

# UNIVERSITY OF CALIFORNIA

BERKELEY • DAVIS • IRVINE • LOS ANGELES • MERCED • RIVERSIDE  
SAN DIEGO • SAN FRANCISCO • SANTA BARBARA • SANTA CRUZ



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

Wednesday, January 30, 2008

10:00 am - 4:00 pm

California State University, East Bay  
Oakland Professional Development & Conference Center  
1000 Broadway, Suite 109, Classroom 2 (OPDCC2)  
Oakland, CA 94607  
Tel. #: (510) 208-7001/987-9143

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## **I. Roll Call**

### **2007-08 Assembly Roll Call January 30, 2008**

#### **President of the University:**

Robert C. Dynes

#### **Academic Council Members:**

Michael T. Brown, Chair  
Mary Croughan, Vice Chair  
William Drummond, Chair, UCB  
Linda F. Bisson, Chair, UCD  
Timothy Bradley, Chair, UCI  
Elizabeth Ligon Bjork, Chair, UCLA  
Shawn Kantor, Chair UCM  
Thomas Cogswell, Chair, UCR  
James W. Posakony, Chair, UCSD  
David Gardner, Chair, UCSF  
Joel Michaelsen, Chair, UCSB  
Quentin Williams, Chair, UCSC  
Mark Rashid, Chair, BOARS  
Bruce Schumm, Chair, CCGA  
Pauline Yahr, Chair, UCAAD  
James Hunt, Chair, UCAP  
Keith Williams, Chair, UCEP  
James Chalfant, Chair, UCFW  
Jose Wudka, Chair, UCORP  
Christopher Newfield, Chair, UCPB (absent)

#### **Berkeley (6)**

Charles Altieri (alt. for Steven Beissinger)  
Ralph Catalano  
Paula S. Fass  
Suzanne M.J. Fleiszig  
Stephen Mahin  
Theodore Slaman

#### **Davis (6)**

Matthew K. Farrens  
Donald Price  
Xiangdong Zhu (alt. for Birgit Puschner)  
Margaret Rucker  
Daniel L. Simmons  
Fred Block (alt for W. Jeffery Weidner)

#### **Irvine (4)**

Gian Aldo Antonelli  
Calvin Morrill  
Alka Patel  
Jone Pearce

#### **Los Angeles (8 - 1 TBA)**

Christopher C. Baswell  
Paula Diaconescu  
Arvan Fluharty  
Robert G. Frank, Jr.  
Margaret Haberland  
Jodie Kreiman  
Steven Loza

#### **Merced (1)**

Jian-Qiao Sun

#### **Riverside (2)**

Carol J. Lovatt  
Mart L. Molle

#### **San Diego (4)**

Richard Attiyeh  
Joel Dimsdale  
Charles Perrin  
Andrew T. Scull

#### **San Francisco (4)**

Dan Bikle  
Barbara Gerbert  
Deborah Greenspan  
Lawrence Pitts

#### **Santa Barbara (3)**

Richard Church  
Barbara Prezelin (absent)  
Volker Welter

#### **Santa Cruz (2)**

Kathy Foley  
Lori Kletzer

#### **Secretary/Parliamentarian**

Peter Berck

## REGULAR MEETING OF THE ASSEMBLY OF THE ACADEMIC SENATE

**DRAFT** MINUTES OF MEETING

WEDNESDAY, MAY 9, 2007

10:00 A.M. – 4:00 P.M.

**I. ROLL CALL OF MEMBERS**

Pursuant to call, the Assembly of the Academic Senate met on Wednesday, May 9, 2007. Academic Senate Chair John Oakley presided. Chair Oakley welcomed participants and called the meeting to order at 10:00 a.m. He pointed out that there will be a sign-up sheet for those who are not members of the Assembly but who wish to speak to the Assembly. He also notified attendees that this is an open meeting; audio recording of the proceedings is allowed, however video taping is not allowed. Academic Senate Executive Director Mariá Bertero-Barceló called the roll of members of the Assembly and established that a quorum was present. Attendance is listed in Appendix A of these minutes.

**II. MINUTES**

**ACTION:** The Assembly approved the minutes of the meeting of February 14, 2007, as noticed.

**III. ANNOUNCEMENTS BY THE PRESIDENT****• ROBERT C. DYNES**

President Dynes' [Report to the Academic Assembly](#) was distributed electronically prior to the meeting. He also addressed the Assembly with the following remarks.

**REPORT:**

UCR Chancellor Transition: France Cordova, the UC Riverside Chancellor, announced Monday that she will be leaving UC to assume the position of president of the Purdue system. Efforts were made to retain her, and her departure will be a felt as a significant loss. She has made an important mark at Riverside, especially with regard to strategic planning, building the faculty, and developing important new higher-education programs that will serve the Inland Empire. She will leave at the end of July and the search will begin soon for her replacement.

National Issues:

- The DOE has announced that UC and its partners have won the competition for the management of the Lawrence Livermore National Laboratory. UC is now part of a limited liability company that has now won contracts for the three national labs that have formerly been managed by the University.
- In the wake of the Virginia Tech tragedy, we are re-assessing aspects of campus security, one of those being student mental health. The budget for those services has been increased this year with allocations from the student registration fees; continued increases can be expected to reach adequate levels over the next few years.
- Upon news of irregularities in student-loan practices at other institutions, an audit was launched immediately to evaluate UC's practices. To date we have uncovered no instances of employees personally receiving kickbacks or other personal benefits from lenders. Some

loan offices, though, have received support in the form of free software, and that practice will be changed. Questions have also emerged in connection with how the alumni associations are funded, which will be looked into.

Organizational Review of UC. The launch of this review was announced in April. It is aimed at: 1) gaining greater clarity about the respective roles of the Regents, OP, and the campuses; and 2) instituting greater operational efficiencies based on an assessment of infrastructure redundancies in areas such as payroll and student records. The review will help to focus resources on our real priorities. The consultants who were chosen to conduct the review are expected to gather information, present options, and help implement them. The costs of the effort will be funded by borrowing against an endowment, which will be paid back through future savings.

Academic Planning Process: The planning process is going forward as projected. Each campus is now thinking through its academic planning as informed by the other campuses and, based on their individual goals and strengths, directing plans in a way that is complementary to the planning of other campuses. A major presentation on this effort will be made to the Regents next week.

Faculty Salaries: I have charged Provost Hume and Vice President Hershman to develop a plan that will, over the next three to four years, bring faculty salaries up by 26%. The process will be two-fold: first to bring the ranges of the faculty-salary scales up, so the number of off-scale salaries is reduced; and second, to increase salaries to a competitive level.

Faculty Honors: Six UC faculty members have recently been elected to the National Academy of Sciences; 23 have been admitted to the American Academy of Arts and Sciences; and 13 have received Guggenheim Fellowships. I congratulate you all.

## **Questions and Comments**

**Question:** What percentage of the total UC operating budget is from state general funds?

**Answer:** Including the labs in the total, the state contribution would be roughly 15%. The labs count for about 5% of the total (approximately \$20 billion), and the hospitals another 4 to 5%. The rest is federal grants, fees, philanthropy, and the state budget.

**Question:** How will the faculty-salary raise be funded?

**Answer:** Funding will come from a combination of several things. First, from the planned salary increases that are part of the Higher Education Compact; second, from a portion of student fee increases; and third, from savings that are now being realized and will continue to come from greater efficiencies.

**Question:** Is overall parity part of the plan to fix the salary scales? The morale problem of faculty whose salaries are not equal to those of new hires is a big part of the dysfunction of the system.

**Answer:** Where salaries are beneficially disconnected from scales is at the high and low ends of the steps. The sag in the middle must be addressed, and we hope to reach the goal of getting 80% of the faculty back on the scale.

**Question:** What is happening regarding the resumption of retirement contributions and the state budget?

**Answer:** We are working to get language into the budget that will provide UC with the same breakdown as PERS, which is 11% paid by the state and 5% by the employee. Also we wish to start the gradual phase-in of contributions as soon as possible.

**Question:** Your written remarks point out that \$108 million for capital funding for UCSC was not approved by the state Senate. This is a situation that any campus could face. In a case like this, what recourse does UC have in the face of political maneuvering? Are non-state funds available to help?

**Answer:** There will be a lot more discussion and negotiation around that issue. The Legislature has the authority to make that decision, but we are still working on reaching an agreement.

**Comment:** Chair Oakley noted that the Senate, in particular UCFW, is seeking a role in the deliberations of the California Postsecondary Education Commission (CPEC), which sets measures for determining faculty compensation. Chair Oakley and members of the Assembly acknowledged the hard work and contribution of former Academic Senate Chair and current member of UCFW, Lawrence Pitts, in effectively addressing faculty retirement and compensation issues.

#### **IV. ANNOUNCEMENTS BY THE CHAIR**

- **JOHN B. OAKLEY**

Meeting procedures: Chair Oakley reminded attendees that the Assembly has adopted Sturgis' "Standard Code of Parliamentary Procedure" as the body's parliamentary authority, and that Secretary-Parliamentarian Peter Berck would be consulted as to procedural questions. He proposed that if business is not completed by 3:45 p.m., debate will be cut off at that time and a vote called. The last hour of the meeting will be reserved for deliberations on RE-89, which will allow for a minimum of 45 minutes for discussion of that item. These proposals were adopted by unanimous consent. In the case of any doubts with regard to any action today, a roll call vote will be taken.

Futures Report: Last December, the Academic Council adopted the report of the University Committee on Planning and Budget (UCPB) entitled "Budget Trends and the Future of the University of California," also known as the "Futures Report." The report, which projects alternative funding scenarios for UC, was distributed to The Regents in December. Next Thursday, UCPB Chair Chris Newfield and Chair Oakley will offer a presentation of the report to the Regents' Committee on Finance.

Next Assembly Meeting: If an Assembly meeting is held in June it will be a teleconference.

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

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

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

**A. Academic Council**

- **John B. Oakley, Chair, Academic Council**

**1. Nomination and Election of the University Committee on Committees (UCOC) Vice Chair (member-at-large) for 2007-08/Chair for 2008-09 (action)**

**ISSUE:** In accordance with Senate Bylaw 150.A.1. Committees, the members-at-large of UCOC “are to be named by the Assembly for two-year staggered terms. Each at-large member will serve as Vice Chair in the first year and shall normally succeed as Chair in the second year.” At its March 28, 2007, meeting, the Academic Council endorsed the nomination of William Coles, Professor of Electrical and Computer Engineering at UCSD, as the Council’s recommendation for the Assembly’s consideration.

**MOVED:** That the Assembly elect Professor Williams Coles as member-at-large to serve as the 07-08 UCOC Vice Chair and to succeed as its Chair in 08-09.

**ACTION:** By unanimous consent, the Assembly elected Professor William Coles as the 2007-08 UCOC Vice Chair.

**2. Proposed New Academic Senate Bylaw 16-Executive Director of the Academic Senate (action)**

- **Michael T. Brown, Chair, Academic Council Subcommittee on Systemwide Senate Leadership and Office Structure**

**ISSUE:** Following systemwide review initiated by the Academic Council on July 26, 2006, the proposed new Senate Bylaw 16 was approved by the Academic Council at its January 24, 2007, meeting. The proposed bylaw was originally drafted by the Academic Council Subcommittee on Systemwide Senate Leadership and Office Structure. It is intended to ensure appropriate recognition of the importance of the Executive Director, as a non-Senate officer of the Academic Senate, to the effective functioning of the systemwide Senate. The proposal is also intended to articulate the roles and responsibilities of the Executive Director, and the roles of the Senate and the Office of the President with regard to the Executive Director. At its meeting on February 14, 2007, the Assembly discussed this item and deferred action until its next meeting.

**MOVED:** That the Assembly of the Senate approve the proposed new Senate Bylaw 16 - Executive Director of the Academic Senate.

**DISCUSSION:** Professor Brown explained that the Council subcommittee was charged with looking at Senate leadership and the Senate office structure and to propose bylaw changes as deemed necessary. In February, the Assembly adopted a bylaw change, drafted by the subcommittee, which provided for removal of a Senate Chair or Vice Chair. The intent and purpose of the current proposed bylaw is to recognize the role and significance of the Senate Director; and to clarify that the duties of this person are directed by the Academic Council Chair in consultation with the Council, but that the terms of employment of that individual come under the authority of the Office of the President.

One member questioned whether the language in the proposed bylaw was strong enough. Professor Brown replied that the proposal was developed in consultation with the current Director and that the Council had agreed that the proposed language would be adequate to the bylaw's intention. Other members spoke in general support of the new bylaw.

**ACTION: The proposed new Senate Bylaw 16 - Executive Director of the Academic Senate was adopted by unanimous consent.**

### **3. Proposed Amendments to Academic Senate Bylaw 185 – Library (UCOL) (action)**

**ISSUE:** This item was on the agenda for the February 14, 2007, meeting of the Assembly, but for lack of time was postponed to today. The proposed amendment to Bylaw 185, which governs the University Committee on Library (UCOL), would expand the committee's charge to include oversight of scholarly communication. In its current form, Bylaw 185 limits UCOL to advising "the President concerning the administration of the libraries of the University in accordance with the Standing Order of the Regents." The proposed amendment would allow UCOL to serve in an advisory capacity regarding matters of scholarly communication, and would formally change its name from the "University Committee on Library" to the "University Committee on Library and Scholarly Communication" to reflect this expanded mandate. The proposed amendment to Senate Bylaw 185 was approved by the Academic Council at its November 29, 2006, meeting and was found to be consonant with the Code of the Academic Senate by the University Committee on Rules and Jurisdiction (UCR&J).

**MOVED:** That the Assembly adopt the proposed amendments to Senate Bylaw 185.

**DISCUSSION:** One member characterized the change as an orderly progression of the committee's charge. Another member raised the concern that because scholarly communication is a core faculty issue, it is important to make sure that the fullness of the discussion of these issues be represented in the body advising on them (including the implementation of new copyright policies). In reply, it was asserted that the committee will be properly constructed to meet that task, representing a breadth of expertise and including a university librarian. It was also clarified that the committee is advisory and reports to the Academic Council and ultimately, the Assembly.

**ACTION: In a show of hands, the proposed amendments to Academic Senate Bylaw 185 – Library were approved by more than the needed two-thirds majority.**

### **4. Proposed Amendments to Academic Senate Bylaws 125 A.4, 140.A, and Table 1 attached to Senate Bylaw 128.D.1 and Table 2 attached to SBL 128.D.2**

**ISSUE:** In April 2006, the Academic Council voted to give the chair of the University Committee on Affirmative Action and Diversity (UCAAD) an interim seat on Council as a non-voting guest beginning at the May 2006 meeting, and continuing through the 2006-2007 academic year. The UCAAD chair has attended Council meetings regularly since May 2006. In February 2007, Council unanimously approved the addition of the UCAAD chair as a



formal, voting member of the Academic Council, believing that UCAAD's permanent presence on the Council appropriately reflects a commitment to diversity issues and will provide more knowledge, insight, and weight to diversity-related discussions and actions of the Council.

**MOVED:** That the Assembly of the Senate approve the proposed amendment to Senate Bylaw 125 adding the Chair of the University Committee on Affirmative Action and Diversity (UCAAD) to the membership of the Academic Council, and approve as well the proposed conforming amendments of Senate Bylaw 140.A, and of Table 1 attached to Senate Bylaw 128.D.1 and Table 2 attached to Bylaw Senate 128.D.2.

**DISCUSSION:** Chair Oakley noted that the proposed bylaw changes would increase the size of the Academic Council from 19 to 20 and of the Assembly for 60 to 61, which, in turn, would raise the Assembly quorum requirement to 41. A member asked to know the criteria by which committee chairs are made members of the Academic Council. In response, Chair Oakley noted that there are no published criteria, but that these decisions are made with due deliberation taking into account the need for the Council, as the Assembly's executive body, to remain nimble. Another member raised concerns about the addition of another committee chair having the effect of further diluting divisional representation. At the request of a member, the standing committees that do not sit on the Council were listed. Other members voiced strong support for the motion and noted that because issues of diversity cut across many others, it is useful to have the UCAAD Chair a member of the Council

**ACTION:**     **The Assembly adopted by show of hands, the proposed amendments to Academic Senate Bylaws 125 A.4, 140.A, and Table 1 attached to Senate Bylaw 128.D.1 and Table 2 attached to SBL 128.D.2.**

Chair Oakley welcomed UCAAD Chair Gibor Basri as the newest member of the Assembly. UCAAD Chair Basri expressed thanks for the Assembly's approval to have UCAAD permanently represented on the Academic Council. He noted that the Senate's adoption last year of a Statement on Diversity was the culmination of a process that started years ago, and expressed the hope that the statement would go to the Regents for endorsement.

## **5. Proposed Resolution of the Senate Calling for Rejection of a Senior Leadership Compensation Group (SLCG) Salary Structure the Differentiates Grades by Campuses**

**ISSUE:** On February 27, 2007, the Academic Council discussed the UC Irvine Division's proposed resolution on stratification. The Academic Council then charged a workgroup to draft a similar resolution for Council's consideration. At its March 28, 2007, meeting, the Academic Council endorsed the resolution noted below for the Assembly's consideration.

The Academic Senate of the University of California calls on the Office of the President and The Regents to reject the differentiation by campus for the Senior Leadership Compensation Group. It also calls on The Regents to avoid adopting policies that will lead to stratification of UC campuses by tiers and weakening of the University of California as a whole.

**DISCUSSION:** As background, it was noted that: the report and recommendations of Mercer Human Resources, the consultants to the Regents on compensation issues, set management salary levels for the same job categories at different levels across campuses; that this was the first time that such a stratification of campuses had been proposed; and that from the university's beginnings, each campus has been allowed to grow in stature to be as competitive as possible.

Members expressed general opposition to stratification, but some members were concerned that no barriers be set to meeting the different needs of each campus, especially with regard to the ability to recruit the best senior managers, and that reasonable ranges of salaries still be allowed. It was explained that the resolution would be sent forward along with its background statement, in order to clarify that the Senate believes that the senior management compensation structure should reflect common salary ranges among all campuses for each job title within the SLCG, and that those ranges should be wide enough to accommodate campus differences, allow for successful recruitment, and encourage growth.

It was pointed out that the statement focuses on senior management positions, but is silent on the performance of those individuals. In response, Chair Oakley pointed out that there is a joint systemwide committee now looking at senior management compensation practices in order to link salary to performance.

A request was made that the Senate Chair share the complexity of today's discussion with the President and the Regents when communicating the outcome of the Assembly's deliberations on this resolution.

These additional comments were made:

- The slotting of faculty in a similar manner is a related concern and stratification is used as an alternative to proper funding of UC.
- Another force that tends to dissociate the campuses is the differences in selectivity for admission.
- Pegging a campus as second-or-third tier has a long-lasting effect and is extremely difficult to counteract.
- Real compensation is different on certain campuses because of the high cost of living in those areas. Pre-planned stratification should be prevented, but it seems irrational to recognize no stratification.
- It is troubling that UC increasingly relies on outside consultants who have little understanding of the operations of an academic institution.

**ACTION:** **By a very large preponderance on a show of hands, the Assembly adopted the Resolution of the Senate Calling for Rejection of Senior Leadership Compensation Group (SLCG) Salary Structure the Differentiates Grades by Campuses, to be delivered to the President for presentation to The Regents. There was one opposing vote and a few abstentions.**

**6. Regents' Request for Senate Action Regarding RE-89's Proposed Restriction of Research Funding from the Tobacco Industry (action)**

**ISSUE:** The Regents considered a proposal (RE-89) to institute a university-wide ban on the acceptance of research funding from the tobacco industry, and, in January 2007, asked for the Senate's formal and unambiguous position on this proposal in time for the May Regents' meeting. At the February 14, 2007, meeting of the Assembly, Chair Oakley announced that RE-89 would go out for systemwide Senate review with a response date of April 13, that all committee and division responses would be included in the May 9, 2007, *Notice of Meeting*, and that the Assembly would, on May 9, consider and take an up-or-down vote on RE-89. RE-89 was sent out for systemwide review on February 26, 2007, to standing Committees and Divisions, which were asked to express an opinion either in favor of or in opposition to the proposal. In addition, in a January 23, 2007, letter sent by Regent Moores to Senate Chair Oakley, Regent Moores posed a series of questions concerning the faculty position on the proposed RE-89. This letter was also discussed at the February 14th Assembly meeting. The task of answering the questions was assigned to a working group by the Academic Council. The group's response to the questions was transmitted to Regent Moores as an enclosure to a letter from Chair Oakley on March 19, 2007. That March 19th letter, with the working group's response and attendant attachments, was circulated, on March 20, 2007, to all agencies of the systemwide Academic Senate to assist in their review of RE-89. Of the 17 Senate bodies that responded, one voted in favor; 15 voted against; one abstained. At its April 25, 2007, meeting, the Academic Council, after consideration of the information submitted to it as the result of systemwide Senate review of RE-89, resolved to recommend that the Assembly oppose the adoption of RE-89.

**MOVED:** That the Assembly oppose adoption of RE-89, the proposed Regents' Policy Restricting University Acceptance of Funding from the Tobacco Industry.

**DISCUSSION:** Responding to a question, Chair Oakley clarified that the Academic Senate's May 2005 resolution expressing opposition to allowing units of the University to vote to ban funding based solely on its source, was thereafter adopted as policy by OP. Assembly members debated the motion to oppose RE-89, and their comments reflected the ongoing division of opinion on this matter. A minority of members expressed the strongly held view that a ban against accepting funding from the tobacco industry is justified in light of that industry's long and documented history of suppressing truth and thereby also suppressing academic freedom. On the other hand, the clear majority of opinion was that, as reprehensible as the tobacco industry's practices have been, it does not represent a unique case; that a proscription against one funding source will have a broader impact on other sources; and that the conduct of research and academic freedom could be put in jeopardy by such a ban.

