the best for our students.

Q: There are a lot of unrestricted funds that you could reallocate to pressing budget needs.

A: The problem is that you are not taking account of the sources in the appropriate way. We need to save money in the general appropriations. If we save money in a contract or grant, it goes back into the grant.

Q: Why don't we just charge students more? There are 220,000 students at UC; charge each of them an additional \$1,000 next year.

A: My concern is that we raised fees 10% last year and 10% this year. The Board of Regents is reluctant to increase fees, so we have to prove to them that we have cut as much as possible on the operational side. I am willing to consider a fee increase in January. We may be on the road to a high fee/high financial aid environment. That may be the best we can do.

Q: The recent total remuneration study says that staff pay is at market, but faculty pay is under-market? Could this be considered in long-range planning?

A: I do not want to draw a sharp line between staff and faculty. Our Chancellors' salaries are 1/3 below market; staff salaries vary by category.

Comment: Few people will be willing to take a cut in their retirement income. The more you can do to ensure retirement, the more loyal people will be. It is imperative to start contributions to the retirement fund. We can tap into contract and grants to invest in the contributions; we can borrow to cover the state portion.

A: It is legitimate to use the savings on research funds to pour into the retirement fund.

Q: UCSD is only 12% state funded. Is it fair that the cuts are uniformly applied. What is fair? Is it that misery loves company? UCSD's morale will be negatively impacted by this policy.

A: I will consider your point.

Q: I appreciate your frankness and leadership. I am principally concerned with public relations. I have been amazed that the administration seems incapable of explaining that the state provides us only a small percentage of our income and that the vast majority of our highly paid professors or doctors generate their own salaries. Finally, executive salaries are outrageous, and this is what the public zeroes in on. The public does not understand why we can not find executives who will accept lower salaries.

A: We do spend a lot of time explaining this. There is a grand narrative in the media about this. Could we explain it better? Surely. The market plays a real role. I eliminated someone from the search for Chancellor of UCSF because they would not move for less than a million dollars. We have suppressed chancellors' salaries more than any other group. I believe that the compensation scandals were a way to respond to these salary pressures.

Q: Will any of the pay cut funds be routed toward employer contributions to UCRP?

A: There is no plan to route pay reductions to UCRP because we would not realize the savings necessary to balance our budget. I plan to restart contributions in April with 2% employee contributions. I feel that it is symbolically important to restart. I do not want to go back to the Board of Regents with a different plan; it was too difficult to get it through. We continue to fight for employer contributions. I expect that the state will not contribute. We asked for \$96 million. We can not take it out of operating funds, so there will be no employer contributions. This is my highest budget priority, after Cal Grants.

Comment: On the equity issue, cuts for non-state funded employees do not benefit the University, and may be detrimental to the retirement system because there will be a lower salary base. When clinical income declined a decade ago as a result of managed care, some categories of employees had to take salary cuts. The other faculty did not share in that pain. When you lose grants, you lose income. There has been no effort to equalize the pain as a result of reductions in grant funding. Now this category has to share the pain of those people who have had guaranteed increases in their salaries. We have to think about the history of equity.

A: We will consider your points.

Q: Would you consider taxing athletic salaries?

A: The coaches salaries are being cut around the country. We are considering taxes on auxiliary enterprises to raise general funds. Auxiliary services succeed because of their association with the UC name.

Q: How will the cuts be assigned to the campuses? Can you offer guidance to the chancellors to take cuts in higher-level administration, particularly those that have increased greatly relative to instructional expenses?

A: I will address this subject with the chancellors and ask them to consider combining administrative units, reducing vice chancellors, etc. Chancellors are expected to engage in widespread consultation. I think consultation with the divisional Senates will be important. I will see all of the campus budget plans and will discuss them with the Chancellors.

Comment: When I mention to people that my office phone has been cut, it gets their attention. What other stories can make an impact on the public?

VI. SPECIAL ORDERS [NONE]

VII. REPORTS OF SPECIAL COMMITTEES [NONE]

VIII. REPORTS OF STANDING COMMITTEES

A. Academic Council

1. Amend Senate Regulations to grant a Special Honorary Degree to students affected by Executive Order 9066. The proposal to grant a special honorary degree to Japanese-American students who were unable to complete their degrees due to Executive Order 9066 during World War II requires Regental approval. The Executive Order created a hardship for a discrete group of people. Recently, the federal government recognized the injustice imposed on this group in the form of legislation. In addition, the 9th Circuit Court of Appeals held that if the government had fully informed the Supreme Court, it would have decided differently in *Hirabayashi v. U.S.* In 1943, there were approximately 700 students of Japanese descent enrolled at the UC (454 at UCB, 175 at UCLA, 54 at UCSF, and 15 at the College of Agriculture, which became UCD). Some earned degrees at colleges in the Midwest or east Coast, but still were not awarded UC degrees; some never completed their educations. UC administrators have identified

most of these students. In April, the Academic Council endorsed changing Senate Regulations in order to grant honorary degrees. Today, we ask the Academic Assembly to approve this change, and to request that the Board of Regents change their bylaws to permit awarding such degrees. The proposed honorary degree is unique, and is a University of California degree, not a specific degree (such as a BA) from a particular campus (the diploma will reflect the name of the campus at which the student was enrolled). It will be awarded posthumously, if appropriate. It does not create a precedent that affects the policy of the University with respect to the moratorium on honorary degrees. It does make a statement about the University's core values.

ACTION: The Assembly unanimously approved amending the Senate Regulations in order to grant a special honorary degree to students affected by Executive Order 9066.

2. Amend Senate Regulations regarding eligibility. BOARS Chair Sylvia Hurtado thanked former Chair Mark Rashid for his assistance, as well as UC Admissions Director Sue Wilbur. The purpose of the amendments was to align regulations with policy and practice. The regulations were antiquated; minor changes made over the years, in addition to the eligibility reform passed by the Regents in February, have not been incorporated. The campus Admissions Directors opined on the changes. Chair Hurtado also thanked all of the campus committees for doing such a thoughtful review. The enclosed document details BOARS' response to every change suggested.

A member objected to the addition of SR 464 on admission by exception, which codifies Regents' policy 6160, approved in 1991 and amended in 1996. In 2005, the implementation guidelines were reviewed at President Dynes' request by BOARS and Council. However, the policy, itself, has not been vetted fully systemwide. Inclusion of Regulation 464 presumes that the Senate has endorsed the policy, which is not accurate. It should not be part of this package of amendments; it requires further examination. BOARS chair Hurtado responded that the 2005 systemwide review of the implementation included a detailed summary of the policy. It was not forwarded to the Academic Assembly at that time because it was seen as an implementation issue, not a policy issue. She also noted that there is a provision of Admission by Exception in the Master Plan, as well as in documentation from the 1880s when the Senate was given responsibility for admission. A member objected to changes to the proposed Regulations since they were reviewed systemwide. Parliamentarian Berck noted that the Assembly can approve changes to the Regulations without returning the wording to the campuses. If the changes are germane and within the scope of the notice, amendments are can be made to the document. The only requirement is that Assembly members must know in advance through proper notice that the issue will be addressed. A divisional chair stated that BOARS did an excellent job of incorporating Council's comments, and is prepared to endorse it. A member suggested the following friendly amendments: wording in several regulations suggests that BOARS is the ultimate policymaking authority, but BOARS actually *recommends* changes and the Academic Council and Academic Assembly approve or concur. The member suggested that the following regulations follow the model terminology in Regulation 419: Regulation 450, Regulation 466, and Regulation 462. BOARS' Chair Hurtado accepted these amendments.

ACTION: A motion to accept the friendly amendments to SR 450, 466 and 462 described above passed unanimously.

Another member spoke in favor of removing SR464 from the guidelines and addressing it separately. He argued that one of the aims of broadening the pool of those eligible to review is to avoid the stigmatizing label of Admission by Exception. The Senate should subject the idea of Admission by Exception to more scrutiny, for example, defining the conditions under which someone would be eligible for Admission by Exception. Chair Hurtado stated that the current guidelines on Admission by Exception explicitly state that it can be used in various ways and for various purposes. For example, UC Riverside uses it to admit

homeschooled students. BOARS gathers information on how the campuses use Admission by Exception. A member stated that the changes in eligibility rules do not broaden access by the rural poor, who do not have access to Advanced Placement courses. The Admission by Exception policy allows this group to be considered by UC.

A motion was made that the revised Senate Regulation 464 be deleted from the document under consideration and that BOARS be directed to study the current Admission by Exception policy in the context of UC's new eligibility policies, and provide a proposed regulation change by the end of the 2009-10 academic year.

A member asked if there were implications for next year's admissions by removing Regulation 464 from the document. BOARS Chair Hurtado stated that the policy would stand. Members spoke in favor of and against directed BOARS to examine the Admissions by Exception policy.

A member asked what would have to be adjusted in the Admission by Exception policy to align with eligibility reform. BOARS Chair Hurtado stated that she did not think that the policy would change significantly. A member clarified that the purpose of the motion was to ensure that the Senate explicitly endorses or rejects the Regental mandate.

ACTION: The Academic Assembly voted against the motion to remove Regulation 464 (8 in favor, 26 opposed, 3 abstentions).

ACTION: The Academic Assembly voted in favor of accepting the regulations as written, with the exception of the previously approved amendments made to SRs 450, 466 and 462 (36 in favor, 4 abstentions).

B. Budget Planning discussion

1. Presentation on Budget Planning Principles

- **Mary Croughan**, Academic Senate Chair and Co-Chair, Advisory Group on Budget Strategies
- **Pat Conrad**, UCPB Chair and Member, Advisory Group on Budget Strategies
- **Steve Plaxe**, UCAP Chair and Member, Advisory Group on Budget Strategies

Professor Plaxe stated that the Advisory Group on Budget Strategies is systematically examining a list of options for cutting costs and raising revenues, and is paying particular attention to possible unintended consequences. The final product of the Advisory Group will be sent out for systemwide Senate review. The Advisory Group reviewed Budget Planning Principles written by UCPB and endorsed by the Academic Council and derived a similar set. The Advisory Group is staffed by the Institutional Research Unit. An Assembly member stated that the faculty wants alternatives to furloughs and salary cuts. To what level would the University have to raise fees in order to avoid furloughs and salary cuts? He noted that UCPB has advocated that every unit must have a sustainable funding model, including existing units, and that comparable units should be funded comparably. The University should not begin any new endeavors if it can not fund existing ones. A member emphasized that if a choice must be made between quality, affordability and accessibility, quality must not suffer. A member objected to a tension in the Budget Principles between campus autonomy and systemwide solutions. For example, should different schools or campuses be able to charge different fees? But at the same time, should the systemwide office pay for seismic retrofitting at other campuses? Are we one UC? A member noted that the Senate is on record against the stratification of campuses. UCPB Chair Conrad stated that this year, her committee focused on budget cuts, not long-range planning. Next year UCPB will focus on how to pay for benefits and keep the retirement system healthy. UCAP Chair Plaxe added that CAP has focused on the retirement

system because it is concerned about recruitment and retention. So it is being addressed in a variety of Senate venues. Chair Croughan also stated that the president has agreed to examine the campus funding models in the next six months to a year.

VIII. UNIVERSITY AND FACULTY WELFARE REPORT (none)

UCFW/TFIR Recommendation for Adequate Funding of UCRP (information)

- **Bob Anderson**, TFIR Chair
- **Shane White**, UCFW Vice Chair

TFIR Chair Anderson and UCFW Vice Chair White presented the data behind their committees' recommendation for adequate funding of UCRP. The following is a summary of the presentation. All benefits accrued to date will be paid; the University is legally obligated to do so. Both the US and state constitutions contain an "impairment of contracts clause." The state can not through legislative or constitutional action renege on contracts it has made for bonded debt or pension payments to employees. The University may be able to reduce the future accrual of benefits by current employees, but such an effort likely would result in litigation. The University clearly can reduce benefits of newly hired employees. However, this may create less savings than expected. There are a lot fewer younger employees to support the retirement system, and cutting benefits for new employees does not save money in the short-term. Also, savings associated with replacing older faculty with younger faculty are not guaranteed because of the inversion of the salary scales. In the past, the University would save money when a faculty member retired and was replaced. Now, it is unclear.

UC has been subsidizing its budget by promising benefits, paid for by drawing down the UCRP surplus. That surplus is now gone, and the University must begin contributing to cover the ongoing accrual of benefits. UCRP was funded 100% on June 30, 2008. This means that it had just enough money to pay for the benefits accrued in the past (assuming a 7.5% return and normal life expectancy).

What is the value of the additional liability that is incurred each year? This value is "normal cost" and is approximately 17% of covered compensation. So the pension system requires contributions equal to normal cost to be fully funded (adjusted upward or downward depending on whether there is a surplus or deficit).

In September 2008, the University's actuary recommended and the Regents passed, a plan that would have required an 11.5% contribution (9.5% employer and 2% or 4% from the employee) beginning on July 1, 2009. If there is a deficit, the employer amortizes over 15 years; surplus amortizes over 30 years (until you reach 200% of funding). If one applies this policy to the last year, the pension system would have required 11.5% contributions beginning on 7/1/09. It would have required a contribution in excess of 20% beginning on July 1, 2010.

In November 2008, the Regents reduced the planned employer contribution to 4% because the Department of Finance made it clear that the state would not contribute 9.5%. In February 2009, the governor put only \$20 million in the budget, so the Regents deferred contributions to 4/15/10. We are currently uncertain whether contributions will resume on 4/15/10. This morning the president said that he intended to begin employee contributions, even if there is no funding for the employer contribution. But the Regents would have to rescind its policy. The University has long said that the employee contribution would be no more than the employer contribution.

The Regents are considering (but have not adopted) a slow ramp-up of contributions, whereby the employee portion would rise by 1% each year up to 5%, and the employer contribution would rise 2% each year until the pension system reaches 200% funded.

The slow ramp-up of contributions is completely inadequate because of the dramatic decline in market value (it does not meet the assumed 7.5% annual return). At this point, the slow ramp-up would not

enable contributions to the funding plan to be level for 20 years, at which point contributions in excess of 50% of covered compensation would be required. It is important to note that UCRP has been well managed, but employees have not made contributions for 18 years, and the market has dropped precipitously.

Deferring contributions means that we forego the 7.5% earnings on the contributions. Deferring \$1 now will require over \$4 in contributions 20 years from now. Deferring \$1 now for state-funded employees results in the loss of \$2 in contributions from other fund sources (the University can not charge federal grants and contracts more than the employer charges). If we do not collect from the other funding sources now, we will not be able to charge them retroactively. This represents a significant amount of money because 2/3 of University salaries are not state-supported. Also if in the future, contributions are in excess of 50% of covered compensation are required to maintain the pension system, UC researchers may not be competitive for grants. The University may see a dramatic decline in grants due to onerous pension requirements. Hospitals will experience a similar situation; they may not be able to compete for insurance contracts.

What should the University do? We have a valuable retiree health plan, but not a valuable retirement plan (the competitiveness of the retirement system varies tremendously by employee groups). There is no good option, but the least bad option is to raise UCRP contributions as soon as possible to the full recommended contribution under the Regents' Funding Policy. UCFW recommends that this should occur no later than July 1, 2011. President Yudof has forwarded UCFW/TFIR's recommendation to the Task Force on Post-Employment Benefits. President Yudof also endorsed the recommendation and has asked TFIR Chair Anderson to make a presentation to the Regents' Finance Work Group in July 6. While the recommendation calls for a great deal of investment now, it will avoid great pain later. A member asked about the impact of contributions on total remuneration. Chair Anderson responded that once faculty contribute 5%, their total remuneration is not competitive with the Comparison 8. A member asked whether UC could sell property and allocate the money to UCRP. The answer was affirmative. A member asked if the University has ever experienced a problem of this magnitude historically and if so, what happened. Chair Anderson responded that the pension was less than 100% funded for most of its existence. It only began in 1960. The lowest funding ratio was around 1982. However, at that time, contributions were being made to amortize liability, until 1990. Since then, the Regents' policy has been not to contribute at all as long as it has been funded 100%. CalPERS and CalSTRS also have not been 100% funded.

IX. PETITIONS OF STUDENTS [NONE]

X. UNFINISHED BUSINESS [NONE]

XI. NEW BUSINESS

A. Resolution on UC Constitutional Autonomy

State Senator Leland Yee introduced SCA 21, a companion to ACA 24, which would strip the Board of Regents of constitutional autonomy, giving the legislature greater oversight of the University. Many members of the Academic Assembly spoke in favor of taking a strong against the bills. They emphasized that ceding budgetary authority to the state would devastate the University. UC Irvine's divisional chair reported that the UCI Senate cabinet voted to endorse a resolution opposing the bills.

ACTION: The Assembly unanimously endorsed a motion approving a resolution that opposes the removal of the Board of Regents' constitutional autonomy.

The meeting adjourned at 4:30 pm.

Attest: Mary Croughan, Academic Senate Chair

Minutes Prepared by: Clare Sheridan, Academic Senate Analyst

Attachment: Appendix A – Assembly Attendance Record, Meeting of June 17, 2009

Appendix A – 2008-2009 Assembly Attendance Record, Meeting of June 17, 2009

President of the University:

Mark Yudof

Academic Council Members:

Mary Croughan, Chair

Henry Powell, Vice Chair

Daniel Melia, UCB representative (alternate for Mary Firestone)

Robert Powell, Chair UCD

Jutta Heckhausen, Chair, UCI

Michael Goldstein, Chair, UCLA

Martha Conklin, Chair UCM

Anthony Norman, Chair, UCR

Richard Attiyeh, UCSD representative (alternate for Dan Donoghue)

David Gardner, Chair, UCSF

Henning Bohn, Vice Chair, UCSB (alternate for Joel Michaelsen)

Quentin Williams, Chair, UCSC

Sylvia Hurtado, Chair, BOARS

Farid Chehab, Chair, CCGA

Francis Lu, Chair, UCAAD

Steven Plaxe, Chair, UCAP

Stephen McLean, Chair, UCEP

Shane White, Vice Chair, UCFW (alternate for Helen Henry)

James Carey, Chair, UCORP

Jim Chalfant, UCPB representative (alternate for Patricia Conrad)

Berkeley (5)

Steven Beissinger

Paula Fass (alternate for Pablo Spiller)

Suzanne M.J. Fleiszig

Matthew Francis (alternate for Anthony Long)

Miryam Sas (alternate for Ralph Catalano)

Davis (6)

Brian Morrissey

Krishnan Nambiar

John Oakley

Donald Price

Birgit Puschner

Daniel Simmons

Irvine (4)

Hoda Anton-Culver (absent)

Jone Pearce

Sheryl Tsai (alternate for Kenneth Chew)

Jeffrey Wasserstrom (alternate for Shawn Rosenberg)

Los Angeles (9 - 1 TBA)

Paula Diaconescu

Robert Frank, Jr.

Jonathan Grossman

Margaret Haberland

Jody Kreiman

Purnima Mankekar (absent)

James Miller

Natik Piri

Merced (1)

Jan Wallander

Riverside (2)

Frances Sladek (alternate for Manuela Martins-Green)

Mart Molle

San Diego (4)

Salah Baouendi (absent)

Stephen Cox

Joel Dimsdale (absent)

San Francisco (4)

Dan Bikle

Deborah Greenspan

Wendy Max (absent)

Sandra Weiss

Santa Barbara (3 – 1 TBA)

Richard Church

Volker Welter (absent)

Santa Cruz (2)

Mark Carr

Lori Kletzer

Secretary/Parliamentarian

Peter Berck

III. ANNOUNCEMENTS BY THE CHAIR

- Henry Powell

IV. ANNOUNCEMENTS BY THE PRESIDENT

- Mark Yudof

V. SPECIAL ORDERS

A. Consent Calendar

1. Amend Merced regulation 75 (SR 640), Undergraduate Honors at Graduation

Proposed Academic Senate Regulation Change—Senate Regulation 75, Undergraduate Honors at Graduation

Rationale: Last year UGC discussed a proposal for Honors for SSHA and for the History Major. In the absence of policies or guidelines for these types of awards, the committee recommended that SSHA contact the Division Council and the current UGC. This was discussed at the October and November 2008 UGC meetings. The policy subcommittee was charged with drafting a set of guidelines for these awards. The Committee on Rules and Elections judged the proposed language to be consonant with System-wide Regulations. The proposed regulation was approved by UCEP on May 7, 2009.

75. UNDERGRADUATE HONORS AT GRADUATION (SR 640)

Each School may establish criteria for Honors to Date, Honors at Graduation, and Honors Programs subject to the following minimum limitations and to any additional regulations which may be adopted by the Faculties for the various Schools.

Honors to Date

Dean's Honor List

Students will be eligible for the Dean's Honor List if they have earned in any one semester a minimum of 12 graded units with a 3.5 grade point average or better with no grade of I or NP. Dean's Honors are listed on student transcripts. Any student who has been found to violate the academic integrity policies during an academic year will not be eligible for the Dean's Honor List during that academic year. (En 11 Jun 08)

Chancellor's Honor List

Students who are placed on the Dean's Honor List for both semesters in a single academic year (fall and spring) will be placed on the Chancellor's Honor List for that academic year. (En 11 Jun 08)

Honors at Graduation

To be eligible for honors at graduation, a student must have completed a minimum of 50 semester units at the University of California, of which a minimum of 43 units must have been taken for a letter grade and a minimum of 30 units must have been completed at UC Merced. The grade point average achieved must rank in the top 2 percent of the student's School for highest honors, the next 4 percent for high honors, and the next 10 percent for honors at graduation. The number of recipients eligible under these percentages shall be rounded up to the next higher integer. (En 30 Jan 08)

Honors Programs

Each program offering an undergraduate major curriculum may establish an Honors Program including special courses, or supplementary and advanced directed study, or both. Such programs must be approved by the Undergraduate Council (UGC) and require at least: (a) a GPA of 3.5 in the major as a prerequisite; and (b) 8 units of special courses, or supplementary and advanced directed study, or both. Members of the Academic Senate who are members of the program or group in charge of each major are responsible for admitting students to their approved Honors Programs and for delivering special courses or directed study.

V. SPECIAL ORDERS [CONTINUED]

A. Consent Calendar

2. Amend Senate Bylaw 140, Affirmative Action and Diversity B 4 and Senate Bylaw 335, A 2 to conform with the University's non-discrimination policy

The following text is excerpted from a memo from former UCAAD Chair Francis Lu to former Academic Senate Chair Mary Croughan on June 15, 2009, recommending changes to the APM and to Senate Bylaws 140 and 335. The paragraphs relevant to the Academic Assembly are reproduced, below.

UCAAD recommends changes to the Academic Personnel Manual and Academic Senate Bylaws consistent with the UC nondiscrimination policy cited in APM 035:

Senate Bylaw 140, Affirmative Action & Diversity B 4

It would be very useful to supplement the existing bylaw by adding a clause like that underscored below:

“Review the information on affirmative action and diversity provided by the campus and University administrations and report said findings to the Academic Council. The information shall consist of data and analyses of working conditions, salaries, advancement, and separation for women and ethnic minorities, and may also include data and analyses relating to lesbian, gay, bisexual, and transgender individuals. (Am 28 May 2003)”

Senate Bylaw 335, A 2

Add “sexual orientation” and “gender identity” to first sentence (per UC nondiscrimination policy, cited in APM 035); this would mirror change in APM 140-33 (above):

In cases of personnel review involving tenure, promotion, or reappointment, such grievances may be based only on allegations: (a) that the procedures were not in consonance with the applicable rules and requirements of the University or any of its Divisions, and/or (b) that the challenged decision was reached on the basis of impermissible criteria, including (but not limited to) race, sex, sexual orientation, gender identity, or political conviction. The committee shall be empowered to determine the validity of the grievances under (a) or (b) but shall not be empowered to reevaluate the academic qualifications or professional competence of the grievant.

VI. REPORTS ON SPECIAL COMMITTEES [NONE]

VII. REPORTS OF STANDING COMMITTEES

A. Academic Council

- **Henry Powell, Chair**

1. **Report on Implementation of RE 89 (Information) (see Appendix, page 77)**

2. **Budget Matters**

- a. **Presentation on Budget Reserves**

- **Peter Taylor, Executive Vice President and Chief Financial Officer**

B. Annual Reports (2008-09) (Information)

ACADEMIC COUNCIL ANNUAL REPORT 2008-09

TO THE ASSEMBLY OF THE ACADEMIC SENATE: The Academic Council is the executive committee of the Assembly of the Academic Senate and acts on behalf of the Assembly on non-legislative matters. It advises the President on behalf of the Assembly and has the continuing responsibility through its committee structure to investigate and report to the Assembly on matters of Universitywide concern.

During the 2008-09 year, the Academic Council considered more than fifty initiatives, proposals, and reports and successfully brought two pieces of legislation enacted by the Assembly to the Board of Regents for action. Its final recommendations and reports can be found on the [Academic Senate website](#). Matters of particular import for the year include:

ACTION ITEMS BROUGHT TO THE REGENTS FOLLOWING LEGISLATIVE ACTION

Eligibility Reform

After several years of analysis and consultation within BOARS, other Academic Senate committees, the Office of Student Affairs, and systemwide Senate reviews, in June 2008 the Assembly adopted a resolution recommended by Council that asked the President and Regents to change the way UC examines applications for freshman admission. The proposal called for increasing the percentage of graduates from each public high school in California who are guaranteed admission to some UC campus, reducing the percentage of graduates who are guaranteed admission solely on the basis of test scores and grades, while broadening the pool of would-be freshmen entitled to a comprehensive review of their applications for admission to their selected UC campuses. After extensive consultation with Senate leadership during the Fall of 2009, the President recommended to The Regents that they adopt the Assembly's *Proposal to Reform UC's Freshman Eligibility Policy*. In February 2009, The Regents approved the new admissions policy to take effect in Fall 2012. Another round of systemwide reviews produced the final implementation amendments to the Senate Regulations regarding eligibility, which were subsequently adopted by the Academic Council and by the Academic Assembly.

Honorary Degrees to Students Interned in 1942

Responding to a request from Vice President for Student Affairs Judy Sakaki and Regent Leslie Schilling, the Academic Council authorized a joint Senate/Administrative Task Force on Recognizing Students Interned in WWII. Approximately 700 UC students of Japanese descent were forced to withdraw from the University in the spring of 1942 when they and their families were forced to leave the West Coast and be confined in internment camps. Informal suggestions that honorary degrees be offered to these students had not coalesced into more formal proposals due in part to a Regental moratorium on the award of honorary degrees in place since 1972. The Task Force recommended a narrowly tailored amendment of Academic Senate Regulations and one-time suspension of Regents' bylaws to allow the granting of a Special Honorary Degree to students enrolled in Academic Year 1941-1942 who were prevented from completing their education or receiving their degrees due to removal as a result of Executive Order 9066. The recommendations were approved by Council in April, and the necessary legislation was enacted by the Academic Assembly in June. The Regents approved the granting of these special honorary degrees in July 2009.

BUDGETARY ISSUES

In the second half of the year, the state's fiscal crisis became a primary focus of attention for all components of the University's governance structure. Council participated in a broad ranging series of consultations, organizing systemwide reviews on expedited schedules and offering advice to the President on priorities for the 2009-10 budget, funding for UCRP, amending the Standing Orders of the Regents to provide for emergency fiscal powers, one-time savings from payroll actions, and on the implementation of a furlough program.

Before the extent of the fiscal emergency was apparent, President Yudof submitted a budget for 2009-10 that included the Senate's top budgetary priorities: 1) funds for Year 2 of the faculty salary plan; (2) funds for graduate student support; and (3) restarting contributions to the retirement fund. In February, the Regents voted to restart contributions to UCRP on April 15, 2010. However, as the year progressed, and the state's budget crisis deepened, it became clear that no new funds would be available for faculty salaries or graduate student support, and the Academic Council prioritized support for the restart of contributions to the retirement fund while developing frameworks of principles to guide fiscal choices and academic planning. In May, Council unanimously endorsed UCPB's *Principles to Guide Fiscal Decision-making*, as well as a letter from UCFW requesting that, in the face of a long-term decline in state funding, the President examine alternative models of education and re-envision the future of the University.

Also in May, after an expedited systemwide review, Council commented on and declined to endorse a proposed new Regents' Standing Order 100.4, which provides a framework in which the President may ask the Regents to declare a state of financial emergency, as well as granting him special authority to implement furloughs or salary reductions at individual campuses (per Chancellorial request) or across the UC system. The President incorporated many of the specific concerns conveyed by Council into an amended version of the proposed Standing Order, which the Regents approved in July 2009. While the Standing Order was under revision, Council was asked to comment on three options for implementing a mandatory furlough or salary reduction program. After conducting a systemwide review on an extremely truncated schedule, Council held a special teleconference on July 8 to develop a formal response to the plan. Council's comments included a sharp critique of the review process and of gaps in the information provided for review, but also indicated preference for the furlough option with strong recommendations for improvement. As with the Standing Order, the President incorporated many of Council's recommendations into the furlough plan presented to and approved by the Regents in July. At its regular July meeting, Council called for a Universitywide policy to require that at least six of the furlough days be taken on regular days of instruction. The President did not adopt this recommendation.

FACULTY WELFARE

While Council's top priority officially continues to be the funding of the faculty salary plan, protecting retirement benefits has become increasingly urgent.

The University Committee on Faculty Welfare issued a statement urging the resumption of employee contributions to UCRP. In May, Council endorsed UCFW's *Recommendation to Ensure Adequate Funding of UCRP* by dramatically increasing contributions to the fund. Council also unanimously supported the proposed creation of a new UC Pension Benefits Board.

In addition, UCFW/TFIR issued an Informational Statement on Evaluating UCRP Investment Returns and one on Market Turmoil and Lump Sum Cashouts.

Concluding a multi-year decision making process, President Yudof decided not to outsource UCRP benefits administration due in part to analysis in 2007-08 by UCFW and the Senate's strong opposition.

GRADUATE EDUCATION

In March, Council endorsed a *Policy on In Absentia Registration for Graduate Students*, which maintains the academic relationship with graduate students who are pursuing approved coursework and/or research outside of California by requiring them to register and allowing them to pay reduced fees of 15% (in June, Council endorsed a revision of this policy that would not affect graduate students registered *in absentia* but reflected updated information about the state budgeting process).

In February, Council unanimously endorsed CCGA's recommendations on the ways in which graduate student support funds should be used, and campus administrations held accountable for these uses. Specifically, they recommended that: 1) new funds be used to subsidize fees, stipends and tuition; (2) allocations for graduate student support be incorporated into the permanent budget at each campus; (3) any additional future funds should be used to increase competitive recruitment packages; (4) support for graduate students should come from newly allocated funds and not be redirected from other sources; and (5) graduate deans should report annually to their divisional Graduate Council or Divisional Senate on the expenditure of these funds.

In response to the proliferation of graduate academic certificate programs, Council endorsed CCGA's decision to require that: 1) all new and existing SR735-certificate programs (stand-alone graduate programs with independent admissions processes) be reviewed and approved by CCGA; and (2) all certificate programs not under the purview of SR735 (e.g., those offered in conjunction with a degree program) be reviewed and approved by local Graduate Councils and Divisional Senates.

Following systemwide Senate review, Council endorsed a report on the professional doctorate written by a subcommittee of the UC Task Force on Planning for Professional and Doctoral Education (PPDE). It outlined the principles and processes that should be used to determine when it may be appropriate for the California State University to offer doctorates and when it is appropriate for UC to do so.

UNDERGRADUATE EDUCATION

In January, Council endorsed the President's Blue and Gold Opportunity Program, which guarantees financial aid to cover Education fees and Registration fees for undergraduates whose family incomes are less than the California median household income of \$60,000 and who qualify for financial aid. The Regents approved the Blue and Gold Opportunity Program in February.

Council endorsed UCEP's recommendation to fund the biannual University of California Undergraduate Experience Survey (UCUES).

Concluding an iterative process that extended over several Council meetings, Council endorsed a statement in July of *Principles for Non-Resident Undergraduate Enrollment* developed by BOARS.

EDUCATION ABROAD PROGRAM (EAP)

Following a systemwide Academic Senate review of a proposed business plan for a reorganized EAP, Council found the proposal insufficiently detailed and potentially devastating to the quality of the academic program and called for the establishment of a Joint Senate-Administrative Task Force to create a new business plan for EAP. The Task Force was convened and issued its report in June, recognizing that EAP is an academic program, incorporating many of the Senate's suggestions, and recommending a governance committee with Senate participation charged with devising a viable budget.

RESEARCH ISSUES

In March and again in April 2009, Council reviewed the process by which the Office of Research and Graduate Studies managed a single RFP for all multicampus research funds, including funds that had been previously committed to specific multicampus research units (MRUs) and programs for designated periods. Council critiqued the RFP process in a letter to Vice President Steven Beckwith. While the Senate has long called for a competitive process for allocating MRU funds, its concerns included the role of the Senate in disestablishing existing MRUs that are not funded, and the establishment of new MRPIs. In April, Council approved further recommendations about the award process.

The Senate commented upon, and the Compendium Committees made recommendations regarding, the QB3 Five-Year Review. Council members stressed that the lessons of the first Cal ISI review regarding review of these unique entities were not incorporated in this review. Council also commented on the DANR review, expressing appreciation for the conduct of the review after nearly a decade of requests and proposing specific questions to be answered in a future review within five years.

Council recommended against supporting a \$5 million centrally-funded shared research computing pilot project due to current budget constraints and competing campus IT priorities; President Yudof did not accept this recommendation.

Council endorsed UCOLASC's proposal that the University actively encourage open access to publications by: 1) promoting national legislation and policies by federal funding agencies that support open access; (2) educating UC faculty about open access issues; (3) promoting open access initiatives at the University; and (4) bargaining with journal publishers for open access to articles by UC authors. Council urged the President to oppose HR 801, the Fair Copyright in Research Works Act, which would repeal a policy of The National Institutes of Health mandating public access to scientific research funded by that agency within twelve months of publication in a scientific journal, and prevent other federal agencies from adopting similar ones. It endorsed the Federal Research Public Access Act (S. 1373), which would require eleven federal funding agencies to require open access to journal articles resulting from their grants after an embargo of six months.

After systemwide review of a concept paper, Council encouraged UCORP to continue to refine its concept and develop a full proposal for a UC Seminar Network that would provide a platform on which academic departments and research units can broadcast specialized seminars over the web.

GOOGLE SETTLEMENT

Following advocacy by the University Committee on Libraries and Scholarly Communication (UCOLASC) and consultation with the Office of General Counsel, individual Council members signed a statement to federal district court expressing the concerns of academic authors with some provisions of the settlement between Google, the Authors' Guild, and the Association of American Publishers regarding Google's scanning of millions of copyrighted books held by UC and other university libraries.

GOVERNANCE

In December, Council sent systemwide comments to Interim Provost Grey critiquing proposed sanctions for failing to comply with required sexual harassment prevention training. In May, Council sent a letter to Interim Provost Pitts rejecting the removal of supervisory authority as a possible administrative sanction, and declining to endorse the proposed sanctions for non-compliance. It further requested (but has not yet received) a list of all compliance measures required of faculty from Sheryl Vacca, Senior Vice President of Audit and Compliance.

Council approved an amendment to the UC Diversity Statement to include gender and sexual identity in alignment with other UC non-discrimination policies.

The Senate leadership has been pleased with the degree to which President Yudof has consulted with the Academic Senate and with his acceptance of the principles of shared governance. While there has been difficulty in complying with repeated requests by the administration for expedited review and committee assignment requests, we have been consulted on nearly every issue that the University has faced this past year.

PROPOSALS FOR NEW SCHOOLS

The Senate reviewed a proposal for a new School of Nursing at UC Davis. Council recommended the School for approval contingent on a number of concerns being addressed prior to approval by the Regents. Council was concerned about whether the School had a sustainable long-term development strategy.

SENATE TASK FORCES AND SPECIAL COMMITTEES

Senate members participated on the following task forces and special committees:

- Joint Senate/Administrative Task Force on Recognizing Students Interned in WWII. See page one.
- Task Force on Senate Stewardship Reviews of Chancellors. In June, Council unanimously endorsed the recommendations of the Task Force to revise the procedures governing the Senate's stewardship review of Chancellors.
- Special Committee of the Academic Senate on Remote and Online Instruction and Residency. The Special Committee met several times and is in the process of drafting a report.
- Task Force on Academic Senate Membership. Due to a compressed timeline, the Task Force began meeting this year but their charge was extended through the end of the 2009-10 year.
- Joint Senate/Administrative Task Force on Revising the Compendium. In July, the Task Force informed Council of its progress and received an extension of its charge through October 2009.
- Joint Senate-Administrative Task Force on the Education Abroad Program. See page three.

Senate representatives also participated in the Enrollment Management Group; searches for a Provost, the director of LBNL, a Vice President, and two Chancellors; Task Forces on Post-Employment Benefits; and the Advisory Group on Budget Strategies.

REVIEW OF ADMINISTRATIVE PROPOSALS AND INITIATIVES

Council also reviewed the following administrative proposals:

- *Policy on Re-employment of UC Retired Employees.* At their September meeting, the Regents adopted a policy restricting the re-employment of retired UC employees in the Senior Management Group and staff positions. This policy originally was adopted without prior formal Senate review; however, the President stated that he would consider revisions to the policy following Senate review. . Council recommended changes in the policy to clarify its implementation. UCOP made some, but not all, of the changes Council requested, and the Regents approved the revised policy in February.
- The Senate commented extensively on two versions of the draft *Accountability Framework*.

REVIEW OF THE ACADEMIC PERSONNEL MANUAL (APM)

- APM 110-4, 230-17, 230-18, 279-20, 360-80, 520-4, 710-14, 710-38, 710-46; addition of APM 765
- APM 240. Following two systemwide reviews, Council approved modifications to APM 240, removing most academic deans, from Senior Management Group (SMG) policies and developing sections of the APM specifically governing those deans.
- Council declined to add ‘Collegiality’ to APM 210-1-d.
- Council approved amendments to APM 028, reflecting changes in the conflict of interest codes required of state agencies.
- Council approved the amendment of sections of the APM (015, 036, 140, 160, 230, and 710) to conform to the non-discrimination policy articulated in APM 035, which includes sexual orientation and gender identity.
- Council approved an Appendix to APM 010, governing student academic freedom of scholarly inquiry. To a substantial degree, this proposed revision of the APM is in response to the Academic Assembly’s March 2008 request that principles on student academic freedom of inquiry be added to APM-010 as a footnote.

SENATE BYLAWS

- Council recommended the revision of Senate Bylaws 140 and 335 to conform to the University’s non-discrimination policy by including sexual orientation and gender identity.
- Council also approved Legislative Ruling 10.08 – Jurisdiction of Privilege and Tenure Committees.
- Council rejected changes to Senate Bylaws 125.A.4, 128, and 130, which would have added the Chair of the University Committee on Academic Freedom (UCAF) to the Academic Council as a standing member, and would have changed the chair’s term from one to two years.

RELATIONS WITH OTHER GOVERNING BODIES

Joint Administrative/Senate Retreat

The Academic Council meets in alternate years with the Chancellors and with the Executive Vice Chancellors to discuss matters of joint concern. This year, Council members met with the Executive Vice Chancellors to discuss: 1) strategic planning and determining budget priorities; and (2) implications for faculty of union representation of academic employees such as graduate students and post-doctoral fellows.

The Regents

The Academic Council Chair and Vice Chair executed their roles as faculty representatives to The Regents throughout the year, acting in an advisory capacity on Regents’ Standing Committees, and to the Committee of the Whole. Regent Eddie Island attended the January Council meeting to consult with the Council.

Council sent a letter to the President urging consultation with the Senate prior to agreeing to participate in new, external multi-institution initiatives, such as those on curriculum and preparation.

SENATE POSITIONS ON STATE AND FEDERAL LEGISLATION

- Council endorsed ACA 7
- Council opposed SB 386 on textbook affordability

- Council opposed AB 1455
- Council opposed HR 801, the Fair Copyright in Research Works Act
- Council opposed ACA 24 and SCA 21, which would remove UC’s constitutional autonomy. The Academic Assembly issued a Resolution stating our opposition.
- Council endorsed the Federal Research Public Access Act (S. 1373)

ACKNOWLEDGEMENTS

We express our sincere gratitude to all members of the University of California Office of the President for their hard work and productive collaboration with the Academic Senate over the past year. In particular, we thank these senior UC managers who, as consultants to the Academic Council, were vital to our meetings: Mark G. Yudof, President; former Interim Provost and Executive Vice President Robert Grey; Interim Provost and Executive Vice President Lawrence Pitts; and Katherine Lapp, Executive Vice President-Business Operations.

Mary Croughan, Chair
Henry Powell, Vice Chair

Divisional Chairs:

Mary Firestone, Berkeley
Robert Powell, Davis
Jutta Heckhausen, Irvine
Michael Goldstein, Los Angeles
Martha Conklin, Merced
Anthony Norman, Riverside
Daniel Donoghue, San Diego
David Gardner, San Francisco
Joel Michaelsen, Santa Barbara
Quentin Williams, Santa Cruz

Senate Committee Chairs:

Sylvia Hurtado, BOARS
Farid Chehab, CCGA
Francis Lu, UCAAD
Steven Plaxe, UCAP
Steven McLean, UCEP
Helen Henry, UCFW
James Carey, UCORP
Patricia Conrad, UCPB

Council Staff:

Martha Winnacker, Executive Director
Todd Giedt, Associate Director
Clare Sheridan, Senior Policy Analyst

**UNIVERSITY COMMITTEE ON ACADEMIC FREEDOM (UCAF)
2008-2009 ANNUAL REPORT**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The University Committee on Academic Freedom (UCAF) met twice in Academic Year 2008-2009, to conduct business with respect to its duties as outlined in [Senate Bylaw 130](#). Highlights of the Committee's activities and accomplishments are noted in this report.

Proposed Senate Bylaw Modifications Regarding UCAF Representation on Academic Council and the Term of the UCAF Chair

In a March 2008 memo to Academic Council, UCAF requested amendments to Senate Bylaw [125.A.4.](#), adding the chair of UCAF to the Academic Council as a standing member, and to Senate Bylaws [128](#) and [130](#), changing the standard term of the UCAF chair from one year to two years. UCAF believes its presence on Council will fill a void in deliberations and contribute important insights on a broad range of issues under consideration by the executive Senate body, while a two-year chair will provide greater continuity to the committee. Council released the proposal for systemwide Senate review in August 2008. In December, Council rejected the motion to change its membership by adding UCAF's chair as a standing member of Council. Members felt that Council's current composition of ten committee chairs and ten divisional chairs provides a balanced perspective on issues. Council also expressed concern that a larger Council may be less functional.

Implementation of RE-89 – Restrictions on Tobacco Company-Funded Research

This year, UCAF continued to discuss the [compromise version](#) of RE-89 approved by the Regents in September. The policy does not prohibit faculty from accepting funding from tobacco-affiliated companies, but requires each campus chancellor to establish a scientific review committee to advise the chancellor about any such funding proposal. UCAF also reviewed campus reports to President Yudof on implementation of RE-89 and found that significant money from the tobacco industry is not being used to support research. UCAF solicited and received support from the University Committee on Research Policy for its recommendations that faculty members appointed by the divisional Chancellors to serve on these review committees be selected from a list supplied to the respective Chancellor by the divisional Committee on Committees; and that a representative from the divisional Committee on Academic Freedom and the divisional Committee on Research be *ex officio* members of these review committees. The intent of these recommendations is to explicitly insure Academic Senate engagement in the divisional research review process, especially regarding the selection of faculty with appropriate expertise to conduct scientific reviews; and to provide an explicit mechanism for Academic Senate oversight of the process to insure that the academic freedom of individual faculty research is protected. In a March 2009 letter, UCAF requested that the University Committee on Committees consider this request.

“Collegiality” as a Factor in Personnel Reviews

UCAF revisited the responses from the University Committee on Academic Personnel and the University Committee on Privilege and Tenure regarding the use of “collegiality” in the evaluation of faculty for merits and promotions and its effect on academic freedom. Finding some contradictions among the responses and believing that the core issue was not addressed, in April, UCAF submitted a memo to Council with specific suggestions that would provide a greater degree of clarity on this issue than currently exists. UCAF proposed changes to APM 210 which would clarify the legitimate and illegitimate uses of the collegiality concept for consideration by UCAP, UCPT and Council. At its April meeting, Council declined to recommend incorporating the proposed language on collegiality into the APM, noting that existing provisions in the APM and in the Code of Conduct address many aspects of collegiality.

Legal Fees for Faculty Accused of Misconduct in Research

UCAF asked Council to endorse its recommendation that UC policy be modified to require reimbursement of any legal fees incurred by faculty members who are found innocent of accusations of misconduct. In July 2008, Council asked UCAF to work with the University Committee on Faculty Welfare and the Office of General Counsel to craft a reimbursement entitlement proposal and recommended guidelines for legal fee reimbursement decisions. OGC met with UCAF during its November meeting to develop a plan for drafting the guidelines and had a preliminary discussion about criteria that should be satisfied in order for faculty to be reimbursed. OGC agreed that it would be useful to have the Senate's perspective of what is appropriate to include in the guidelines. UCAF and UCFW will review the guidelines that will be drafted by OGC.

Hong vs. UC Regents

UCAF monitored the case of Hong v UC Regents. Dr. Hong is a former UC Irvine professor suing UC and individual administrators alleging that he was denied a merit increase due to complaints he raised in faculty meetings and in the context of shared governance. UCAF members were concerned about the position taken by the University based on the Garcetti vs. Ceballos case. The Garcetti argument held that faculty speech uttered in the context of shared governance is not protected and that faculty can be disciplined by the employer, which narrows the interpretation of First Amendment rights in the workplace. The Office of General Counsel met with the committee in March to explain the different positions taken by UC and the individual defendants. UCAF will continue to follow the case which is currently in the 9th Circuit Court of Appeals.

Proposed Student Freedom of Scholarly Inquiry Principles

A joint administration and Academic Senate task force developed the statement that articulates that students have freedom of scholarly inquiry. UCAF's proposed Student Freedom of Scholarly Inquiry Principles were endorsed by Academic Council in September and [Approved by the Academic Assembly](#) on January 30, 2008. The Assembly also asked that these '*Principles*' appear as a footnote in APM 010. In January, the Provost solicited comments from campus Student Affairs leaders. In June 2009, the proposed appendix to APM 010 with the Student Freedom of Scholarly Inquiry Principles was distributed for official systemwide review.

Additional Business

UCAF devoted part of each regular meeting to reports on issues facing local committees. Discussions included details about specific academic freedom cases at UC and other universities. Finally, UCAF occasionally consulted with the Academic Senate Chair and Vice Chair on issues facing the Academic Council and Senate.