Vice Provost for Research, Lawrence Coleman, clarified that although some funding agencies include language in their contracts that would restrict a whole unit from accepting funding from the tobacco industry, UC does not accept such contracts, and negotiates terms that are without restrictions on research.

**ACTION:** In a vote of 43 in favor; five opposed; with three abstentions, the Assembly adopted the motion to oppose adoption of RE-89, the proposed Regents' Policy Restricting University Acceptance of Funding from the Tobacco Industry.

7. Apportionment of Representatives to the Assembly, 2007-2008 (information)

8. Assembly Meeting Schedule, 2007-2008 (information)

B. University Committee on Committees (UCOC) (information)

- Ruth Greenblatt, Chair

Appointments of the 2007-2008 Systemwide Senate Committees Chairs and Vice Chairs

VIII. UNIVERSITY AND FACULTY WELFARE REPORT (NONE)

IX. PETITIONS OF STUDENTS (NONE)

X. UNFINISHED BUSINESS (NONE)

XI. NEW BUSINESS (NONE)

Meeting adjourned, 1:40 p.m.

Attest: John Oakley, Academic Senate Chair, 2006-2007

Attest: Michael T. Brown, Academic Senate Chair, 2007-2008

Minutes Prepared by: Brenda Foust, Academic Senate Analyst

Distributions: [President Robert C. Dynes Discussion Topics for the Meeting of the Assembly of the Academic Senate, Wednesday, May 9, 2007.](#)

Attachment: Appendix A – 2006-07 Assembly Attendance Record, Meeting of May 9, 2007

## **Appendix A - 2006-2007 Assembly Attendance Record, Meeting of May 9, 2007**

### **President of the University:**

Robert C. Dynes

### **Academic Council Members:**

John Oakley, Chair

Michael T. Brown, Vice Chair

William Drummond, Chair, UCB

Linda F. Bisson, Chair, UCD

Martha L. McCartney, Chair, UCI

Vivek Shetty, Chair, UCLA

Shawn Kantor, Chair UCM

Thomas Cogswell, Chair, UCR

Henry C. Powell, Chair, UCSD

David Gardner, Vice Chair, UCSF (alt for Deborah Greenspan, Chair, UCSF)

Joel Michaelsen, Chair, UCSB

Faye Crosby, Chair, UCSC

Mark Rashid, Chair, BOARS

Reen Wu, Chair, CCGA

Gibor Basri, Chair, UCAAD

James Hunt, Vice Chair, UCAP (alt. for Mary Croughan, Chair, UCAP)

Richard Weiss, Chair, UCEP

Jim Chalfant, Vice Chair, UCFW (alt. for Susan French, Chair, UCFW)

Wendy Max, Chair, UCORP

Christopher Newfield, Chair, UCPB

### **Berkeley (6)**

Lowell Dittmer (alt.)

Cathleen Keller (alt.)

Stephen Mahin

Joseph Napoli

Bernard Sadoulet

Anne Wagner (absent)

Raymond Wolfinger (absent)

### **Davis (6)**

Matthew K. Farrens (absent)

Robert Irwin

Brian Morrissey

Terence Murphy

Margaret Rucker

W. Jeffrey Weidner (absent)

### **Irvine (3)**

Dennis J. Aigner

Jodi Quas

Leslie Thompson

### **Los Angeles (9)**

Dalila Corry

Arvan Fluharty

Robert G. Frank, Jr.

Gary Galbraith (alt)

Margaret Haberland

Kathleen Komar

Steven Loza

Vickie Mays (absent)

Jane Valentine

Jaime Villablanca (absent)

### **Merced (1)**

Arnold D. Kim

### **Riverside (2)**

Joseph W. Childers (absent)

Carol J. Lovatt

### **San Diego (4)**

David Luft

Thomas O'Neil

Charles Perrin

Andrew T. Scull

### **San Francisco (4)**

Dan Bikle (absent)

Pat Fox (alt.)

Barbara Gerbert

Lawrence Pitts

Stan Glantz

### **Santa Barbara (3)**

Richard Church

Mary Hegarty

Ann M. Plane

### **Santa Cruz (2)**

Quentin Williams

Kathy Foley

### **Secretary/Parliamentarian**

Peter Berck

**II. MINUTES – CONTINUED – APPROVAL OF THE DRAFT MINUTES OF THE MEETING OF FEBRUARY 14, 2007**

**UNIVERSITY OF CALIFORNIA** **ACADEMIC SENATE**  
**REGULAR MEETING OF THE ASSEMBLY OF THE ACADEMIC SENATE**  
**WEDNESDAY, FEBRUARY 14, 2007**  
**10:00 A.M. – 2:00 P.M.**  
**APPROVED MINUTES OF MEETING**

**I. ROLL CALL OF MEMBERS**

Pursuant to call, the Assembly of the Academic Senate met by telephone on Wednesday, February 14, 2007. Academic Senate Chair John Oakley presided. Chair Oakley welcomed participants and called the meeting to order at 10:00 a.m. Academic Senate Executive Director Mariá Bertero-Barceló called the roll of members of the Assembly. Attendance is listed in Appendix A of these minutes.

**II. MINUTES**

**ACTION:** The Assembly approved the minutes of the meeting of October 11, 2006, as noticed.

**III. ANNOUNCEMENTS BY THE PRESIDENT (VIA WRITTEN REPORT)**

• **ROBERT C. DYNES (ABSENT)**

President Dynes' [Report to the Academic Assembly](#) was distributed electronically prior to the meeting. Provost Hume reported to the Assembly in his stead, as noted below.

**IV. ANNOUNCEMENTS BY THE PROVOST**

• **WYATT R. HUME**

**REPORT:** Provost Hume announced that he is here today representing President Dynes, who is currently on his way to India to meet with governmental and academic leaders. He then reported on the following topics:

Governor's Budget: The governor's proposed budget includes operating funds for the California Institutes for Science and Innovation, matching funds for the Helios Project at Lawrence Berkeley National Laboratory, and matching funds for UC's attempt to win a national competition for the Petascale computer. The state intends to continue its partnership with UC in the form of a major research initiative, which is expected to include research development and delivery. The proposed budget also includes full funding for enrollment growth, and funding for investments in infrastructure and faculty and staff salaries. The proposed budget, however, does not yet include funding for the Labor Institutes and academic preparation. The Regents will consider student fee increases at their March meeting, to which President Dynes intends to propose a seven percent general increase. The governor has not yet proposed funding for the restart of contributions to the UC Retirement Program (UCRP), a major issue which the University and The Regents will continue to work on with the state.

UCOP Reorganization: As part of The Regents' efforts to ensure that UCOP management practices are accountable and transparent, the following four new hires are expected to be announced at the March Regents' meeting: Executive Vice President-Chief Financial Officer; Executive Vice President-Business Operations; Chief Compliance and Audit Officer; and the Chief of Staff-Secretary of the Regents.

New Chancellors at UCLA and UCM: At the January Regents' meeting, Gene Block was appointed Chancellor at UCLA, and Steve Kang was appointed Chancellor at UCM.

Academic Planning: Also at the January Regents' meeting, Provost Hume made a presentation on academic planning, which emphasized the primacy of academic roles, responsibilities of the individual scholar, and highlighted the entrepreneurial spirit of such researchers. He described research structures, including interdisciplinary work, and academic planning processes at the campus- and unit-levels. As for Provost Hume's systemwide academic planning efforts, he has completed visits with the campus Executive Vice Chancellors (EVCs), and now plans to return to the EVCs for a quick review of his findings, then consultations will begin with the Academic Senate and the Chancellors before presentation at the May Regents' meeting. The goal is to articulate the future academic direction of all campuses. Provost Hume reported that he is pleased that the process is going well, and he looks forward to Senate input on the process and content of the planning efforts.

## Questions and Comments

**Question:** In the Governor's proposed budget, what is the total amount allotted for faculty and staff salaries, including COLAs and merits?

**Answer:** The Governor's budget is only the beginning of the budget process, and we will know more about exact budget figures in the May revised budget. We know that merits for faculty cost 1.5 percent across UC. If we are able to put 5 percent of funding to faculty salaries, then we would allot 3.5 percent towards COLAs; if we can get 6 percent for faculty salaries, then 4.5 percent would be allotted for COLA increases. We want to put as much funding as possible towards faculty salaries to make the maximum possible available to COLAs, to quickly recapture faculty onto the salary scales.

**Comment:** The University Committee on Faculty Welfare (UCFW) is working with Mercer and UCOP-HR&B on the second Mercer Total Remuneration Report for The Regents in March. Long-range concerns still exist about money available for faculty salaries, given the constraints of the Compact, and the possibility that UC will fall further behind our competitors. The important part of the upcoming presentation to The Regents is demonstrating the actual amount UC needs to catch-up faculty salaries, both in order for The Regents to see where we are, and where we are going. These are daunting figures for The Regents and the state, and this is a serious problem for faculty in the long run.

**Answer:** The good news is that The Regents are fully aware of the problems that lie ahead. In March, I will be giving a presentation to The Regents – "Faculty Salaries 101" – to understand faculty salaries, the mechanisms of the salary scales, and my understanding of the salary gap and the challenges The Regents currently face. The Regents share President Dynes' concerns about faculty salaries, and want to understand more.

**Question:** Do you have any sense about how the state might act in regards to UC's academic planning, and are there any plans for how UCOP will respond?

**Answer:** I represented UC at an Assembly hearing in Sacramento where the annual Legislative Analyst Office report was presented. I can say that draconian changes do not appear to be in the pipeline. The Legislature wants to understand UC's enrollment targets, and see that UC has rational planning processes in place. The Legislature knows of UC's value to the state in research, and is sympathetic to UC. Their principle recommendations will likely be for UC to budget for mitigation in the beginning of the planning process, not later; and have a full understanding of the negotiating parties. Overall, I am encouraged by the discussion at the Assembly hearing.

**Question:** Could you provide a brief update concerning UCOP's actions to address Non-Resident Tuition (NRT) for academic graduate students, and whether there is an opportunity to develop a joint working group to develop a systemwide consensus on addressing this problem?

**Answer:** Funding for academic graduate students is almost as high a priority as faculty salaries for President Dynes. The President has considered instructing the Chancellors to return money to the instructors directly, as the Senate would prefer, but has declined to do so because such a mandate goes against his principles. He has, however, encouraged the Chancellors to go this route. I thank you for the suggestion to continue work on this issue, and I believe it is beneficial for the Senate to keep pressing. Note that we have made some progress on this issue, as UC has made the funding process transparent on the books.

**Comment:** I am quite shocked by your response. After much debate on the Graduate Support Advisory Committee (GSAC), on which you and I served, consensus was achieved around how a system should be put in place to effectively eliminate NRT, through specific recommendations contained in GSAC's final report. Forming another committee to work on this is an outrageous notion, especially after all the work done last year, which President Dynes has apparently ignored.

**Answer:** The NRT money has been segregated in the books, and returned to campuses, but the principle of allowing the Chancellors to utilize the money given to them is an important principle that President Dynes believes in.

**Comment:** The original question shows that the Senate is still concerned about how this issue is being handled. The Academic Council is meeting with the campus EVCs on February 27, and we will include a full discussion of this issue on that agenda.

**Comment:** The consensus last year among GSAC members was that if UC was to operate as a system, then the NRT money must be handled the same at each campus. The Faculty Memorial to The Regents adopted last year, as well as the GSAC recommendations, are being completely ignored.

**Comment:** The Memorial was passed by 83 percent of the faculty, and Senate leadership will continue to press the issue with the President and work towards a collegial solution.

## V. ANNOUNCEMENTS BY THE CHAIR

### ▪ JOHN B. OAKLEY

Chair Oakley announced the dates for the remaining meetings of the Academic Council and Assembly this academic year. He noted that depending on the outcome of today's meeting, the Assembly will most likely not need to meet again until its in-person meeting on May 9, 2007.



**VI. SPECIAL ORDERS**

- **JOHN B. OAKLEY**

**1. Consent Calendar – Divisional Legislation (Berkeley): Variance to Senate Regulation 730 to Allow Notation of Designated Emphases (DEs) on UC Berkeley Diplomas (action)**

**ISSUE:** At its June 21, 2006, meeting, the Academic Council approved the Berkeley divisional Senate's request for a variance to Senate Regulation 730 in order to note designated emphases on UC Berkeley Ph.D. diplomas. Council's approval was provisional, in accordance with Senate Bylaw 125.B.6, and therefore final approval is dependent on the Assembly's concurrence today.

**DISCUSSION:** One Assembly member noted that this variance would be beneficial to all campuses. Chair Oakley stated that any campus can apply for a similar variance, as Berkeley did. Campuses are encouraged to submit proposals to the Academic Council if they wish.

**ACTION:** The consent calendar was approved by unanimous consent of the Assembly.

**VII. REPORTS OF SPECIAL COMMITTEES (NONE)**

**VIII. REPORTS OF STANDING COMMITTEES**

**Academic Council**

**1. Nomination and Election of the Vice Chair of the Assembly for 2007-08 (action)**

- **John B. Oakley, Chair, Academic Council**

**ISSUE:** In accordance with Senate Bylaw 110.A, the Academic Council is submitting its nomination of Professor Mary Croughan for the 2007-08 Vice Chair of the Assembly. Professor Croughan was selected as the Council's nominee at its January 24, 2007, meeting.

**DISCUSSION:** After requesting that Professor Croughan leave the call during the discussion period, Chair Oakley reviewed with Assembly members the Council's deliberation process. He then asked for any nominations from the Assembly floor. Hearing none, Chair Oakley requested comments regarding Professor Croughan's qualifications and personal statement. Again hearing none, Chair Oakley requested unanimous consent for Professor Croughan's election.

**ACTION:** By unanimous consent, the Assembly elected Professor Mary Croughan as 2007-08 Vice Chair of the Assembly.

**ACTION:** By unanimous consent, the Assembly agreed to complete discussion of the following three agenda items no later than 1:00 p.m., to allow for a one hour discussion of agenda item VIII.5.

**IX. Amendment to Academic Senate Bylaw 110.A – Chairs and Vice Chairs – Suspension and Removal of Officers of the Assembly (action)**

- **John B. Oakley, Chair, Academic Council**
- **Michael T. Brown, Chair, Academic Council Subcommittee on Systemwide Senate Leadership and Office Structure**

**ISSUE:** By a vote of 17 in favor, 1 opposed, the Academic Council approved the proposed new Senate Bylaw 110.A at its meeting of January 24, 2007. The bylaw was drafted by the Academic Council Subcommittee on Systemwide Senate Leadership and Office Structure, which, among other duties, was charged by the 2005-06 Academic Council to draft and recommend an appropriate removal provision for the Chair and Vice Chair of the Assembly (see full background and justification in the Assembly bluebook materials). Council Vice Chair Brown noted that the Subcommittee sought to articulate a removal provision specifically applicable to the Senate Chair and Vice Chair; to lay out a clear process that assured a fair hearing and permitted the Senate to operate as a parliamentary body; to address the confidentiality of the process and protect the reputation of the officer at issue; and to articulate who is to preside over the suspension and removal proceedings. He also stated that the proposed bylaw includes a two-step process, with suspension of the officer intended to begin with the Academic Council, and final removal to be decided and acted upon by the Assembly. Lastly, Vice Chair Brown reported that the critical issue that dominated Council's discussions was what magnitude of vote was necessary to affect the process: to make it not overly easy to remove an officer, and to provide adequate assurance to the officer for handling their Senate responsibilities, while still allowing for the Senate to operate as a parliamentary body. Council therefore developed and recommended a two-step process: first suspension, then removal, with both actions requiring majority votes.

**DISCUSSION:** Assembly members opened the discussion session by questioning whether the majority vote requirement included in the proposed bylaw set too low a threshold for such serious actions as suspension and removal of a Senate officer.

Motion 1: A motion was introduced and seconded to amend the suspension and removal provisions to require a supermajority (2/3) vote for both actions. Vice Chair Brown noted that the Council wrestled with this issue as well, and they agreed that since Senate officers are elected by a majority, and in parliamentary style, therefore they should be removed by the same principles. Council also balanced the Senate officers' need to feel reassured in their position, with the implicit notion that the power of the Senate leadership rests in the body that they represent and not the leaders themselves; and that this governing philosophy should be explicitly codified in the Senate Bylaws. Vice Chair Brown also noted that Council intentionally allowed for either the Assembly or the Academic Council to commence the suspension of an officer, but to allow removal to occur only in the Assembly. Those in favor of the motion felt that the supermajority requirement was necessary to prevent suspension and removal from becoming too easy to accomplish, and to prevent Senate officers from feeling overly constrained in their positions. A few Assembly members, who also served on the 2005-06 Council and experienced the removal of the 2005-06 Council Chair, strongly suggested keeping the majority vote requirement because: if the Chair or Vice Chair has lost confidence of a

majority of the Council, Council is left in a very unfortunate situation; if Council cannot garner a supermajority vote for removal, the Senate would thereafter be paralyzed and the officer in question and the Senate would be ineffective; the Council Chair and Vice Chair have many opportunities to lay positions before the Council, so that a majority vote of the Council should be allowed to express their need to move forward with new leadership; many protections are in place already, including that the Assembly meeting would be held in-person and in closed session, with no call-ins allowed; and although not mandated in the proposed bylaw, normally, as in the case of the 2005-06 removal, the Council would conduct an appropriate fact-finding investigation into any allegations or concerns raised, including interviews and a report, before the Assembly acts to remove the officer.

Substitute Motion: A substitute motion was then introduced to retain the majority vote requirement for suspension provided in the proposed bylaw, but to require a supermajority (2/3) vote for removal of the Chair or Vice Chair. Many Assembly members suggested that this was a good compromise action on behalf of the Assembly. Some members noted that suspension, which would require a majority vote of the Academic Council, could occur repeatedly if, for example, the Assembly failed to reach a supermajority vote in a removal action. Vice Chair Brown commented that recurrent suspension actions would be allowed under the proposed bylaw, however, we should expect this to be a rare occurrence because the officer would likely step down to avoid necessitating a removal action. Finally, some Assembly members questioned whether Sturgis' Parliamentary Procedure would have to be used under the proposed bylaw, to define "reasons" as used in the following proposed bylaw provision: "... The notice of the proposed action must state the proposed reasons for suspending the person from office." Chair Oakley, Vice Chair Brown, and Secretary/Parliamentarian Berck answered in the negative, stating that Sturgis would set the standard for removal only if the proposed bylaw is not enacted. If the proposed bylaw is enacted, the reasons for removal listed in Sturgis would serve only as recommendations that the Council or Assembly could follow, or not, as each body chooses.

VOTE ON SUBSTITUTE MOTION: By a vote of 27 in favor, 23 against, the substitute motion carried, amending the proposed Senate Bylaw 110.A to require a 2/3 vote of Assembly members present for removal of the Chair or Vice Chair of the Assembly.

**ACTION: By a vote of 46 in favor, 3 against, the Assembly approved the proposed Senate Bylaw 110.A.4 – Suspension and Removal (Chair and Vice Chair of the Academic Assembly), with the following amendment:**

110. Officers and Consultants of the Assembly
  - A. Chair and Vice Chair

#### 4. Suspension and Removal

Elected officers of the Assembly may be suspended from office by action of the Assembly or of the Academic Council, and may subsequently be removed from office by action of the Assembly. In any emergency, regular, or special meeting of the Assembly or Academic Council for which the proposed action is noticed, any member may move to

suspend an elected officer from office. The notice of the proposed action must state the proposed reasons for suspending the person from office. The discussion and action must be considered in a closed face-to-face session. The officer who is the subject of the suspension motion shall not preside during discussion of the motion. The suspension motion requires an affirmative vote of a majority of the members present to pass. If the suspension motion carries, the officer who is the subject of the motion is immediately suspended from office and relieved of all duties and responsibilities associated with the elected Senate office. The suspended officer is no longer empowered to represent the Senate in any way. At its next emergency, regular, or special meeting, which shall be held no later than 30 days following the action to suspend, the Assembly must decide whether to remove the suspended officer from office. This item must be noticed in the Assembly's agenda. Any officer so suspended shall have the right at this meeting of the Assembly to present his or her case against removal from office. For this purpose, the suspended officer shall be granted such time as agreed to with the presiding officer but not less than one hour. The suspended officer shall also have the right, at personal expense, to be aided or represented by another person during the proceedings concerning removal. Removal requires a two-thirds vote of the Assembly members present. If the action to remove the officer fails to carry the majority, the suspension of the officer shall end and the person shall immediately return to office with all its duties and responsibilities.

**3. Proposed New Academic Senate Bylaw 16 – Executive Director of the Academic Senate (action)**

- **Michael T. Brown, Chair, Academic Council Subcommittee on Systemwide Senate Leadership and Office Structure; Vice Chair, Academic Council**

**ISSUE:** Following systemwide review initiated by the Academic Council on July 26, 2006, proposed new Senate Bylaw 16 was approved by the Academic Council at its January 24, 2007, meeting. The proposed bylaw was originally drafted by the Academic Council Subcommittee on Systemwide Senate Leadership and Office Structure, and among other reasons, it is intended to ensure appropriate recognition by administrative bodies of the importance of the Executive Director, as a non-Senate officer of the Academic Senate, to the effective functioning of the Senate as it fulfills its shared governance responsibilities.

**DISCUSSION:** Following a brief introduction and background of proposed Bylaw 16, Vice Chair Brown drew attention to the justification, duties and policies, and procedures included in the Assembly bluebook materials. He also noted that the proposal addresses the following issues: it declares the roles and responsibilities of the Executive Director, as to which the current bylaws are silent; and it articulates the role of the Senate in regard to the responsibilities and roles of the Executive Director, while recognizing that the Executive Director is an employee of UCOP, and subject to UCOP's terms of employment. After a brief discussion, at 1:00 p.m. Chair Oakley deferred further discussion and action on this item until the next Assembly meeting.

**ACTION:** **Approval of proposed Senate Bylaw 16 is postponed to the next meeting of the Assembly.**

**4. Proposed Amendment to Academic Senate Bylaw 185 – Library (action)**  
• **John B. Oakley, Chair, Academic Council**

[Due to lack of time, this item was deferred until the next Assembly meeting.]