Respectfully submitted,

Patrick Fox, Chair (SF)
Raymond Russell, Vice Chair (R)
Ethan Bier (SD)
Gregory Pasternack (D)
Eugene Volokh (LA)
Roberta Rehm (SF)
Sonja Weaver-Madsen, undergraduate student (LA)

Paul Amar (SB)
Ronald Amundson (B)
Chris Connery (SC)
Isaac Scherson (I)
Erik Menke (M)
Hironao Okahana, graduate student (LA)

Mary Croughan ((SF); Chair, Academic Senate, *Ex Officio*)

Harry Powell ((SD); Vice Chair, Academic Senate, *Ex Officio*)
Brenda Abrams, Senior Policy Analyst

**UNIVERSITY COMMITTEE
ON
ACADEMIC PERSONNEL
2008-2009 ANNUAL REPORT**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The University Committee on Academic Personnel (UCAP) met four times in Academic Year 2008-2009 to conduct business with respect to its duties as outlined in Senate Bylaw 135 to consider general policy on academic personnel, including salary scales, appointments and promotions, and related matters. The issues that UCAP considered this year are described briefly as follows:

Implementation of the New Faculty Salary Scales

UCAP monitored implementation of the four-year systemwide faculty salary scale plan. Year one of the four-year faculty salary plan in 2007-2008 brought UC salaries closer to the comparison institutions and brought more UC faculty on scale. Year 2 of the plan will not be implemented due to the current budget situation, but UCAP will continue to track the salary comparisons. Even though there is no funding for the faculty salary plan, it is important to continue working on the salary scales in order to know how UC salaries compare to comparison institutions. UCAP will receive data on an ongoing basis showing the comparison of UC to comparison eight. There are questions about which institutions should comprise the comparator group and how UC should be compared to them. UCAP would like to follow this data on an ongoing basis and determine progress.

Cross-Campus Comparison of Off-Scale Amounts and Advancement Rates

UCAP reviewed faculty salary reports generated by UCSC and UCD. The data indicate that there is significant variation in faculty salaries across the system. Different methodologies were used for the existing reports as a way of addressing questions of particular interest to those campuses. A standard methodology that provides one useful and relevant way of looking at the data is required and a uniform set of data analyzed in a uniform way is necessary. UCAP believes it is important to have the ability to look at salaries by discipline in a consistent way across the campuses. The committee will look at this data on an ongoing basis to monitor whether progress has been made. Standardized and centralized ways to track recruitment and retention are also needed to demonstrate how UC is doing. The impact of next year's furloughs on faculty funded by grants has not been analyzed yet but the cost of furloughs will be evaluated by UCAP. In 2009-2010 UCAP will revisit the data with assistance from the Institutional Research and Academic Personnel units at OP.

Health Sciences Compensation Plan

UCAP's Chair participated in a small working group that reviewed proposed revisions to the Health Sciences Compensation Plan (HSCP), APM 670, to determine what revisions should be made. Issues under consideration include clarifying eligibility for the HSCP and which job titles should be included or excluded. The revision of APM 670 should contain a framework for split appointments where faculty are subject to the rules of two plans and can select the best benefits from the plans. One problem identified is that the HSCP continues to pay the additional compensation to faculty suspended from practice who cannot bring in the clinical revenue to cover their high salaries. In the past this has been left to the discretion of the department chairs, and decision-making can be subjective and will not be uniform across departments, if not coordinated. To address this issue, UCAP agreed that the policy should describe good standing criteria, who will decide if the criteria have been breached, and an appeal process to protect the faculty member.

Consultation with the Administration

Janet Lockwood, Associate Director, Academic Personnel, Patricia Price Interim Director, Academic Advancement, and Jim Litrownik, Coordinator, Data Management, Academic Advancement served as consultants to UCAP. The committee was provided with regular updates about UC's budget and was kept abreast as plans to address the financial crisis were developed. A key concern for UCAP was the potential impact that any plans would have on merit reviews and promotion decisions, although OP ultimately implemented strategies that did not put these at risk. UCAP members also discussed the importance of maintaining the cohesiveness of UC as a system by ensuring that all the campuses adhere to one set of budget principles.

APM 240 - Deans

At UC, a Dean has a unique role as the academic leader of a Division, College, School, or other similar academic unit, with senior-level administrative responsibility for the operations of the academic enterprise. APM 240 attempts to achieve balance in matters of accountability, performance standards, compensation, and benefits for those who serve in this dual role. UCAP provided feedback to Academic Personnel on the question of whether the primary duties of a Dean are those of a senior faculty member appointed to an administrative role, or primarily those of an administrator with an underlying faculty appointment. The committee recognized that individual cases may require unique consideration. Several UCAP members participated in a discussion with Academic Personnel about general principles to guide the local CAPs.

Other Issues and Additional Business

University Professor: In October 2008, in accordance with APM 260, UCAP nominated an ad hoc faculty review committee to review an appointment to the University Professor title proposed by a campus. In May 2009, UCAP members reviewed the ad hoc committee's recommendation and all case materials and forwarded a memo of strong support for the University Professor appointment to Provost Pitts.

In response to requests for formal comment from the Academic Council, UCAP submitted views on the following:

- The UC Accountability Framework
- Policy on Re-employment of UC Retirees
- Proposed revisions to APMs 230-17, Visiting Appointments Terms of Service; 230-18, Visiting Appointment Salary; and 279-20, Clinical Professor, Volunteer Series
- The UC Education Abroad Program's Business Plan

Campus Reports

UCAP devoted part of each regular meeting to reports about issues facing local committees and comparison of individual campus practices. In these discussions, UCAP members touched briefly on the status of searches; responses to outside offers; requirements related to publications/creative work in review packages; cases where there is an appearance of conflict of interest in external and internal letters; recusal policies; special accelerations for retention or other reasons; average case turn-around time; whether grants can be considered as a criterion in the merit and promotion process; and how CAPs consider contributions to diversity and equal opportunities.

Survey of CAP Practices

UCAP updated its annual survey of local CAP practices and experiences. The survey covers a wide range of topics, including the type and number of files reviewed by CAPs; CAP support, resources and member compensation; final review authority; CAP's involvement in the review of salary and off-scale increments at the time of hiring or in retention cases; and the use of ad hocs. UCAP considers the survey to be an important resource that helps the committee identify areas in which campus practices might be brought into closer congruence. This year the committee agreed that the results of the survey could be shared with people at the campuses including EVCs and CAPs.

UCAP Representation

UCAP Chair Steve Plaxe represented the Committee at meetings of the Academic Council and the Assembly of the Academic Senate.

Committee Consultations and Acknowledgements

UCAP benefited from regular consultation and reports from Janet Lockwood, Associate Director, Academic Personnel and Patricia Price Interim Director, Academic Advancement, who presented updates on the implementation of the salary scale plan and systemwide APM policies under review or being prepared for review, including possible policy changes to the Health Sciences Compensation Plan. Jim Litrownik, Coordinator, Data Management, Academic Advancement provided the committee with data analysis critical to UCAP's discussion about faculty salaries.

UCAP occasionally consulted the Academic Senate chair and vice-chair about issues facing the Senate and the Senate executive director about Senate office procedures and committee business.

Respectfully submitted,

Steven Plaxe, Chair (SD)
Allison Butler, Vice Chair (SB)
Carol Aneshensel (LA)
Maureen Callanan (SC)
Mary Gilly (I)
Harry Green (R)

David Lieberman (B)
Katja Lindenberg (SD)
Ahmet Palazoglu (D)
David Seibold (SB)
Roland Winston (M)

Mary Croughan ((SF); Chair, Academic Senate, *Ex Officio*)
Harry Powell ((SD); Vice Chair, Academic Senate, *Ex Officio*)
Brenda Abrams, Senior Policy Analyst

**UNIVERSITY COMMITTEE ON AFFIRMATIVE ACTION AND DIVERSITY
ANNUAL REPORT 2008-2009**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The University Committee on Affirmative Action and Diversity (UCAAD) met four times in the 2008-2009 Academic Year. In accordance with its duties as outlined in [Senate Bylaw 140](#), UCAAD considered policies related to staff, faculty, and student diversity, as well as statistical data and other measures of those policies successful implementation. This year was the second full year of membership for UCAAD on the Academic Council. In February 2007, the Council unanimously approved the addition of UCAAD as a permanent standing member, and in May of that year, the Academic Assembly approved an amendment to [Senate Bylaw 125](#) that codified the addition. Chair Francis Lu noted that his participation on the Council stimulated greater consideration of diversity-related aspects of Senate business. A summary of the committee's work is below:

Implementation of the President's Task Force on Faculty Diversity

In continuation of business begun in 2006-07, this year's UCAAD monitored campus implementation of the recommendations from the President's Task Force on Faculty Diversity. Although each campus prepares an annual statistical analysis, called an underutilization study, of the diversity of its faculty and staff for federally required affirmative action reports/plans, the committee was disappointed to learn that some campuses do not post the results or distribute them to the faculty; nor do the campuses present the data in a way that would allow faculty to assess changes in their units' data over time. However, the committee was encouraged by the steps that had been taken on several campuses. UCAAD members were charged to exhort campus directors for faculty equity and other officials to ensure that their results were published in easily accessible forums.

UCAAD also considered diversity within the health sciences via review and comment on a report spearheaded by Vice Chair M. Ines Boechat (UCLA). UCAAD will continue to monitor implementation of the final report's recommendations.

Francis Lu, Chairperson of UCAAD, was added to the Diversity Implementation Committee as the representative of the Academic Senate with the support of the Academic Council. In this capacity, he provided UCAAD input concerning the Diversity Accountability Framework, the Diversity Data Collection, and the UCOP Diversity Coordinator job description. With the support of the Chair of the Academic Council, he was added to the search committee for this position and participated in the interviews and final recommendation. Chair Lu also provided the Committee with a document completed at UCSF that utilized the 2002 UC Affirmative Action Guidelines for Faculty Recruitment and Retention to provide action steps to implement the 2006 changes in APM 210, 240 and 245 concerning diversity. (See Appendix 1)

UCAAD met with Interim Provost Pitts on April 23, 2009, to discuss the status of diversity at UCOP and UC in preparation for the September 2009 report to the Regents on diversity. At his request, UCAAD provided in a subsequent communication a list of process measures for jumpstarting diversity at UC. (See Appendix 2)

Regents' Study Group on University Diversity and Proposition 209

The Regents' convened several work groups to study diversity at the University, and four of the groups have issued their final reports to The Regents: faculty diversity; graduate and professional school diversity; undergraduate diversity; staff diversity; and campus climate. The work groups conducted comprehensive assessments of University diversity in order to determine how well UC was meeting the

needs of its diverse California constituencies ten years after the passage of Proposition 209. To understand better the intricacies of the interactions between state prohibitions, federal requirements, and UC's stated goals, UCAAD conferred with the Office of General Counsel in addition to its regular consultants. The committee will follow closely implementation of the remediation efforts recommended by the various groups.

President Yudof's Revised Accountability Framework Report

In September, President Yudof released his draft accountability framework, including a 200-plus-page draft of selected indicators to report on UC performance. Members were asked to consider the extent to which previous input from UCAAD was reflected in the revised report and accompanying materials. UCAAD members reviewed the revised indicators and provided a detailed listing of its comments some of which were reflected in the revised draft.

Advocacy for Staffing at UCOP Responsible for Diversity Activities

UCAAD advocated for staffing at UCOP responsible for diversity activities through action items to the Academic Council, which were passed. This was important in the time of reorganization of UCOP.

Gender Identity and Sexual Orientation Modifications to the UC Diversity Statement, APM, and Senate By-Laws

UCAAD initiated action items that both included "Gender identity" in the UC Diversity Statement and made modifications in the APM and Senate By-Laws that updated sections to include gender identity and sexual orientation consistent with UC nondiscrimination policy cited in APM 035. Shane Snowden, Director of LGBT Resource Center at UCSF, provided invaluable technical support. The Academic Council subsequently supported these action items.

Implementation of Modifications to APMs 210/240/245

UCAAD continued to discuss the implementation of the diversity revisions to APM sections 210/240/245 originally proposed by UCAAD in 2004, which took effect in July 2005. UCAAD considered ways to publicize the changes and to monitor and evaluate the effectiveness of the implementation. Additionally, members sought methods of educating their peers on recruitment and retention committees of the nature of unconscious biases. Members considered the extent to which a model for monitoring the implementation of UC Affirmative Action Guidelines for Recruitment and Retention of Faculty developed by UCSF in 2002 could be modified and adopted by UCAAD to serve as the model for the UC system. The committee discussed various models for engaging the campuses in a discussion of models; the need for local CAPs to educate their EVCs; varying levels of responsibility for faculty, campus, school, department levels (members recommended unbundling of the levels); and methods and tools in use at some campuses, e.g., diversity questionnaires; action step templates. UCAAD with the support of the Academic Council was also successful in recommending that the term "affirmative action" be retained in proposed changes to APM 240, which occurred in the final draft.

Systemwide Pay Equity Analysis

In 2007-08, UCAAD, in conjunction with Academic Advancement consultants initiated work on a system-wide pay equity analysis. The effort, led by Vice Provost Nicholas Jewell, was to be the first UC-wide statistical report of pay practices by gender and ethnicity evaluated across divisions, schools, and departments. UCAAD worked with Academic Advancement to develop the best possible evaluative metrics and comparative standards. Difficulties in securing up-to-date and translatable payroll and personnel data, however, coupled with the departure of Vice Provost Jewell in fall 2008, have delayed any further work on the project. Next year's UCAAD will continue to monitor both the analysis and its implications and advocate for critical support from UCOP's Institutional Research and Communications unit for moving the project forward.

Proposed Amendment to Senate Bylaw 140

UCAAD explored the possibility of changing its name and charge to more closely reflect the evolution of the concerns and topics it handles. Specifically, it was proposed to replace the term *affirmative action* with the word *equity*. Although many campus offices and committees have undertaken similar measures, the results of a system-wide review of the proposed change were not favorable. Ultimately, UCAAD members unanimously voted to recommend to Council that the committee's name be changed to *University Committee on Affirmative Action, Diversity and Equity* (UCAADE). This action item was presented to the Academic Council, but a request was made for a follow-up action item that specifies the exact change in the Senate Bylaws.

Other Issues and Business

In addition to official communications related to the aforementioned topics, UCAAD submitted formal comments on the following policy review issues:

- NSF's suppression of race and gender data in the annual Survey of Earned Doctorates: With Academic Council support, a communication was sent to the NSF, which subsequently reversed its proposed change;
- Dependent care expenses for academic meetings to which Council approved sending APM 669 for systemwide review once formally issued by Academic Advancement;
- Both the original and the revised Freshman Eligibility proposals from BOARS;
- Report of the Subcommittee on the Professional Doctorate of the UC task force on Planning for Professional and Doctoral Education (PDPE);
- Senate task force on Academic Senate Membership;
- UC Staff Diversity Council Report;
- Proposed Amendment to Standing Order 100.4 – Duties of the President; and
- Review of the proposed Furlough/Salary Reduction Plan options.

UCAAD also devoted a portion of each meeting to reports and updates from its members about issues facing local divisions and committees. These discussions included local faculty search committee practices and hiring data; the role of campus affirmative action officers; equity and career reviews; exit interviews; and campus climate issues and climate surveys.

Suggested Agenda for the 2009-2010 Academic Year

- 1) Establish liaison with the UCOP Diversity Coordinator, who will report to Interim Provost Larry Pitts;
- 2) Continue liaison with the Diversity Implementation Committee that will be coordinated by the UCOP Diversity Coordinator;
- 3) Monitor the September Regents meeting where the Annual Report on Diversity will be presented for their input. Follow-up on their recommendations as well as provide UCAAD input;
- 4) Revive the Pay Equity Analysis study;
- 5) Review the Health Sciences Faculty Diversity Report;
- 6) Re-submit action item about the name change of the committee;
- 7) Review and revise with UCOP the 2002 UCOP Affirmative Action Guidelines for Faculty Recruitment and Retention to include changes such as the UC Diversity Statement and changes to APMs 210, 240 and 245;
- 8) Continue monitoring and encouraging ways to implement changes to APMs 210, 240 and 245 with regard to diversity liaison with UCAP; and

- 9) Continue ongoing efforts to include in the work of the committee all aspects of diversity as defined by the UC Diversity Statement.

Acknowledgements

UCAAD is grateful to have had valuable input from and exchange with these UCOP and campus consultants over the past year: Interim Provost Larry Pitts; former Vice Provost for Academic Advancement Nicholas Jewell; former Assistant Vice Provost for Equity and Diversity Sheila O'Rourke; former Director Graduate Student Advancement Mark Wesyle; former Graduate Diversity Coordinator Susanne Kauer; Special Assistant to the Provost and Diversity Project Coordinator Jan Corlett; Interim Executive Director Academic Personnel Pat Price; Associate Director of Administration Academic Affairs Trish Hare; and Director of LGBT Resource Center Shane Snowden (UCSF). They provided the committee with data, consultation and reports on numerous items and issues, including:

- The work of the Regent's Study Groups on University Diversity;
- Graduate and professional student academic preparation educational outreach;
- Legal obligations and responsibilities for faculty and student diversity in relation to both Proposition 209 and federal affirmative action regulations;
- UC programs and fellowships targeting diversity, including the President's Postdoctoral Fellowship Program; and
- Local conferences, summits, and symposiums addressing diversity.

The committee also thanks the numerous faculty members who, as alternates, kindly represented their respective campuses at UCAAD meetings throughout the year. Finally, UCAAD wishes Vice Provost Jewell and Assistant Vice Provost O'Rourke much success in their respective returns to campus-based diversity advocacy.

Respectfully submitted:

Francis Lu, Chair (UCSF)

M. Ines Boechat, M.D., Vice Chair (UCLA)

Margaret Conkey (UCB)

Ann Orel (UCD)

Raju Metherate (UCI)

Ruth Bloch (UCLA)

Cristian Ricci (UCM)

Linda Fernandez (UCR)

Bettina Aptheker (UCSC)

Alexander Hoffman (UCSD)

Susan Kools (UCSF)

Amber Gonzalez (UCSB student)

Mary Croughan (ex-officio member)

Henry Powell (ex-officio member)

Eric Zárate (Committee Analyst)

**UCSB representative was not appointed in 2008-09*

BOARD OF ADMISSIONS AND RELATIONS WITH SCHOOLS (BOARS) ANNUAL REPORT 2008-09

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The Board of Admissions and Relations with Schools (BOARS) met ten times in Academic Year 2008-09, including joint meetings with the CSU Admissions Advisory Committee in June and the UC Admissions Directors in July, to conduct business with respect to its duties as outlined in [Senate Bylaw 145](#), to advise the President and Senate agencies on the admission of undergraduate students and the criteria for undergraduate status. BOARS also has three key subcommittees – Admissions Testing, Articulation and Evaluation, and Statistical Analysis – charged with reporting to the parent committee. The major activities of BOARS and its subcommittees, and the issues they addressed this year are outlined briefly, as follows:

Proposal to Reform UC Freshman Eligibility Policy

After the Academic Senate’s Admissions Reform proposal “Entitled to Review” (ETR) went before the Regents in September for a preliminary discussion, the President asked for updated projections of ETR outcomes using 2007 CPEC data. BOARS studied UCOP’s simulations of student profiles and application volume for ETR based on updated CPEC weights, and found that the updated data were consistent with the earlier simulations and reinforced the Senate’s proposal. The Committee also produced a statement outlining the educational pros and cons of two minimum GPA options for ETR status, and although BOARS favored a 2.8 unweighted minimum GPA, the President decided ultimately to recommend a 3.0 weighted/capped minimum.

BOARS Chair Sylvia Hurtado, Senate Chair Mary Croughan, former BOARS Chair Mark Rashid, and former BOARS and Senate Chair Michael Brown worked with UCOP to develop communication strategies for the reform. They met with legislators and journalists and responded to groups and individuals opposing it. In December, those three recent BOARS chairs and Associate Director of Admissions Sam Agronow, who was chief analyst on the reform, [responded](#) to a paper critical of the proposal published at the [Center for Studies of Higher Education](#). Finally, on February 4, the Senate team presented the reform proposal to the Regents’ Committee on Educational Policy, which the full Board voted to endorse on February 5.

Later, UC and Senate leaders, including the current and past chairs of BOARS, met with the Asian Pacific Islander Legislative Caucus, Asian Pacific American Legal Center, and several other API community organizations to address concerns about the impact of the new policy on Asian-American access to the University. These meetings highlighted the need for UC to respond to different communities and convey clear messages about its admissions and comprehensive review policies.

BOARS also clarified that students should be required to complete any 11 a-g courses by the end of the 11th grade for Entitled to Review status, and that the 11th grade pattern should be modified to reduce the English requirement from three to two courses by the end of the 11th grade for consideration of the local ELC guarantee.

Implementation of Eligibility Reform

Amendments to Senate Regulations: BOARS recommended amendments to the Senate regulations pertaining to eligibility and admissions with the help of campus admissions directors, Admissions Director Susan Wilbur, and former BOARS Chair Rashid. The revisions included several mandatory changes required to align Senate policy with the admissions reform policy approved by the Regents. Other amendments were intended to improve the clarity and/or alignment of the regulations with current policy and practice. BOARS incorporated feedback from a systemwide Senate review of the

modifications into a revised set of amendments, and in June, the Academic Assembly unanimously approved the changes.

Comprehensive Review Policies: BOARS noted that with the passage of the admissions reform policy, all campuses will have to become more selective and expand the use of comprehensive review as part of their selection processes. BOARS reviewed existing campus comprehensive review guidelines and philosophies, noting that some campuses already have elaborate comprehensive review policies and procedures in place, while others require more development. Chair Hurtado asked members to review and assess their local policies, and if necessary, develop new or revised principles and guidelines in preparation for the new admissions era with the help of their campus committees and admissions directors. Additionally, BOARS produced a set of practical guidelines for comprehensive review to help ensure and promote proper implementation of the admissions reforms.

Report to the Regents on Standardized Testing

The BOARS Testing Subcommittee, chaired this year by Peter Sadler and joined by Darnell Hunt and Julie Bianchini, continued to analyze the extent to which the new SAT Reasoning Test aligns with BOARS' January 2002 testing principles. In 2003, The Regents provisionally approved UC's current testing pattern pending a report from BOARS about the extent to which the new SAT aligns with the principles. Over the last two years, BOARS and the Testing Subcommittee have consulted experts to assess the degree to which these goals are being met. This year, BOARS requested additional information from the College Board about the new SAT and from ACT, Inc. about the ACT with Writing. BOARS also reviewed data on UC students who took both the ACT and SAT, and a study drafted by Deputy Director of Institutional Research Samuel Agronow comparing the predictive validity of the California Standards Tests and the SAT.

BOARS reviewed a series of draft reports produced by the Testing Subcommittee and a near final draft was being prepared in August. The report proposes that the SAT Reasoning and ACT with Writing tests meet BOARS' principles better than before, but still do not meet them fully. It recommends that UC prefer curriculum-based tests that are scored by achievement standards. It does not make an explicit recommendation for changing current testing policy, but presents possible pathways to change that UC should continue to consider. The report will be completed and forwarded for Council and Regents review in Fall 2009.

Request for BOARS to Reassess the "d" Requirement for UC Admission

In June 2008, the Davis Senate Division requested a Senatewide review of the possible expansion of courses approved for credit in UC's "d" laboratory science admissions requirement, to include earth, environmental and space sciences (EESS). Council referred the issue to BOARS, which in a December memo to Council opposed the proposed change and recommended against pursuing the issue further. BOARS acknowledged the proponents' view that EESS courses help engage high school students in science, but noted that most EESS courses do not provide basic science knowledge and reasoning preparation equivalent to the biology, chemistry, and physics required for the 'd' requirement as necessary preparation for university-level science. The Committee noted that ninth grade EESS courses can fulfill the area "g" elective requirement, and individual EESS courses can, and have been, accepted for 'd' if they also provide fundamental knowledge in at least one of the basic science areas.

Council decided a systemwide review would help resolve the issue and BOARS was asked to consider what materials should be sent to campuses to help them make informed decisions. BOARS decided to gather additional data on college preparatory science standards and credential requirements for California science courses, and asked the UCLA Higher Education Research Institute to administer a web-based survey to UC departments offering introductory courses in science, mathematics, and engineering to help get a systemwide picture of faculty expectations for student preparation. The survey was expected to be complete by September.

Principles for Enrollment of Non-resident Undergraduates

BOARS discussed a UCOP memo asking campuses to set separate admission targets for State-supported resident undergraduates and fee bearing non-resident undergraduates. The Committee also heard reports that some campuses were planning to generate new revenues by significantly increasing non-resident enrollment. BOARS decided to respond by proposing a set of guidelines and principles for the admission and enrollment of non-residents. In an April memo, BOARS expressed concern that campuses were being forced to generate NRT revenue to fund budgets; that some campuses were planning to increase non-resident undergraduate enrollment far beyond traditional ratios to help address budget shortfalls; and that such actions would decrease California resident access to UC and could inject fiscal considerations into admissions decisions. Council sent the proposed principles for systemwide Senate review. In July, BOARS reviewed divisional Senate and systemwide committee feedback and responded with a revised document, which Council endorsed and forwarded to Interim Provost Pitts for dissemination to campus Admissions offices, the EVCs, and the Enrollment Management Council.

Career Technical Education and ‘a-g’

BOARS discussed the increasing pressure on UC and CSU to advance Career Technical Education in California high schools by accepting more CTE courses to fulfill the ‘a-g’ subject requirements for undergraduate admissions. BOARS also reviewed Director Wilbur’s discussion paper on the ‘a-g’ requirements and CTE, a set of draft principles to guide UC’s work in implementing and communicating the ‘a-g’ requirements, and a document drafted by BOARS Vice Chair Bill Jacob outlining the purposes of the ‘a-g’ requirements from a faculty perspective. BOARS agreed that UC should help expand access and opportunity to higher education and ‘a-g,’ including academically rigorous CTE courses, but should remain vigilant that expanding the number of ‘a-g’ courses maintains curricular rigor and does not add stress to already overburdened schools. CTE and ‘a-g’ were also major topics of discussion at BOARS’s joint half-day meeting in June with the CSU Admissions Advisory Committee. BOARS and the AAC discussed the state’s request for UC and CSU to do more to accept CTE courses, common goals for CTE, and potential legislation that could divide CSU and UC on the issue.

Understanding and Improving the Transfer Admission Path

BOARS discussed the California legislature’s request for UC and CSU to accept more Community College transfer students and to make the transfer and course articulation process more efficient and effective. BOARS also discussed the President’s new initiative to strengthen transfer paths between the CCCs and UC/CSU, and increase the number of transfers admitted to UC. In May, Director Wilbur described the major transfer-related issues facing UC, CSU, and the CCCs, including efforts to develop an intersegmental common course numbering system for lower division major preparation courses, challenges related to increasing the alignment of general education and lower division transfer preparation requirements, and related legislation. At their half-day joint meeting in June, BOARS and the CSU Admissions Advisory Committee discussed major issues and obstacles associated with fostering and improving the transfer path, including the work of the “CID” Task Force, IGETC, CSU’s Lower Division Transfer Pattern, and other transfer admissions procedures and initiatives.

Shared Admissions Review

BOARS discussed the progress of the Shared Review initiative, which is developing a system to allow campuses to share reviews of freshman application data and scores. Last year, two Admissions Processing Task Force (APTF) subcommittees comprised of BOARS faculty and admissions directors drafted two protocols for processing, extracting, and distributing application information centrally. The first would generate a score or set of scores from a holistic, human read of the application, based on the UCB and UCLA systems. UCLA and UCB made scores from common applicants available to campuses on a trial basis in 2008-09, and some campuses used them to help make or review their decisions. The second

committee would generate a set of “machine” scores based on an algorithmic assessment of various comprehensive review factors in the application. The “machine” score subcommittee met December 9 to refine the data elements that will include information that can be used by campuses in their review processes along with other information from the application as well as local context data. BOARS members thought that the new data elements would be useful to their campuses, supported the work of the subcommittee and the goal of making the data widely available to campuses, and suggested that UCOP proceed. UCOP is moving forward in incorporating some of the new data elements in the electronic information campuses receive.

Changes to the Mathematics (‘c’) and Laboratory Science (‘d’) Requirement Descriptors

BOARS reviewed revisions proposed by the C and D Task Force for the mathematics (c) and laboratory science (d) descriptions in the [Guide to “a-g” Requirements](#). The charge to the intersegmental faculty on the Task Force was to review and clarify the descriptions to help schools identify the criteria distinguishing a suitable (c) or (d) course. William Jacob and Robert Jacobsen recommended that BOARS adopt all of the Task Force recommendations except a recommendation that all three years of math be taken in grades 9-12. BOARS felt this change could be construed as a new policy and would be contrary to the State’s new 8th grade algebra requirement, and decided to leave in place the language requiring three units but strongly recommending four units of college preparatory mathematics.

BOARS Articulation and Evaluation (A&E) Subcommittee

The A&E Subcommittee, chaired by BOARS member William Jacob, and joined by Juan Poblete (UCSC) and James Given (UC Irvine) was charged with reviewing all issues dealing with high school preparation and serves as guardians of ‘a-g’ requirements that serve both UC and CSU. Joe Watson (UCSD) joined the group to develop the materials for systemwide review of the EESS issue.

BOARS Statistical Analysis Subcommittee

The Analytic Subcommittee, Robert Jacobsen, Bill Jacob, Sylvia Hurtado, and Sam Agronow, was an instrumental and integral part of all statistical-analysis designs used in the eligibility proposal. Several analyses were conducted this year, which were reviewed by the committee prior to presenting them for discussion at BOARS. These analyses included an evaluation of the admissions impact on Asian Americans, course-taking alternatives for the 11 ‘a-g’ courses that will be required in the eligibility reform, and analyses of SAT and ACT test-taking of UC applicants and performance in college.

The American Diploma Project

BOARS followed the progress of the [American Diploma Project](#), an initiative of the National Governor’s Association and Achieve Inc. intended to help states align K-12 standards, tests, and data systems to better prepare students for college and career success. Director Wilbur and Vice Chair Jacob both attended Achieve meetings. BOARS agreed that UC should be engaged in the project as part of its public service mission and that UC faculty should be at the table helping to drive the process. There was also concern about the Diploma Project’s emphasis on designing academic standards around testing, which may not align with what students need to know and how they learn, and on “accountability,” which alone will not solve fundamental problems with instruction and learning.

Joint Meeting with the UC Admissions Directors

In July, BOARS hosted its annual half-day meeting with the UC admissions directors. The two groups discussed issues that arose during the review of the Senate admissions regulations; strategies for implementing and strengthening comprehensive review policies and procedures; best practices for comprehensive review; a retrospective on comprehensive review due to the Regents by December 2009; collaborative efforts to share application data and scores and progress on a project to develop a

systemwide shared score read sheet; challenges facing admissions offices as a result of the budget crisis; and BOARS' proposed guidelines for the admission of non-resident undergraduates.

BOARS Chair Hurtado also met with the Admissions Processing Task Force, once by telephone in October and in a face-to-face meeting in May to stay apprised about progress in the evaluation and processing of UC applications.

Other Reports and Recommendations

BOARS also issued a response in formal views or initiated letters on the following:

- *The Blue and Gold Opportunity Plan*
- *The Draft UC Accountability Framework*
- *BOARS initiated a letter regarding concerns that the reorganization of the Departments of Academic and Student Affairs will result in the loss of critical expertise that has helped BOARS successfully explore policy alternatives and solutions in admissions. The letter placed a high priority on support for data/information needs to support the retention of positions at UCOP vital for Senate decision-making. It was supported by Council and forwarded to the President/Interim Provost.*
- *A Request from the University Committee on Academic Freedom (UCAF) to change Senate bylaws and add UCAF to Council*

Other Presentations, Issues, and Additional Business

BOARS also discussed the impact of the State budget crisis and national recession on undergraduate admissions, a possible wait list system, the effect of the UCOP reorganization on the ability of BOARS and UCOP to carry out their responsibilities and functions, and the importance of diversity to the UC mission. In June, BOARS met with UCLA Professor Patricia Gándara in the UCOP videoconference room to learn more about [Project S.O.L.](#), a joint initiative with the Mexican government to improve access to a-g courses for California high school English language learners. Chair Hurtado also provided regular updates to BOARS about the deliberations of the Enrollment Management Council advising the President about enrollment options and their impact on UC and its mission.

President Yudof joined the December meeting to discuss the problem of unfunded over-enrollment on UC campuses, his plan to curtail the size of the freshman class and increase transfer enrollment, and his proposal for a new financial aid guarantee program—the Blue and Gold Opportunity Plan—to help cover fees for needy students. Interim Provost Lawrence Pitts attended the March meeting to discuss campus progress in meeting new enrollment targets, and he returned in July to ask BOARS to consider ways in which UC might be able to increase efficiencies and reduce costs in admissions related functions.

BOARS Representation

BOARS Chair Hurtado represented the committee at meetings of the Academic Council, Academic Assembly, Admissions Processing Task Force, the Intersegmental Committee of Academic Senates, and the President's Enrollment Management Council. She was also invited to serve on the steering committee for a new multi-campus initiative led by the UCB Law Dean, which will be examining various P-16 education issues facing California. James Given represented BOARS on the Articulation System Stimulating Interinstitutional Student Transfer (ASSIST) Board of Directors, and Peter Sadler served on the UC/CCC Transfer Advisory Board.

Consultation with UCOP and Acknowledgements

BOARS benefited from regular consultation with Admissions Director Susan Wilbur, who provided updates about application and admissions outcomes, efforts to help schools develop rigorous CTE courses, transfer initiatives, and the ‘a-g’ certification process. Deputy Director of Institutional Research Samuel Agronow provided BOARS with essential data related to the eligibility reform effort, often on short notice. He also briefed BOARS on improvements to [StatFinder](#) and new racial/ethnic data collecting and reporting requirements mandated by the U.S. Department of Education for the Integrated Postsecondary Education Data System. External Affairs Director Nina Robinson was integral to the Eligibility Reform effort, Special Assistant to the Vice President William Kidder was instrumental in matters affecting student diversity, and Associate Admissions Director Don Daves-Rougeaux, who joined the committee as a regular consultant mid-year, provided insight into the high school course articulation process

Thanks also to the faculty who served as alternates for regular committee members: Martin Johnson (UCR); Duncan Lindsey (UCLA); George Johnson (UCB); Pei-te Lien (UCSB); and Stephen Tucker (UCI).

Respectfully submitted,

Sylvia Hurtado, Chair (LA)

William Jacob, Vice Chair (SB)

Robert Jacobsen (B)

Juan Poblete (SC)

Keith Widaman (D)

Peter Sadler (R)

Darnell Hunt (LA)

Susan Amussen (M)

Joseph Watson (SD)

Julie Bianchini (SB)

James Given (I)

Cynthia Pineda-Scott, Graduate Student (LA)

Cinthia Flores, Undergraduate Student (LA)

Mary Croughan (Chair, Academic Senate, *Ex Officio*)

Henry Powell (Vice Chair, Academic Senate, *Ex Officio*)

Michael LaBriola, Committee Analyst

**UNIVERSITY COMMITTEE
ON
COMPUTING AND COMMUNICATIONS**

ANNUAL REPORT 2008-2009

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The University Committee on Computing and Communications (UCCC) is charged by Senate Bylaw 155 to represent the Senate in all matters of instruction and research policy involving the use of information and communications technology and advising the president concerning the acquisition and use of information and communications technology. UCCC held two regular meetings and one teleconference during the 2008-2009 academic year. Highlights of the committee's actions are outlined below.

Minimum Information Technology Guidelines

UCCC continued to discuss the issue of minimum Information Technology (IT) for teaching and learning that all instructors at UC should have, a project which originated under the 2006-07 committee. Senate leadership reviewed a draft set of the guidelines and suggested that concrete information about faculty IT needs should be collected by UCCC as a first step to provide a basis for the guidelines. At its January meeting, Council approved a proposal for UCCC to implement a biennial survey to identify the issues. The results will provide a better idea of what is utilized at each campus and enable UC to make strategic decisions when funding is available to address minimum IT needs. During several meetings, the committee considered the types of questions the survey should contain and how it could be administered. The survey will be finalized and a plan for administration will be developed in the next academic year.

Consultation with the Administration

David Ernst, Associate Vice President for Information Resources and Communications (IR&C), served as a consultant to UCCC. The Associate Vice President provided UCCC with an update about the Information Technology Leadership Council (ITLC) which is comprised primarily of the campus chief information officers. ITLC has recently drafted a memorandum of understanding that articulates its purpose and direction and an outreach plan. The council held a planning retreat and identified a set of initiatives that can be done better if campuses collaborate. UCCC will be given an opportunity to comment on the initiatives proposed by ITLC which include creating a systemwide email system, a unified mechanism for refresh and build out of campus networking, and looking at best practices for supporting faculty with technology for teaching and learning.

UCCC learned and expressed numerous concerns to Council about the Shared Research Computing Services pilot project, a part of the larger UC Cyberinfrastructure proposal. The goal of the project is to determine how a subset of principal investigators (PIs) could be better served through a regional shared research computing facility. The project aims to provide computing capability in a shared data center that includes technical support, back up of data and access to more capacity. It proposed purchasing new computing infrastructure and funding staff at the UCSD supercomputing facility and utilizing capacity that will eventually be available at the National Energy Research Scientific Computing Center operated by the Lawrence Berkeley National Lab. UCCC questioned the budget and the rationale for the pilot. Members voiced concerns about spending \$5.6 million on a project involving only 24 faculty and questioned whether this money could be better utilized if it was spread across the campuses to address more pressing computing and networking infrastructure needs. The committee felt that the call for proposals was not disseminated broadly enough, and that efforts to recruit additional users need to reach especially the faculty unfamiliar with the use and benefits of a supercomputing facility. A faculty/PI oversight committee is being developed and will be responsible for developing the criteria for the one-year benchmarks that will be used to determine if the pilot should continue. UCCC submitted a letter to Council outlining the concerns about the project and recommendations. Council unanimously endorsed

sending UCCC's letter with the recommendations to the president. President Yudof replied, rejecting UCCC's advice not to go forward with this program.

The administration also kept the committee abreast of other IR&C efforts. The Institutional Research unit is working with IR&C on the development of a systemwide data warehouse. Many operational transactional systems will feed into the warehouse automatically, with a goal of reducing the requests to campuses for data used for various reports. Another new project is mainframe consolidation. Campuses that do not want to operate mainframes for administrative computing will have them transferred into the Kaiser mainframe facility. Finally, planning is underway for a new human resource payroll project. Currently eleven different systems are used by UC. It is believed that by using established best business practices, UC will be able to devote more resources to support teaching, learning and research. UCCC will monitor the progress of ITLC and IR&C initiatives and projects.

Textbook Affordability

The issue of textbook affordability was brought to UCCC for consideration by the Academic Senate Vice Chair and the Student Regent. In recent years, textbook prices have risen much faster than the average rate of inflation. One reason for these price increases is the large number of extras included with modern textbooks such as CD-ROMs and instructional supplements that are usually web-based. Customization makes it very difficult for students to buy and sell in the used-book market. Recent pieces of state legislation attempt to address this issue through a number of strategies, including encouraging faculty to give consideration to the least costly practices in assigning textbooks and by requiring publishers to make information about the cost of the textbooks more available. UCCC members suggested several approaches to increase affordability including purchasing the international editions of textbooks online. Another idea is for the California Digital Library to commission textbooks from UC faculty for large introductory courses that could be free and online for UC students. UCCC will follow UC's efforts to address this matter.

Google Email

The committee talked about the contract UC has signed with Google to provide Gmail email services at several campuses. Davis is the first campus where this is being rolled out, and Santa Cruz is planning to start using Gmail for students in fall 2009. Google is not charging students anything and students will have expanded data storage space, more features and access to popular communication tools. The contract stipulates that Google does not own the content of the emails, will never have a legal interest in anything students send or receive, and will never claim copyright or use. The content will not be analyzed so students will not receive advertisements. The University will not share personally identifiable confidential information with Google or any other third parties. UCCC is concerned that the seven year contract can be terminated by Google with six months notice and by UC with one month notice. This is problematic because the emails are stored in Google's proprietary format on its servers. Google will never share its software for reading the email and Google has not promised to send the email back in a format that can be used. Additional concerns are related to Google's compliance with subpoenas and confidentiality issues related to the Family Educational Rights and Privacy and the Health Insurance Portability and Accountability acts. A final concern is about the security of the information, including the potential access to a server by Google staff based outside the United States.

UC Seminar Network

UCCC was asked by the University Committee on Research Policy (UCORP) to review and comment on its concept paper, "Towards Greater UC Synergy." The objective of the proposal is to record and broadcast lectures which are shared across the campuses. Members noted that the concept paper focuses heavily on the sciences and that other areas could benefit from the model. This and several other concerns, including uncertainty about the costs of this proposal, were shared with UCORP.

Additional Business

UCCC devoted part of each regular meeting to reports on issues facing local committees. Discussions included UC's budget, online collaboration tools, online homework systems, computing space, financial aid for student technology, and the use of technology in different disciplines.

Reports and Recommendations

UCCC communicated with the Academic Council on the following:

- Shared Research Computing Project
- Draft furlough and salary cut guidelines

Representation

The UCCC Chair, Lisa Naugle, served as a faculty representative to the Information Technology Leadership Council and as an *ex officio* member of the University Committee on Library and Scholarly Communications.

Acknowledgements

UCCC is grateful for the contributions made by its Office of the President's Information Resources and Communications (IR&C) consultants, Associate Vice President David Ernst.

Respectfully submitted,

Lisa Naugle, Chair (I)

Anthony Joseph (B)

Tony Givargis (I)

Brett Stalbaum (SD)

Martin Raubal (SB)

Jonathan Beutler Graduate Student Representative (LA)

Naomi Lew Undergraduate Student Representative (B)

Larry Armi ((SD); Chair, UCOLASC, *Ex-Officio*)

Mary Croughan ((SF); Chair, Academic Senate, *Ex Officio*)

Harry Powell ((SD); Vice Chair, Academic Senate, *Ex Officio*)

Brenda Abrams, Senior Policy Analyst

Jackson Beatty, Vice Chair (LA)

Felix Wu (D)

Leonard Mueller (R)

Donna Hudson (SF)

Joel Primack (SC)

**COORDINATING COMMITTEE ON GRADUATE AFFAIRS
ANNUAL REPORT 2008-2009**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The Coordinating Committee on Graduate Affairs (CCGA) met a total of nine times during the 2008-2009 academic year.

Reviews of Proposed Graduate Schools and Graduate Degree Programs

One of CCGA's primary responsibilities is to review all campus proposals for new graduate schools and graduate degree programs. A total of 18 proposals were submitted to CCGA for review throughout the academic year. The following table summarizes CCGA's disposition of these proposals as of July 2009.

Campus	School/Program Proposed	Lead Reviewer	Disp. Date	Disposition
UCD	M.S. in Environmental Policy & Management	P. Springer	10/07/08	Conditionally approved
UCSC	Ed.D. in Collaborative Leadership	J. Sutton	11/04/08	Approved
UCSD	Ph.D. in Management	K. Rose	12/02/08	Approved
UCD	<i>School of Nursing</i>	J. Sutton	1/06/09	Approved
UCSD	M.A.S. in International Relations	E. Watkins	2/09/09	Approved
UCSC	M.S./Ph.D. in Technology and Information Management	J-T.Guo	3/03/09	Approved
UCR	M.A./Ph.D. in Management	S. Carter	3/03/09	Approved
UCD	Ph.D. in Communication	E. Watkins	5/05/09	Approved
UCR	M.S./Ph.D. in Materials Science and Engineering	J. Carmody	5/05/09	Approved
UCSD	M.S. in Computational Science	A. Knoesen	5/05/09	Approved
UCSD	Joint Ph.D. in Geophysics between UCSD and SDSU	K. Rose	6/02/09	Approved
UCR	Joint Ph.D. in Evolutionary Biology between UCR and SDSU	L. Gallagher	6/02/09	Approved
UCSF	M.S. in Science and Technology Studies in Medicine	I. Tager	6/02/09	Approved
UCSD	Joint Ph.D. in Engineering Sciences between UCSD and SDSU	V. Leppert	–	Under review

UCB	M.P.Ac. (Public Accountancy)	G. Mimura	–	Review pending receipt of revised proposal from UCB
UCLA	M.A./Ph.D. in Chicana/o Studies	J. Carmody	–	Under review
UCSF	M.S. in Dental Hygiene	I. Tager	–	Under review
UCD	M.S./Ph.D. in Nursing Science and Healthcare Leadership	I. Tager	–	Under review

CCGA worked on a number of initiatives and issues related to graduate education over the course of the 2008-2009 academic year, including:

Fee Policy for Graduate Student *In Absentia* Registration

CCGA submitted to Academic Council a revised Fee Policy for Graduate Student *In Absentia* Registration (IAR) that would effectively allow graduate students to take research or coursework leaves outside of California and remain enrolled in the University while paying 15% of combined Educational and Registration Fees. The policy would ask that the State support the IAR students at a 15% level, an amount commensurate with their fee payment. Under the new policy which was approved by Council, graduate students registered *in absentia* will continue to fulfill the academic residency requirement and the University will accumulate revenues from the reduced IAR fee and receive state support for these students, resulting in mutual benefits to the student and the University.

CCGA Review of Graduate Academic Certificate Programs

CCGA discussed review procedures of Certificate programs that do not fall under the purview of SR735 such as those that are offered in conjunction with other professional or academic degree programs. As a result of these discussions, CCGA submitted to Academic Council for approval and dissemination to the Divisional Senates, a revised memo outlining the review procedures of SR735 and non-SR735 compliant Certificate programs. Under these procedures, CCGA will henceforth require that currently active non-SR735 Certificates, which have not been previously reviewed at their outset by their Divisional Graduate Council, undergo review and approval within a year by their local Graduate Council in order to continue offering their Certificate programs. Furthermore, CCGA formally defined SR735 Graduate Academic Certificate (GAC) programs and distinguish its review of GACs from other graduate programs such as those granting the Master's and Ph.D. degrees.

Policy on Part-Time Self-Supporting Graduate/Professional Degree Programs

At the request of the Provost, CCGA reviewed a proposed policy on Part-Time Self-Supporting Graduate/Professional Degree Programs. Over the course of several meetings, members considered and discussed key questions that were raised in a background paper prepared by Academic Affairs, the need to revise the 1996 policy, and whether or not the questions raised by Provost Hume could be appropriately answered by CCGA alone. CCGA ultimately decided to: define the scope of the review in such a way that it does not preclude future consideration of the larger question of what this means for UC; and produce a white paper to serve as a starting point for the Senate's future consideration of the larger UC policy implications associated with Part-Time Self-Supporting Graduate/ Professional Degree Programs. The draft white paper will be presented to Council in the fall.

Expenditure and Accountability of Funds Allocated for Graduate Student Support

CCGA discussed the issues of prioritization and accountability of funds for Graduate students. The committee considered input solicited from the divisional Graduate Councils via their respective CCGA representatives and from a report issued by the UCB Graduate Assembly on behalf of graduate students

across the UC system. The committee forwarded comments for Council to consider incorporating into a follow-up letter to President Yudof. Of these, the most critical issue relates to the expenditure and accountability of new fund allocations for graduate student support, in the current year or future years.