**ACTION:** **Approval of the proposed amendment to Senate Bylaw 185 is postponed to the next meeting of the Assembly.**

**5. Regents' Request for Senate Action Regarding RE-89's Proposed Restriction of Research Funding from the Tobacco Industry (discussion)**  
• **John B. Oakley, Chair, Academic Council**

**ISSUE:** At their January meeting, The Regents discussed RE-89 (see page 37 of the Assembly bluebook), a proposed action item and policy restricting University acceptance of funding from the tobacco industry. During Regental discussion of this item, the October 11, 2006, Assembly resolutions were raised, however, The Regents expressed dissatisfaction with the Senate's failure to provide clear up-or-down advice about a ban on tobacco funding. The Regents Committee on Finance therefore postponed the issue until May, when the Senate could report clear advice. Following the January Regents' meeting, Chair Oakley received a letter from Regent Moores (see page 43 of the Assembly bluebook), asking for guidance on a number of specific questions.

**DISCUSSION:** Chair Oakley requested guidance on how to respond to The Regents regarding RE-89 and Regent Moores' letter, and suggested a possible plan of action on both issues (reflected in the consensus, below). Chair Oakley stated his view that a unified Senate response to Regent Moores' letter would be difficult to achieve because of unique institutional challenges inherent in determining a Senate response, and because academic freedom is such a contested issue. During discussion, Assembly members expressed widespread support for Chair Oakley's proposed actions, some noting that it was important to have a clear, up-or-down vote on RE-89 and not provide a nuanced statement as in prior years. Concerning Regent Moores' letter, members highlighted the formal nature of the request as coming from the Board of Regents and not just Regent Moores; and that it is crucial to the credibility of the Senate that a good-faith, well-reasoned response be provided so as not to have policies dictated to the Senate, but rather formed by the Senate. One Assembly member read aloud portions of APM 010, and noted that the Senate has primary responsibility for matters involving academic freedom. Some Assembly members advocated for a strong Senate response in favor of the proposed Regental policy banning tobacco funding (RE-89), reporting their intimate involvement in the issue and their belief that the debate has changed significantly as of late due to the ruling in *U.S. v. Philip Morris USA, Inc.*, U.S.D.C.D.C. Civ. No. 99-2496. One Assembly member nominated Dean David Kessler (UCSF) to the proposed Academic Council workgroup that will be charged with developing a response to Regent Moores' letter, to which Chair Oakley said he would refer the suggestion to the Council. Finally, one Assembly member drew attention to point #3 in Regent Moores' letter concerning a letter sent to the University last October from the American Cancer Society (ACS), and expressed his concern about the administration's alleged failure to act on the

allegations contained in that letter. Chair Oakley stated that he would consult with the Academic Council about distributing the ACS letter.

**CONSENSUS OF THE ASSEMBLY: Chair Oakley will move forward with the following plan in responding to RE-89 and Regent Moores' letter:**

- 1. RE-89 will be distributed for systemwide Senate committee and divisional review, with responses due to the Academic Council on April 13. Council will then decide how to summarize the committee/division responses, and if it wants, propose a recommendation to the Assembly for its face-to-face meeting on May 9, where an up or down vote on the matter will be conducted.**
- 2. The Academic Council will be asked to assume the task of responding to Regents Moores' letter via action at its March and/or April meetings, possibly through a subcommittee of Senate members. It will be the Council's decision whether direct Assembly action is required on this matter.**

**IX. UNIVERSITY AND FACULTY WELFARE REPORT (NONE)**

**X. PETITIONS OF STUDENTS (NONE)**

**XI. UNFINISHED BUSINESS (NONE)**

**XII. NEW BUSINESS (NONE)**

Meeting adjourned at 2:00 p.m.

Attest: John Oakley, Academic Senate Chair

Minutes Prepared by: Michelle Ruskofsky, Academic Senate Analyst

Distributions:

1. President Robert C. Dynes Discussion Topics for the Meeting of the Assembly of the Academic Senate, Wednesday, February 14, 2007.
2. [Chronological List of Actual Policies on Tobacco Funding at Other Universities](#), submitted by Assembly Member Stan Glantz re: Agenda Item VIII.5.
3. [Glantz, Stan, Presentation to The Regents re: Tobacco Funding, January 2007](#).

Attachment:

Appendix A – 2006-07 Assembly Attendance Record, Meeting of February 14, 2007

## II. Minutes – Appendix A: 2006-07 Assembly Attendance Record, Meeting of February 14, 2007

### President of the University:

Robert C. Dynes

### Academic Council Members:

John Oakley, Chair  
Michael T. Brown, Vice Chair  
William Drummond, Chair, UCB  
Linda F. Bisson, Chair, UCD  
Martha L. Mecartney, Chair, UCI  
Vivek Shetty, Chair, UCLA  
Shawn Kantor, Chair UCM  
Thomas Cogswell, Chair, UCR  
Henry C. Powell, Chair, UCSD  
Deborah Greenspan, Chair, UCSF  
Joel Michaelsen, Chair, UCSB  
Faye Crosby, Chair, UCSC  
Mark Rashid, Chair, BOARS (absent)  
Reen Wu, Chair, CCGA (absent)  
Mary Croughan, Chair, UCAP  
Richard Weiss, Chair, UCEP  
Susan French, Chair, UCFW  
Wendy Max, Chair, UCORP (absent)  
Christopher Newfield, Chair, UCPB

### Berkeley (6)

Lydia Chavez (alt)  
Lowell Dittmer (alt)  
Suzanne Fleiszig  
Stephen Mahin  
Joseph Napoli (absent)  
Bernard Sadoulet  
Anne Wagner (absent)  
Raymond Wolfinger

### Davis (6)

Matthew K. Farrens  
Robert Irwin  
Brian Morrissey  
Terence Murphy  
Brigit Puschner (alt)  
Margaret Rucker (absent)  
W. Jeffrey Weidner

### Irvine (3)

Dennis J. Aigner  
Jodi Quas  
Leslie Thompson

### Los Angeles (9)

Dalila Corry  
Arvan Fluharty (absent)  
Robert G. Frank, Jr.  
Gary Galbraith (alt)  
Margaret Haberland  
Kathleen Komar (absent)  
Jodie Kreiman (alt)  
Steven Loza (absent)  
Vickie Mays  
Jane Valentine  
Jaime Villablanca

### Merced (1)

Arnold D. Kim

### Riverside (2)

Joseph W. Childers  
Carol J. Lovatt

### San Diego (4)

Alain J.J. Cohen (alt)  
David Luft (absent)  
Thomas O'Neil  
Charles Perrin  
Andrew T. Scull  
Virgil Woods (alt)

### San Francisco (4)

Dan Bikle (absent)  
David Gardner (alt)  
Barbara Gerbert  
Lawrence Pitts  
Stan Glantz

### Santa Barbara (3)

Richard Church  
Mary Hegarty  
Ann M. Plane

### Santa Cruz (2)

Quentin Williams  
Kathy Foley

### Secretary/Parliamentarian

Peter Berck

### III. ANNOUNCEMENT BY THE PRESIDENT (oral report)

- Robert C. Dynes

### IV. ANNOUNCEMENT BY THE CHAIR (oral report)

- Michael T. Brown

### V. SPECIAL ORDERS

#### A. Consent Calendar

1. Approval of Merced Division Regulation 75

### PROPOSED NEW MERCED DIVISION REGULATION 75

The following proposed new Merced Division Regulation 75 defining academic honors at graduation, has been approved in accordance with [Senate Regulation 640 B\(4\)](#)<sup>1</sup> by the Committee on Educational Policy (UCEP) and reviewed by the University Committee on Rules and Jurisdiction for its consonance with the Code of the Academic Senate. At its November 28, 2008 meeting, the Academic concurred with UCEP's recommendation and approved placing the Merced's request for the new regulation on the first scheduled meeting of the Assembly for its recommendation.

#### Proposed Wording of Merced's Regulation 75:

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.

**ACTION REQUESTED: Approval of the Merced Division Regulation 75**  
(UCEP's approval and the Merced request for this new regulation may be found on the next two pages.)

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<sup>1</sup> 640. Undergraduate Honors

- A. Subject to the conditions of paragraph (B), each Division may determine the criteria for the award of undergraduate honors at graduation, as well as honors to be announced after one or more terms of residence. Honors (at graduation, as well as quarterly) shall be posted on the student's permanent record card and given appropriate public and individual notice. Departments, colleges, and schools are authorized to recommend for Honors with the Bachelor's degree those students who have satisfied the requirements for honors at graduation.
- B. The criteria both for quarterly honors and for honors at graduation must meet the following conditions:
  1. The criteria shall be consistent with the approved Divisional grading system provided for in [Senate Regulation 778](#);
  2. The Senate committee charged with administering honors on each campus will establish minimum standards for the award of undergraduate honors and for honors at graduation;
  3. These minimum standards shall be incorporated in Divisional Regulations; and
  4. The minimum standards shall take effect only after approval by the University Committee on Educational Policy and after inclusion, with that committee's recommendations, in a Consent Calendar passed at a meeting of the Assembly of the Academic Senate. (Am 6 Jun 79; Am 5 May 88)



UNIVERSITY COMMITTEE ON EDUCATIONAL POLICY (UCEP)  
RICHARD WEISS, CHAIR  
[weiss@chem.ucla.edu](mailto:weiss@chem.ucla.edu)

The Academic Council  
1111 Franklin Street, 12<sup>th</sup> Floor  
Oakland, CA 94607-5200  
Phone: (510) 987-9467  
Fax: (510) 763-0309

July 9, 2007

JOHN OAKLEY, CHAIR  
ACADEMIC COUNCIL

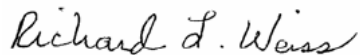
**Re: New UC Merced Regulation 75 – Honors**

Dear John,

In accordance with [Senate Regulation 640 B\(4\)](#), the University Committee on Educational Policy (UCEP) has reviewed UC Merced's new Regulation 75, defining academic honors at graduation.

UCEP found the language of Regulation 75 and its justification to be satisfactory, and we endorse it.

Sincerely,



Richard Weiss  
Chair, UCEP

cc: UCEP members  
Executive Director Bertero-Barceló

June 11, 2007

Dear Senate Member,

At the March 2007 Division Meeting, members endorsed a new UCM Regulation defining Honors at Graduation. Subsequent to UCM's endorsement, and in accordance with policy review procedures, the item was sent to the University Committee on Educational Policy (UCEP). Noting that the proposed language did not appear to provide limitations or criteria for honors in Schools graduating fewer than 50 students, UCEP returned the item to UC Merced's Undergraduate Council with a recommendation that "the percentage requirements for larger Schools be maintained for small schools, with small schools being able to round up the number of recipients to the next higher integer number." UCEP also recommended adding language allowing for at least two recipients for highest honors in the smallest schools.

UCM's Undergraduate Council welcomed the recommendations of UCEP and offers the following revised language for your consideration. This item comes to the Senate with the approval of the Division Council and endorsement of Rules and Elections.

**UC MERCED REGULATION 75 HONORS AT GRADUATION (SR 640)**

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. ~~If there are fewer than 50 students graduating in a particular School, the criteria for honors in that School shall be based on grade point average determined by the Undergraduate Council.~~ The number of recipients eligible under these percentages shall be rounded up to the next higher integer.

You are also asked to vote on new language defining Dean's and Chancellor's Honor Lists:

**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.

**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.

Please cast your vote and return in the enclosed envelope.

Martha Conklin, Chair

## V. SPECIAL ORDERS (Continued)

### A. Consent Calendar (Continued)

2. Variance to Senate Regulation 780 requested by the Merced Division

### PROPOSED AMENDMENT TO MERCED REGULATION 50 (Variance to [Senate Regulation 780](#)<sup>2</sup>)

The following proposed amendment to Merced Division Regulation 50 has been approved by the Academic Council on the recommendation of the University Committee on Educational Policy (UCEP) and the Coordinating Committee on Graduate Affairs (CCGA). The proposed amendment was also reviewed by the University Committee on Rules and Jurisdiction and found to be consonant with the Code of the Academic Senate. Under the authority granted to it in Senate Bylaw 125.B.6, the academic Council gave provisional approval to this amendment at its meeting of September 26, 2007, pending consideration of the issue by the Assembly. Should the Assembly approve the amendment it will be effective as of the date it was approved by the Academic Council.

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<sup>2</sup> 780.

- A. Except as provided in SRs [778](#), [782](#), and [784](#), the work of all students in the University shall be reported in terms of six grades:
  1. passing: A (excellent), B (good), C (fair), D (barely passing)
  2. not passing: F (failure)
  3. undetermined: Incomplete

Grade points per unit shall be assigned by the Registrar as follows: A 4, B 3, C 2, D 1, F and Incomplete none.
- B. All grades except Incomplete are final when filed by the instructor of record in an end-of-term course report. However, the correction of a clerical or procedural error may be authorized as the Division directs. No change of grade may be made on the basis of reassessment of the quality of a student's work. No term grade except Incomplete may be revised by re-examination.
- C. Except as provided in [SR 636\(D\)](#), repetition of courses not authorized to be taken more than once for credit is subject to the following conditions: (Am 9 May 84)
  1. A student may repeat only those courses in which a grade of D, F, Not Passed, or Unsatisfactory was received; however, Divisions may authorize repetition of courses graded Incomplete. Courses in which a grade of D or F has been earned may not be repeated on a Passed or Not Passed basis. (Am 9 May 84)
  2. Repetition of a course more than once requires approval by the appropriate dean in all instances.
  3. Degree credit for a course will be given only once, but the grade assigned at each enrollment shall be permanently recorded.
  4. In computing the grade-point average of an undergraduate who repeats courses in which the student received a D or F, only the most recently earned grades and grade points shall be used for the first 16 units repeated. In the case of further repetitions, the grade-point average shall be based on all grades assigned and total units attempted.
- D. The grade Incomplete may be assigned when a student's work is of passing quality, but is incomplete. The student is entitled to replace this grade by a passing grade and to receive unit credit provided the student completes the work of the course in a way authorized by the Division. See Paragraph (B) above. The student shall receive appropriate grade points only if the student establishes that his/her work was incomplete for good cause. Each Division is authorized to adopt appropriate regulations for the administration of this grade.
- E. Modifications of this regulation must be approved by the Assembly. (Am 17 Nov 70)

**ACTION Requested:**            **Approval of Merced’s Regulation 50 as noted below:**

**UC MERCED**

**Proposed Changes to Senate Regulation 50**

**Variance to Senate Regulation 780 (See attached Table)**

RECOMMENDED CHANGES	JUSTIFICATION
<p>(A) Amend Senate Regulation 50 to include the grade designation of Satisfactory/Unsatisfactory (S/U) in the list of grades (50.A.) and throughout the Regulations as appropriate.</p> <p>(B) Include descriptor language for Satisfactory/Unsatisfactory as new Senate Regulation 50.F.</p>	<p>(A) Although previously approved (est. 2003) by the Undergraduate Council and implemented by the Registrar’s office, this item did not receive the appropriate Division or Systemwide scrutiny. This item has now been reviewed and approved by the Undergraduate Council, the Graduate and Research Council, Rules, the Division Council, and the Merced Division.</p> <p>(B) The descriptor language is required for clarity.</p>

**50. GRADES**

**A. Grading System**

A (excellent)

B (good)

C (fair)

D (barely passing)

F (not passing)

P (passed at a minimum level of C- or better by an undergraduate student)

**S (satisfactory – passed at a minimum level of B or better by a graduate student)**

NP (not passed)

**U (unsatisfactory)**

I (incomplete)

IP (in progress)

W Withdrew

NR (no report, when an instructor fails to report a grade for a student)

**a. Credit Toward Degree Requirements**

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

### **b. Grade Points**

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

### **B. Change of Grade (No change)**

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

### **C. Incomplete (I)**

Except as noted below, any I grade that has not been replaced within the above deadlines will be converted to grade F (or NP/U if taken passed/not passed). After that time, but not retroactively, the grade is counted in computing a student's grade-point average.

Exception: If a degree is conferred before the end of the above deadlines following the assignment of an I grade, the grade will not be converted to an F (or NP/U). However, the student still has the option of removing the I grade within the above deadlines. Students with 15 or more units of I on their record may not register without permission of the appropriate Dean.

### **D. In Progress (IP) (No change)**

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

### **E. Grade Passed/Not Passed (P/NP) (No Change)**

Undergraduate students in good standing who are enrolled in at least 12 units may take certain courses on a Passed/Not Passed (P/NP) basis. Students may enroll in one course each term on a P/NP basis (two courses if they have not elected the P/NP in the preceding term).

Changes to and from the P/NP option must be made during the enrollment period. No changes can be made after the first two weeks of classes without the approval of the appropriate Dean.

The grade P is assigned for a letter grade of C- or better. If the student earns a grade of D+ or below, the grade will be recorded as NP. In both cases, the student's grade will not be computed into the grade point average. A student may not repeat on a P/NP basis a course that was previously taken on a letter-graded basis.

Credit for courses taken on a P/NP bases is limited to one-third of the total units taken and passed on the UC Merced campus at the time the degree is awarded.

A course that is required, or a prerequisite, for a student's major may be taken on a P/NP basis only upon approval of the Faculty. Academic divisions may designate some courses as Passed/Not Passed Only. Students do not have the option of taking these courses for a letter grade.

#### **F. Grade Satisfactory/Unsatisfactory (S/U)**

The grade of S is awarded to graduate students for work in graduate courses that otherwise would receive a grade of B or better.

Graduate students, under certain circumstances, may be assigned grades of S or U, but units earned in this way will not be counted in calculating the grade point average. Petitions to elect S/U grading are available from the Graduate Division's web site at [gradstudies.ucmerced.edu](http://gradstudies.ucmerced.edu) and must be signed by the student's graduate advisor. Graduate students may petition to take no more than one course per semester on a S/U grading basis. A graduate course in which a C, D or F grade is received may not be repeated with the S/U option.

In specific approved courses, instructors will assign only Satisfactory or Unsatisfactory grades. Such courses count toward the maximum number of units graded S allowable toward the degree, as specified by each degree program.

**Table 1**  
**UCM Senate Regulation 50**

SYSTEMWIDE SENATE REGULATION 780	UCM's CURRENT VARIANCE TO SR780 (10 MAR 2004)	CURRENT UCM CATALOG TEXT*
1. A (excellent), B (good), C (fair), D (barely passing)  2. not passing, F (failure)  3. undetermined: Incomplete	A Excellent B Good C Fair D Barely passing F Not Passing P Passed (grade of C- or better by an undergraduate student) NP Not passed I Incomplete IP In Progress W Withdrew* NR No report (when an instructor fails to report a grade for a student)	A (excellent) B (good) C (fair) D (barely passing) F (not passing) P (passed at a minimum level of C- or better by an undergraduate student) <b>S (satisfactory – passed at a minimum level of B or better by a graduate student)</b> NP (not passed) <b>U (unsatisfactory)</b> I (incomplete) IP (in progress) NR (no report, when an instructor fails to report a grade for a student)

\*Although Withdrawal (W) is described in the UC Merced Catalog, it is not listed as a grade notation. This will be corrected in the 2008 Catalog.

V. **SPECIAL ORDERS (Continued)**  
B. **Annual Reports (2006-07)**

**UNIVERSITY COMMITTEE ON ACADEMIC FREEDOM (UCAF)  
2006-2007 ANNUAL REPORT**

**TO THE ASSEMBLY OF THE ACADEMIC SENATE:**

The University Committee on Academic Freedom (UCAF) met twice in Academic Year 2006-2007, 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.

**Review of Regents' Item RE-89**

In April, UCAF voted to oppose Regents' Item RE-89, a proposal to ban the acceptance of funding from the tobacco industry for University research, by a vote of eight to zero with one abstention. In the opinion UCAF sent to Academic Council, the Committee noted that a ban on tobacco industry funding would establish a dangerous precedent and could lead to similar bans being proposed on funding from other specific industries and corporations, based on political, moral, health, or other considerations. UCAF also noted that RE-89 would stifle the freedom of faculty to conduct research and advance knowledge; that it would be complicated, if not impossible, to enforce a ban on tobacco company money; and that concerns over inappropriate influences in research were fully and adequately addressed by the Faculty Code of Conduct (APM 015). Later, both the Academic Council and Academic Assembly voted to oppose RE-89 on similar grounds.

**Academic Freedom and Students**

The Committee reviewed comments submitted by systemwide Senate committees and divisions during the review of UCAF's *Student Freedom of Scholarly Inquiry Principles*. After revising the document to incorporate that input, UCAF submitted a modified version to Academic Council in March. Professor Patrick Fox, former UCAF chair and liaison to the systemwide Senate-Administration Student Academic Freedom Workgroup, led the effort to revise the document, using input received from UCAF members and their divisional academic freedom committees. In addition, a Work Group consisting of UCAF, CCGA, and UCEP members met to compare the concepts of student rights and responsibilities outlined in UCAF's *Principles* document with that contained in the UCEP/CCGA memorandum, *The Role of Graduate Students in University Instruction*, to ensure that both were consistent and aligned.

In its transmittal letter to Council, UCAF noted that the *Principles* was a statement of aspiration intended to clarify the relationship between the faculty academic freedom and student freedom of scholarly inquiry at the University of California, along with the attendant rights and responsibilities of faculty and students. UCAF requested the Council and the Assembly to endorse the *Principles* document and recommend to President Dynes that it be adopted as the policy of the University of California. UCAF also recommended that it be appended to APM 010 as a footnote reference to an Appendix containing the Principles. Council postponed final action on the document until the 2007-08 academic year.