Implications of AB-867

CCGA discussed the recently introduced State Assembly Bill No. 867 and the issues associated with the Doctor of Nursing Practice (DNP) Degree. AB-867 would allow CSU to offer doctoral nursing programs independently of UC and other institutions of higher education. Following a lengthy and thoughtful discussion, the committee voted to express its serious reservations about the proposed bill and to convey its apprehensions and the following pedagogical concerns to Council.

UC Merced’s Interim Individual Graduate Program Authority

CCGA has reviewed on an annual basis UC Merced’s Individual Graduate Program (IGP) Authority and approved the continued use of the IGP through the 2008-2009 academic year.

Reviews of Name Changes, Masters Degree Program Additions and Other Programmatic Matters

As shown below, CCGA considered several requests for name changes, consolidations, reconstitutions, discontinuances, of degree titles, programs, departments, graduate groups, or schools.

Campus	School/Program/Group	New Name/Group	Requested Action	Disposition
UCR	Anderson Graduate School of Management	–	Reconstitution	Approved
UCSC	Statistics and Stochastic Modeling Program	Statistics and Applied Mathematics Program	Name Change	Approved
UCSC	Bioinformatics	Biomolecular Engineering	Name Change	Not Approved
UCB	Agricultural and Environmental Economics	–	Discontinuance	Approved
UCLA	Romance Linguistics and Literature	–	Discontinuance	Approved
UCLA	M.A. in Department of Design Media Arts	–	Discontinuance	Approved
UCLA	M.A. in Applied Linguistics and TESL	M.A. in Applied Linguistics	Name Change	Approved
UCD	Biochemistry and Molecular Biology and Cell and Developmental Biology	–	Consolidation	Not Approved

Acknowledgements

CCGA is grateful to have had valuable input from and exchange with these UCOP and campus consultants over the past year: Interim Provost Larry Pitts; Former Provost Rory Hume; Vice President for Research and Graduate Affairs Steven Beckwith; Dean of Graduate Studies Jeff Gibeling (UCD); Director - Student Financial Support Kate Jeffery; Director - Academic Planning and Budget Carol Copperud; Principal Analyst Suzanne Klausner; Coordinator - Graduate Education Planning Ami

Zusman; Assistant Director - Intersegmental and Campus Relations Hilary Baxter; and Director - Academic Planning Todd Greenspan. The committee also thanks the numerous faculty members who, as alternates, kindly represented their respective campuses at CCGA meetings throughout the year.

Respectfully submitted:

Farid Chehab, Chair (UCSF)

Ken Rose, Vice Chair (UCSB)

Ira Tager (UCB)

Andre Knoesen (UCD)

Glen Mimura (UCI)

Lowell Gallagher (UCLA)

Valerie Leppert (UCM)

Jang-Ting Guo (UCR)

John Sutton (UCSB)

Sandra Faber (UCSC)

Jim Carmody (UCSD)

Elizabeth Watkins (UCSF)

Katherine Warnke-Carpenter (UCI student)

Mary Croughan (ex-officio member)

Henry Powell (ex-officio member)

Eric Zárate (Committee Analyst)

**UNIVERSITY COMMITTEE
ON
EDUCATIONAL POLICY
2008-2009 ANNUAL REPORT**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The University Committee on Educational Policy (UCEP) met seven times in Academic Year 2008-09 to conduct business with respect to its duties as outlined in [Senate Bylaw 170](#) and in the Universitywide Review Processes for Academic Programs, Academic Units, and Research Units (the “[Compendium](#)”). The major activities of the committee and the issues it addressed this year are outlined briefly, as follows:

Undergraduate Involvement in Research

Over the course of the year, UCEP discussed opportunities for undergraduate involvement in research at UC. The committee developed a white paper focusing on unique aspects of a research university and specifically UC, the value of research to students, and ways to increase opportunities. The white paper describes the various ways undergraduates participate in research through both introductory and in-depth activities. Quantitative information detailing learning gains related to faculty-supported undergraduate research and creative project participation is provided. The paper includes data from Center for Studies in Higher Education’s Student Experience in the Research University project at UC Berkeley that shows that UC undergraduates are conducting research with faculty at a significantly higher rate in comparison to national data. The Office of the President’s Communication unit has been asked to help disseminate the paper, the audience for which includes prospective students and their parents, and state legislators.

Impacted Majors

The issue of impacted majors was explored by UCEP during several meetings. Committee members provided information from their campuses regarding majors that are oversubscribed and the strategies employed to help manage them. UCEP found that a clear definition of impacted majors and policies intended to address the problem does not exist. It was noted that, although students’ interests shift quickly, demand should be considered when determining resource allocations. The committee had a number of conversations about ways to help steer students who are struggling in their declared major toward other disciplines that better match their talents and real interests. UCEP wrote a white paper that provides the committee’s definition of an impacted major and highlights factors that contribute to an impacted major. The paper also documents current mitigation strategies used by various departments and the potential negative impact of some of the strategies. UCEP recommends that timely and accurate counseling of students is probably the most effective tool to minimize the impact of various majors on UC campuses. At its July 29, 2009 meeting, the Academic Council unanimously endorsed UCEP’s request to the Provost to distribute its white paper on impacted majors to deans, deans of undergraduate education, CEPs, UG Councils, and directors of student affairs. The paper was forwarded to the Executive Vice Chancellors at the end of August, and the Provost also asked staff at OP to develop a more quantitative assessment of the extent and number of impacted majors.

Educational Effectiveness Task Force

Dr. Clair Brown met with UCEP in December and May to report on the work of the Educational Effectiveness Task Force. The Undergraduate Education Planning Group’s Educational Effectiveness Task Force is chaired by Dr. Brown and was established to develop assessment strategies. The task force has investigated how undergraduate learning goals are being assessed and the support that can be provided to the campuses. The goal is for campuses to own a faculty-driven, department/content-specific assessment process that provides information for the public about learning outcomes for UC students. The aim is for UC’s strategies to be richer than the *Western Association of Schools and Colleges evaluation and utilize measures that are better than* those found in standardized tests. Information about the

outcomes will be available online at the department level so the public can look at departments' learning goals, see how they map to the curriculum, and eventually see outcomes of UC students' achievements. The task force's report will be available in September and it is hoped that UCEP will oversee implementation of the process and that campus CEPs will provide leadership to ensure it is faculty-driven.

SR 764 Credit in Special Study Courses

UCEP discussed Senate Regulation 764, a systemwide regulation which limits credit in special study courses for undergraduates to five units per term. The committee found that some campuses are out of compliance with the regulation and that the definition of special study courses is problematic. Across the campuses, the number of credits given and the course names and numbers vary. Since campuses limit the number of special study courses a student can take and most majors will restrict how many special study courses can be taken, members agreed to recommend that the regulation be rescinded. UCEP submitted a letter Council requesting that SR 764 be rescinded and on May 27, Council unanimously approved sending UCEP's request to repeal SR 764 for systemwide review. This review will occur in the fall.

Student Experience in the Research University (SERU) Project

SERU representatives joined UCEP in February and April to provide information about the UC Undergraduate Experience Survey (UCUES) process. UCUES is a comprehensive questionnaire administered biennially to all undergraduates in the UC system that collects data on 800 variables. The survey is mainly used for accreditation and academic program review and collects information about campus climate, student engagement and various aspects of diversity. SERU is working on a web-based tool that allows for queries by campus, discipline and background characteristics and will help UCEP understand research engagement and opportunities that are happening at the campuses. Funding from all the campuses and from OP has been year to year. SERU asked for UCEP's support for UCUES and the survey administration. UCEP submitted a letter to Council urging the Office of the President as well as the leadership of each division of the University to help with the funding of SERU. At its May meeting, Council unanimously endorsed forwarding UCEP's letter to the President and Provost.

Textbook Affordability

The issue of textbook affordability was brought to UCEP for consideration by the Academic Senate Vice Chair and the Student Regent. In recent years, textbook prices have risen much faster than the average rate of inflation. One reason for these price increases is the large number of extras included with modern textbooks such as CD-ROMs and instructional supplements that are usually web-based. Customization makes it very difficult for students to buy and sell in the used-book market. Recent pieces of state legislation attempt to address this issue through a number of strategies, including encouraging faculty to give consideration to the least costly practices in assigning textbooks and by requiring publishers to make information about the cost of the textbooks more available. UCEP members suggested several approaches to increase affordability such as placing examination copies or instructors textbooks on reserve in the library or creating a reader including only the required chapters from a book.

Amending UCEP's Charge

No systemwide Senate committee examines issues involving student affairs or student life and UCEP's charge in the bylaws does not encompass looking at the welfare of students. The committee debated whether it was necessary to change the bylaw to encompass these issues, and ultimately agreed that changing it will enable UCEP to initiate studies of student affairs topics of interest to the committee in the future. It was noted that some matters related to student affairs can be better handled at the campus level. UCEP suggested wording for the expanded charge and in May Council unanimously approved sending UCEP's request to revise their charge for systemwide review.

Science and Math Initiative

Keith Williams of the Cal Teach Executive Committee joined UCEP's June meeting to discuss the Science and Math Initiative, now known as Cal Teach. SMI started five years ago with a pact between the governor and UC. The program is designed to prepare UC math, science, and engineering students who

are interested in becoming K-12 math and science teachers. The goal of the program is to put a thousand new science and math teachers annually into California classrooms. The governor's office provided funding which UC matched, and approximately \$4 million in external funds raised by OP have been expended to provide for non-instructional activities. There are questions about how SMI will be funded in the future and issues have arisen as the program governance transitions to the campuses. The Cal Teach Executive Committee has written a letter to the president with a number of requests including continued core funding from OP and assistance with systemwide fundraising. The letter, also signed by UCEP's chair, was reviewed and endorsed by Council in August and forwarded to the Provost.

Review of Proposed Schools and Degree Programs

As a Compendium committee, UCEP participated in the review of the following proposed Schools and submitted thoughtful, detailed views and analyses to the Senate chair:

- Proposal to Reconstitute the A. Gary Anderson Graduate School of Management at the University of California, Riverside
- UC Davis School of Nursing

In general, UCEP supported the development of new graduate and professional schools, though there were also concerns about funding models for some of the schools and their potential effects on other programs if both existing faculty are redirected to the new schools. UCEP's Chair participated in the joint administrative/Senate task force to revise the Compendium. The task force identified ways to improve the five year perspectives review, add guidelines for reviewing financial and budget issues in proposals for new schools, and update language in the Compendium.

Other Issues and Additional Business

In response to requests for formal comment from the Academic Council, UCEP also issued views on the following:

- APM 110-4(10), Academic Personnel Definitions; APM 230-17, Visiting Appointments Terms of Service; APM 230-18, Visiting Appointment Salary; APM 279-20, Clinical Professor, Volunteer Series; APM 360- 80-a, Librarian Series; APM 520-4, Employment of Near Relatives; APMs 710-14-b, 710-14-1, 710-38, and 710-46, Leaves of Absence/Sick Leave/Medical Leave; Proposed New APM 765
- Policy on Re-employment of UC Retirees
- UC Accountability Framework
- Proposed Variance to Merced Senate Regulation 70.B
- Sexual Harassment Prevention Training Compliance
- Blue and Gold Opportunity Program
- Item J1: Proposed revenue bond to finance seismic upgrades and other construction
- Amendments to Senate Bylaws 125.A.4, 128, and 130
- Report from the UC Task Force on Planning for Doctoral and Professional Education
- UC Education Abroad Program Business Plan
- Proposed Revisions to Senate Regulations Governing Undergraduate Admissions
- Furlough and Salary Cut Guidelines
- Non-Resident Enrollment
- UC Seminar Network
- Proposed UC Merced Divisional Regulation for the Honors Program
- Reviews of the Division of Agriculture and Natural Resources and the Cooperative Extension Program

UCEP also touched on a variety of other issues related to the business of the Academic Council, Academic Assembly, and the work of campus Committees on Educational Policy.

UCEP Representation

UCEP Chair Steve McLean represented the committee at meetings of the Academic Council, and Academic Assembly, and regularly attended meetings of the Intersegmental Committee of Academic Senates. Due to the state of flux in the Provost position, the Academic Planning Council only began meeting toward the end of the academic year and incoming Chair Williams represented UCEP.

Committee Consultations and Acknowledgements

UCEP benefited from consultation and reports from Carol Copperud, Director, Academic Planning and Hilary Baxter Academic Planning Analyst, Academic Planning, Programs and Coordination. In addition, UCEP consulted the Academic Senate chair and vice-chair, who updated the committee on issues facing the Academic Council and Senate, and the systemwide Senate executive director, who spoke to UCEP about committee and administrative matters.

Respectfully submitted,

Stephen McLean, Chair (SB)

Taradas Bandyopadhyay (R)

Ronald Hendel (B)

Joan Etzell (SF)

Rolf Christoffersen (SB)

John Yoder (D)

Jamel Velji (Graduate student-SB)

David Kay (I)

Manuel Martin-Rodriguez (M)

Jaye Padgett (SC)

Charles Perrin (SD)

Dorothy Wiley (LA)

Umera Ameen (Undergraduate student-Irvine)

Mary Croughan ((SF); Chair, Academic Senate, *Ex Officio*)

Harry Powell ((SD); Vice Chair, Academic Senate, *Ex Officio*)

Brenda Abrams, Senior Policy Analyst

**UNVIERSITY COMMITTEE ON FACULTY WELFARE (UCFW)
2008-09 ANNUAL REPORT**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

Under [Senate Bylaw 175](#), the University Committee on Faculty Welfare (UCFW) considers and reports on matters concerning the economic welfare of the faculty, including salaries, benefits, insurance, retirement, housing, and conditions of employment. UCFW held ten meetings during the 2008/2009 academic year and the major actions and discussions of ongoing issues are highlighted in this report.

UCFW has two key subcommittees with memberships independent of UCFW and with particular expertise in: (1) the University's Retirement System (UCRS) including its policies and its investments (the Task Force on Investment and Retirement, TFIR); and (2) the University's health plans for employees and retirees (the Health Care Task Force, HCTF). These committees monitor developments and carry out detailed analyses of questions and issues in their respective areas and report back to the parent committee, UCFW, for further action. UCFW is indebted to the extraordinary commitment and skills of our two chairs, Robert Anderson (TFIR) and Rick Kronick (HCTF).

It is important to recognize that although this is the report of UCFW, the work done by the two subcommittees forms the basis of much of what is reported here. These subcommittees spend a great deal of time in consultation with systemwide Human Resources & Benefits (HR&B). Many of these consultants also regularly attend UCFW meetings and lend their expertise to our discussions. We are indebted to these consultants, and they are individually acknowledged at the end of this Report.

The 2008/2009 academic year was characterized by the singularly and dramatically deteriorating financial condition of the State and the University. For example, at the beginning of the year, it was clear that year two of the Faculty Salary Plan would not be funded, but it was believed that there would be sufficient support from the State to re-start contributions to the University of California Retirement Plan (UCRP) in July 2009. But by May and June, plans were afoot for faculty and staff furloughs and/or pay cuts and the current and projected funding status of UCRP was dire. As highlighted below, these two arenas, the well-being of UCRP and faculty compensation, dominated this year's UCFW agenda.

Outsourcing Benefits Administration: As detailed in [last year's Annual Report](#), the possible outsourcing of the administration of UCRP occupied considerable time and attention during the late spring and throughout the summer of 2008. [UCFW's recommendation against outsourcing](#) UCRP administration was approved by the Academic Council at its September 2008, meeting. At this time it was thought that a decision would be made by the administration by October 1, 2008, the departure date of then Associate Vice President for Human Resources & Benefits, Judy Boyette. However, President Yudof, who had taken office the previous June, chose to delay the decision until he had more information about the issue; the formal announcement that the administration of UCRP would not be outsourced came in March 2009. At its April meeting, UCFW received an update on the process of developing an improved in-house UCRP service center. A new unit of Retirement Administration has been established within HR&B with an interim director; UCFW was encouraged to suggest nominees for an Advisory Board for what will be the new Center.

Restart of Contributions to UCRP: Since the beginning of the consideration of the restart of contributions to UCRP, TFIR, UCFW and the Senate have steadfastly supported this action, ending the now 19-year long holiday of contributing the normal cost of the plan. This year there were major developments in this vital area of the health of our retirement plan.

- (a) [Statement Regarding Restart of Contributions to UCRP](#): It has long been the unwavering position of UCFW that employee contributions to UCRP, including the re-direction of the DC

contribution, should not be made in the absence of off-setting increasing salary compensation so that total remuneration is unaffected by the contributions. This position is necessary to maintain UC's competitive position in hiring and retaining both faculty and staff. The impending unfunded status of UCRP in the face of a looming budget crisis, however, this year led UCFW to consider prioritizing the two imperatives of funding UCRP and maintaining constant faculty and staff total remuneration. On balance and without unanimity, the committee came down on the side of supporting the restart of contributions to UCRP, realizing that compensatory increases in salary were unlikely to be forthcoming immediately. Our letter to the Academic Council on this issue, while supporting the restart of contributions to UCRP in the absence of salary increases, urged that the negative impact of restarting contributions on total remuneration be measured, recognized and ameliorated as soon as possible.

- (b) TFIR Recommendation for Funding UCRP: Many factors, including the worsening financial condition of the State and the University, led TFIR to carry out, in collaboration with the University's actuary, a study of UCRP's projected Unfunded Accrued Actuarial Liability (UAAL). The results of the study, and TFIR's recommendation based on those results, were presented to UCFW at its May meeting. The committee unanimously endorsed this report which was forwarded to the Academic Council for consideration at its May meeting. The Council approved the Report and TFIR's recommendation, and forwarded it to the President; it will be considered at the November 2009 Regents meeting. The Report was also presented for information to the Assembly at its June 17, 2009, meeting and to the Pension Work Group of the Presidential Task Force on Post-Employment Benefits (see below).

The gist of the TFIR recommendation is based upon the fact that the gentle ramp-up of employer and employee contributions envisioned by The Regents in their November 2008 plan for contribution resumption is entirely inadequate to restore the funding status of UCRP to an acceptable level in the foreseeable future. Reductions in benefits cannot ameliorate this funding crisis. Furthermore, since two-thirds of covered compensation is funded by non-state sources, every dollar of state-funded contributions that are deferred now, results in two dollars of deferred contributions from non-state sources. Finally, the loss in income from each dollar whose contribution is deferred now will require the contribution of several dollars in the future. To partially head off the impending crisis in UCRP funding, TFIR recommends that contributions be raised as quickly as possible to the contribution required by the Funding Policy approved by the Regents in September 2008 (<http://www.universityofcalifornia.edu/regents/minutes/2008/fin9.pdf> see p4) and that the Regents obtain and allocate funds sufficient to do this no later than July 1, 2011.

UCRP Informational Documents (TFIR): A combination of circumstances, including the downward spiral of the markets and the increasingly underfunded status of UCRP, led to heightened anxiety regarding the health of the retirement plan among its members, including the faculty. In order to provide accurate information regarding statements and queries voicing members' concerns, TFIR produced two documents to be widely disseminated to Plan members.

- (a) "Market Turmoil and the UCRP Lump Sum Cashout": In this document, approved by UCFW at its January, 2009, meeting and by the Academic Council in the same month, TFIR sought to counter the notion that because of market turmoil and the impending restart of contributions active employees should retire soon and/or elect the lump sum cashout rather than monthly

annuity payments. The document in no way gives benefits or investment advice, but rather provides correct information regarding UCRP so that unwise decisions will not be made on the basis on an inadequate grasp of the facts. Following its approval by the Academic Council in February, the statement on Lump Sum Cashouts was widely disseminated to all employees through the Senate and Human Resources & Benefits.

- (b) “Evaluating UCRP Investment Returns”: Much of the public discussion of UCRP’s investment performance has focused on comparisons to peer institutions, such as CalPERS. While it is a natural mistake to focus on these comparisons, it is nonetheless a mistake. A number of critics UCRP’s investment performance have made these comparisons, without regard to the fact that the time points chosen for comparison determine the results. The goal of this document is to set forth, in terms accessible to members of the faculty, the reasons that peer comparisons do not provide a valid measure of investment performance. We hope that the availability of these concepts will allow the faculty to understand the measurement of UCRP and critically judge the claims that are made about it. This document was presented to the Academic Council in February and March and approved, with revisions, by Council by email following the March meeting.

The development of “Evaluating UCRP Investment Returns” was discussed by UCFW at each meeting November through March. These discussions included, at our February meeting, a very informative presentation by and discussion with Chief Investment Officer Marie Berggren regarding UCRP performance measurement and reporting.

Faculty Salary Plan: In November 2006, following the documentation of the continuing deterioration of the University’s Faculty Scales by the University Committee on Academic Personnel (UCAP) and others, President Dynes appointed a faculty/administration Work Group to address this issue. The result was a four year Faculty Salary Plan intended to raise faculty scales so that once again salaries actually paid to recruit and retain faculty were in line with the scales. The first year of the plan was implemented in October 2007. The Academic Council, based on study and discussion by UCFW, forwarded to President Yudof a report on the effects of Year 1 of the Salary Plan and a letter summarizing the Funding Priorities for Year 2. In addition to the full funding of merit increases, UCFW and the Council recommended market adjustments ranging from 8% for the lower steps to 4% for the higher steps and for faculty above scale, followed by at least a 2.5% range adjustment.

The deferral of Year 2 of the Faculty Salary Plan until the 2009/2010 budget request was announced at the first meeting 2008/2009 meeting of UCFW in October. Since we now know that the 2009/2010 academic year will bring, instead, an average of an 8% salary cut in the form of furloughs, the future of the Faculty Salary Plan is highly uncertain to say the least.

In November, UCFW requested from Academic Advancement (now Academic Personnel) updated information on UC salaries versus those of the Comparison 8 institutions. The data for the report was received in January by Academic Advancement and reported to UCFW in February. The reported noted that (1) the current *lag* , Comp8-UC/UC, (projected to July 2009 based on 2008-2009 data) is 9.5%, compared to 7.1% last year; and (2) the percentage salary increase needed next year (2009/2010) to bring UC salaries to parity with salaries of the Comparison 8 institutions (assuming no increases other than merits) is 14%, compared to 11.3% last year. It is clear that even without the decreases in salary brought about by furloughs in 2009/2010, UC faculty salaries have fallen further behind those of our Comparison 8. This effect will, of course, be exacerbated by this year’s furloughs. It is currently planned to measure the size of the negative effect of the upcoming salary decreases in the 2008/2009 Total Remuneration study (see below).

UC's Long Term Future: Our discussions of the future health of UCRP and of the apparent suspension of the Faculty Salary Plan took place in the context of the unrelenting decline in the state's and the university's financial health. While we were kept informed as various committees and task forces were constituted, both in the Office of the President and on the campuses, to deal with the budgetary problems and plan for the future, we became concerned at the apparent lack of coordination between them and the lack of an overall vision for the future of the University to guide the planning efforts. The result of these discussions was our May 6, 2009, letter to Academic Council Chair Mary Croughan on "[The Current Budget Crisis and UC's Long Term Future](#)" which was grounded in UCPB's [Futures Report](#) (January 2007) and the [Cuts Report](#) (April 2008). Our letter was endorsed by the Academic Council and forwarded to the President who forwarded it to the Regents. Whether the existence of our letter influenced the decision to form the Gould Commission on the future of UC is not known. Given the initial composition of the Commission and its attention to subject matter which is in the purview of the Academic Senate, UCFW should probably be reluctant to claim such influence.

Total Remuneration: A new Total Remuneration study was undertaken in the fall of 2008. In this study, the salary data provided by Academic Advancement was analyzed by Mercer Human Resources Consulting and the benefits valuations were made by Hewitt and Associates. A Total Remuneration work group, consisting of Bob Anderson, Helen Henry, Rick Kronick, and Shane White was formed to provide close consultation with HR&B as data were obtained analyzed, and prepared for presentation. Teleconferences involving this group of UCFW members, HR&B people led by Executive Director Randy Scott, and the outside consultants occurred at least once and often twice between each UCFW meeting at which the whole committee received an interim report. These conferences allowed for in depth discussions of methodology and data analysis and presentation. The reports at the November, December, and January meetings of UCFW were devoted to overviews and methodology and preliminary results of benefits valuation were presented by Hewitt in February. In March, the preliminary results of cash compensation were presented by Mercer. Both Hewitt and Mercer participated in the preliminary Total Remuneration report at the April meeting and the final report at the May meeting. It should be noted that while the report covers faculty (except those in the Health Sciences Compensation Plan; a study of these faculty is slated to begin in fall 2009) and Staff, UCFW focused its attention on the Faculty data. One very important feature brought to the study by UCFW was the inclusion of scenarios which project the total remuneration data in the circumstance of contributions to UCRP of the initial estimated amount (2%/4%) and of the final expected employee contribution (5%).

The study is currently being refined to take into account the average 8% loss of salary resulting from furloughs imposed for the 2008-2009 academic year. The current understanding is that the results of the study will be released when these new data have been included and the report has been conveyed to The Regents. It is already well-known, however, that with a 5% employee contribution to UCRP, even without the 8% loss of salary coming this year, UC trails the Comparison 8 significantly and the lag behind the 4 private comparators is in double digits.

Furloughs and Paycuts: UCFW's first discussion of the possibility of a declaration of an extreme financial emergency and subsequent institution of furloughs and pay cuts occurred at the May 8 meeting. The discussion was based on the proposed amendment to Standing Order of the Regents 100.4 and resulted in our May 20 letter to Mary Croughan listing eight areas in which we had reached consensus on our concerns. First among these was the central importance of safeguarding the retirement benefits of all individuals subject to either a pay cut or a furlough. Although the effect of these two actions differ in their potential effect on the retirement benefit, we were unequivocal in our insistence that keeping the benefit whole is essential for employee morale and to avoid perverse incentives for or against retirements that could cause great harm to the University. In our subsequent July 6, 2009, communication for wider distribution, we focused only on this issue. President Yudof has stated his commitment to the principle of safeguarding the retirement benefit during salary cuts and furloughs. Thus, the Recommendation of Item J2 of the Regents' July 15, 2009, meeting was to "Authorize the University of California Retirement Plan ("UCRP") to be amended to preserve

UCRP members' calculation of covered compensation and the rate of accrual of service credit at the pre-furlough/salary reduction level for the duration of the [Furlough/Salary reduction] Plan, and that the Plan Administrator of the UCRP be authorized to implement such amendment". This recommendation was approved at the July 16 Regents meeting (<http://www.universityofcalifornia.edu/regents/aar/julj.pdf> .)

APM revisions: A working group led by Vice Chair Shane White and including UCFW members Henry, Dimsdale, Pitts, Seago, and Wong; Senate Vice Chair Powell; UCAP Chair Plaxe; Academic Advancement consultants Lockwood and Sykes; and Senate Analyst Feer carried out an extensive analysis and suggested revision of APM 670, which governs the Health Sciences Compensation Plan. Vice Chair White reported and discussed the progress of the working group at the January and February meetings. In June, Academic Personnel Associate Director Janet Lockwood reported that the revision of APM 670 had been tabled until a permanent Provost is in place. The Committee also offered informal feedback to Associate Director Lockwood and/or Provost Pitts on a number of APM policies or issues including APM 240, 025, and 710 and a proposed Biological Compensation Plan.

Health Care Task Force: An update on 2009 premiums was given at the October meeting. At the March meeting, Chair Kronick, along with HR&B consultants Esteban and Schlimgen provided a historical and current overview of the retiree health policies of the University.

As part of this discussion, the President's Task Force on Post Employment Benefits was introduced. This Task Force which, along with its constituent Work Groups, began its work in the spring, was described more fully at the June and July meetings. Senate members on the workgroups, as of this writing, include, in addition to Senate Chair Croughan and Vice Chair Powell, TFIR Chair Anderson, former UCFW Chair Chalfant, UCFW Chair Henry, HCTF Chair Kronick, and UCFW Vice Chair White.

Compliance Issues: In November, UCFW participated in the review of a document laying out sanctions for non-compliance with Sexual Harassment Prevention Training. This discussion quickly led to one including the many other areas in which faculty compliance is required. Senior Vice President Vacca attended the February meeting in order to give an overview of her office's activities and to discuss how faculty could be more involved in developing compliance programs. Discussions of faculty frustrations with compliance issues centering around the sheer volume of required compliance measures required of faculty and the technical difficulties associated with complying continued throughout the year, with little resolution.

Fee Waivers: In December, UCFW undertook consideration of a proposal from the Davis Campus for fee waivers for children/dependents of faculty who attend the UC. The proposal was similar to the (unsuccessful) ones that had been put forth in previous years and the committee felt that a fresh approach to this issue was needed. HR&B Executive Director Scott suggested that information regarding such programs at the Comparison 8 be gathered by Hewitt and Associates as part of the Total Remuneration study. We also requested information about possible pre-tax funding options for financing college educations. In April, Director Schlimgen reported that there is no such mechanism and that existing 529 plans are the closest thing to this model. The year ended without clear resolution on this issue.

Back-up Child Care: Of the family-friendly policies discussed over the past several years, having back-up care available has been deemed one of the most needed. The Berkeley campus has instituted a pilot program and a report on its experience during the next academic year should help guide further discussion of this issue.

Identity Theft Insurance: In response to a request from Academic Council Vice Chair Powell, UCFW asked its consultants for background information on a possible institutionally facilitated optional benefit for employees that would provide identity theft protections. Manager Devincenzi reported that only restorative,

not preventative, services are currently available; furthermore, only individual, not institutional, plans are available. The conclusion was that there is not yet a market-driven need for such a plan.

Accountability Report: This Report, to be published by the Office of the President was introduced at the October meeting and committee members were invited to submit comments to the Chair. Several thoughtful and detailed submissions were received and compiled into a single document that was sent to Council Chair Croughan. These were combined with comments from all the Division Chairs and other systemwide committees and submitted to the authors of the Report ahead of preparation of the final document. Few if any of these comments were taken into account in the production of the final report. We have been told that this Report is a living document and that future iterations will include Senate input. At this writing, however, it is unclear what, if any, the Senate's role in the production of this report will be.

Acknowledgements: As is clear from the above Report, and even a casual reading of the minutes of our meetings, UCFW simply could not do its work without the highly collegial relationships that we enjoy with our colleagues in the Office of the President. Those whose fruitful collaboration we gratefully acknowledge include: from Human Resources & Benefits, Randy Scott, Mark Esteban, Michael Baptista, Gary Schlimgen, Lynn Boland, Dennis Larsen, Joe Lewis, Ellie Skarakis, John Cammidge, Dwaine Duckett; from Academic Personnel, Janet Lockwood, Jim Litrownik, Gregory Sykes, Pat Price; from the Budget Office, Patrick Lenz and Debbie Obley; from Academic Information and Strategic Services, Dan Greenstein; from the Office of Loan Programs Ruth Assily; from the Treasurer's Office, CIO Marie Berggren; from Academic Affairs, Interim Provost Lawrence Pitts; and representatives of our external consultants, Mike Hill, Timothy O'Beirne, and Bob Miller. Finally, we are particularly grateful for the involvement, support and guidance from the Senate leadership, Chair Mary Croughan and Vice Chair Henry Powell.

Respectfully submitted, UCFW 2008-09:

Helen Henry, Chair (UCR)
Shane White, Vice Chair (UCLA)
Yale Braunstein (Berkeley)
Lisa Tell (Davis)
A.J. Shaka (Irvine)
Mitchell Wong (UCLA)
Chris Kello (Merced)
Thomas Morton (Riverside, Fall/Winter)
Rick Redak (Riverside, Spring/Summer)
Joel Dimsdale (San Diego, Fall/Winter)
Farrokh Najmabadi (San Diego, Spring/Summer)
Jean Ann Seago (San Francisco)
Kostas Goulias (Santa Barbara)
Suresh Lodha (Santa Cruz)
Rick Kronick, HCTF Chair (UCSD)
Bob Anderson, TFIR Chair (UCB)
Charley Hess, CUCEA Chair (UCD)
Kenneth Feer, Analyst

**UNIVERSITY COMMITTEE ON INTERNATIONAL EDUCATION
ANNUAL REPORT 2008-2009**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

Responsibilities and Duties

The University Committee on International Education (UCIE) oversees all academic aspects of the UC Education Abroad Program (UCEAP), and is responsible for approving new programs, changes in programs, and all program courses and credits. The committee also oversees the formal review of programs and advises the President on the appointment of Study Center Directors. UCIE met in-person three times and held one teleconference during the 2008-09 academic year; the committee's key activities and accomplishments are highlighted in this report.

EAP Closures/Suspensions/Discontinuances

Program/Study Center	Host Institution/Locale	Country	Action	Minutes
Concepción	Universidad de Santo Tomás	Chile	Closure	3/12/09, 5/14/09
Grenoble Study Center	University of Grenoble	France	Closure	3/12/09, 5/14/09
Göttingen Study Center	George-August University	Germany	Closure	3/12/09, 5/14/09
Padova Study Center	University of Padova	Italy	Closure	3/12/09, 5/14/09

EAP Program Development

Program	Host Institution	Focus	Country	Action	Open Date	Minutes
Israel	Hebrew University	General	Israel	Re-open	Fall 2009	11/20/08
Engineering & Science Research	Osaka University	Science/Engineering	Japan	New option	Fall 2009	11/20/08
International Relations	University of Tokyo	Research ¹	Japan	New option	Fall 2009	11/20/08
Summer Thailand	Thammasat University	Thai Studies	Thailand	New option	Summer 2009	11/20/08
Concepción	Universidad de Santo Tomás	Spanish language	Chile	Transfer	Fall 2008	11/20/08
Japan Intensive Language Program	Intercultural Institute of Japan	Japanese language	Japan	New venue	Fall 2009	3/12/09
Peking University Summer Program	Peking University	Chinese language	China	New option	Summer 2009	3/12/09
Elementary Japanese Language Program*	Japanese Language Program Institute	Japanese language	Japan	New option	N/A	5/14/09
Sorbonne (Paris IV)*	University of Paris	Year-long immersion	France	New option	Fall 2009	5/14/09

* Preliminary proposals

¹ This is an opportunity in the University of Tokyo's School of Public Policy for UC graduate students, especially masters' students.

UOEAP Cuts/Business & Strategic Plans

2007-08 Budget Cuts: In the 2007-08 academic year, the universitywide education abroad program office (UOEAP) cut its budget by 15% (85% of these cuts were made to the systemwide office; it also cut the number of its staff positions by 20%. At the start of the 2008-09 academic year, total staff at UOEAP stood at 80. Budget cuts ultimately prompted the closure of three study centers (see below).

UOEAP Business Plan, October 2008: The UOEAP Business Plan was prepared by Interim EAP Director Michael Cowan in response to a directive from President Yudof, and focused solely on the next three years. The budget plan outlined the following: 1) By 2011-12 UOEAP's General Fund appropriations will be reduced by 85%, or \$16M from the 2005-06 level (UOEAP will retain \$4.4M in appropriations as a base budget); 2) UOEAP will collect and retain student fees, less return to aid; and 3) dramatic and significant cuts will be made to both programs and study centers, including the replacement of most UC faculty study center directors (SCDs) residing abroad. Both UCIE and Academic Council reviewed and [commented](#) on the Plan.² In its review, Council emphasized EAP's role as an "academic" program, and called for a joint Senate-Administration Task Force to carefully consider EAP's future.

UOEAP Strategic Plan, February 2009: Director Cowan submitted the UOEAP Strategic Plan as a follow-up to the Budget Plan. The Strategic Plan presented a number of key elements that add academic value to UC's academic programs: Strong UC faculty oversight; academic integration into degree programs; UOEAP as a trans-campus program; immersion programs; research, internships, and community service opportunities; exchange programs that internationalize UC campuses; language and Culture programs; and special focus programs. Neither UCIE nor Council formally commented on the Strategic Plan, but UCIE discussed it at their meetings.

Study Center/Program Closures

At their March 12th and May 24th meetings, UCIE members discussed all four closure proposals as one package. The proposals to close the study centers at Grenoble, Göttingen, and Padova were very controversial, and members received direct correspondence from both study center directors and current and past students from these programs/study centers. In their formal comments, members requested that a better process for timely consultation be developed, and that in future, all such proposals should include much more detailed budget information. ***For the record, UCIE approved the closure of the Concepción program, but did not approve the closure of the study centers at Grenoble, France; Göttingen, Germany; and Padova, Italy.*** In the end, UOEAP closed the Grenoble, Göttingen, and Padova study centers on the basis of financial exigency.

Concepción, Chile: Members approved the closure of the Concepción program shortly after their March meeting. At that meeting, UOEAP consultants noted that the curriculum at the Concepción program (originally housed at Universidad de Concepción in Chile) changed from Spanish language acquisition towards linguistics in recent years, which was not appropriate for UC students. UOEAP tried to create its own program at Universidad de Santo Tomás (see above), but found this institution lacking in academic quality, facilities, and accommodations. UOEAP is currently looking into developing a similar program in Argentina.

Grenoble Study Center, France: UOEAP consultants brought forward a proposal to close the Grenoble Study Center based on both anemic student interest and the high costs for this program/study center. It was also noted that this program is designed for science and technology students; unfortunately, this cohort that rarely has the language pre-requisites and/or interest to make this program worthwhile. Members debated this proposal over several months, considering both a rebuttal by the Study Center Director and a number of student letters of concern. In its formal response, UCIE noted that while there is an acute financial necessity

² See <http://www.universityofcalifornia.edu/senate/reports/mc2yudof.eapbusplan.pdf>.

to reduce costs, it asked for 1) detailed budgets for all of the France programs; and 2) that UOEAP formally respond to the Grenoble/Lyon Study Center Director's rebuttal of the proposal to close the Grenoble Study Center.

Göttingen Study Center, Germany: UOEAP proposed to close the Study Center in Göttingen, thereby consolidating the Germany undergraduate programs at Free University, Humboldt University, and Technical University in Berlin. In closing the study center, EAP would maintain its agreement with host institution, George-August University. Members made a formal response to this proposal, suggesting that the already-existing infrastructure could be used for graduate student programming, and recommended postponing this decision by two to four years. In addition, a consortium of UC faculty members with close connections to Germany—former Study Center Directors, researchers with ties to German universities, other faculty doing research on Germany, etc.—should be formed. This consortium could play an important role in not only preserving and strengthening the existing exchange programs, but also in creating new programs while integrating UCEAP more into international research programs and Europe-wide initiatives in international education.

UCEAP Task Force

At the request of Academic Council, Provost Larry Pitts convened a special joint Senate-Administrative UCEAP Task Force to advise him on to advise him on UOEAP's long-term design, and its strategic and business opportunities with the goal of resolving essential issues associated with UCEAP's mission, budget model, governance, the relationship between UOEAP and campus EAP offices, and the faculty's role in program administration and academic oversight. UCIE Chair Errol Lobo, Ian Coulter (UCIE member), and Bjorn Birnir (UCPB member) served on the task force. In addition, UCIE formed two special subcommittees—one on budget and one on study center directors to provide input to the Task Force. The budget subcommittee produced a set of "budget principles," and the study center director subcommittee produced a paper on the value and responsibilities of study center directors and provided significant input towards the reformulation of the UCEAP mission statement. In brief, the Joint Senate-Administrative Task Force made the following nine recommendations:

1. Clarification and specification of an UCEAP mission statement to include its status as an "academic program".
2. The establishment in July 2009 of a UOEAP Governance Advisory Committee appointed by the Provost with substantial representation from the Academic Senate.
3. UOEAP will be relocated to a campus for FY 2010/11 when it will have achieved a level of financial and organizational stability.
4. A small budget working group will be established (including members of UCIE and UCPB to advise the Governing Committee in time for the 2010/11 budget appropriations process.
5. Once the budget working group has reported, UOEAP, in conjunction with the Governance Advisory Committee and with advice from UCIE and UCPB, should undertake a thorough review of its policies and practices with the aim of achieving further cost efficiencies and savings while supporting the core goals of UCEAP. This will include:
 - a. Reviewing UOEAP operations with a view to streamlining them;
 - b. establishing as a goal the reduction in transaction costs associated with all forms of articulation, so that UOEAP should, as soon as possible, cease UC credit course-by course articulation; and
 - c. adopting cost-effective administrative and business solutions to program and study center administration.
6. UCIE be asked as part of the budget appropriations cycle (and on an ad hoc basis when required) to advise the Governance Advisory Committee about program selection and/or study center/program closure decisions.
7. UOEAP should have as a line-item component of its annual budget, funds to support faculty involvement as necessary to ensure the quality of the program.

8. The Governance Advisory Committee will be tasked by the Provost to make recommendations about the respective roles and responsibilities of campus faculty and administrative directors, respectively.
9. Campus representatives will discuss the benefits of a common calendar for selection of UOEAP students.

Programmatic Issues

Israel/Travel Warning Policy

Members approved the reopening of the Israel program by fall 2009 at the Rothberg School, Hebrew University, which was closed in 2002, due to safety and security concerns. As Israel is still listed on the US State Department Travel Advisory list, an exception to the UCOP's 'Travel Advisory Policy' was made.³ The program will only have a year-long option, and a study center will not be opened. Instead, UOEAP will rely on Hebrew University's facilities and UOEAP may need to hire a staff person and/or liaison officer. Fees for the program will be approximately \$10,000 per year. Instruction will be in English with the Rothberg School, but courses taught outside of the School will be taught in Hebrew.

Canada: Foundation for the Educational Exchange between Canada & the US (Killam Fellowships Program)

This program adds incentives to the existing exchange agreement at the University of British Columbia (UBC) in Canada. In the first year, UOEAP would send its students to UBC; Killam would send its students to UC campuses. If successful, UOEAP would open this program up to other Killam university partners within Canada. There is a provision for only two UC students per year, who will get a \$10,000 stipend and health insurance.

Formal Program Reviews

Members approved two formal program review reports in 2008-09:

Barbados

Members approved the Barbados formal review and accepted the review committee's findings and recommendations: 1) The University of West Indies could serve as a model for other UOEAP partnerships—there are many opportunities for cultural immersion; and 2) the partnership is currently under-utilized. Therefore, buttressing the advising for this program is important, as it contains opportunities for science, particularly marine science, art, and law. At Barbados, there is a liaison officer at a UC office, but this is just one of many other responsibilities for this person. Other recommendations include administrative reorganization; expansion of the number of internships, and changing the calendar.

Hungary

Members approved the Hungary formal review report at the July teleconference, and praised the authors for its high quality.

Miscellaneous Proposals and Actions

UOEAP consultants presented the following proposal to UCIE over the course of the year, on which the committee held preliminary discussions: UC freshman summer start on UOEAP; allowing UC students who are in "good academic standing" on their home campuses to participate in some EAP programs⁴; and a preliminary proposal for a certificate program at the Casa de California that would enroll Mexican students from UNAM. In addition, at its May meeting, UCIE approved holding monthly teleconferences/meetings as necessary (as opposed to the current schedule of three meetings per year) in 2009-10 to conduct its business.

³ As a matter of policy, the University does not sponsor education abroad programs in any country listed on the Department of State travel warning list.

⁴ This proposal would apply only to those programs that do not have other GPA restrictions; it would increase the cohort of EAP eligible students by 14%.

2009-10 UCIE Formal Review Committees

Members approved the following programs to be formally reviewed in the 2009-10 academic year: China, Korea, Free University (Berlin, Germany), Madrid, Singapore, and Taiwan.

Selection of Study Center Directors

As a result of budget changes, UCOP review, and consequent restructuring and reorganization of UCEAP, the call to faculty for Study Center Directors was temporarily suspended in 2008-09. A special call to faculty will be used to recruit and hire faculty to serve as study center directors in 2010-2012: France, Japan (Tokyo), Egypt (Cairo)—joint appointment with the American University of Cairo (AUC), residency in-country July through December each year, and Mexico (Mexico City)—shared directorship with UCOP—Casa. Applications for these positions will be due in the summer and the interview process will begin in the fall.

Acknowledgements

UCIE wishes to acknowledge the contributions of its consultants: UOEAP Interim Director Michael Cowan and UOEAP Associate Dean Bruce Madewell.

Respectfully submitted:

Errol Lobo, Chair (UCSF)
Vincent Resh, Vice Chair (UCB)
Robert Flocchini (UCD)
Jorge Busciglio (UCI)
Ian Coulter (UCLA)
Ariel L. Escobar (UCM)
Erich H. Reck (UCR)

John Haviland (UCSD)
Geoffrey Manley (UCSF)
Juan Campo (UCSB)
Marc Cioc (UCSC)
Mary Croughan (Council Chair, ex-officio)
Henry Powell (Council V. Chair, ex-officio)
Todd Giedt (Analyst)

**UNIVERSITY COMMITTEE
ON
LIBRARY AND SCHOLARLY COMMUNICATION
2008-2009 ANNUAL REPORT**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The University Committee on Library and Scholarly Communication (UCOLASC) met twice and held two additional conference calls in the 2008-2009 academic year to conduct business in accordance with its charge, outlined in [Senate Bylaw 185](#), to advise the president about the administration of University libraries. Highlights of the committee's major activities are outlined briefly below.

Advocating for Open Access

Based on several years of discussion, UCOLASC dedicated significant time to identifying a viable approach for the adoption of an open access policy at UC. A policy proposed in 2007 failed to gain Academic Council approval because of the burden it placed on faculty, reservations about the proposed implementation and its focus on copyright. To garner faculty support, UCOLASC decided that the statement on open access principles should be more generic than the 2007 proposal and the committee recognized the need to educate faculty about open access. As a result of the discussions, UCOLASC composed a letter to Council that recommended the following strategies to actively encourage open access to publications at UC: 1) promoting national legislation and policies by federal funding agencies that support open access; 2) informing University faculty about the ways the open access issue affects them and the actions they can take; 3) promoting open access initiatives at the University; and 4) bargaining hard in contract negotiations with the journal publishers. At its meeting on May 27, Academic Council unanimously endorsed UCOLASC's recommendations and they were forwarded to President Yudof on June 16, 2009 for consideration.

UCOLASC also focused on the Fair Copyright in Research Works Act, H.R. 801. The bill introduced by John Conyers (MI) on February 3, 2009 and referred to the House Subcommittee on Courts and Competition Policy on March 16, 2009 would eliminate the National Institutes of Health's (NIH) PubMed Central repository and prevent other federal research funding agencies from adopting similar open access policies. During the October and February meetings University Librarian Karen Butter provided background information about how the NIH policy was established and updates about faculty compliance with the mandate to deposit articles resulting from NIH funded research into PubMed Central. NIH is currently the only government organization in the U.S. with an open access requirement, and other agencies will likely move in this direction only if it is legislated. Due to the threat posed by H.R. 801, UCOLASC members agreed that the University should advocate against the bill. UCOLASC submitted a letter Council requesting UC's advocacy against the passage of H.R. 801 and that it engage in efforts to expand public access to taxpayer-funded research. Council unanimously endorsed the recommendations on May 27 and the letter was forwarded to President Yudof on June 17, 2009.