### **Academic Freedom Paper**

UCAF finalized its paper, *Academic Freedom: Its Privilege and Responsibility within the University of California*. The paper was written by Chair Jerold Theis and modified with the input of UCAF members and their divisional academic freedom committees. It presented a legal history of academic freedom in the United States, California, and at the University of California; outlined the responsibilities of the professoriate within their academic freedom privilege; and clarified the difference between the freedom of faculty members within the classroom and their First Amendment rights as private citizens. UCAF asked Academic Council to endorse the paper and distribute it to Senate divisions with a recommendation that divisions post the document on Senate websites as an educational tool to promote more understanding and awareness of academic freedom, and also to include the document in the start-up materials for new professors. In addition, UCAF requested that each member of The Board of Regents be supplied with a copy. Council declined to endorse or forward the document. In August, UCAF Chair Theis responded to Senate Chair Oakley requesting a more substantial explanation for Council's decision to suppress the paper.

### **Concern over the California Public Records Act**

In December, UCAF relayed a concern to Academic Council Chair Oakley that the California Public Records Act (CPRA) was being interpreted to exclude UC faculty as "members of the public" eligible to make requests for public records under the act. The UC San Diego Committee on Academic Freedom brought the concern to UCAF's attention after a faculty member at UCSD was denied access to information from a public school district based on section 6252b of the CPRA, which excludes California state employees as "members of the public." Chair Oakley brought the matter to the attention of the Office of the President and the state legislature, noting that the exclusion of UC faculty researchers from the right to obtain information under the CPRA represented an intrusion on academic freedom. The UC General Counsel contacted the California Attorney General's office for a ruling. At the end of the year, it appeared that no further action was necessary to resolve the issue, as the California Superior Court ruled that employees of a public entity are permitted to use the CPRA to access records and UC Faculty could not be denied access to Public Records simply because they were State employees.

### **Campus Policies on Misconduct in Research**

In February, UCAF obtained permission from Chair Oakley to contact campus Research Integrity Officers for data on the number of misconduct in research charges filed in 2005-06 and on the question of whether campus policies contained provisions for reimbursing the legal expenses of a faculty member accused of misconduct but later found innocent. No campus reported the existence of a policy to reimburse innocent faculty members for legal fees. In a letter to Council, UCAF noted that legal expenses are significant for the accused, some of whom may be targets of personal retaliation or attacks. In addition, unfounded accusations of misconduct can intimidate faculty into curtailing research activities, and as a result, harm academic freedom. UCAF asked Council to endorse its recommendation that UC policy should be modified to require the reimbursement of any legal fees incurred by faculty members who are found innocent of accusations of misconduct. The Committee also recommended that the Senate conduct a study or ask the University to conduct a study on the viability of a legal insurance policy that would cover legal fees for all faculty members, independent of the outcome of a legal action. Council delayed action on this matter until the 2007-08 academic year.

### ***“Collegiality” as a Factor in Personnel Reviews***

UCAF discussed concerns over the possible inappropriate use of “collegiality” as a factor in the evaluation of faculty for merits and promotions. “Collegiality” does not appear in the published APM advancement criteria, which state that reviews should be based on the quality of research, teaching, and service, and UCAF felt its use could have a negative effect on personal expression and speech. Chair Theis requested data from UCAP on the use of “collegiality” in personnel actions. UCAP’s chair responded that UCAP does not collect data on collegiality and UCAP members could not recall a case where a CAP recommended denial of a merit or a promotion based solely on “collegiality.” UCAF decided there was insufficient data to determine whether or not a widespread problem existed, but that faculty deserved to know what criteria they are judged on; whether “collegiality” was one of those criteria; and if so, what is meant by “collegiality.” In August, UCAF Chair Theis sent a memo to Senate Chair Oakley asking Council to appoint a systemwide committee to look at the issue in more depth and make recommendations for the definition of the term and its use in the personnel review process. UCAF also requested that until the three recommendations contained in the memo are carried out, the use of Collegiality as a term for evaluation conduct of a faculty member be replaced by the Faculty Code of Conduct.

### **Assessing Shared Governance in Privilege and Tenure Decisions**

UCAF discussed reports of cases in which administrators had overturned Privilege and Tenure committee decisions, noting that such actions represented potential threats to shared governance and academic freedom. Chair Theis requested data from the University Committee on Privilege and Tenure (UCPT) in an attempt to gauge the extent of the problem. However, the annual divisional P&T survey conducted by UCPT did not address the specific questions requested by UCAF.

### **Institutional Review Boards**

In April, UCAF reviewed a draft of the University Committee on Research Policy (UCORP) report, *Institutional Review Boards at UC: IRB Operations and the Researcher’s Experience* and submitted comments to Council. UCORP’s study was prompted by concerns expressed in 2005 by UCAF and others that IRBs were overstepping their main charge to protect the safety and confidentiality of human subjects and interfering inappropriately into research methodology and research quality. UCAF expressed support for UCORP’s recommendations to implement more uniform IRB standards and more timely IRB approvals across campuses; to develop distinct social and behavioral science protocols based on the unique nature of those fields; to increase resources, staff support and training for IRBs where justified by workload; to institute more meaningful recognition and compensation of IRB members; to seek more Senate input into IRB membership so that that adequate expertise is present on IRB committees; and to establish formal procedures to allow faculty to challenge the decision of an IRB.

### **Academic Freedom and the UC Education Abroad Program**

In April, a senator from the Associated Students of the University of California, Davis asked UCAF to consider the academic freedom implications of a UC Education Abroad Program policy that excludes the opportunity to study aboard through EAP in countries with a US State Department travel advisory. UCAF agreed that academic freedom concerns were warranted. In August, UCAF requested Academic Council to ask UCOP to rescind the policy of denying student fee funding for study abroad in such countries. UCAF also asked Council to establish a

faculty committee to investigate UC's relationship with study abroad providers and the possible influence of gifts and perks on the decision-making of UC officials.

### **Other Issues and Activities**

UCAF also submitted formal opinions on the following policy review issues:

- **A UCOP Proposal on the Relationships between Pharmaceutical Vendors and Clinicians**
- **A Proposed University of California Open Access Policy**

UCAF devoted part of each regular meeting to reports and updates on issues facing local committees, including discussion of specific academic freedom cases at UC and other universities. UCAF discussed campus-specific effects of post 9-11 legislation, particularly the impact of the Patriot Act, visa restrictions on foreign students and scholars, and government access to student records. There was discussion of political influence in federal scientific review panels; efforts by politicians and other outside groups who were seeking to legislate political controls on speech and academic freedom at UC or who were targeting faculty colleagues for their politics and/or scholarship in organized protests; academic freedom at the Department of Energy National Laboratories; how Research and Instruction (R&I) support funds were being distributed to the campuses; and concerns about the possible adverse influences of corporate funding on research integrity and academic freedom.

Finally, UCAF occasionally consulted with the Academic Senate chair and vice chair on issues facing the Academic Council and Senate.

Respectfully submitted,

Jerold Theis, Chair (UCD)

Raphael Zidovetzki, Vice Chair (UCR)

Ronald Amundson (UCB)

Bettina Aptheker, (UCSC-fall)

Ethan Bier, UCSD

Miriam Kupperman (UCSF)

Albert Lin (UCD)

Patrick Fox, Liaison to the Student Academic Freedom Workgroup (UCSF)

Janice Plastino, UCI

Hossein Ziai, UCLA

John Oakley (D); Chair, Academic Senate, *Ex Officio*)

Michael Brown, (SB); Vice Chair, Academic Senate, *Ex Officio*)

Marthine Satris, graduate student (UCSB)

Max Besbris, undergraduate student (UCB)

Michael LaBriola, Committee Analyst

**UNIVERSITY COMMITTEE ON ACADEMIC PERSONNEL (UCAP)  
2006-2007 ANNUAL REPORT**

**TO THE ASSEMBLY OF THE ACADEMIC SENATE:**

In Academic Year 2006-2007, the University Committee on Academic Personnel met four times to conduct business with respect to its duties as outlined in [Senate Bylaw 135](#). The issues that UCAP considered this year are described briefly as follows:

**UCAP's Recommendations for Improving the UC Faculty Compensation System**

UCAP reviewed feedback received from systemwide Senate committees and divisions to UCAP's June 2006 report, *Synopsis of the Present Status of the UC Merit and Promotion System and Principles of and Policy Recommendations for UC Faculty Compensation*, in which the Committee made recommendations for improving the fairness and transparency of the published salary scales. In March, Council forwarded UCAP's report, along with all of the feedback, to Provost Hume and the President's Work Group on Faculty Salary Scales to help inform its deliberations and recommendations. UCAP Chair Croughan, along with the chairs of UCFW and UCPB, served as members of the President's Work Group, which was convened in November by President Dynes.

**Recommended Modifications to APM 620 and the Faculty Salary Scales**

In May, UCAP reviewed and endorsed an initial set of recommendations from the President's Work Group for amending policy language in APM 620 governing the use of off-scale salaries. In its memo to Council, UCAP noted that the modifications would help bring about the larger goals of improving the fairness, relevance, and transparency of the published salary scales and of returning the majority of faculty to on-scale status. UCAP also felt the modifications would help align off-scale policy to actual practice and recognize that off-scale salaries are a normal part of compensation practice necessary to meet market conditions. In addition, UCAP endorsed a draft proposal for implementing market adjustments to the salary scales. The Committee noted that raising the scales would help improve equity and morale problems across ranks and disciplines, and would have a particularly beneficial impact on salary inversion and disproportionately low salaries in the assistant, associate, and early full professor ranks, and for women and ethnic minorities who have less frequently utilized external job offers to negotiate higher salaries. UCAP felt that local implementation of the new scales would sometimes have to proceed on a case-by-case basis; would require significant input from various campus entities, including the Senate and campus CAPs; and that campuses should consider empowering all CAPs to review and/or set salary.

**UCAP's Recommended Modifications to APM 220-18b (4)**

UCAP reviewed comments from systemwide committees and divisions to UCAP's proposed modifications to APM policy 220-18b (4), articulating the criteria for advancement to Professor Step VI and Above Scale. Council recommended endorsing UCAP's proposal with a few minor modifications, and forwarded its final recommendation to Provost Hume, who initiated a systemwide review at the end of the 2006-07 academic year.

### **The Role of Collaboration in Evaluating Research and Scholarship Achievements:**

Chair Croughan established a UCAP subcommittee to consider the need for new APM language that would provide clearer guidance to CAPs in their evaluations of “independence” and “collaboration” in research and creative work. The subcommittee was chaired by Margaret Walsh (UCSF) and met once by conference call. Its recommendation to UCAP was for deletion of the word “independent” from the Professional Research Series policy (APM 310-4(a)), in order to make the language more consistent with language in other APM series and with current CAP practice. UCAP endorsed the recommendation. UCAP decided that proposing the small change also presented an opportunity to promote broader consideration of independence and collaboration in research and guidance for the evaluation of independence in the context of collaborative work. The Committee thought this could be accomplished through an accompanying White Paper, appropriate for the Call.

### **Evaluating Service in Academic Personnel Reviews**

UCAP discussed concerns about the role of “service” in merit and promotion criteria and in CAP reviews, including whether the APM should place more emphasis on Senate service; whether Senate service should be made an explicit criterion of career reviews; and whether the academic personnel system disincentivizes administrative service. UCAP decided not to pursue any changes to the APM. The Committee also reviewed the draft Berkeley Budget Committee’s *Campus Service Guidelines*, an educational document outlining the role of service in the faculty reward system. Chair Croughan suggested that UCAP ask Council to endorse a statement about the importance of service and circulate the Berkeley *Guidelines* as a recommended model to be incorporated into the Call on each campus.

### **Diversity Issues Academic Senate Analysis of Inclusiveness and Proposition 209**

UCAP discussed an Academic Council request for committee input into a comprehensive study about the effect of Proposition 209 on diversity at UC. UCAP submitted comments to Council about issues and barriers having an impact on the hiring, promotion, and retention of a diverse faculty and possible steps to improve the situation. UCAP also discussed the local implementation progress of diversity modifications to APM 210, 240 and 245.

### **The Use of “Collegiality” in Personnel Reviews**

UCAP considered a request from the University Committee on Academic Freedom (UCAF) for information about the use of “collegiality” as a factor in promotion and merit decisions. The UCAF chair also asked UCAP to conduct a ten-year audit of divisional CAP records to determine how many CAP decisions were overturned by the administration. UCAP responded that it does not conduct such audits; that CAPs review all files based on criteria outlined in APM 210; and that UCAP members could not recall a case where a CAP recommended denial of a merit or a promotion based solely on “collegiality.”

### **Other Issues and Additional Business**

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

- **A Joint UCEP and CCGA Proposal on the Role of Graduate Student in University Instruction**

- **A Proposed Senate Bylaw 16 – Executive Director**
- **A Proposed Amendment to Senate Bylaw 181 – Information Technology and Telecommunications Policy Committee**
- **A practice at UC Davis of recharging faculty salaries to extramural grants**

UCAP also reviewed a set of budget recommendations from the University Committee on Planning and Budget; a set of draft Guiding Principles for Policy Setting and Compensation Governance; a proposed UC Open Access Policy that would grant to the Regents a license to make published faculty scholarly work available in an open-access online repository; and, in accordance with [APM 260](#), a list of ad hoc committee nominees for review of a University Professor title.

### **Campus Reports**

UCAP devoted part of each regular meeting to reports from its members about issues facing local committees and comparison of individual campus practices. In these discussions, UCAP touched briefly on procedures for campus Ad Hoc Review Committees; local efforts to define – and re-engage – “disengaged” faculty; the need to make teaching evaluations more consistent across campuses and to communicate more clearly to students the purpose of evaluations; rampant decoupling and the use of “shadow” salary scales; procedures for reviewing endowed chairs; improving efficiencies in the personnel process; credit for electronic-only publications compared to print publications; five-year stewardship reviews of deans, chairs, or unit heads; and finally, how to evaluate the role/commitment for named Investigators, Co-Principal Investigators and the Principal Investigator on grants, especially for multi-component program projects and multi-million funding awards.

UCAP updated its annual survey of local campus CAP practices and experiences. The survey covered 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; the use of ad hocs; and recusal policy. UCAP considers the survey to be an important resource that helps UCAP identify areas in which campus practices might be brought into closer congruence.

UCAP discussed the role of CAPs in determining or reviewing salary and off-scale offers that had either a merit or a market component, and for those CAPs that review salaries, how to determine the appropriateness of a given proposal. Significant concern was expressed about the lack of CAP involvement in salary and off-scale decisions at some campuses. Some CAPs were satisfied with their current position—not commenting on salary—while others saw their involvement in salary matters as a vital part of shared governance. There was a suggestion that UCAP make a statement recommending that CAPs as a minimum should be entitled to see salary and off-scale information, if they so request it.

### **UCAP Representation**

UCAP Chair Mary Croughan represented the Committee at meetings of the Academic Council and the Assembly of the Academic Senate. Professor Croughan was unable to attend one

Academic Council meeting and one Assembly meeting; vice Chair James Hunt attended both meetings in her place.

### **Committee Consultations and Acknowledgements**

UCAP benefited from regular consultation and reports from Acting Assistant Vice President for Academic Advancement Sheila O'Rourke and Director of Academic Personnel Jill Slocum, who presented regular updates on systemwide APM policies under review, benefit and compensation plans, the Mercer Consulting study, proposed changes to policies covering compensation, outside activities, and leaves for the Senior Management Group, the Policy Framework project, policy revisions covering sick leave, reasonable accommodation medical separation, and presumptive resignation, and a UC Retirement Plan inactive COLA policy.

UCFW Chair Susan French joined a UCAP meeting (by telephone) to discuss areas of interest shared by her committee and UCAP, including the work of the work group and Mercer Consulting's studies on UC compensation and the potential impacts of various proposed changes to UC health and retirement benefits.

At the first UCAP meeting, Academic Senate Vice-Chair Michael Brown updated the committee on issues facing the Academic Council and Senate, and the Academic Senate executive director spoke to UCAP about Senate office procedures and committee business.

Respectfully submitted,  
Mary Croughan, Chair (UCSF)  
James Hunt, Vice Chair (UCB)  
Barry Bowman (UCSC)  
Chris Calvert, (UCD)  
Paul Micevych (UCLA)  
Steven Plaxe (UCSD)  
Carl Shapiro (UCB)  
Ambuj Singh (UCSB)  
Richard Sutch (UCR)  
Alladi Venkatesh (UCI)  
Margaret Walsh (UCSF)  
John Oakley ((D); Chair, Academic Senate, *Ex Officio*)  
Michael T. Brown ((SB); Vice Chair, Academic Senate, *Ex Officio*)  
John Edmond (alternate-UCLA)  
Patrick Fox, (alternate-UCSF)  
Michael LaBriola, Committee Analyst

**UNIVERSITY COMMITTEE ON AFFIRMATIVE ACTION AND DIVERSITY (UCAAD)  
2006-2007 ANNUAL REPORT**

**TO THE ASSEMBLY OF THE ACADEMIC SENATE:**

The University Committee on Affirmative Action and Diversity (UCAAD) met three times in Academic Year 2006-2007 to conduct its business with respect to its duties outlined in [Senate Bylaw 140](#). The issues that UCAAD considered this year are outlined briefly, as follows:

**New Representation for UCAAD on Academic Council**

Throughout the year, the UCAAD chair attended Academic Council meetings as a non-voting guest – a seat UCAAD was granted on an interim basis beginning in May 2006. In February, Council unanimously approved the addition of UCAAD as a permanent standing member, and in May, the Academic Assembly approved an amendment to Senate Bylaw 125 that codified the addition. UCAAD felt its presence as a standing committee would provide more knowledge, insight, and weight to diversity discussions and actions of the Council, and would also stimulate UCAAD to undertake helpful considerations or actions relevant to the Council in ways that might be missed if UCAAD was not present.

**Implementation of the President’s Task Force on Faculty Diversity**

At the September Academic Council meeting, UCAAD Chair Basri asked President Dynes about the University’s plans for implementing the recommendations of the President’s Task Force on Faculty Diversity. The president responded that campuses were expected to submit a progress report at the end of the year, and that UCAAD’s involvement in monitoring the implementation efforts would be welcome. In November, at the request of UCAAD and Senate Chair Oakley, Provost Hume asked each campus EVC to designate individuals in charge of coordinating the local implementation of the Task Force recommendations. Provost Hume also noted that UCAAD members were available to work with campus designees to determine how each of the specific recommendations for promoting and instituting change in the areas of Leadership, Academic Planning, Resource Allocation and Faculty Rewards, Faculty Recruitment and Retention, and Accountability would be put in place on the campuses.

In November, campus implementation coordinators met at UCOP to discuss progress with Chair Basri and Interim Director for Faculty Equity Programs Sharon Washington. Chair Basri and Interim Director Washington later sent letters to the coordinators asking that year-end implementation progress reports include details about specific goals, changes and new developments in the past year, as well as challenges, and accountability structures, along with a suggestion that UCAAD representatives were available as resources. UCAAD will consider the Task Force reports next year both for content and process. UCAAD also discussed faculty diversity in the Health Sciences with Interim Director Washington, who led an effort to replicate the report of the President’s Diversity Task Force for faculty in the Health Sciences, in preparation for the May 18 Health Sciences Diversity Summit.



### **Regents' Study Group on University Diversity and Proposition 209**

UCAAD Chair Basri co-chaired a work team of the Regents' Study Group on University Diversity assigned to consider faculty diversity. The Study Group was conducting a comprehensive assessment of University diversity ten years after the passage of Proposition 209. Three other work teams were considering undergraduate student diversity, graduate and professional school diversity, and campus climate. UCAAD provided input into a draft presentation the work team was preparing for the May Regents meeting. UCAAD also discussed the relationship between Proposition 209 and Federal Affirmative Action regulations and strategies for employing Proposition 209's anti-discrimination standards to combat discrimination negatively affecting underrepresented minorities. Early in the year it was suggested that UCAAD, with the help of other systemwide Senate committees, coordinate a separate Senate study on Proposition 209, but UCAAD felt that there was enough faculty representation and expertise present on the Study Group to eliminate the need for an independent Senate analysis. UCAAD was looking forward to reviewing the report and recommendations of the Study Group and discussing their implementation.

### **Implementation of Modifications to APM 210, 240 and 245**

UCAAD continued to discuss the implementation of the diversity revisions to APM sections 210, 240, and 245 originally proposed by UCAAD in 2004, which took effect in July 2005. UCAAD was concerned that many faculty remained unaware of the modifications. Members considered new ways to publicize the changes and to monitor and evaluate the effectiveness of the implementation. UCAAD felt it would be useful for campuses to provide space on the Academic Biography and Bibliography form (BioBib) – used by faculty on some campuses to list scholarly and service activities and awards at the time of a promotion – for faculty to describe diversity-related scholarly, teaching and service activities. UCAP also suggested that CAPs could help draw awareness to the changes by communicating to department chairs the shift in emphasis and CAP's expectation that the diversity issues in the modifications would be addressed.

### **The Role of Diversity in Strategic Academic Plans, Program and Departmental Reviews**

UCAAD discussed local efforts to include diversity language in guidelines for long-term academic planning, Organized Research Units Policies and Procedures Guide, members compared local policies governing campus program review protocols and the role of diversity and diversity committees in reviews. The Committee on the Status of Women and Ethnic Minorities (SWEM) at Berkeley successfully added language to the Berkeley Strategic Academic Plan requiring the consideration of diversity in all department and program reviews. SWEM now participates formally on all review committees for departments and programs, and a SWEM representative attends meetings of the external review committee. Chair Basri suggested that UCAAD forward a resolution to Council asking campuses to integrate the consideration of diversity issues and the participation of diversity committees into their academic plan and review process.

### **Faculty Diversity Officers**

UCAAD learned about a new program at Berkeley instituting an expanded and upgraded role for Faculty Equity Advisors. Committee members researched the role of Equity Advisors (also known as Diversity Officers) on their campuses and considered the possibility of instituting a network of tenured faculty members with the responsibility for monitoring diversity efforts and

sharing and disseminating best practices in each department. Chair Basri suggested that UCAAD define the ideal Equity Advisor model, draft a position description, and submit a resolution or recommendation to Academic Council next year that campuses adopt the model.