Report on Journal Negotiations

In October and February, Laine Farley, Executive Director, California Digital Library, reported on recent negotiations with journal publishers for systemwide subscriptions to shared electronic journals. As in the past, UCOLASC expressed strong support for including open access provisions as part of the agreements and offered its support in negotiations. UCOLASC learned that UC's three most expensive contracts are with Elsevier, Wiley-Blackwell and Springer. A major achievement in the negotiations with Springer calls for all UC articles to be published in open access journals effective beginning the 2009 publishing year. Elsevier has a limited number of open access journals, but the terms of the new contract are good and have reduced costs, and in the negotiations the publisher agreed to participate in open access forums. The committee observed that faculty are generally unaware of the real cost of journal subscriptions, which is approximately \$7,000 per faculty FTE, and that faculty should be encouraged to publish in open access journals. UCOLASC believes that a key to improving the libraries' position in negotiations is for faculty to agree to make open access the policy. The committee discussed the negative consequences that ending contracts that do not provide for open

access publishing would have on the ability of faculty in certain fields to publish, noting that the restricted ability to publish would be a problem for tenure. It was noted that, as publishers are faced with changing their business models in response to the demand for open access, the credentialing process and the system of peer review will need to change.

Concern about Library and Scholarly Communication Budgets

UCOLASC learned that as of last year the total library expenditure is \$300 million annually systemwide, and that the distribution across the campuses is uneven. UCOLASC members shared and discussed the data with their local committees and found that how libraries distribute funding is not transparent and it is difficult to know distribution by discipline. Local library committees can play a limited role in providing advice on budget decisions. Some campuses are considering sharing library resources with other universities. The committee was informed that libraries are facing cuts to their operations budgets and are attempting to protect collections.

Textbook Affordability

The issue of textbook affordability was brought to UCOLASC for consideration by the Academic Senate Vice Chair and the Student Regent. In recent years, textbook prices have risen faster than the average rate of inflation. One reason for the price increases is the large number of extras included with modern textbooks such as CD-ROMs and instructional supplements that are usually web-based. Customization makes it very difficult for students to buy and sell in the used-book market. Recent state legislation attempts to address this issue through a number of strategies, including encouraging faculty to give consideration to the least costly practices in assigning textbooks and by requiring publishers to make information about the cost of the textbooks more available. UCOLASC members suggested approaches to increase affordability including finding ways to eliminate the need for students to purchase textbooks and the use of electronic textbooks in the future.

UC Seminar Network

UCOLASC was asked by the University Committee on Research Policy (UCORP) to review and comment on its concept paper, "Towards Greater UC Synergy." The objective of the proposal is to record and broadcast lectures to share across the campuses. Members noted that a limitation is that some campuses have only one videoconferencing facility. One concern identified by the committee is that materials used or statements made during lectures may be taken out of context or used for political purposes. It was also noted that faculty might change the content of a lecture, by limiting comments about new research for example. Members felt it would be important to have a process to ensure that faculty provide informed consent to have their seminar recorded. Members recommended that legal issues related to copyright, liability, ownership and intellectual freedom will need to be resolved before the project moves forward. These concerns were shared with UCORP in March.

Google Booksearch Settlement Agreement

In May, UCOLASC held two conference calls to discuss the Google book search settlement agreement. In 2004, Google began a partnership with UC and other university libraries to digitize both copyrighted and books for which the copyright has lapsed. Google offered to digitize the books, agreed to cover all costs and indemnify UC from all the risk, and give UC all the digital copies of everything scanned. Two million books have been scanned by Google to date. A lawsuit was filed by the Authors Guild and the American Publishers Association in 2005 asserting that Google does not have the right to digitize books for the purposes of creating indexes that are still protected under copyright (those created after 1923) without getting permission to do so. UC was brought into discussions with Google and other university libraries but UCOP is not a party to the settlement agreement. Under the terms of class action, however, faculty are part of the lawsuit.

Pamela Samuelson, Richard M. Sherman Distinguished Professor of Law; Director, Berkeley Center for Law & Technology, Boalt Hall joined UCOLASC's second conference call to give the committee a better understanding of the settlement and the issues involved. Members discussed ways that the settlement could be tweaked to lead to a better outcome. UCOLASC members identified a variety of concerns with the settlement

agreement. These included the potential for Google to have a monopoly and raise prices in the future, that the settlement cannot extend copyright to anyone but Google, that the book rights registry does not represent scholarly concerns, that scholars should be on the oversight body, that there is no provision related to user privacy, and that there should be court oversight. The committee decided to submit a letter to the judge overseeing the settlement agreement suggesting strategic improvements to the settlement agreement that would not be at odds with UCOP's position. Professor Samuelson drafted a letter on behalf of UCOLASC which was submitted to Council and approved on May 27, 2009. Subsequent discussions with the Office of General Counsel (OGC) clarified that members of Academic Council could submit the letter in a personal rather than official capacity. The revised letter, reflecting OGC's position, was approved by Council on July 29, 2009 and submitted to the District Court judge overseeing the Booksearch Settlement Agreement in August.

Joint Meeting with University Librarians

UCOLASC met with the University Librarians in February to discuss common topics of interest, including open access, regional library facilities, and the development of library search technologies ([WorldCat](#)).

Campus Reports

UCOLASC devoted part of each regular meeting to member reports about issues facing divisional Senate library committees. In these discussions, faculty members touched on library budget and space issues; iTunes University and the YouTube websites; library IT infrastructure; the future form of libraries; open access activities; and eScholarship.

Committee Consultations and Acknowledgements

UCOLASC acknowledges the contributions of its administrative consultants and guests. The committee benefited from consultation and reports from University Librarians Convener Brian Schottlaender (UCSD), University Librarian and Assistant Chancellor Karen Butter (UCSF), California Digital Library Executive Director Laine Farley, Vice Provost, Academic Information and Strategic Affairs Dan Greenstein, and Librarians Association of the University of California President Sam Dunlap (UCSD). UCOLASC also occasionally consulted the Academic Senate chair and vice chair about issues facing the Academic Senate.

Respectfully submitted:

Laurence Armi, Chair (SD)

Richard Schneider, Vice Chair (SF)

John C. Baez (R)

Stephen Bondy (I)

Shane Butler (LA)

James Frew (SB)

Colleen Phillips (Undergraduate student-D)

Elise Knittle (SC)

Ignacio Lopez-Calvo (M)

Stefan A. Tanaka (SD)

Andrew Waldron (D)

Alan Weinstein (B)

Mark D. Sugi (Graduate student-LA)

Lisa Naugle ((I); Chair, UCCC, *Ex-Officio*)

Mary Croughan ((SF); Chair, Academic Senate, *Ex Officio*)

Harry Powell ((SD), Vice Chair, Academic Senate, *Ex Officio*)

Brenda Abrams, Committee Analyst

**UNIVERSITY COMMITTEE ON PLANNING AND BUDGET (UCPB)
ANNUAL REPORT 2008-2009**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The University Committee on Planning and Budget (UCPB) met nine times and held one additional conference call in Academic Year 2008-09 to conduct business with respect to its duties outlined in [Senate Bylaw 190](#) – to advise the President and other agencies of University Administration on policy regarding planning and budget and resource allocation – and in the *Universitywide Review Processes for Academic Programs, Academic Units, and Research Units* (the “[Compendium](#)”). The major activities of UCPB and the issues it addressed this year are outlined briefly, as follows:

The Budget Crisis and Response

UCPB’s main focus this year was the deteriorating State and University budget situation. UCPB took proactive positions regarding the budget and also responded quickly to a series of administrative proposals intended to address budget shortfalls.

Budget Planning Principles:

In April, UCPB sent a set of budget principles to the Academic Council stating that UC’s budget decisions should strive above all to protect the quality, affordability, and accessibility of UC’s core teaching and research missions; that UC must communicate a strong message to the State about the consequences of persistent and chronic under-funding; and that additional new cuts cannot be absorbed without severe impact to its core missions. In addition, furloughs and pay cuts should be temporary and implemented only after all other options are exhausted; UC should strive for greater efficiencies at all levels and consider alternative options for revenue enhancement in response to the current trends in state funding, and the University’s enrollment policy must be clear that UC cannot continue to sacrifice educational quality by accepting more students than are funded by the state. Later, Council added a principle stating that senior administrators should take cuts in total compensation before imposing any such cuts on faculty and staff. It endorsed and forwarded the final document, [Principles to Guide Fiscal Decision-Making in the Current Budget Environment](#), to the President.

In August, Interim Provost Pitts asked UCPB to prioritize the UCPB-drafted Council-endorsed Budget Principles in order to transform them into a working document that would aid planning discussions at UCOP and in the working groups of the UC Commission on the Future—particularly to help provide guidance in actions with a fiscal impact. UCPB reordered the Principles to emphasize those related to preserving educational and research quality and shared governance in decision making, followed by those related to the need to address short term budget cuts, and finally, those aimed at securing future funding. In a new preamble, UCPB stressed that maintaining the quality of the faculty should be UC’s fundamental objective as it considers decisions about how to cut costs while preserving the quality of the academic enterprise.

Proposed Amendment to Standing Order 100.4 – Duties of the President:

In May, UCPB reviewed a proposed Regental Standing Order governing the establishment of Presidential authority for furloughs or pay cuts in the event of emergency situations. UCPB declined to endorse the policy out of concern that it addressed extreme budgetary circumstances and emergencies such as natural disasters with the same measures, authority, and processes for consultation, review, and approval; that the policy was overly broad and could be applied to other policies with an emergency as the justification; that it assumed an affirmative answer to the question of whether UC should respond to inadequate state funding with furloughs or pay cuts; and that it raised concerns about the extent to which UC remains one university with ten campuses, with one standard of excellence.

Proposed Options for Furloughs/Salary Reductions:

In June, UCPB held an emergency conference call to discuss UCOP's furlough and salary reduction plan options. The Committee declined to endorse any of the options for furloughs that were proposed by the President and noted that each was a short-term measure that would do nothing to improve the long-term budget problem. Each would damage faculty and staff morale, recruitment, and retention, further erode educational quality, harm research productivity, and damage UC's reputation. The Committee also concluded that the details concerning how any option would be implemented were far too vague to permit ranking the options.

UCPB also expressed strong opposition to any plan that extended furloughs beyond the middle of the 2009-10 academic year without an accompanying comprehensive plan for maintaining UC quality that includes strategic alternatives for cutting expenses and raising revenues. The Committee said the Regents should not be asked to consider pay cuts and furloughs in isolation; but rather should have alternatives before them that encompass a broader range of possibilities—including higher student fees; increased non-resident enrollment; borrowing; property and asset sales; streamlined administrative positions and salaries; and strategic program cuts—for discussion as part of a comprehensive plan. UCPB also raised concerns that UCOP's goal of "equity" in the implementation of pay cuts or furloughs would not be met, as all the options would have differential, rather than equitable, effects on UC employees. The Committee also recommended that the effects of furloughs be placed in the context of the already uncompetitive total remuneration of faculty, in any discussions by The Regents.

At the August meeting, UCPB members compared emerging campus plans for implementing the approved furlough plan and opined on the possibility of applying some furloughs to instructional days. The Committee also reiterated its request to UCOP for data regarding the growth of administrative salaries and FTE relative to faculty and its desire to monitor the impact of salary cuts on faculty recruitment and retention.

Budget Consultations with UCOP

UCPB received regular updates from UCOP administrators about the California and UC budget. At each meeting, Vice President for Budget Patrick Lenz, Associate Vice President for Budget Debora Obley, or both, updated the committee about negotiations in Sacramento, the growing deficits facing the State, UC Retirement Plan funding, the suspension of bond funding supporting UC construction and research projects, and other UC-specific budget matters. At the November meeting, Executive Vice President Katie Lapp presented a long-term budget planning model from the Blue Sky Consulting Group, and in April, Associate Vice President Obley and Assistant Budget Director Michael Clune presented an overview of the process by which UCOP allocates State money to UC campuses and determines funding for each campus. Interim Provost Lawrence Pitts joined three meetings to discuss the budget crisis, and Chair Conrad served as a member of the President's Advisory Group on Budget Strategies.

UCPB enjoyed fruitful and informative interactions with UCOP. Members encouraged administrators to do more to communicate UC's chronic under-funding and demonstrate the real consequences of state defunding on student fees, enrollment, and programs. They expressed concern that a steady erosion of State general fund support and future budget scenarios call into question UC's ability to meet its basic mission and obligations. The committee requested additional data from UCOP on several occasions. Members, on their part, gathered information about capital construction and research projects affected by the December stop order on bond funding and provided data to Vice President Lenz.

Comparison of Campus Budget Actions and Communications

Members shared information about the impact of local budget cuts on hiring, layoffs, enrollment, and communications about budget planning. Most campuses were being forced to implement short-term cost saving measures over the course of the year, including freezing staff hiring, cancelling faculty searches, and delaying plans for new programs and facilities. Members compared thoughts about how faculty on each campus perceived the quantity and quality of information their administration was providing to the campus community about budget cuts and strategies for reducing budget deficits.

Compendium Reviews

As a Compendium committee, UCPB participated in the review of the reconstitution of an existing School of management at UC Riverside and a proposed new School of Nursing at UC Davis and. The Committee submitted the following views and analyses to the chair of the Coordinating Committee on Graduate Affairs:

Proposal to Reconstitute the UC Riverside A. Gary Anderson Graduate School of Management

UCPB endorsed a revised proposal to reconstitute the A. Gary Anderson Graduate School of Management at UC Riverside to include an undergraduate component, pending clarification of several points concerning the hiring of new faculty FTEs and the measurement of the faculty-student ratio.

Review of the Proposal for a School of Nursing (SON) at UC Davis

UCPB declined to endorse a revised proposal to establish a School of Nursing at UC Davis over concerns about long-term funding, curriculum, faculty hiring, and student-faculty ratios. In its memo to CCGA, UCPB noted that it would be irresponsible to support the project without evidence of a sustainable funding model that can secure its future success. Ultimately, Academic Council decided to approve the School, with an added stipulation that UC Davis should do more to address UCPB's concerns about potential effects on other program, financial sustainability, and student-faculty ratios.

UCPB also submitted views to Council on two systemwide multi-campus research units:

California Institute for Quantitative Biosciences (QB3)

In November, UCPB opined on the five-year academic review of the California Institute for Quantitative Biosciences. The Committee noted that the Academic Review Panel report and the data provided by QB3 deliver successfully on the promise of synergistic, multi-campus research and teaching in conjunction with private industry and grant-giving bodies. However, UCPB warned that the viability and continued success of QB3 and the other Cal ISIs will depend on a continued commitment to an efficient and stable operating and administrative environment.

Division of Agriculture and Natural Resources and the Cooperative Extension Program

In June, UCPB responded to the external reviews of the Division of Agriculture and Natural Resources (ANR) and the Cooperative Extension Program. The Committee endorsed the reviews, but noted that they leave many of the Senate's previous questions unanswered and urged that DANR follow-up with a more comprehensive review that provides appropriate information about planning and budgeting. At the end of the year, UCPB and UCORP were charged to develop jointly during 2009-10 an iterative series of queries to DANR, particularly regarding budgetary assessments, that will facilitate its critical thinking about its new strategic vision and how to attain it.

Graduate Education Issues

Vice President for Research Steven Beckwith joined the October meeting to discuss recommendations from the MRU Advisory Board for opening the MRU funding process to competitive review. UCPB members expressed general support for the recommendations and sent VP Beckwith a memo outlining suggested changes to the RFP language. He returned in April to discuss Senate concerns about the Multicampus Research Programs and Initiatives [RFP process](#), the potential need for disestablishing existing MRUs not selected for funding, and how new programs will be incorporated into the existing processes detailed in the [Compendium](#).

The committee also discussed a memo of concern sent to the Industry University Cooperative Research Programs (IUCRP) Steering Committee regarding the redirection of \$2 million from IUCRP to the Office of Technology Transfer and related concerns about the future of the University-Industry partnership programs due to the budget crisis. Peter Krapp served as UCPB's representative to the IUCRP Steering

Committee, which disbanded at the end of the year as part of the Office of Research restructuring; it is anticipated that a new steering committee will be formed, which should again have UCPB representation.

In November, UCPB sent comments to Council about a UC Task Force on Planning for Professional and Doctoral Education (PDPE) report that proposes principles for evaluating whether UC should offer certain professional doctoral programs and if and when CSU and UC should share granting authority over professional doctoral titles. Vice Chair Oppenheimer attended a PDPE meeting, and UCPB member Peter Krapp attended two meetings, substituting for Chair Conrad; both reported back to UCPB on deliberations there.

Undergraduate Education Issues

UCPB expressed strong support for the President's undergraduate enrollment curtailment plan in relation to the Committee's view that UC should send clear messages that it cannot continue to make room for unfunded students without damaging educational quality. In June, UCPB sent comments to Council about a set of principles submitted by the Board of Admissions and Relations with Schools to help guide decisions about the enrollment of non-resident undergraduates, noting that UC must begin to consider creative new ways of generating revenue for the University, including the enrollment of more international and domestic non-resident undergraduates, and that policy should not limit UC's ability to increase the number of non-resident undergraduates. UCPB also commented on the President's proposed financial aid guarantee program, "The Blue and Gold Opportunity Plan," and Director of Student Financial Support Kate Jeffery joined a meeting to answer questions about the financial aid system.

Long-Term Academic Planning and the Compendium

UCPB agreed that the University should examine all proposals for new programs, schools, and entities not only on the basis of their individual merits, but also in the context of long-term systemwide planning—particularly their impact on FTE and other programs within the campus and across the system, and their ability to address state need and demand. UCPB prepared a list of possible questions and issues campuses should address in proposals, which it provided to Joseph Bristow, UCPB's designated representative to the Academic Council Compendium Review subcommittee.

Regents Item "J1" – Development of a New Capital Funding Strategy

In November, UCPB submitted a resolution to Council opposing Regents "Discussion Item J1," a proposed \$2 billion bond measure intended to fund systemwide capital improvements, including seismic retrofitting, infrastructure renewal, deferred maintenance, and new space. Council did not act on the resolution because the Regents postponed their discussion, and J1 was subsequently sent for systemwide Senate review. UCPB's memo to Council enumerated its concerns about the impact of bond's debt load on academic programs throughout the system and its potentially differential impact across the system, and suggested that the bond be evaluated in the broader context of UC's overall, long-term budget situation.

Draft UC Accountability Framework

In November, the committee reviewed a draft UC Accountability Framework. Committee members formed subcommittees to review and comment on each UCPB-relevant section of the draft framework and brought preliminary analyses to the November meeting. Vice Provost for Academic Planning Dan Greenstein attended a portion of one meeting to discuss the progress of the draft UC Accountability Framework and the UCOP restructuring effort. Members of UCPB felt that the Academic Senate should monitor the further development of the framework, expecting to see the majority of its suggestions incorporated into revisions that continue to draw on the expertise present on each campus and system-wide in standing committees that devote a significant amount of time to precisely the issues the framework tries to address.

UC Education Abroad Program

EAP Director Michael Cowan joined the November meeting to discuss a proposed new Business Model for the UC Education Abroad Program that was intended to streamline costs and ensure the fiscal health of UCEAP. In a memo to Council, UCPB noted the importance of EAP to UC and expressed concern that budget cuts could compromise its academic mission. UCPB also submitted a modified version of the budget plan that extended projected cuts from three to five years, stressing that EAP should become more efficient, but should also have adequate time to make improvements that would ensure a sustainable future. Bjorn Birnir also served as UCPB's representative to a joint Senate-Administrative Task Force convened to advise the Provost on EAP's future. In June, he submitted a report to UCPB expressing concern that the Task Force was proposing dramatic cuts and a reduced role for faculty in the Study Center model that had long contributed to EAP's academic quality.

Proposed State Legislation Regarding UC Autonomy

In May, UCPB discussed the two bills before the California legislature proposed by state Senator Leland Yee and his colleagues – ACA 24 and SCA 21 – which would place before the voters a constitutional amendment repealing the historic autonomy of the UC Regents. In a memo to Council, UCPB resolved that the Academic Senate should oppose this legislation vigorously, both by adopting as policy a statement of the Senate's strong support for preserving the Regental independence provided by California's Constitution, and through individual communications from faculty to legislators. The Academic Assembly endorsed the resolution in June.

The National Laboratories

Chair Conrad attended meetings of Academic Council's Special Committee on Lab Issues (ACSCOLI). Associate Vice President for Laboratory Programs John Birely joined one meeting to discuss questions UCPB members had about the national laboratories, including those related to the LLC agreements for the national laboratories at Livermore and Los Alamos, concern that the labs might increase production of plutonium "pits," and the Senate's role in shared governance relating to the Livermore, Los Alamos, and Lawrence Berkeley labs.

UC-Merced

Evan Heit updated UCPB on the difficult budget challenges facing the young Merced campus, which continues to grow, but faces significant challenges stemming from flawed estimates about the cost of establishing the campus, an unsustainable funding model, and the current state fiscal crisis. The campus has only two academic buildings, and its state-funded capital budget is still insufficient to meet the needs for student enrollment growth and faculty recruitment. Its operating budget is based on the per student marginal cost of instruction rate, but with the state funding only 2,000 of its 3,000 students and higher than average costs associated with building a new campus, Merced is at a disadvantage compared to other UC campuses. The Merced budget situation was also featured in a [Senate Source article](#) written by the committee analyst.

2009 Total Remuneration Study

Randy Scott, Executive Director of HR Strategic Planning & Work Force Development, joined the April meeting to discuss preliminary findings of the 2009 Total Remuneration Study for Ladder Rank Faculty and other benefits issues. He returned in June to discuss the final report. His presentations highlighted the urgency around the future sustainability of the UC Retirement Plan and the declining competitiveness of UC faculty and staff salaries. UCPB passed a motion strongly recommending that the Total Remuneration Study presentation be made available to the Academic Council as soon as possible.

Investigation into Student-Faculty Ratios

In June, Vice Chair Oppenheimer presented his research into the history and current funding model for student-faculty ratios, problems associated with that model, and alternatives for restructuring. UCPB decided it could use the report as part of an effort to examine the historical choices and consequences of base budget

funding models, how base budgets are set and how funding is distributed among campuses currently, and future prospects—tying the information to a host of key problems, showing their interconnectedness, and recommending alternative models UC should consider in order to survive and maintain quality.

Other Issues and Additional Business

In response to requests for comment from the Academic Council, UCPB also issued formal views on the following issues and proposals:

- Policy on Reemployment of University of California Retired Employees
- Request from the University Committee on Academic Freedom to change Senate bylaws and add UCAF to Council
- Proposed Sanctions for Faculty who Fail to Comply with Sexual Harassment Prevention Training
- Proposed Revisions to APM 240 (Deans)

Looking Ahead to 2009-10

UCPB plans to play an active role next year in helping UCOP and the Senate confront difficult choices in terms of both short-term and long-range budget planning resulting from the reduced state funding to the UC. The Committee strongly opposes the continuation of furloughs or salary cuts beyond one year and we remain focused on budgetary planning that will maintain the quality of education, research, and service throughout the 10 UC campuses. UCPB will continue to advocate that UCOP develop a plan addressing short-term possibilities for generating revenue and increasing efficiencies that does not involve salary cuts, a long-term strategy for restructuring the funding model, and a political strategy for restoring the Master Plan.

UCPB is considering the possibility of updating its 2008 [“Cuts” Report](#) to reflect the new budget reality. Tentatively titled the “Choices Report,” UCPB would aim, with such a report, to revisit and update old analyses, address gaps in previous data, and conduct new analyses, including potential options for cuts and their impact, essential for making budget decisions.