### **Other Issues and Additional Business**

UCAAD also submitted formal comments on the following policy review issues:

- **The Intersegmental Committee of Academic Senates (ICAS) Proposed Resolution on the Proper Use of the California High School Exit Exam**
- **UCAP's Proposed Modifications to APM Policies 220-18b (4) Advancement to Step VI and Above Scale**
- **UCAP's report: "Synopsis of the Present Status of the UC Merit and Promotion System and Principles of and Policy Recommendations for UC Faculty Compensation"**
- **A Proposed Amendment to [Senate Bylaw 181](#) – Information Technology and Telecommunications Policy Committee**

In addition, UCAAD reviewed a set of draft systemwide planning documents issued by Provost Hume that summarized campus academic plans and identified themes common to all campuses. The Committee reviewed a request from the Legislative Analyst for feedback on a proposed bill establishing financial incentives for California public high schools that improved college-going rates. UCAAD also discussed ways to strengthen diversity language in graduate school applications and considered how changes to graduate school selection procedures and criteria could be used to diversify the pipeline.

UCAAD devoted a portion of each meeting to reports and updates from its members about issues facing local divisions and committees. These included discussion of local faculty search committee practices and hiring data; the role of campus affirmative action officers; equity and career reviews; exit interviews; leadership and mentoring programs for women and faculty of color; campus climate issues and climate surveys; and strategies for local committees wishing to secure representation on campus executive councils. The committee also discussed how campus websites could be used to create more visibility for diversity issues; campus accessibility and other disabilities community issues; fellowships targeting diverse groups interested in STEM fields; the establishment of special funds to bring more minority speakers to campus; admissions policy; difficulties recruiting faculty to Senate service; and general concerns over a lack of awareness of diversity on campus.

### **Student Representatives**

The graduate student representative participated regularly in meetings. She reported on issues impacting diversity being discussed by her student colleagues, including the rising cost of graduate education and fee increases that impaired the ability of the University to recruit a diverse student body, as well as local and systemwide events for minority and women faculty and graduate students.

### **Consultants and Guests:**

UCAAD's regular UCOP consultants, Interim Director for Faculty Equity Programs Sharon Washington and Graduate Diversity Coordinator Susanne Kauer, were valuable assets to UCAAD. They provided the committee with data, consultation, and reports on numerous items and issues, including:

- The work of the Regents Study Group on University Diversity
- Data and statistics on faculty hiring and retention
- Graduate and professional student academic preparation educational outreach
- Grants and fellowship programs targeting the development of diversity in the Sciences
- Legal obligations and responsibilities for faculty and student diversity in relation to both Proposition 209 and Federal Affirmative Action Regulations
- The rights of faculty or the public to request salary data
- Career equity review procedures on the campuses
- UC programs and fellowships targeting diversity, including the President's Postdoctoral Fellowship Program
- Local conferences, summits, and symposiums addressing diversity

Acting Assistant Vice President for Academic Advancement Sheila O'Rourke, also acted as an occasional consultant on specific issues.

In addition, UCAAD consulted occasionally with the Academic Council chair and vice chair on Academic Council business and with the Academic Senate executive director on committee and administrative matters.

Respectfully submitted,  
Gibor Basri, Chair (UCB)  
Pauline Yahr, Vice Chair (UCI)  
Nancy Beckage (UCR)  
Pedro Castillo (UCSC)  
Theodore Chan (UCSD)  
Bruce Haynes (UCD)  
Jody Kreiman (UCLA)  
Susan Stonich (UCSB)  
Michael Winter (UCSF)  
Colin Wilson, alternate (UCLA)  
Brianna Davila, Graduate Student, UCLA  
Lauren Macheski, Undergraduate Student (UCLA)  
John Oakley ((D); Chair, Academic Senate, *Ex Officio*)  
Michael T. Brown ((SB); Vice Chair, Academic Senate, *Ex Officio*)  
Michael LaBriola, Committee Analyst

**BOARD OF ADMISSIONS AND RELATIONS WITH SCHOOLS (BOARS)  
ANNUAL REPORT 2006-07**

**TO THE ASSEMBLY OF THE ACADEMIC SENATE:**

Under [Senate Bylaw 145](#), the Board of Admissions and Relations with Schools (BOARS) is responsible for advising the President and appropriate Senate agencies on matters relating to admissions of undergraduate students and recommending to the Assembly the admissions criteria for undergraduate status. BOARS has three key subcommittees that are charged with making recommendations and reporting to the parent committee – the Articulation and Evaluation Subcommittee, the Admissions Testing Subcommittee, and the Statistical Analysis Subcommittee. BOARS held ten meetings during the 2006-07 academic year, which included joint meetings with California State University Admissions Advisory Council in June, and the UC Admissions Directors in July. Highlights of the committee’s activities and accomplishments are noted in this report.

**Proposal to Reform UC Freshman Eligibility Policy**

Over the past several years, the concept of UC eligibility has come under scrutiny by BOARS and others. Beginning in October 2006, BOARS committed itself to fundamental reform of UC’s eligibility construct. Identifying a number of concerns with the current eligibility construct, BOARS held discussions regarding this topic during all of its meetings this year to review draft working papers and analytic materials, and discuss the challenges ahead in developing, advocating for, and implementing eligibility reform. BOARS members collected feedback from their campus admissions committees about the potential impact of eligibility reform on their comprehensive review process; identified key issues related to the use of tests in UC admissions policy; worked on continued refinement of analytic data from UCOP Admissions and Research Evaluation staff members; and paid special attention to the Comprehensive Review Guidelines, potential impacts on the referral pool, and how a reformed eligibility policy would comply with the California Master Plan for Higher Education. BOARS Chair Rashid contributed unique efforts in preparation for the proposal’s rollout in the spring, including presentations at meetings of the Intersegmental Committee of Academic Senates (ICAS), regular updates at meetings of the Academic Council, individual meetings with Provost Rory Hume and UCOP Strategic Communications staff, meetings with the UC Admissions Directors in January and July 2007, and visits to seven of the nine general campuses to discuss eligibility reform and learn of their concerns about BOARS’ proposal. Comprehensive drafts of the eligibility reform proposal were reviewed in the spring, with a final draft reviewed and unanimously approved by BOARS at the May meeting. BOARS Chair Rashid presented [BOARS’ Proposal to Reform UC Freshman Eligibility Policy](#) at the June meeting of the Academic Council, where Council agreed to distribute the proposal for systemwide Senate review in fall 2007. Over the summer, BOARS members developed a Question and Answer document, with supporting data analyses, to aid Senate reviewers in their consideration of BOARS’ proposal. BOARS expects to engage in a considerable education and advocacy campaign in 2007-08 to build support for this extensive and important change to UC’s eligibility policy.

**Task Force on Subject (‘a-g’) Requirements – The Mathematics (‘c’) and Laboratory Science (‘d’) Task Force**

Last year BOARS approved a proposal for the formation of a joint Senate and administrative task force to develop more specific descriptions of the criteria needed for high school courses to fulfill the mathematics (‘c’) and laboratory science (‘d’) subject requirements. The Academic Council approved the proposal at its July 26, 2006 meeting. This year, BOARS made progress with the proposal by submitting names of UC faculty nominees to the task force, which the Academic

Council approved at its July 27, 2007 meeting. Thereafter, UCOP staff distributed appointment letters to the task force members in August. The task force expects to hold its first meeting in fall 2007.

### **UC Transfer Preparation Paths**

In October, UCOP staff provided an update to the committee on the progress of developing “UC Transfer Preparation Paths,” a proposal for implementation of SR 477 and SR 478 (“Streamlining” Articulation and SciGETC) that will also satisfy the legislative requirements of California Senate Bill 652. In April, BOARS sent a joint letter with the University Committee on Educational Policy (UCEP) to the Academic Council, recommending divisional Senate committees’ cooperation in overseeing and coordinating the Transfer Paths project. As of September, this effort is well underway with the appointment of divisional Senate contact persons, which will be coordinated by UCOP staff.

### **“ELC-Qualified” Math Requirement Proposal**

Last year, BOARS unanimously approved a proposal to modify the number of units of the mathematics (‘c’) requirement that must be completed for ELC-qualification for eligibility. BOARS’ proposal was endorsed by the Academic Council at their February 2007 meeting.

### **Transcript Evaluation Service (TES)**

BOARS drafted a resolution in support of the Transcript Evaluation Service, a program first created by UC that plays an important role in evaluating high school transcripts to determine students’ satisfaction of UC’s ‘a-g’ admissions requirements. The funding grant that originally supported TES has since expired, and the continuation of the TES program will depend on full support from the UC Office of the President. [BOARS’ resolution](#) was sent to the Academic Council in June, and subsequently endorsed by the Council and forwarded to Provost Hume in July.

### **BOARS Articulation and Evaluation (A&E) Subcommittee**

The A&E Subcommittee, chaired by BOARS Vice Chair Trish Stoddart, reviewed a significant number of proposals this year for BOARS’ consideration and approval. Included was a policy recommendation on criteria for approval of online providers and courses to satisfy subject (‘a-g’) requirements. The proposal, which establishes criteria for granting “program status” to online providers, was approved by BOARS in October 2006 with the stipulation that it review the policy again within five years. The A&E Subcommittee also endorsed for BOARS’ approval a proposed recommendation to repeal Senate Regulation 458; proposed faculty nominees to the Task Force on Subject (‘a-g’) Requirements; and certain course approvals. The A&E Subcommittee also worked on proposed revisions to the history/social science (‘a’) requirement guidelines; UC’s development of “model uniform academic standards” for career technical education (CTE) courses that will satisfy completion of the college preparatory elective (‘g’) subject requirement for eligibility; ‘a-g’ course lists for independent study schools and programs; and a proposed chart to display how Advanced Placement exam scores may be used in fulfilling IGETC requirements.

### **BOARS Analytic Subcommittee**

The Analytic Subcommittee, chaired by BOARS member David Stern, set a number of priorities for the group to accomplish this year including looking at criteria for freshman admission, the significance of admission tests results for certain groups of students, as well as examining application and enrollment data for underrepresented students. The Subcommittee was instrumental in creating key simulations to aid BOARS in the development of its Eligibility Reform proposal. The Subcommittee also updated, in collaboration with UCOP Admissions Research and Evaluation

staff, the set of “[inclusiveness indicators](#)” for California high school seniors, which were first developed last year.

### **BOARS Testing Subcommittee**

The Testing Subcommittee, chaired by BOARS member Jennifer Chacon, was charged this year to undertake an analysis of the alignment of the new SAT Reasoning Test with BOARS’ recommendations for the use of admissions tests at UC (“[testing principles](#)”). This effort included an extensive review of sample tests of the old and new versions of the SAT, sample essays from the new Writing portion of the SAT exam, as well as lengthy consultations with testing experts during two teleconference meetings held in the summer.

### **Other Reports and Recommendations**

The following BOARS reports and recommendations were also submitted or acted on by the Academic Council in 2006-07:

- Criteria for Approval of Online Providers and Courses to Satisfy UC Subject (‘a-g’) Requirement (submitted to Academic Council October 25, 2006)
- Examination of UC’s Freshman Eligibility Policy (update to Academic Council submitted December 8, 2006)
- Comments on CCGA Proposal to Amend Senate Regulations 694 and 695 (submitted to Academic Council February 15, 2007)
- Recommendation to Modify the Mathematics Requirement for ELC-Qualification (submitted to Academic Council February 20, 2007)
- Status Report on Eligibility Reform (submitted to Academic Council April 10, 2007)
- Joint UCEP/BOARS Letter on Divisional Coordination of UC Transfer Preparation Pathways Implementation (submitted to Academic Council April 30, 2007)
- Inclusiveness Indicators Update (submitted for posting on Academic Senate website May 28, 2007)
- UC Freshmen Eligibility Reform Proposal (submitted to Academic Council June 11, 2007; approved by Academic Council to be distributed for systemwide Senate review June 27, 2007)
- Resolution on the Transcript Evaluation Service (submitted to Academic Council June 13, 2007; endorsed by Academic Council June 27, 2007)
- Comments on the ICAS Resolution on the California High School Exit Exam (submitted to Academic Council June 13, 2007)
- Proposal to Repeal Senate Regulation 458 (submitted to Academic Council June 19, 2007; approved by Academic Council to be distributed for systemwide Senate review June 27, 2007)
- Nominations to the Mathematics (‘c’) and Laboratory Science (‘d’) Requirements Task Force (submitted to Academic Council July 13, 2007; approved by Academic Council July 27, 2007)

### **BOARS Representation**

The Chair, Vice Chair, and committee members represented BOARS in various other groups including the Academic Assembly, Academic Council, UCOPE, Admissions Processing Task Force, ASSIST Board of Directors, UC-CCC Transfer Advisory Board, Intersegmental Coordinating Committee (ICC) Transfer Subcommittee, University Diversity Study Group – Undergraduate Student Eligibility, Admissions, Enrollment and Persistence Subgroup, and Intersegmental Committee of Academic Senates (ICAS).

## **Acknowledgements**

BOARS wishes to acknowledge and thank the following members of the systemwide administration for their willingness to consult regularly with the committee: Judy Sakaki, Vice President, Student Affairs; Susan Wilbur, Director, Admissions; Nina Robinson, Director, Policy and External Affairs; Samuel Agronow, Associate Director, Admissions Research and Evaluation; Kyra Caspary, Analyst, Admissions Research and Evaluation; Judy Kowarsky, Associate Director, Admissions; Roger Studley, Assistant Director, Admissions Research and Evaluation; and William Kidder, Special Assistant to the Vice President, Student Affairs.

BOARS wishes to acknowledge the invaluable contributions of Senate Analyst Kimberly Peterson, who worked diligently to advance the BOARS agenda for the past three years. BOARS congratulates Kimberly in her new position with the UC Office of the President. BOARS also gratefully acknowledges the extremely able support of Senate Analyst Michelle Ruskofsky, who joined the committee upon Kimberly's departure.

BOARS experienced a significant loss this year when Trish Stoddart (UCSC) was compelled to submit her resignation as BOARS Vice Chair in June, for health reasons. Trish was a tireless and dedicated BOARS member and her contributions will be sorely missed. The committee offers their best wishes for Trish's speedy recovery.

Respectfully submitted,

Mark Rashid, Chair (D)

Trish Stoddart, Vice Chair (SC)

David Stern (B)

Jennifer Chacon (D)

James Given (I)

Sylvia Hurtado (LA – fall, winter)

Duncan Lindsey (LA – spring)

Peter Sadler (R)

Akos Rona-Tas (SD)

Daniel Weiss (SF)

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John Oakley ((D); Chair, Academic Senate, *Ex Officio*)

Michael T. Brown ((SB); Vice Chair, Academic Senate, *Ex Officio*)

Kimberly Peterson, Committee Analyst

Michelle Ruskofsky, Committee Analyst

**COORDINATING COMMITTEE ON GRADUATE AFFAIRS  
ANNUAL REPORT 2006-2007**

**TO THE ASSEMBLY OF THE ACADEMIC SENATE:**

The Coordinating Committee on Graduate Affairs (CCGA) met a total of eight times during the 2006-2007 academic year (the February and July meetings were cancelled).

***Reviews of Proposed Graduate Degree Programs***

One of CCGA's primary responsibilities is to review all campus proposals for new graduate degree programs. A total of 14 proposals were forwarded to CCGA for review throughout the academic year; seven proposals were approved. The following table is a summary of actions of these proposals as of August 2007.

<b>Campus</b>	<b>Program Proposed</b>	<b>Lead Reviewer</b>	<b>Date Received</b>	<b>Date Approved</b>	<b>Disposition</b>
UCD/CS U Fresno	Joint Doctorate in Forensic and Behavioral Sciences	Bruce Schumm	4/12/2005	4/3/2007	Revised proposal resubmitted June 2006; re-review; renamed; approved.
UCD	Masters of Science in Environmental Policy and Management at UC Davis	Pending 10/2007 meeting	6/19/2007		Under review.
UCI	Master's and Ph.D. Degrees in Computer Science	Ömer Egecioglu	10/3/2006	11/7/2006	Approved pending suggested changes.
UCI	Masters of Public Health	Farid Chehab	6/19/2007		Under review
UCM	Graduate Program Leading to M.S. and Ph.D. Degrees in Environmental Systems	Farid Chehab	4/3/2007		Under review.
UCR	M.A./Ph.D. in Ethnic Studies	Donald Brenneis	1/9/2007		Under review.
UCR	Program of Graduate Studies in Music for the Doctor of Philosophy Degree	Roger Savage	1/9/2007	6/19/2007	Approved.
UCR	Interdepartmental Graduate Program Leading to M.S. and Ph.D. Degrees in Bioengineering	Farid Chehab	5/9/2006	12/5/2006	Approved.
UCSB	M.A. and Ph.D. Degrees in Feminist Studies	Tyrus Miller	6/19/2007		Under review.
UCSC	Program of Graduate Studies in Film & Digital Media for the Ph.D. Degree	Shrinivasa Upadhyaya	3/6/2007		Under review.



UCSC	Program of Graduate Studies in Visual Studies for the Ph.D. Degree	Michael Hanemann	5/1/2007		Under review
UCSC	M.S./Ph.D. Degrees in Statistics and Stochastic Modeling	David van Dyk (alt)	6/6/2006	11/7/2006	Approved.
<b>Campus</b>	<b>Program Proposed</b>	<b>Lead Reviewer</b>	<b>Date Received</b>	<b>Date Approved</b>	<b>Disposition</b>
UCSD	Combined Five-Year Degree Program: B.A./M.A. in International Studies	Albert Stralka	5/9/2006	1/9/2007	Approved.
UCSF/CSU Fresno	Joint Doctorate in Physical Therapy (DPT)	Reen Wu	5/9/2006	11/7/2006	Approved.

CCGA developed and worked on a number of initiatives related to graduate education over the course of the 2006-07 academic year:

***Graduate Student Independent Course Responsibility***

Both CCGA and UCEP received system-wide feedback on their joint CCGA-UCEP memo, *The Role of Graduate Students in University Instruction*. A CCGA-UCEP subcommittee was formed, which worked through the second half of the year to bring forward a revised Memo, which was approved by both committees and sent to and received by the Academic Council at its July 2007 meeting.

This revised Memo proposes guidelines and policies governing the roles played by graduate student instructors at the various levels at which they are employed. The Memo recommends changing the ‘Conditions for Employment for Teaching Assistants,’ which lists the working titles for teaching assistants (TAs) in [Section 410-20](#) of the Academic Personnel Manual (APM). Specifically, the proposed language relieves the restriction on teaching the entire enrollment of a class, while retaining the requirement that the class and its evaluative rubrics be designed, closely overseen, and largely delivered by a faculty member. While the Memo acknowledges that graduate student instructors should and can assume greater degrees of responsibility for the development and delivery of University courses, it insists on faculty oversight. The Memo also prohibits graduate student instructors from taking on an instructional role (including TA) for which the student instructor can influence the grade or other recorded assessment of another graduate student’s performance, unless faculty oversight of the assessment process is direct enough to prevent any semblance of conflict of interest. While the Memo does not restrict graduate students teaching graduate courses, it requires Senate approval for each offering of a graduate course utilizing a graduate instructor. If a graduate student has the appropriate instructional experience and qualifications, the Memo allows graduate students to hold one of the temporary instructional titles of APM-110-4 (14) for the purpose of delivering a specific course if deemed appropriate by the respective division. Likewise, postdoctoral scholars are still eligible to act as instructors of record for any course offered for campus credit, but are to be appointed to the appropriate teaching title during the period of instruction. CCGA and UCEP propose that these policies apply equally to all State-supported instruction, whether offered during the regular or summer session. Finally, both CCGA and UCEP acknowledge that both Senate regulation 750 and APM 410-4 will need to be revised, and propose revised language for both.

## **Non-Resident Tuition**

CCGA applauded recent actions eliminating the last 25 percent of non-resident tuition (NRT) upon advancement to candidacy, as well as a tracking mechanism that will allow NRT funds to be tracked once they are return to the respective general funds of the campuses. However, members remained concerned about NRT, and its deleterious effect on the University's graduate enterprise and its competitiveness with other peer institutions. Members also made inquiries at their respective divisions for data on the following: 1) the amount of money generated from NRT; and 2) the amount of this money that is going towards graduate student stipends. However, the committee was only moderately successful in gathering this data.

## **Senate Regulation 694/695**

In November, CCGA submitted a proposal to Academic Council revising Senate regulations (SRs) 694 and 695 in response to growing concerns about residency in graduate programs that are conducted partially or fully off-campus and/or on-line. Members proposed the following: In SR 694, the participation of University Extension in off-campus instruction was clarified; Senate oversight for programs that shift curriculum between on- and off-campus delivery, or between conventional and electronic delivery is also established. A newly proposed SR 695 provides a structure that ensures that electronic instruction lives up to UC standards, and sets forth how electronic instruction will satisfy residency requirements. CCGA received Academic Council's comments in the spring; a subcommittee has been formed with a response expected by fall 2007. It is expected that CCGA will collaborate with UCEP and ITTP (the University-wide Senate committee on [Information Technology and Telecommunication Policy](#)).

## **Fee Levels for Self-Supporting Professional Degree Programs/Differential Fees**

Members received and reviewed the UCOP report, *Comparison of Students in Self-Supporting Graduate Degree Programs with Students in Self-State-Supported Graduate Degree Programs*. CCGA found that for the most part the fee structures associated with these programs are reasonable and appropriate. That said, members remain concerned about the exclusionary effects of programs in some fields, especially those that do not have high rates of compensation, such as nursing, public health, and education. Regarding differential fees, the committee requested a UCOP report on differential fee programs by January 1, 2008.

## **Ed.D. Re-Review Process**

Since the passage of SB 724, which granted the California State University (CSU) system authority to offer the Ed.D. independently, CSU has already pulled out of some UC-CSU joint Ed.D. programs; it is probable that CSU will pull out of others. Especially in cases where a CSU withdrawal will significantly weaken an existing joint Ed.D. program, CCGA is requiring an expedited re-review of such reconfigured Ed.D. programs. Towards that end, members drafted a set of Ed.D. re-review procedures. That draft, finalized in January 2007, laid out two types of reviews—Class I and Class II. A Class I review is one in which the academic goals of the original proposal can still be met with the new configuration; it would only be reviewed internally by CCGA. A Class II review is essentially a review of a new program proposal; it would be subjected to a full external review.

## **Certificate Programs**

Prompted in part by a divisional request, the committee began a review of the certificate program review process. A subcommittee has been formed; members expect to issue a report sometime in the 2007-08 academic year.

### **Interdepartmental Program Bylaw Requirement**

Members took up the issue of interdepartmental program (IDP) governance, noting that IDPs tend to be under-funded and often lack clarity with respect to self-governance. An IDP is a graduate degree granting program that is not offered by a single department, but administered by a group of faculty who are constituted for that purpose, and whose governance lies outside that of any single department. Given this loose governance structure, members felt that bylaws are necessary – especially with regard to faculty voting rights and privileges. Subsequently, CCGA now requires the inclusion of bylaws for all new IDP program proposals; existing IDPs must comply with this requirement by adopting bylaws by the time of their next regular Academic Senate review.

### **UC Merced/IGP**

The committee received its annual interim graduate program (IGP) briefing in December. The IGP umbrella authority, which CCGA approved in 2003, allows UCM to create new graduate groups and eventually individual graduate programs within those groups in an expedited fashion. UCM Alternate Valerie Lepp explained that the emphasis of the IGP has been on proto-graduate groups. Under the auspices of the IGP, CCGA approved the Graduate Group in Biological Engineering and Small-Scale Technologies (BEST), a Ph.D. in Physics and Chemistry, and the Proposal for the Development of a Graduate Program leading to M.S. and PhD Degrees in Mechanical Engineering and Applied Mechanics (MEAM). Members also agreed that the IGP would remain in place for at least one more year and could be extended on a year-by-year basis after that.

### **UCR&J Residency Requirement Informal Inquiry**

Prompted by a memorandum of understanding between UCI and the Consiglio Nazionale Delle Ricerche, Istituto di Cibernetica “Edoardo Caianiello” in Italy, CCGA made an informal inquiry to UCR&J for an interpretation of the residency requirements in SRs 682 and 694. Under SR 694, UCR&J ruled that if a program is one year long, a student must spend at least one-half year in residence. Moreover, as the length of the program increases, the minimum residence increases. So in a two-year program, a student must spend at least one year in residence. Under SR 682, UCR&J ruled that with the exception of the shorter residence requirements allowed by SR694.B, all students must spend at least one year in residence. CCGA will request that UCR&J make this ruling formal; the Irvine Graduate Council was also informed of this ruling.

*CCGA considered a number of system-wide issues, proposals, and Senate bylaw/regulation modifications:*

### **RE-89 - Adoption of Policy Restricting University Acceptance of Funding From the Tobacco Industry**

In April, members voted against accepting RE-89, which would have restricted the University from accepting tobacco-related research funding from the tobacco industry. Members made their argument on the basis of academic freedom, opining that such policies should never mention specific organizations (such as tobacco companies), but instead lay-out principles that would dictate if and when a ban should be enacted.

### **UCOP Proposal on the Relationships between (Pharmaceutical) Vendors and Clinicians**

In April, members opined on this proposal, noting that it represents a good step towards regulating vendors. While the committee agreed to parts i. and iii. of the proposal, they did recommend that graduate students and academic personnel be added to the ‘no strings attached’ clause in point ii.

### **Proposition 209 Diversity Study**

The Committee spent a number of months studying the issue of diversity within UC's graduate student ranks, as part of the Senate's study of the state of diversity ten years after the passing of Proposition 209 (in conjunction with the Regents Study Group on Diversity). CCGA concluded that although UC leads underrepresented minority (URM) enrollment among its comparison institutions, it lags in enrollment of African American graduate students. Members also expressed concern about the level of URM populations in the graduate pipeline. They also noted that the relative inadequacy of graduate support will eventually negatively impact the University's URM graduate student enrollments.

### **Proposed Guiding Principles for Professional School Fees**

Members approved the 'Guiding Principles,' noting that fee increases have largely been used to offset budget cuts in the recent past, thereby generating little additional revenue for the schools. However, they remain concerned that the quality of these schools and their programs, as well as their ability to maintain access through additional financial aid, may be at risk.

### **System-wide Review of the Universitywide Committee on Research Policy (UCORP) Report 'Institutional Review Boards (IRB) at UC: IRB Operations and Researcher's Experience'**

In October, CCGA reviewed and agreed with the UCORP IRB report. However, members recommended adding the following -- that the use of a medical model for research protocols for the behavioral, social sciences, and the humanities be terminated and replaced by a protocol application form specifically tailored to the subjects addressed and the methodologies used in these fields.

### **Review of the Proposed Open Access Policy**

In general, members supported the Open Access proposed policy, noting that many of the implementation details have yet to be worked out. That said, the committee was concerned about the intent behind recording the access characteristics of faculty publications.

### **Review of the Research Report, "Structure, Function, Leadership, and Development Trajectory of Research Support Functions at the UC Office of the President"**

Members opined that this research report reflects an appropriate weighting on graduate education; however, they recommended that language be developed congruent to that of other Senate committees regarding cooperation with CCGA.

### **System-wide Review of the Recommendations from the Joint Academic Senate and UCOP Workgroup on Recycling Multicampus Research Units (MRS) Funds**

In December, members reviewed these recommendations. The committee 1) suggested adding language to these recommendations strengthening the role of the Senate; 2) expressed reservations about the automatic return of FTE funding to the UC Office of Research for MRU-supported FTEs that become vacated; and 3) recommended that an advisory board, once constituted, evaluate legislatively-mandated MRUs and determine whether their funding can appropriately be included in the competitive review process.

### **'In Association' Degrees**

In October, CCGA considered a UCIE proposal for 'in association with UC' degrees, which would be offered to foreign reciprocity students who study at UC for a substantial amount of time through the framework of the Education Abroad Program (EAP). Members opined that academic departments should have input and play an active role in the selection of such graduate reciprocity students. Towards that end, members envisioned a review process similar to the admissions process for graduate degree programs.

### **Multicampus Research Unit Reviews**

CCGA commented on one multi-campus research unit (MRU) review, as well as the five-year review of the California Institute for Telecommunications and Information Technology (Calit2). CCGA actually re-reviewed the UC Committee on Latino Research (UCCLR), which submitted a ‘MRU Transition Plan,’ augmenting the materials included in its initial review from 2006. While members applauded the transition plan as laying out a set of rational infrastructure-building steps towards a full-fledged MRU in its May 2007 response, CCGA reaffirmed its original position – that from the perspective of graduate education, there is nothing that would recommend particularly strongly for or against UCCLR relative to that of other MRUs that CCGA has reviewed in recent years. Regarding Calit2, members commented that the review materials were rather opaque; it did not adequately inform readers of what the Cal ISI was actually doing. The committee also opined that Calit2 appears more like an umbrella organization in terms of graduate education, rather than an organization that runs coherent graduate programs. They also agreed with the Irvine division that more Senate involvement is needed in the Cal ISI review process.

### **Senate Bylaw/Regulation Modifications**

CCGA reviewed and approved the proposed modifications to Senate Bylaw 205 Part I.A. and UC Merced SR 50, finding that both represented appropriate changes to these existing bylaws and regulations.

### **Divisional Requests/Disestablishments**

CCGA did not receive any requests for program disestablishments in the 2006-07 year.

### **Reviews of Simple Name Changes, Masters-level Degree Additions, and other Programmatic Matters**

CCGA considered three requests for simple name changes of degree titles, programs, departments, graduate groups, or schools. Specifically, members felt that the simple name change request for UCD’s Textile Arts and Costume Design constituted a new degree program; they referred it to an expedited review process, which is ongoing. Also, the committee approved the addition of the Master’s of Science Degree Title to the Ph.D. Program in Management at UCI. CCGA also approved an expansion of the UCD Masters of Public Health (MPH), which it originally approved in 2002, from 12 to 30 students per year. Finally, the committee approved the use of group work to satisfy capstone projects in masters’ programs if such work met the following conditions: 1) that each individual show substantial contributions to the project; and 2) that each individual be assessed for competence.

<b>Campus</b>	<b>Group/Program</b>	<b>Old Name</b>	<b>New Name</b>	<b>Disposition</b>
UCD	Textile Arts and Costume Design	Textile Arts and Costume Design	MFA in Design	Not approved.
UCI	M.A. in Social Sciences	M.A. in Social Sciences	M.A. in Political Science*	Approved.
UCM	Atomic and Molecular Science and Engineering (AMSE) graduate group	Atomic and Molecular Science and Engineering (AMSE) graduate group	Physics and Chemistry	Approved.

\* Change in degree title; under the Ph.D. in political science at UCI.

## **CCGA Handbook**

Members also approved the following changes to the [CCGA Handbook](#), which will be reflected in 2007-08 edition: 1) the Ed.D. program re-review procedures; 2) the IDP bylaw requirement; and 3) the capstone stipulation (see above).

### ***Acknowledgements***

CCGA is grateful to have had valuable input from and exchange with these UCOP consultants and guests over the past year: Provost Rory Hume, Vice Provost for Academic Affairs Joyce Justus, UCEP Chair Richard Weiss, UCEP Vice Chair Keith Williams, Director of Student Financial Support Kate Jeffery, Acting Director of Academic Planning and Budget Carol Copperud, and consultant Suzanne Klausner. Members would also like to thank the alternates who served throughout the year: Barbara Sawrey (UCSD), David van Dyk (UCI), Michael Martinez (UCI), Rowland Davis (UCI), Tyrus Miller (UCSC), and Valerie Leppert (UCM).

Respectfully submitted:

Reen Wu, Chair (UCD)  
Bruce Schumm, Vice Chair (UCSC)  
Michael Hanemann (UCB)  
Shrinivasa Upadhyaya (UCD)  
Jutta Heckhausen (UCI)  
Roger Savage (UCLA)  
David F. Kelley (UCM)  
Albert Stralka (UCR)

Ömer Egecioglu (UCSB)  
Donald Brenneis (UCSC)  
Catherine Constable (UCSD)  
Farid Chehab (UCSF)  
Erin Bardin (graduate student, UCI)  
John B. Oakley (ex-officio member)  
Michael T. Brown (ex-officio member)  
Todd Giedt (Analyst)

**UNIVERSITY COMMITTEE ON EDUCATIONAL POLICY (UCEP)  
2006-2007 ANNUAL REPORT**

**TO THE ASSEMBLY OF THE ACADEMIC SENATE:**

The University Committee on Educational Policy (UCEP) met five times in Academic Year 2006-07 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:

**The Role of Graduate Students in University Instruction**

UCEP and the Coordinating Committee on Graduate Affairs (CCGA) reviewed responses from systemwide committees and divisions to the joint 2006 UCEP/CCGA report, *The Role of Graduate Students in University Instruction*, and submitted a revised set of policy recommendations to Academic Council. CCGA and UCEP were responding to a Council request to consider the appropriate degree and manner for the use of graduate students in instruction and to review the policies, practices, and quality control mechanisms governing graduate student teaching. A UCEP/CCGA subcommittee held three teleconference meetings to craft a new set of recommendations that maintained the primary goals of the 2006 document, responded to concerns raised by reviewers, and maximized the flexibility of individual campuses to implement the recommendations within the context of local practices and needs.

Although UCEP and CCGA withdrew several proposals originally recommended as mandates, the committees reinforced their conviction that faculty mentoring and oversight were an essential component of any instructional role taken on by a student at UC. UCEP and CCGA retained their recommendation to eliminate the distinction between lower and upper division courses in Senate Regulation 750 and APM 4104a, and to apply policies and procedures for graduate student instruction uniformly across all undergraduate courses. In addition, the committees recommended revisions to the Teaching Assistant Conditions for Employment to more accurately reflect the way the TA title is applied on campuses. They also recommended that the use of graduate student instructors in large-enrollment lower or upper division classes take place only under unusual circumstances. All proposed policies and regulations were intended to apply to all state-supported instruction – both during regular-term and in summer.

In March, a UCEP/CCGA/UCAF Work Group met to compare the language in the UCEP/CCGA report with UCAF’s *Student Freedom of Scholarly Inquiry Principles* document to ensure that the concepts of student rights and responsibilities in each were consistent and aligned.

Academic Council released the revised report in July for a second round of systemwide review.

**Streamlining Articulation and Transfer Preparation Paths**

Undergraduate Admissions Director Susan Wilbur joined UCEP at several meetings to discuss the implementation of Senate Resolution [477](#) (Streamlining the Major Preparation Course Articulation Process), [California Senate Bill 652](#), and *UC Transfer Preparation Paths*, which are intended to facilitate the transfer of students from California Community Colleges to UC. UCEP reviewed a series of *Transfer Path* draft documents covering systemwide and campus-specific requirements for the chemistry major that were revised over the course of the year to reflect UCEP suggestions.

In May, UCEP and BOARS proposed a consultation and review process involving local Senate faculty for vetting and approving future *Transfer Paths*. Senate Chair Oakley forwarded that proposal to divisional Senate chairs with a request that the chairs designate a local committee to oversee faculty participation in the local implementation of the *Transfer Paths* initiative.

### **Academic Planning Council Undergraduate Education Planning Group**

Provost Rory Hume established a joint faculty-administration Academic Planning Council planning group to examine the future of undergraduate education at UC. The Planning Group originally had been proposed by UCEP as a way to formally consider various 21<sup>st</sup> Century challenges for undergraduate education and make long-term program planning recommendations. In November, Provost Hume and Special Assistant Carol Copperud joined UCEP to discuss the mission and composition of the group. UCEP also sent a memo to the provost proposing a draft mission statement to guide the work of the group and recommending a preliminary list of critical themes and areas of undergraduate education in need of greater analysis. The UCEP chair and vice chair served as UCEP's representatives to the Planning Group for the remainder of 2006-07.

### **Proposed systemwide cap on the size of Entry Level Writing Requirement Classes**

Academic Council asked UCEP and the University Committee on Preparatory Education (UCOPE) to propose a Senate regulation to codify a systemwide cap on the class size of entry level writing requirement (ELWR) courses. The 2004-2005 UCEP had reviewed the issue and endorsed a cap of between 15 and 20 students per section, but in a memo to Council, the 2006-07 committee expressed concern that without additional funding, an ELWR cap could have a negative impact on other academic areas, including upper division writing programs, and could increase pressure on classroom space. UCEP reaffirmed its recommendation for campuses to make smaller ELWR class sections a priority, but decided to oppose the imposition of a mandate on individual campuses and the proposed modification to Senate Regulation 636 until the resource question was settled. At the end of the year, Council released UCOPE's proposed amendment to Senate Regulation 636 for systemwide review.

### **University of California Center in Washington DC Systemwide Course**

In June, UCEP reviewed a proposed systemwide elective course – “California on the Hill” – being offered at the UC Center in Washington (UCDC). In 2004, UCEP's charge had been modified to include the approval of undergraduate courses as systemwide courses. In 2006, UCEP discussed UCDC's desire for UCEP to act as the approving committee for UCDC systemwide courses, as well as a vetting and approval process for such courses. UCEP asked campus Registrars for advice about the appropriate mechanism for getting California on the Hill and future systemwide courses, once approved, listed in all campus catalogs. The Registrars responded with a number of questions about the UCDC course and the process of course approval. UCEP unanimously approved the California on the Hill as a systemwide course subject to receiving additional information from UCDC and the Registrars.

### **ICAS C-ID Proposal**

At its November meeting, California Community College (CCC) Treasurer Jane Patton joined UCEP to discuss “C-ID,” a proposal from the CCC Academic Senate for a common lower division major preparation course numbering system for courses approved by UC and CSU campuses as meeting articulation standards. UCEP identified a few potential problems and concerns with the proposal and submitted a memo to ICAS Chair and Academic Senate Vice Chair Michael Brown. UCEP's vice chair also served on ICAS' C-ID Task Force.



## **Other Issues and Additional Business**

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

- **CCGA's proposed amendments to Senate Regulation 694 and new SR 695**
- **The University Committee on Academic Personnel report - "Synopsis of the Present Status of the UC Merit and Promotion System and Principles of and Policy Recommendations for UC Faculty Compensation"**
- **UCAP's proposed modifications to APM Policies 220-18b (4) Advancement to Step VI and Above Scale**
- **University Committee on International Education proposal for "In Association With" degrees**
- **Proposed amendments to APM 620, Policy on Off-Scale Salaries**
- **The faculty role in the Regents' Proposition 209 study**
- **The Regents' proposed RE-89 – Adoption of Policy Restricting University Acceptance of Funding From the Tobacco Industry**
- **Proposed Senate Bylaw 16 – Executive Director**
- **Proposed amendment to Senate Bylaw 181 – Information Technology and Telecommunications Policy Committee**
- **Proposed policy on the stewardship of electronic information**
- **Position Description for a proposed Vice President - International Affairs**
- **The University Committee on Academic Freedom's proposed Student Freedom of Scholarly Inquiry Principles.**
- **The Intersegmental Committee of Academic Senates' Proposed Resolution on the Proper Use of the California High School Exit Exam**
- **Request from UC Irvine for variances to Senate Regulations 780 and 810A**
- **Request from UC Merced for approval of UC Merced Regulation 50 (Variance to Senate Regulation 780) and New UC Merced Regulation 75 – Honors at Graduation**

UCEP also discussed grading policy differences, grade standardization and grade inflation; the "Pick-a-Prof" website and the possibility of pursuing recommendations for how faculty should address the new public availability of GPAs; policies for awarding extra GPA credit for an A+ versus an A; the possibility of adding Earth and Space Sciences as a fourth core laboratory science option in UC's "d" and "g" admissions requirements; impacted majors; and issues related to the business of the Academic Council, Academic Assembly, and the work of campus Committees on Educational Policy.

## **UCEP Representation**

UCEP's chair represented the committee at meetings of the Academic Council, Academic Assembly, and the Academic Planning Council, and regularly attended meetings of the Intersegmental Committee of Academic Senates, and ICAS' GE Breadth/IGETC Alignment Task Force.

## **Committee Consultations and Acknowledgements**

UCEP benefited from regular consultation and reports on transfer issues from Director of Undergraduate Admissions Susan Wilbur. In addition, UCEP occasionally 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,

Richard Weiss, Chair (UCLA)

Keith Williams, Vice-Chair (UCD)

Omer Blaes (UCSB)

Linda Egan (UCD-spring)

Lowell Gallagher (UCLA)

Kim Griest (UCSD)

Alessa Johns (UCD-fall)

David Kay (UCI)

Pierre Keller (UCR)

Manuel Martin-Rodriguez (UCM)

Jaye Padgett (UCSC)

Henry Sanchez (UCSF)

Benson Tongue (UCB)

Cynthia Pineda (Graduate student-UCLA)

Martin Kohan (Undergraduate student-UCB)

Igor Tregub (Undergraduate student alternate-UCB)

Nan Zhang (Undergraduate student alternate-UCB)

John Oakley, Academic Senate Chair, UCD

Michael Brown, Academic Senate Vice-Chair, UCSB

Michael LaBriola, Committee Analyst

**UNIVERSITY COMMITTEE ON FACULTY WELFARE (UCFW)  
ANNUAL REPORT 2006-2007**

**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 has two key subcommittees with independent memberships that are charged with monitoring developments and reporting to the parent committee – the Task Force on Investment and Retirement (TFIR) and the Health Care Task Force (HCTF). UCFW held nine meetings during the 2006-2007 academic year. Highlights of the committee's activities and accomplishments are noted in this report.

**UC Total Remuneration.** UCFW devoted a significant amount of its effort in 2006-2007 to understanding the methodology and data Mercer used in preparing the total remuneration report presented to The Regents in the fall of 2005. The full committee met with Mercer representatives at six of its meetings, and UCFW members Robert Anderson (TFIR chair), Jim Chalfant, and Larry Pitts (HCTF chair) met with Mercer representatives numerous times. As a result of this effort, UCFW was able to point out a number of ways in which Mercer's methodology did not accurately capture the value of UC's faculty salaries and benefits. Mercer responded by making several changes, and it is hoped that the next update of the report will use methodology and be presented in a format that meets UCFW's objections.

Because the methodology used to determine the value of faculty compensation is so important in assessing UC's comparative position, in April 2007, UCFW presented a proposal to the Academic Council that it establish a Senate Task Force on Faculty Compensation Determinations & Comparisons. The Council adopted UCFW's proposal in June, 2007.

**Faculty Salaries.** An analysis of UCOP's 2007-2008 budget proposal to The Regents prepared for UCFW by TFIR Chair, Robert Anderson showed that the proposed faculty salary increases would result in a significant loss of competitive position. UCFW adopted that analysis and transmitted it to the Academic Council in October, 2006, urging that significantly higher salary increases be proposed. The Council adopted UCFW's position and transmitted UCFW's analysis and recommendation to President Dynes.

UCFW also responded to the University Committee on Academic Personnel (UCAP) proposals to "fix" the broken salary scales, agreeing that something needed to be done to reduce the number of faculty whose salaries are off-scale and preserve the rank and step system with peer review. Responding to these same concerns, President Dynes appointed a working group, chaired by Provost Hume, to address the issue. Chair French was appointed to the working group, as were John Oakley, Chair of the Academic Senate, Mary Croughan, Chair of UCAP, and Chris Newfield, Chair of UCPB. In the spring, the charge of the work group was increased to include developing a plan to increase faculty salaries to competitive levels faster than the 10-year plan The Regents adopted in 2005. The work group developed a plan to bring salaries to market levels within 4 years, using a combination of COLAs and market adjustments to salary scales. It also proposed amending APM 620 to provide that salaries between steps be treated as within a range and not off-scale. UCFW members had significant differences of opinion on the merits of the proposed changes, but a majority favored the changes. A letter was sent to the Council setting forth the various views within UCFW.