UCPB Representation

UCPB Chair Conrad represented UCPB at meetings of the Academic Council, the Academic Assembly, the Provost’s Advisory Group for Budget Strategies, and the Academic Council Special Committee on Laboratory Issues. Vice Chair Oppenheimer and Peter Krapp each attended meetings of the UC Task Force on Planning for Professional and Doctoral Education. Peter Krapp attended meetings of the Industry-University Cooperative Research Program Steering Committee; Bjorn Birnir was a member of the Joint Ad Hoc Committee on International Education; Joseph Bristow represented UCPB on the Compendium Task Force; and James Chalfant represented the Committee on the Post-Employment Benefits Workgroup.

Acknowledgments

UCPB acknowledges the valuable contributions of the following consultants and special guests: Vice President for Budget Patrick Lenz; Associate Vice President for Budget Debora Obley; Assistant Budget Director Michael Clune; Interim Provost Lawrence Pitts; Executive Vice President Katherine Lapp; Executive Director, HR Strategic Planning & Work Force Development Randy Scott; Vice Provost for Academic Information and Strategic Services Dan Greenstein; Director of Student Financial Aid Kate Jeffrey; Special Assistant to the Provost Carol Copperud; Vice President for Research and Graduate Studies Steven Beckwith; Director for Science and Technology Research Programs Cathie Magowan; Director for Humanities, Arts, and Social Science Research Programs Dante Noto; UCEAP Director Michael Cowan; Director of Institutional Research Kathleen Dettman; and Institutional Research Content Director Shelley Dommer.

Thanks also to the faculty and students who served as alternates for regular committee members: Jane Mulfinger (UCSB); Robert Koegel (UCSB); Frank Powell (UCSD); Jean-Bernard Minster (UCSD); Bruno Nachtergaele (UCD); Paul Hoffman (UCR); Peter Chung (UCR); Christopher Childers (undergraduate student, UCSD); Aaron de Grassi (graduate student, UCB).

Respectfully submitted:

Patricia Conrad, Chair (UCD)
Norman Oppenheimer, Vice Chair (UCSF)
John Ellwood (UCB)
James Chalfant (UCD)
Peter Krapp (UCI)
Joseph Bristow (UCLA)
Evan Heit (UCM)
Mary Gauvain (UCR)
Mathew McCubbins (UCSD)

Warren Gold (UCSF)
Bjorn Birnir (UCSB)
Susan Gillman (UCSC)
Henry Powell, *ex officio*
Mary Croughan, *ex officio*
Doug Jorgesen, Grad. Student Rep.(UCSD)
Katryna Martens, Undergrad. Student Rep.(UCSD)
Michael LaBriola, Committee Analyst

UNIVERSITY COMMITTEE ON PREPARATORY EDUCATION ANNUAL REPORT 2008-2009

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The University Committee on Preparatory Education (UCOPE) met twice and the UCOPE-ESL (English as a Second Language) Advisory Group met once in person and again by teleconference during the 2008-09 Academic Year. Both groups considered matters in accordance with its duties as set forth in [Senate Bylaw 192](#), which state that UCOPE shall advise the President and appropriate agencies of the Academic Senate on the broader issues related to preparatory education, including the language needs of students from diverse linguistic backgrounds; monitor and conduct periodic reviews and evaluations of preparatory and remedial education; to supervise the *University of California Entry Level Writing Requirement* (UC-ELWR), and to establish Universitywide standards for the *University of California Analytical Writing Placement Examination* (UC-AWPE); monitor the implementation of [Senate Regulation 761](#) (Remedial Courses) on the campuses. A summary of the committee's activities and accomplishments follows below:

UC Analytical Writing Placement Examination

- **Administration and Budget.** UCOPE members reviewed the implementation of the UC-AWPE vis-à-vis reports from Sue Wilbur, Director of Undergraduate Admissions. In particular, the committee continued to keep watchful eye open for any noticeable improvements attributable to the vendor in the administration of the program. The UC-AWPE has had a history of structural deficits, though the projected deficit for the May 2008 exam was reduced to about \$50K. The Committee provided feedback to Director Wilbur about possible cost-cutting measures, such as raising test fees, limiting the number of test-takers and fee waivers, and employing alternate administration mediums, such as online sittings. UCOPE will continue to closely monitor this issue and to work with Director Wilbur to ensure that AWPE standards are not compromised by future cost-cutting measures.
- **Review and Selection of the 2009 Analytical Writing Placement Examination Essays.** In January, UCOPE members selected the essay to be used in the 2009 UC-AWPE administration, in accord with Senate Regulation 636B.1. The selection is an annual event led by UCOPE Consultant George Gadda (UCLA).
- **Norming of AWPE for 2009.** In April, UCOPE members reviewed sample essays to ensure that norming procedures used in evaluation of the 2009 AWPE exam would be consistent with SR 636A and SR 636B.1 This session is an annual event led by UCOPE Consultant George Gadda (UCLA).

The Achieve Project

UCOPE members discussed UC's involvement with the Achieve Project, an inter-segmental state and national project focused on improving state standards and assessment instruments for K–12 mathematics and English language preparation. Several UC faculty members are engaged in the Achieve Project; though there is some concern across UC, CSU and the CCCs that the project's assessment-focused agenda risks lowering current standards and will not adequately address the higher-level, critical thinking skills that entering students should possess. UCOPE-ESL Advisory Group member Jan Frodesen (UCSB) was appointed as one of the two UC delegates to the Achieve Project.

UCOPE English as a Second Language (ESL) Advisory Group

The UCOPE-ESL Advisory Group met once in-person and once by teleconference. Advisory Group Chair Robin Scarcella (UCI) reported that members, at their March meeting, considered various alternatives to the term "ESL" along with the range of issues associated with its use. With regard to renaming the ESL Advisory Group, the full UCOPE Committee generally supported replacing the term "ESL" with the nomenclature

“English in an Academic Setting”. Chair Scarcella described some of the emergent concerns regarding how the budget situation is impacting ESL programs and services on the campuses. UCOPE members also generally supported the Advisory Group’s pursuit of grant funds for a research study to assess the writing abilities of community college students with a report to be presented to UCOPE.

Other Issues and Business

In addition to official communications related to the aforementioned topics, UCOPE considered and in some cases submitted formal comments on the following policy issues under review:

- Modifications to UC’s financial aid program;
- Both the original and the revised Freshman Eligibility proposals from BOARS;
- President Yudof’s Revised Accountability Framework Report;
- Textbook affordability; and
- Revisions to Senate Regulations affected by the new BOARS eligibility standards.

UCOPE also discussed plans for a report on the possible impact of budget cuts on preparatory writing programs across the UC system. Though not enough information was available in 2008-09 about impending cuts to justify a report, the committee concluded that the situation must be monitored carefully and that a report may be advisable in the following year. Finally, UCOPE devoted a portion of each meeting to reports and updates from its members about issues facing local divisions and committees. These discussions included reports by members on the impact of the budget situation on preparatory English and Math programs on their respective campus, with attention given to any areas of concern for UCOPE or that might call for action by the committee in the future. Reports by the UCOPE Chair about Intersegmental Committee of the Academic Senate (ICAS) meetings and especially its annual Legislative Day held in Sacramento were also discussed.

Acknowledgements

UCOPE gratefully acknowledges the contributions of these UCOP and campus consultants over the past year: Director of Undergraduate Admissions Susan Wilbur; UC Student Academic Services; Jeanne Hargrove, Analytical Writing Placement Examination and High School Articulation Coordinator, UC Student Academic Services; UCLA Writing Program Director and Chair of the Analytical Writing Placement Examination Committee George Gadda; and the Chair of the UCOPE-ESL Advisory Group Robin Scarcella. The committee also thanks the numerous faculty members who, as alternates, kindly represented their respective campuses at UCAAD meetings this year.

Respectfully submitted:

Deborah Willis, Chair (UCR)

Judith Scott (UCSC)

Jonathan Alexander, Vice Chair (Irvine)

Mark Pilotin (UCB student)

Charles Briggs (UCB)

Brooke Moffitt (UCSB student)

Richard Levin (UCD)

Mary Croughan (ex-officio member)

Sherrel Howard (UCLA)

Henry Powell (ex-officio member)

Virginia Adan-Lifante (UCM)

Eric Zárate (Committee Analyst)

Steven Axelrod (UCR)

**UCSB representative was not appointed in 2008-09*

Ross Frank (UCD)

**See Vice Chair above for UCI representative*

Leslie Zimmerman (UCSF)

UNIVERSITY COMMITTEE ON RESEARCH POLICY ANNUAL REPORT 2008-09

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The University Committee on Research Policy (UCORP), as specified in Senate Bylaw 200, is responsible for fostering research, for formulating, coordinating, and revising general research policies and procedures, and for advising the President on research. During the 2008-09 academic year, UCORP met eight times, five times in person and three times via teleconference. This report briefly outlines the committee's activities.

UCORP INITIATIVES

1. UCORP Handbook

As a supplement to traditional orientation materials such as annual reports and previous meetings' minutes, Chair Carey suggested the committee develop a more comprehensive members' guide that would also include organization charts from relevant Office of the President units, an acronym glossary, and overviews of shared governance and university administration. A first draft was created and will be used as a template for future years.

2. COR Networking

Campus committees on research (CORs) have historically operated in isolation from one another. It was proposed that part of UCORP's work should be greater integration of the campus counterpart committees so that best practices could be more easily established and a greater understanding between the divisions could be fostered. Including topics such as administration participants in meetings, internal grant procedures and budgets, and charge and scope, a spreadsheet was created to help illustrate the convergences and divergences between the campus CORs. This table can be updated annually and included in the aforementioned committee handbook.

3. Synergy Project/Seminar Network

UCORP also sought methods of unifying institutional research efforts through greater communications between individual researchers at different campuses. The committee decided to investigate and then to propose a seminar network that would allow real-time participation in seminars held at a distant campus or even across campus. Chair Carey led the investigation by contacting members of his campus's information technology unit as well as systemwide officials. He then developed a white paper which the full committee endorsed, and then initiated low-level testing in a few departments at UC Davis; UCORP participated in one demonstration.

Following revisions, the white paper was submitted for systemwide review in order to judge interest and secure Senate-wide support. Respondents encouraged UCORP to proceed with the project, but asked for clarifications on certain issues such as cost and intellectual property. While final answers to questions are being sought, the committee resubmitted its manuscript to the Academic Council to garner endorsement for a comprehensive pilot project. UCORP will continue to develop the proposal over next year.

RESEARCH POLICY ISSUES

1. NAGPRA and Stewardship/Ownership of Research Materials and Data

Events at the San Diego campus brought enforcement of University guidelines for compliance with the Native American Graves Protection and Repatriation Act (NAGPRA) to UCORP's attention. The committee forwarded comments to the Academic Council calling for stricter enforcement of extant guidelines while noting that Office of the President personnel were revising them. UCORP anticipates commenting on the revised guidelines when they become available.

Implicated in the NAGPRA question is the University's policy on the ownership and maintenance of research materials. UCORP again called for stricter application of the guidelines as

well as for more explicit ones. These, too, should be available for comment in the next academic year.

2. Compliance

On several occasions, UCORP considered issues arising from proliferating compliance requirements. Aside from keeping abreast of new requirements in effort reporting, the committee commented on proposed sanctions for faculty who are not fully compliant. The committee encouraged more user-friendly compliance software, better and centralized recordkeeping, and greater explication of new, but similar, requirements—especially when their recommendations are contradictory.

3. Researcher Safety

Faculty at several campuses this year were the victims of domestic terror acts due to the inclusion of animal or human subjects in research. The violence perpetrated occurred on both University and personal property. New state and federal legislation is designed to curb the number of incidents by providing additional means of legal redress. Different campuses locate faculty redress in different Senate committees; at some it is the province of academic freedom committees, while at others the locus is unclear as systematic divisional discussions have yet to occur.

UCORP also reviewed accidents as at one campus, an in-lab accident led to a fatality. Again, concerns regarding inconsistent recommendations from compliance monitors were noted as aggravating a difficult situation.

4. Post-Doc Unionization

UCORP received updates and discussed the nascent post-doctoral scholars' union. While post-docs have contracted with the United Auto Workers (UAW) to be their representative body, specific contractual terms are still being negotiated. UCORP noted concerns in trying to balance work-life issues with non-standardized research calendars and wondered whether unionization would impact UC's long-term ability to recruit. The Office of the President's Office of Academic Personnel is adding a collective bargaining specialist position to help address these concerns, among others.

5. Shared Computing Resources Initiative

UCORP received a presentation from the developers of the Shared Computing Resources Initiative, a project designed to save cost and effort by offering meta-level computing capacity more widely. It is thought that individual researchers will no longer need to maintain local clusters. UCORP questioned the timing and development of the proposal, as well as the level of interest systemwide. The president cleared the project to move forward, and UCORP will monitor its implementation and outcomes.

6. Universities Allied for Essential Medicine (UAEM) Proposal

Student representatives from UAEM contacted UCORP members individually, and later the committee as a whole, in order to secure the committee's imprimatur for their efforts, which are designed to make new medical drugs and treatments available at low or no cost in developing countries. UAEM also met with the Technology Transfer Advisory Committee (TTAC), the group charged with evaluating proposals that impact copyright, marketing, and other technology transfer issues. After hearing from both UCORP's representative to TTAC and from UAEM, the committee elected to await TTAC's recommendations before taking a formal position.

LABORATORY ISSUES

1. Fees

Following the transfer of management of the Department of Energy (DOE) national labs to a limited liability corporation (LLC), UC faced the question of how to allocate the management fees generated by partnering in the LLC. In conjunction with the Office of Lab Management and the Office of Research and Graduate Studies, an RFP was developed, a competition held, and winners announced.

The winning projects were to contain at least one principal investigator from UC and demonstrate unique input by the labs.

2. Pit Production

UCORP debated the merits of increasing plutonium pit production, including whether UC should dissociate itself from the labs should pit production jump substantially. Changes on the national political scene obviated some of these concerns, but UCORP continues to monitor the ancillary benefits of such classified research and work, especially whether they add value to UC's research enterprise.

3. Governance

It was proposed to move administration of the national labs from the DOE to the Department of Defense. This reignited the debate about pit production and UC's relationship with the labs, but again, changes on the national political scene have sidelined this debate. Nonetheless, UCORP will continue to monitor events.

ACADEMIC REVIEWS

1. Division of Agriculture and Natural Resources

UCORP was excited to receive and review the long-awaited academic review of the Division of Agriculture and Natural Resources (DANR), and the accompanying review of the University's Cooperative Extension program. Unfortunately, the committee identified several shortcomings in the review, which were communicated to the Academic Council along with suggested next steps. Still, the committee welcomed the new strategic vision and leadership under the division's new vice president, and UCORP looks forward to developing a better relationship with DANR.

2. QB3

UCORP also commented on the five-year academic review of the California Institute for Quantitative Biosciences (QB3), the second of the California Institutes for Science and Innovation to undergo this process. UCORP is impressed by the quality and types of research being conducted, but the committee again noted the absence of specific quantitative metrics. This continued omission undermines the laudatory nature of each review.

CONSULTATION WITH THE OFFICE OF THE PRESIDENT – OFFICE OF RESEARCH AND GRADUATE STUDIES

1. ORGS Restructuring

This year, ORGS underwent administrative restructuring, along with most other units in the Office of the President. UCORP received frequent updates on the restructuring process, helping to ensure that the administrative efficiencies being sought did not also carry deleterious impacts on research. UCORP will continue to monitor the unit's evolution as the impacts of ORGS' restructuring is not yet fully known.

2. MRU/MRPI

Completing a process initiated in 2006, ORGS finalized and issued an RFP for open competition for the University's multi-campus research unit (MRU) funds; the new process operates under the name "Multi-campus Research Programs and Initiatives" (MRPIs). UCORP noted several concerns with the new process, highlighting insufficient Senate consultation – especially at the campus level, and a lack of consideration for established procedures for the dis/establishment of formal MRUs. UCORP will evaluate closely how well the anticipated roll-out time-frame impacts Senate procedures. It remains unclear what will happen to any new awardees (and their funding) who are not designated as official MRUs. In light of these concerns, next year UCORP will request a more comprehensive RFP consultation process that incorporates feedback from divisional, as well as systemwide, stakeholder committees.

3. Consultants from the Office of Research and Graduate Studies regularly updated the committee on policy issues related to research, including:
 - Export Control
 - California Institute of Climate Studies
 - Stem Cell Research/California Institute of Regenerative Medicine
 - National Science Foundation Policy Changes
 - Suspended Grants
 - Publication Restrictions
 - Indirect Cost Recovery
 - Stimulus Money Usage

CORRESPONDENCE REPORT

In addition to communications relating to the aforementioned topics, UCORP opined on the following items of systemwide import:

- Draft Accountability Framework
- Revisions to APM 028
- Proposed Furlough and Salary Cut Options
- Non-Resident Enrollment Principles
- Post Doctorate and Professional Education Task Force Report
- Proposed Amendments to the University Committee on Academic Freedom (UCAF) By-laws
- Implementation of RE-89

UCORP REPRESENTATION

The Chair, Vice Chair, or another committee member or liaison represented UCORP on the following systemwide bodies during the year: Academic Assembly, Academic Council, Academic Council Special Committee on Lab Issues, Academic Planning Council, Council on Research, Industry-University Cooperative Research Program Steering Committee, and the Technology Transfer Advisory Committee, and the Compendium Review Task Force. Throughout the year, UCORP's representatives provided updates on the activities of these groups.

ACKNOWLEDGEMENTS

UCORP is grateful to its consultants, who have provided invaluable information and perspective to the committee: Steven Beckwith, Vice President for Research and Graduate Studies); Ellen Auriti, Executive Director of Research Policy and Legislation; Cathie Magowan, Director of Science and Technology Research Programs and Initiatives; Dante Noto, Director of Humanities, Arts, and Social Science Research Programs and Initiatives; and John Birely, Associate Vice President for Lab Management.

UCORP also wishes to thank its invited guests, campus alternates, and student representatives for their participation and support.

Respectfully submitted, UCORP 2008-09:

James Carey, Chair (UCD)
John "Chris" Laursen, Vice Chair (UCR)
Steven Glaser, UCB (Fall semester)
Steven Raphael, UCB (Spring semester)
Greg Miller, UCD
John Crawford, UCI

Tim Lane, UCLA
Patti LiWang, UCM
Kimberly Hammond, UCR
Theodore Groves, UCSD
Jean-Francois Pittet, UCSF
David Stuart, UCSB
Phokion Kolaitis, UCSC
Laura Serwer, Graduate Student Representative (UCSF)
Mengfei Chen, Undergraduate Student Representative (UCI)
Kenneth Feer, Senior Policy Analyst (UCOP)

VIII. UNIVERSITY AND FAUCLTY WELFARE REPORT

A. Presentation on UCRP Funding Status

- **Robert Anderson, Chair, UCFW's Task Force on Investment and Retirement and Peter Taylor, Executive Vice President and Chief Financial Officer**

IX. PETITIONS OF STUDENTS [NONE]

X. UNFINISHED BUSINESS [NONE]

XI. NEW BUSINESS



1111 Franklin Street
Oakland, California 94607-5200
Phone: (510) 987-9074
Fax: (510) 987-9086
<http://www.ucop.edu>

September 24, 2009

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

I am pleased to provide the enclosed report on the implementation of RE-89, the Regental resolution passed on September 20, 2007, requiring special review, approval and reporting procedures for proposals to obtain research funding from the tobacco industry.

Under RE-89, the President is to prepare and submit to The Regents an annual report summarizing the number of proposals submitted to the scientific review committee to be established by each campus pursuant to RE-89, the number approved, and the number funded, along with a description or abstract of each proposal. My office asked each campus to provide this data, along with additional related information. The campus responses are summarized in the enclosed report and are included in the Appendix.

Through the end of FY 2009, no campus reported having had any new proposals seeking research funding from a tobacco industry sponsor. Therefore, there has been no occasion for any of the campuses to invoke the special review and approval procedures required pursuant to RE-89, and no new research proposals were submitted to or funded by tobacco industry sponsors in this reporting period.

Please let me know if you have any questions about the attached report.

With best wishes, I am,

Sincerely, yours,

/s/ Lawrence H. Pitts for

Mark G. Yudof
President

Enclosure

cc: Chancellors
bcc: ✓Members, President's Cabinet

PRESIDENT'S REPORT TO THE UNIVERSITY OF CALIFORNIA BOARD OF REGENTS: FY 2009 REPORT ON PROPOSALS SEEKING RESEARCH FUNDING FROM THE TOBACCO INDUSTRY

BACKGROUND: On September 20, 2007, the Board of Regents approved RE-89, a resolution put forward by the Committee on Finance, requiring Chancellors to adopt special review, approval, and reporting procedures for proposals to obtain research funding from the tobacco industry. The adopted resolution replaced an earlier version of RE-89 (which would have restricted University acceptance of such funding).

The full text of RE-89, as adopted, can be found on Page 3 of the following url: <http://www.universityofcalifornia.edu/regents/aar/sepf.pdf>. It directs each Chancellor to establish a policy requiring that prior to the submission of any proposal to seek research funding from the tobacco industry, the research proposal must be reviewed by a scientific review committee designated by the Chancellor for this purpose, and that the proposal must be approved by the Chancellor prior to submission. RE-89 requires that The Regents shall receive timely notice of such grants and a description of the research to be undertaken, and that for each proposal reviewed, The Regents shall receive a copy of the scientific review committee's report and a copy of the Chancellor's determination letter (stating whether the proposal is to be approved for submission, along with the rationale for the determination).

Under RE-89, The Regents also directed the President to prepare and submit to The Regents "an annual report summarizing the number of proposals submitted to the scientific review committee, the number approved, and the number funded, along with a description or abstract of each proposal." The reporting requirement is to be kept in place for at least five years, after which the President is to consult with The Regents to evaluate whether the reporting requirement should be continued.

In September, 2008, the President submitted the first annual report to the Regents, including not only specific data about proposals seeking research funding from the tobacco industry, but also information about systemwide advice that had been distributed to help each campus implement RE-89 and information about the steps each campus had taken to implement the new review and approval procedures. As reported last year, all 10 University of California campuses adopted policies and/or procedures to implement RE-89. The present report does not reprise the implementation information provided previously. Instead, provided below is data regarding proposals seeking research funding from the tobacco industry as well as research funding received from the tobacco industry, for Fiscal Year 2009 (July 1, 2008 through June 30, 2009).

CAMPUS DATA: For the reporting period (July 1, 2008 through June 30, 2009) no campus reported having any new research proposals that required review and reporting under RE-89. That is, no campus reported having any new research proposals intended for submission to a tobacco-industry sponsor. Accordingly, no campus has yet invoked the special review and approval process required by RE-89, and no new research

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proposals were submitted to or funded by tobacco industry sponsors in this reporting period.

Although RE-89 did not require that campuses report on active tobacco industry sponsored awards that began prior to RE-89's passage (and that were, therefore, not subject to RE-89's review/approval requirements), the Office of the President asked for that information to ensure that The Regents are aware that such research is ongoing within University. Five campuses (Berkeley, Davis, Irvine, Los Angeles, and San Diego) reported having ongoing tobacco-industry funded research that was initiated prior to RE-89's passage. In all cases, these projects were originally funded by Philip Morris. The total for the 10 awards (including two Fellowships) across the five campuses is \$9,921,308. Note that two campuses reported information about pre-existing awards they inadvertently left out of their FY 2008 reports.

The individual campus RE-89 implementation reports are attached in the **Appendix** to this report.