**Retirement.** UCFW continues to support the restart of contributions to UCRP to maintain its long-term viability. It also remains strongly committed to the position that the restart of contributions must not reduce total faculty remuneration.

During the 2005-2006 year, UCFW became very concerned that proposals for changes in retirement, retiree health, and other benefits were being floated without serious consideration of the likely impacts on workforce behavior. HR&B agreed to ask Mercer to do a study that would address these concerns. In October, Mercer presented a very preliminary outline of the study it proposed to make. UCFW appointed a subcommittee to work with Mercer in developing the study. However, after an additional presentation by Mercer, UCFW concluded that the study would not produce useful results, in part because by that time HR&B said that it did not have any proposals for benefit design changes. In April, UCFW voted to disband the subcommittee and ask that the study be discontinued. HR&B Executive Director Scott has requested that the subcommittee be reconvened when benefit design change proposals are put forward for consideration in 2007-08.

In April, UCFW communicated to the Academic Council its approval of UCOP plans to establish a trust to facilitate reporting retiree health obligations as newly required by the Governmental Accounting Standards Board. UCFW will follow-up in 2007-08 with HR&B regarding the possible prefunding of UC's retiree health care liability.

In response to alarming stories in the news and positions asserted by various unions and the faculty association, claiming that resumption of contributions to UCRP was made necessary by mismanagement and various forms of misfeasance in handling UCRP funds, UCFW adopted a [Statement on UCRP](#), to reassure concerned members of the University community about the management and investment performance of UCRP. The statement also explains why contributions to UCRP are necessary even though the funds have been well-managed and the returns have been within reasonable limits. The Statement was authored by UCFW's Task Force on Investment and Retirement (TFIR), with significant contributions from TFIR Chair Anderson, UCFW Chair French, UCFW Vice Chair Chalfant, and Council Chair Oakley. The Academic Council later endorsed the Statement and distributed it to President Dynes and the general public.

**Family Friendly Initiatives – Childcare and Adoption Benefits.** UCFW members collected information from their respective campuses this year on campus childcare needs and priorities. UCFW worked with HR&B to establish a Back-up Childcare Task Force, which met in June 2007 to discuss next steps in developing programs to better support faculty childcare needs. The Task Force will be reconvened by HR&B in fall 2007. UCFW Chair French presented an item on childcare needs at the joint Academic Council-Executive Vice Chancellors (EVC) meeting in April as well, reminding the EVCs of President Dynes' matching funds program to build on-campus childcare facilities. In addition, UCFW made significant progress in 2006-07 on a potential UC adoption assistance program for UC employees. HR&B developed a draft policy, which UCFW considered in the spring and will continue to follow in 2007-08 pending additional consultation on the specifics of the proposal.

**Housing.** In spring 2007, UCFW approved UCOP-proposed modifications to the Mortgage Origination Program (MOP), which offers reduced interest rate mortgages to Senate members and others. UCFW will continue work next year, however, on proposed changes to the Supplemental Home Loan Program (SHLP). The committee is working with UCOP staff and Provost Hume to reconvene the New Financial Programs Subcommittee of the UC Housing Task Force, which will include significant Senate representation in its work to modify SHLP programs and policies.

**Parking Principles.** Discussions stalled this year on UCFW's work to close the gap between the 2002 Academic Senate Parking Principles, and the 2002 UCOP Parking Principles. Katherine Lapp, Executive Vice President-Business Operations, who joined UC in May, has agreed to take up this issue with UCFW next year, however.

**UCFW Health Care Task Force (HCTF).** The HCTF, under leadership of Chair Larry Pitts, continued its work to ensure the availability of affordable health care premiums and comprehensive health benefit plans, and exploring a possible long term care insurance option for UC employees. The task force was proud to see the successful launch of the HCTF and UCFW-inspired Wellness Project as a pilot program in fall 2006, only to see it grow into a systemwide UC program by the end of the year. UCFW expresses its utmost appreciation to Lester Breslow (UCLA), former HCTF member, and Harold Simon (UCSD), for their many years of dedication to this project.

The task force spent numerous hours working with HR&B staff, reviewing plans for a major alteration of UC's medical plans in 2008. The HCTF's long term care initiative is progressing, however slowly due to a turnover in HR&B's consultants. This issue will be tracked on the 2007-08 HCTF agenda. The HCTF also made progress on its work with the UC Medical Center Directors, a project that began in 2006. HCTF Chair Pitts met with the UC Medical Center directors and other administrators multiple times this year, to begin to build relationships with the Senate. In addition, the HCTF began work with HR&B staff to identify several projects that faculty volunteers can assist HR&B with, in lieu of hiring outside consultants. Lastly, the HCTF continued to monitor the retiree health benefits valuation methodology used by Mercer in its Report on UC Total Remuneration. UCFW notes its appreciation of the HCTF and HCTF Chair Pitts especially, for their tireless work on behalf of the committee and the Senate.

**UCFW Task Force on Investment and Retirement (TFIR).** TFIR Chair Robert Anderson provided UCFW with regular updates on TFIR's work this year. TFIR members were the principal contributors to UCFW's position on a proposal for UC faculty with appointments to the Howard Hughes Medical Institute and the Ludwig Institute for Cancer Research, as well as UCFW's position on UCOP's plans to establish a trust to support new Governmental Accounting Standards Board reporting of annuitant health benefit obligations. TFIR was also instrumental in developing the Statement on UCRP (discussed earlier in this report), an important document that was the outgrowth of UCFW's and TFIR's concerns that the faculty were not receiving accurate, comprehensive information on UCRP investment returns and the health of the retirement plan. UCFW expresses deep gratitude to TFIR members and TFIR Chair Anderson especially, for their tireless work on behalf of the committee and the Senate.

**UCFW Initiatives.** In addition to UCFW's proposals and recommendations mentioned above, following is a list of all committee correspondence submitted to the Academic Council, and other UCOP administrators as noted:

- Total Remuneration and the 2007-08 Budget: A UCFW Analysis and Recommendation (with addendum: Calculation of COLA Required to Maintain UC's Current Competitive Position in Faculty Salaries in 2007-2008), October 18, 2006
- UCFW Subcommittee for Mercer Workforce Impact Study – Response to Request for Feedback on Oct. 13, 2006 Presentation to UCFW, October 31, 2006 (letter to Randy Scott, Executive Director, HR&B)
- UCFW Position on Proposal for UC Faculty With Appointments to the Howard Hughes Medical Institute (HHMI) and the Ludwig Institute for Cancer Research (Ludwig), November 21, 2006
- UCFW Recommendations for January Update of Mercer Total Remuneration Report to The Regents, December 4, 2006 (memorandum to Randy Scott, Executive Director, HR&B)

- UCFW Recommendation on Plans to Establish a Trust for Funds Used to Pay For Retiree Health Benefits, February 20, 2007
- UCFW-TFIR Analysis and Recommendation to Support the Draft “Agreement on Terms for Transfer of Assets from UCRP to LANS Plan and Continued Administration and Obligation Related to LANL Portion of UCRP” dated January 24, 2007, February 21, 2007
- UCFW Recommendations on Child Care, February 25, 2007 (memorandum presented to the joint Academic Council – Executive Vice Chancellors’ meeting of February 27, 2007)
- UCFW Approval of Plans to Establish a Trust to Support New Governmental Accounting Standards Board (GASB) Reporting of Annuitant Health Benefit Obligations, April 17, 2007
- UCFW Recommendations for Appointment of Senate Representative to CPEC Discussions and Creation of a Task Force on Faculty Compensation Determinations & Comparisons, April 16, 2007
- UCFW Approval of Proposed Revisions and Modifications of Program Parameters for University of California Mortgage Origination Program, April 17, 2007
- UCFW Endorsement of the University of California Retirement Plan Benefit Proposal for UC Ladder Rank Faculty on Leave Without Pay at the Howard Hughes Medical Institute (HHMI) and the Ludwig Institute for Cancer Research, Regents’ March 15, 2007, Discussion Item C7 for the Committee on Compensation, April 24, 2007
- UCFW Nomination of John Oakley to University of California Retirement System (UCRS) Advisory Board, June 16, 2007
- UCFW Request for Second Review of APMs 710, 711, and 080: Paid Sick Leave, Reasonable Accommodation, and Medical Separation, July 16, 2007
- UCFW Proposed Academic Council Statement on UCRP, July 16, 2007

**Requests for Review.** In response to requests from the Academic Council for review and comment, UCFW considered and submitted its views on the following proposals and reports:

- University Committee on Academic Personnel (UCAP) Report: “Synopsis of the Present Status of the UC Merit and Promotion System and Principles of and Policy Recommendations for UC Faculty Compensation,” January 19, 2007
- Review of RE-89, The Regents’ Proposed Policy Restricting University Acceptance of Funding from the Tobacco Industry, April 13, 2007
- UC Office of the President Draft Proposal on Relationships Between (Pharmaceutical) Vendors and Clinicians, June 8, 2007
- Proposed Amendments to APM 620, Policy on Off-Scale Salaries, June 20, 2007
- UC Office of the President Policy Review Project – Draft Guiding Principles for Policy Setting and Compensation Governance, July 16, 2007

**Acknowledgements.** UCFW wishes to acknowledge and thank the following members of the systemwide administration for their willingness to consult regularly with the committee: Lawrence Hershman, Vice President-Budget; Judy Boyette, Associate Vice President-HR&B; Randy Scott, Executive Director-HR&B; Marie Berggren, Chief Investment Officer and Vice President-Investments; Sheila O’Rourke, Acting Assistant Vice President-Academic Advancement; and Jill Slocum, Interim Director-Academic Personnel.

**Respectfully submitted,**

Susan French, Chair (UCLA)  
 Jim Chalfant, Vice Chair (UCD)  
 Kyriakos Komvopoulos (UCB)  
 Brenda Bryant (UCD)

Gregg Herken (UCM)  
 Lawrence Pitts (UCSF; Member-at-Large; Chair, HCTF)  
 Harold Simon (UCSD; Member-at-Large; Member, HCTF)  
 Robert Anderson (UCB; Representative of UCRS Advisory Board; Chair, TFIR)

Pauline Yahr (UCI)  
Shane White (UCLA)  
Helen Henry (UCR)  
Carlos Waisman (UCSD)  
Candy Tsourounis (UCSF)  
Paul Ortiz (UCSC)

Louise Taylor (UCB, Chair, Council of UC Emeriti Association, *Ex Officio*)  
John Oakley (UCD; Chair, Academic Senate, *Ex Officio*)  
Michael T. Brown (UCSB; Vice Chair, Academic Senate, *Ex Officio*)  
Michelle Ruskofsky, UCFW Analyst  
Douglas Morgan (UCSB)

**UNIVERSITY COMMITTEE ON INFORMATION TECHNOLOGY  
AND TELECOMMUNICATIONS POLICY (ITTP)  
ANNUAL REPORT 2006-2007**

**TO THE ASSEMBLY OF THE ACADEMIC SENATE:**

The University Committee on Information Technology and Telecommunications Policy (ITTP) is charged by Senate Bylaw 181 to represent the Senate in all matters of instruction and research policy involving the use of information technology and telecommunications and advising the President concerning the acquisition and use of information and telecommunications technology. ITTP held two regular meetings and two teleconferences during the 2006-2007 academic year. A summary of the committee's actions is included in this report.

**Proposed Amendment to Senate Bylaw 181**

In recognition of the fast paced evolution of the information technology realm, the committee presented an amendment to its name and charge that would replace terms viewed as "dated" with terms more modern and elastic. If approved, the committee will be known as the University Committee on Computing and Communications; the substance of the committee's charge is unchanged. This proposal is proceeding to the Assembly for a vote.

**Consultation with the Administration**

Kristine Hafner, Associate Vice President for Information Resources and Communications (IR&C), and David Walker, Director of Advanced Technologies in IR&C, serve as consultants to ITTP. Additionally, Daniel Greenstein, Vice Provost for Academic Information and Strategic Services, formerly Associate Vice President and University Librarian; Paula Murphy, Director of the UC Teaching, Learning and technology Center (TLtC); and Jacqueline Craig, Director of Policy for IR&C, were invited to update ITTP on specific areas of interest. Members of the committee, in the roles as ITTP representatives, also consulted regularly with their campus chief information officers and other IT-related administrators.

Both the committee and their consultants and guests devoted considerable time and energy this year to work of the [Information Technology Guidance Committee](#) (ITGC). ITGC was established by Provost Hume on an ad hoc basis and charged to develop a systemwide IT strategic plan. Specifically, it has 18 months (ending in August 2007), to investigate where UC should be going in IT, what more UC can do as a system, and how the campuses can coordinate better on IT matters. It is also addressing financial aspects of IT as well as organizational issues. ITGC has six working groups: 1) Advanced Networking Services, 2) Stewardship of Digital Assets, 3) Common IT Architecture, 4) High Performance Research Computing, 5) Instructional Technology, and 6) IT and the Student Experience. ITTP's role regarding this group is to provide unofficial responses to ITGC on matters of clear interest. ITTP Chair Messerschmitt and Senate Chair Oakley are members of ITGC.

ITTP presented informal feedback to ITGC through its consultants and via Chair Messerschmitt. After monitoring the work of ITGC and reviewing its interim report, ITTP suggested that ITGC consider broadening its scope and develop more long-term goals, rather than focus on day-to-day operations. To this end, the committee sent ITGC a list of [Ten Grand Challenges](#) in the IT realm that the University



could be expected to face and overcome in the next decade or so. Although informal in nature, the committee is confident that it was successful in its goal of expanding the thinking of its counterparts.

Additionally, the committee developed a list of minimum IT standards for teaching and learning that it felt all instructors at UC should have. The committee will revise this list during the upcoming year and determine how to best promulgate it in light of ITGC's final recommendations.

Other systemwide IT-related activities IR&C updated the committee on included the progress of [UC Trust](#), which is intended to enable greater cooperation between UC researchers and researchers at other [InCommon](#) universities. Obstacles include security concerns surrounding federated authentication. The committee was also updated on the development of the UC-wide grid, which will facilitate greater coordination by providing remote access to IT assets and aggregating processing power; leaders are investigating how to expand a "pilot" program from UCLA to systemwide operation.

### **Reports and Recommendations**

ITTP communicated with the Academic Council on the following:

- Proposed Open Access Policy
- Ten Grand Challenges
- Proposed Amendment to ITTP ByLaw 181
- Senate ByLaw 16 – Executive Director
- Proposed Policy on Stewardship of Electronic Information
- Request for Additional Consultants to ITTP

### **Representation**

The ITTP Chair, David Messerschmitt, serves as a faculty representative to the Information Technology Leadership Council (ITLC) and the Information Technology Guidance Committee (ITGC); the chair also serves as an *ex officio* member of the University Committee on Library and Scholarly Communications (UCOLASC).

### **Acknowledgements**

ITTP is grateful for the contributions made by its Office of the President's Information Resources and Communications (IR&C) consultants, Associate Vice President Kristine Hafner and Director of Advanced Technologies David Walker. ITTP also thanks its frequent guests and collaborators Vice Provost Daniel Greenstein and Director Paula Murphy.

Respectfully,

David Messerschmitt, Chair (B)

Kenneth Goldberg (B)

Jackson Beatty (LA)

Michael David (SD)

Shivkumar Chandrasekaran (SB)

John Oakley (UCD; Chair, Academic Senate, *Ex Officio*)

Michael T. Brown (UCSB; Vice Chair, Academic Senate, *Ex Officio*)

Kenneth Feer, Committee Analyst

Lisa Naugle, Vice Chair (I)

Michael Hogarth (D)

Thomas Payne (R)

Donna Hudson (SF)

Luca de Alfaro (SC)

**UNIVERSITY COMMITTEE ON LIBRARY  
AND SCHOLARLY COMMUNICATION  
ANNUAL REPORT 2006-2007**

**TO THE ASSEMBLY OF THE ACADEMIC SENATE:**

***Responsibilities and Duties***

The University Committee on Library and Scholarly Communication (UCOLASC) advises the president about the administration of University libraries in accordance with the Standing Orders of the Regents.

UCOL held three in-person meetings and three conference calls in 2006-2007 (November, March, and June), which included one joint meeting with the University Librarians (ULs). Highlights of the committee's activities and accomplishments are noted in this report.

**Proposed UC Open Access Policy**

UCOLASC supported the Open Access proposal in principle, commenting that both UC and the academic community at large would benefit from its realization, which would enable the rapid online posting of scholarly material for teaching and research. In its May letter of support to Academic Council, UCOLASC argued that the proposal would promote the influence of faculty research; change the economics of publishing by providing a counterbalance to monopoly publishers; and increase faculty copyright rights. The committee also made some cautionary remarks, noting the large bureaucratic burden the proposal would impose; its vagueness; and the inadequate attention paid to cost issues and implementation details. The committee was also concerned that the issues of high scholarly communication costs and the intellectual property (copyright) retention have become muddled.

**Amendment to Bylaw 185 and Committee Name Change**

In July 2006, UCOLASC requested a modification of its governing [Bylaw 185](#) changing the committee's name from the University Committee on Library (UCOL) to the University Committee on Library and Scholarly Communication (UCOLASC), and allowing the committee to add up to three at-large members with expertise and experience not found among UCOL's divisional representation. The Academic Assembly passed the revisions to in May 2007.

**Monograph Subvention Policy Proposal**

UCOLASC continued its work on a subvention policy to support first monographs for junior UC faculty, originally proposed by the Special Committee for Scholarly Communication (SCSC). The proposal would award between five and ten thousand dollars to UC faculty who are preparing to submit a manuscript for their first academic book publication. In developing the proposal, UCOLASC was motivated by the economic difficulties facing faculty who want to publish books, particularly first-time authors in the humanities and social sciences. While faculty members in the hard sciences would not be excluded from the proposal, it was anticipated that the majority of awards would go to faculty in the humanities and social sciences.

### **UCOLASC/Office of Scholarly Communication Symposium**

UCOLASC discussed the possibility of co-sponsoring, with the UC Office of Scholarly Communication, a meeting with selected scholarly society representatives to discuss open access and scholarly communication issues. The symposium was being planned for late fall/early winter.

### **Campus Reports**

UCOLASC members reported on the activities of their corresponding divisional Senate library committees. Campus reports highlighted scholarly communication issues, including open-access, digitization and preservation of library holdings, journal access, and the future form of libraries (both physically and conceptually).

### **Personal Repositories & Academic Promotion**

UCOLASC discussed the use of electronic bibliography/personal repository applications, such as the [Berkeley Electronic Press](#) (BePress), as a way to facilitate the academic personnel process. The committee invited UCAP Chair Mary Croughan, former SCSC member Nick Jewell, and Director of Publishing and Strategic Initiatives Catherine Candee to its November meeting. After noting some obstacles to systemwide implementation, including campus-specific differences in academic personnel processes, technical barriers, and high cost, the committee decided to postpone further development of the initiative.

### **Joint Meeting with University Librarians**

UCOLASC met with the University Librarians in March to discuss common topics of interest, including the proposed open access policy, library planning, strained library budgets, regional library facilities (RLFs), e-reserves, the development of library search technologies (Melvyl and [WorldCat](#)), and the various digitization initiatives involving Google, Microsoft, and Yahoo!. UCOLASC also received updates from UL Convener Tom Leonard at its November and June meetings.

The committee received regular briefings on the two UC RLFs – the northern facility (NRLF) at Berkeley and the southern facility (SRLF) managed by UCLA. Both are designed to be modular and capable of housing 11 million volumes each. The NRLF has a capacity of 7.3 million volumes. The SRLF was planned with only three modules; two are already built and will be full by 2010. The third phase (SRLF-3) is scheduled to begin construction in 2010-11 with occupancy expected in 2013-14.

UCOLASC and the ULs also discussed a Google initiative to digitize the world's books. Tom Leonard reported that while a copyright lawsuit brought against Google by the Authors Guild and the American Publishers Association for Google's initiative, UC is indemnified against any damages. The lawsuit asserts 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. The Google initiative has attracted a number of other partners, including Stanford, the University of Michigan, the New York Public Library, Harvard, and Oxford.

### **Acknowledgements**

UCOLASC wishes to acknowledge the contributions of its administrative consultants and guests: UCAP Chair Mary Croughan (UCSF); Dick Terdiman (UCSC); Nick Jewell (UCB); Director of Policy, Planning, and Outreach John Ober; Vice Provost Daniel Greenstein; 2006-07 LAUC President Lise Snyder; UL Convener Tom Leonard (UCB); UC Press Director Lynne Withey; University Counsel Eric

Behrens; and Director of Publishing and Strategic Initiatives Catherine Candee. The committee also thanks its faculty alternates Andrew Waldron (UCD) and George Rutherford (UCSF).

Respectfully submitted:

Ben Crow, Chair (UCSC)  
Elaine Tennant, Vice Chair (UCB)  
Winder McConnell (UCD)  
Simon Leung (UCI)  
Claudia Rapp (UCLA)  
David Crohn (UCR)  
Laurence Armi (UCSD)

Richard Schneider (UCSF)  
Roger Ingham (UCSB)  
William Sullivan (UCSC)  
David Messerschmitt (ex-officio, ITTP)  
John Oakley (ex-officio, Senate Chair)  
Michael T. Brown (ex-officio, Senate Vice Chair)  
Todd Giedt (Analyst)

## UNIVERSITY COMMITTEE ON PLANNING AND BUDGET ANNUAL REPORT 2006-2007

### **TO THE ASSEMBLY OF THE ACADEMIC SENATE:**

Under Senate Bylaw 190, the University Committee on Planning and Budget (UCPB) is charged with advising the President and appropriate agencies of the University administration on policy regarding planning and budget matters, and resource allocation in accordance with the Standing Orders of the Regents. This is an especially critical charge in this decade: public universities are under budgetary siege nationwide, and most have not developed the planning capacities that allow them to preserve the original vision of the highest quality education for the broad public majority. UCPB's job is to help the University maintain and continuously enhance both cutting-edge and core operations in a turbulent environment.

In recent years, UCPB has sought to provide the Academic Council and the Assembly of the Senate with independent, research-based evaluations of selected planning and budgetary issues within its purview. The "Futures Report" on UC budgetary trends is the leading example, and UCPB has tried to create an evidentiary base for budgetary matters that would inform Senate opinion on overall budgetary trends and related issues. The goal is to supplement the Senate's function of reviewing material proposed by the University's administration with the capacity to form independent judgments about the University's direction, helping the Senate to be a proactive partner in shared governance.

UCPB held the eight meetings allowed by the Senate budget during the 2006-2007 academic year. It is the Chair's opinion that nearly all of these meetings were exceptionally lively and interesting, and exposed a wide range of consultants - including a member of the Office of General Counsel, the Boalt Law School Dean, and Charles Schwartz, noted budget and policy analyst and watchdog - to vigorous challenge and debate from committee members, and vice versa. The result was a series of position memos that had a positive impact on the quality of the Senate's overall position and influence. The Chair thanks all participants for their intellectual energy and for their commitment to getting to the truth of the matters at hand.

This report outlines UCPB's main activities, starting with an overview of the committee's two major domains.

**University Budgeting.** Like CSU and other public universities around the country, the University of California has suffered from repeated rounds of funding cutbacks that have left its public funding base about 1/3 below levels considered normal fifteen years ago. These cuts have been particularly hard on core operations - those that support general undergraduate and graduate education - which cannot be sustained at traditional levels of quality through federal grants or philanthropy.

UCPB's chair asked the Academic Council to endorse the committee's "Futures Report," which entailed acceptance of the report's chief findings: that the Compact does not restore the "Core UC Budget" to its 2001 growth pathway through recovered General Fund expenditures, but only through repeated fee increases. The Council endorsed a UCPB resolution that identified a \$1.1 billion gap between 2001 Pathway funding and actual funding, and Chair Newfield along with Council Chair Oakley presented these findings to the Regents.

Although several Regents expressed interest in a new campaign for public funding, neither OP nor the Regents consider public funding augmentation to be a political possibility. Nor has UCPB's claim that only augmented public funding will restore quality to core operations - though never refuted as such - come to have any evident part of OP or Regental strategy deliberations. No plans seem to be underway to seek increased public funding in coming years, although UCPB has shown that the only alternative, if the University budget is even to tread water - is major fee increases that may well change the nature of the public university. Less ambitious programs have been proposed that will have a positive but limited effect -- Regent Blum and UCB Chancellor Birgeneau's public-private partnership for a scholarship fund is one example. UCPB feels that budgetary solutions should be sought that are on a scale suited to the actual budgetary problem. We wish to help University leaders avoid the temptation to protect and improve selected programs and units while leaving the quality of general operations to the vagaries of state budget politics.

### **University Planning, Shared Governance, and Senate Effectiveness.**

The University of California is an extremely complex, multi-divisional institution that ranges from liberal arts departments with seven faculty members to city-sized medical complexes and Department of Energy laboratories. Its scale and scope may have evolved beyond what the Office of the President, in spite of generally excellent staff, can effectively manage. These management obligations are legion, and one cost, beyond a very large administrative budget, has been lack of an effective, coordinated planning function. UCPB was surprised to learn that the University does not engage in multi-year budgetary planning. One result is that UCPB's "Future's Report" appears to have had no counterpart anywhere in the Office of the President, one that would track the impact of the Compact and other budget scenarios on university operations in the short and medium-term. A similar situation likely exists in other domains, such as capital projects. It is UCPB's fervent hope that OP's planning and strategy functions, particularly regarding the budget, be greatly enhanced in the immediate future.

The Senate's impact on OP priorities is also far from clear. The limited impact of the Futures Report has already been noted. A second example involves OP less directly, and that is the Regents plan for "slotting" the position of the Senior Management Group. The Senate has spoken repeatedly, with unified clarity, and with solid, systematic empirical evidence, against several central features of this plan, but these features, though renamed, have remained in the latest iteration of this proposal. A final example is President Dynes' statement of his priorities for his final year in office, which, with the exception of a phrase about salaries, does not endorse or even mention a single major Senate priority. Although the Senate rectified some significant problems through rapid action (as about the "Talx" online tax preparation system), the Senate's voice on major components of the University's successful operations needs enhancement. This enhancement will also require the Senate to improve its own internal communications and analyses, particularly in areas where shared governance is particularly weak, as in the case of relations with the new partnerships that manage the Los Alamos and Livermore laboratories.

UCPB notes that organizational changes at the Office of the President have left the committee without regular high level consultants in the areas of enrollment planning and academic initiatives for the last two years, and have created occasional confusion and obstacles to gaining information. We anticipate that once major organizational lacunae at OP are filled, UCPB will again have a complement of OP senior manager consultants that reflects all planning and budgetary matters.

## ISSUE SUMMARIES:

### **The University Budget**

UCPB received monthly updates from its consultants regarding the status of the state and federal budgets and their impact on the University budget, student fees, financial aid, enrollment, capital outlay, and faculty and staff salaries. UCPB also advanced the following initiatives:

Budget Priorities. In October 2006, UCPB submitted a set of draft budget recommendations to the Academic Council based on the conclusions of the committee's "Futures Report" of the previous year (see below). UCPB prioritized three areas for increased support that also aligned with the Regents' top priorities: 1) faculty salaries; 2) graduate education; and 3) improving the student-faculty ratio (a proxy for overall educational quality). UCPB urged that a calculation be done of the cost of achieving these priorities, that adequate state funding for UC be restored and sustained, and that student fees be kept at the level of inflation. These committee recommendations served as a basis for the Academic Council's "[Safeguarding the University's Future: A Resolution of the Academic Council on Returning UC to a Sound Fiscal Basis](#)" that was forwarded for transmittal to the Regents in January 2007, and which requests that specific steps be taken for restoring UC's financial base and establishing a shared basis of understanding among the Regents, the Administration and the Senate for attaining immediate and long-term budget goals.

UCPB "Futures Report". The UCPB report "*Current Budget Trends and the Future of the University of California,*" which was completed and made public last year, was adopted by the Academic Council. The report assesses the long-term implications of the Higher Education Compact with the Governor, and of three other budgetary scenarios involving varying degrees of state and private support. The report grew out of UCPB's concern that the current trend of reduced state support for UC is leading to a possibly irreversible decline in the scope and quality of the University. UCPB Chair Newfield presented the findings of the report on several occasions to Academic Council, and then presented the report to the UC Regents with Council Chair Oakley at the Regents May 2007 meeting.

"Futures 2: Expenditure Report" Chair Newfield drafted an outline of a report that would show the cost of meeting the Regent's stated priorities (competitive faculty and staff salaries, an improved student/faculty ratio, infrastructural remediation, graduate funding increases, among others).

UC Merced Funding: UCPB's Merced representative made two presentations about the ongoing funding shortfalls at UC's newest campus. Our preliminary assessment was that the campus faces structural funding problems that its current formula will not allow us to fix. This work was not completed before the end of the year, and we expect further work on this matter in 2007-08.

### **Faculty Salaries**

In the series of discussions held this year revolving around faculty salaries and the faculty salary scales, UCPB maintained a central focus on securing the support required to meet a peer-level payroll. UCPB Chair Newfield served on a joint Work Group (see below) charged with looking at data on off-scale salaries across campuses and the overall competitiveness of the salary scales. The group was asked to make recommendations to President Dynes on achieving a competitive faculty compensation structure while retaining a rigorous post-tenure review system.

“Synopsis of the Present Status of the UC Merit and Promotion System and Principles of and Policy Recommendations for UC Faculty Compensation.” UCPB’s comments of this UCAP report supported the option of structuring the faculty salary scales as a set of ranges, and advised that the creation of any specially structured compensation be limited to those disciplines that are so radically “decoupled” from the normal scale that they cannot be remedied by bringing faculty salaries up to competitive levels.

Recommendations of the President’s Work Group on the Faculty Salary Scales. This joint administrative/Senate group, which will continue its activities into next year, formulated a preliminary plan for raising faculty salaries and restructuring the faculty salary scales. The plan was not put into a formal proposal but was presented to UCPB in the committee’s consultations with Provost Hume and Vice President Hershman. UCPB submitted comments on the plan to the Academic Council, recommending a shorter two-year implementation period and advising against a proposed funding approach that would reduce COLAs in order to fund range adjustments. UCPB also made a number of specific suggestions on modeling the proposed changes in a way that would provide clear and full information to the faculty at large in a fully developed proposal.

As an initial step of the salary scales plan, the work group proposed changes to APM620 – Policy on Off-Scale Salaries that would remove language making off-scale salaries exceptional and would re-define the salary scale as a series of ranges rather than points. UCPB agreed with the work group’s overall intentions of making faculty salaries competitive and of re-validating the salary scale, but objected to the elimination of limits on off-scale salaries and found unacceptable the lack of any accompanying written explanation of the changes. UCPB requested development of a formal proposal that would contextualize and justify these or other suggested changes to the language governing off-scale salaries in the APM.

In the Work Group’s meeting of August 2007, Provost Hume outlined the basic elements of the plan to remedy various salary scale problems. The Office of the President had already presented these elements to the Regents in their July meeting: a four-year time frame to close the salary gap; a combination of across-the-board COLA increases and “market adjustments” to the salary scales (2.5% and up to 8% in year 1), and others. After obtaining further information regarding the percentage of the salary gap to be closed in year 1 and the cost of the plan, Chair Newfield, and the incoming chair of UCFW have recommended that the COLA adjustment be revised upward to 4%, and that incoming Council Chair Brown communicate Senate recommendations and reservations to the Regents at their September meeting. Given objections to elements of the plan from some senior administrators in the system, its fate as of this writing is in doubt.

### **Professional School Fees**

UCPB commented on the Regents’ Proposed Guiding Principles for Professional School Fees, acknowledging the need for limited fee increases but objecting to the adoption of guidelines that would in effect apply a high-fee model as a way to compensate for public funding cuts. UCPB advised that fee increases should be driven by specific academic objectives, that public as well as private institutions be used as comparators, and that tuition levels at peer institutions should be seen as a ceiling rather than a target for UC’s levels. In broader terms, UCPB felt this proposal reflected the lack of a coherent understanding of the long-term policy implications of replacing public funds with private resources (i.e., higher fees) and that institutionalizing the ability to charge high fees at varying levels across the system threatened the model of a relatively unified public university while at the same time damaging the



public's willingness to support through taxes a university that was costing them ever-larger amounts in the form of higher fees.

At its April 2007 meeting, UCPB met with Christopher Edley, Dean of UC Berkeley's Boalt Hall, who has been a central voice in the discussion of discretionary and differential professional schools fees at UC. Dean Edley offered a detailed presentation on his strategic plan for Boalt Hall, which envisions that the responsibility for meeting the school's needs will be shared among students, alumni and private donors, and the state. UCPB members stressed that professional schools should continue to expect augmentations in state general funds, and urged Dean Edley and other professional school leaders to work together with the Senate to achieve adequate levels of state funding appropriate to its multiple mission. Although Dean Edley noted that fee increases at professional schools should not be used as a model for University fee increases overall, no plan was developed for making that distinction clear to political leaders or the public.

### **Graduate Student Funding**

UCPB members supported the implementation of the Graduate Support Advisory Committee report from 2004-05, which suggested specific augmentations in graduate funding and attached a price tag to each. In addition, a Senate Memorial of May 2006 supported a proposal to remit Non-Resident Tuition (NRT) to their units of origin. UCPB found the cost of these improvements to be small and affordable. UCOP has not put additional funds into graduate funding, but has instituted a program to label as such the NRT portion of allocations to campuses, effective Fall 2007. Much work remains to be done to improve graduate funding in accord with repeated Senate statements on this topic.

### **UC –National Laboratory Governance Relations**

UCPB became involved in this issue in 2005, when it requested information about the budgetary impact of the shift from UC to LLC management of the Los Alamos National Laboratory. Much of this information was not provided, and UCPB continued its consideration of the Los Alamos National Security (LANS) LLC, and the Lawrence Livermore National Security (LLNS) LLC, and UC's role in their management. UCPB held two discussions with University Counsel about the terms of the lab contracts and LLC governance structure, seeking to determine the impact of the agreements on the UC budget, the UC Retirement Plan, and UC research programs.

UCPB submitted to the Academic Council two iterations of a memo that reviewed the history of the Academic Senate's statements on UC – Labs relations, including the results of a 2004 faculty poll, and made recommendations aimed at aiding the Academic Council and its Special Committee on the National Labs (ACSCONL) in responding to faculty opinion and communicating lab-related issues to the faculty at large. The memo first asked ACSCONL to review the lab contracts and prepare a timely explanation of them for members of the Academic Senate. Second, it asked that appropriate Senate bodies be involved in the formulation of Orders and Policies that will bring the faculty-LLC relationship into alignment with faculty principles and with the Senate's recommendations on interactions between UC faculty and the labs. These recommendations were not adopted by Academic Council.

UCPB Chair Newfield received a copy of the LANS LLC Operating Agreement from a journalist who had obtained it from the University through a Freedom of Information Act request. Chair Newfield reviewed this document and summarized it for the Academic Council, but received no response from Council. By year's end, the Senate had not yet produced an analysis of the LLC agreements for its

membership, nor obtained an answer as to the size of UC's portion of the management fee. (Academic Council Chair Oakley did post on the Senate website a non-analytical digest of the operating agreement.) The Academic Council replaced its previous labs committee (ACSCONL) with another, and UCPB expects to continue to monitor the situation in 2007-08.

### **Senior Management "Slotting"**

In 2005-06, UCPB raised concerns about the methodology used in the report prepared for the Regents by Mercer Human Resources Consulting with regard to proper assessment of total compensation, the proposed salary slotting structure for senior managers, and the rationale for proposed salary adjustments. UCPB urged that no final action be taken until the report and its recommendations were further scrutinized and refined according to established Senate review procedures. UCFW has over the past two years carried out extensive consultation on and analysis of this methodology, and continues to work with Mercer and OP to improve that methodology. Chair Newfield and Irvine Division Chair McCartney drafted an Academic Council resolution rejecting stratification of jobs by campus size or implicit status, and this draft was endorsed overwhelmingly by the Assembly. The Regents circulated a revised slotting procedure in Summer 2007, which Council declined to endorse. UCPB will monitor this situation in 2007-08.

### **UC Office of the President Organization**

[Assignment of the Budget Function at the Office of the President](#). In reaction to a plan to place the budgetary functions at OP under a new Chief Financial Officer, UCPB urged that the University's senior budget officer be located instead within the Office of Academic Affairs, and also asked for assurance that the senior budget officer would continue to act as a regular consultant to UCPB.

Report on Research Support Functions at the Office of the President and Proposed Job Description for a Vice President of Research and Graduate Studies. UCPB did not endorse either the report or the implicit justification of a new Vice President that underlay the report. While agreeing with the general notion that certain research functions at OP should be consolidated, UCPB found the report lacked sufficient data and did not present a clear organization recommendation. UCPB opposed the proposed new Vice President position, seeing it as one of a number of recent additions to UC senior management whose purposes had not been specified as part of an analysis of organizational needs or future direction. UCPB recommended that organizational and strategic analysis precede the creation of any new senior position, including the position of a new Vice President of Research.

Proposed Vice President for International Affairs. UCPB also did not endorse the immediate creation of this new vice presidency. UCPB felt the proposal did not adequately consider the various dimensions of international education at UC as a whole, which should include a resolution of the current financial and organizational difficulties facing the Education Abroad Program.

Study Group on Growth in Management FTE. Last year a joint work group was, at UCPB's initiative, established to conduct an in-depth study of FTE trends and disparities; however, the group remained inactive. UCPB formally requested the reactivation of the group, seeing its task as especially important in light of the fact that the Office of the President has entered a protracted period of reorganization involving the creation of a number of new, elevated, or redefined senior management positions. The group is now slated to reconvene in the coming year and will include UCPB representation.

### **Education Abroad Program**

The UC Education Abroad Program is a flagship operation, unique in its scope and educational ambitions among major universities in the world. UCPB became aware in 2005-06 that it was suffering significant, unresolved budgetary problems, and invited its chief administrative officer, Gerald Lowell, to explain these problems at our March meeting. Committee members learned that the budget deficit is years-old and structural and that shifts in student demand mean that its existing financial model that will not lead to solvency. EAP's leadership team is in transition (the long-time director and Mr. Lowell have resigned), and senior managers have suggested in Senate meetings that EAP might be downgraded to offering support services to existing short-term campus programs. An ad hoc committee on international education at UC, formed by the Provost, has written a complicated report that does not resolve these issues. Another report, from an expanded version of the same committee, is awaited, along with still another report from an outside consultant hired by UCOP that will focus on the EAP budget and funding for campus EAP operations. Much faster progress should be made in resolving these issues, and UCPB will return to this issue in 2007-08

### **Review of Systemwide Research Units and Administration**

[Report of the UC Academic Senate – UC Office of Research Multi-campus Research Unit \(MRU\) Joint Workgroup](#) . UCPB welcomed the report's efforts to clarify and implement long-awaited changes in the way MRUs are reviewed and funded, changes that build on earlier recommendations of UCPB and UCORP to re-define MRUs based on function, to set a reasonable limit on OP support, and to free up resources for seeding new research initiatives. In addition, UCPB recommended: a further streamlining of research unit categories; an expanded function of the MRU Advisory Board; and the encouragement of collaborative research programs that are unique and in areas, including the humanities and social sciences, where such collaboration could actually transform a field of study. UCPB noted that similar recommendations have been made in the past by various Senate committees, including UCORP, and that implementation has been slow or non-existent. The MRU program remains sub-optimal, making less of a contribution either to specific research programs or to the University's aggregate research program than might otherwise be the case. The program needs stronger leadership and support from senior OP managers.

The University Committee on Latino Research (UCCLR) Proposed "Transition Plan to MRU. UCPB recommended that UCCLR receive a year of continued funding in order to develop a full proposal for its establishment as an MRU, and that the proposal be submitted as a competitive bid in coordination with UCOP's new principles for funding MRUs, which emerged from the Joint MRU Workgroup report cited above.

Operating Budgets for the California Institutes for Science and Innovation. In submitting to the Academic Council a proposed Review Protocol for the California Institutes for Science and Innovation (Cal ISIs) last year, the Chairs of UCPB and UCORP noted their ongoing concern about the long term budgetary issues surrounding the Cal ISIs and their potential impact on the campuses and UC as a whole. This year, in order to create a baseline for related discussions, UCPB requested specific budgetary information needed to accurately assess the present situation of each Institute and to advise on optimum future funding mechanisms. The information UCPB has received to date from the Cal ISIs is incomplete, therefore UCPB will re-submit its request for full budgetary data for review early in the 07-08 year.

### **Indirect Cost Recovery**

UCORP Chair Wendy Max initiated a new study of indirect cost recovery mechanisms and impacts in the University, and Chair Newfield expressed interest in a joint project that would help, among other things, to understand the financial effects of ICR policy. A joint ad hoc sub-group of the two committees met with Vice President for Budget Larry Hershman and was able to establish basic parameters and compile documents that would allow the study to move forward, but the work was not completed. Chair Newfield will approach UCORP's incoming chair to see if the coming year's committee is interested in continuing this project.

### **Research Regulation Issues**

Funding from the tobacco industry is an issue to which the Academic Senate has devoted an enormous amount of time. On two occasions, UCPB considered and did not endorse the proposed Regental ban on accepting funding from the tobacco industry, RE-89, UCPB did find merit in Regent Moores's request that the Academic Senate respond to specific questions about the potential impact of RE-89 on academic freedom and UC research. UCPB also reviewed an OP proposal to ban certain types of vendor-clinician relations, and invited Executive Director of Medical Services Rory Jaffee to its March meeting to discuss his draft proposal. The committee majority was skeptical about the value of these proposals when applied to the system as a whole and on top of the complex array of existing regulations. Another version of these regulations may be submitted to the Senate in 07-08. The Chair believes that the tobacco issue has tainted the issue of research administration to the point that faculty consensus on any mandatory research guidelines will be difficult to obtain in the foreseeable future.

### **Senate Effectiveness and OP Relations**

UCPB sought to open a discussion of Senate effectiveness among members of the Academic Council. One side of the issue involves Senate-OP communications, including administrative responsiveness and committee access to timely and accurate data. The other side focuses on internal workflow, campus-systemwide communication and information sharing, and possible steps to enhance communication and processing speed within the Senate. Little progress was made in either of these areas, and much remains to be done in the 07-08 year.

### **Additional Proposals/Issues Reviewed at the Request of the Academic Council**

- Proposed Modification to Senate Bylaw 205 – University Committee on Rules and Jurisdiction (UCR&J) – Endorsed.
- Proposed Amendment to Senate Bylaw 181 – Committee on Information Technology and Telecommunications Policy (ITTP) – Endorsed.
- Proposed Guidelines for the Role of Graduate Students in University Instruction – Endorsed with comment.
- Proposed Academic Council Policy on Fiscal Impact – Endorsed.
- UCORP Report on Institutional Review Boards (IRBs) at UC: IRB Operations and the Researcher's Experience – Endorsed with comment.
- Proposed Open Access Policy, Implementation Option 'C' -- Endorsed with comment.
- Draft Proposals on Vendor-Clinician Relationships – Not Endorsed.
- Proposed Amendment of Senate Regulation 694 and Proposed New Senate Regulation 695 (concerning distance learning in graduate education) – Not Endorsed.
- The Regents' Proposed RE-89 – Adoption of Policy Restricting University Acceptance of Funding From the Tobacco Industry – Not Endorsed.

Extramural Funding of Faculty Salaries. Commenting on a new accounting practice at UC Davis applied to faculty whose salaries are partially funded by extramural sources, UCPB discouraged the practice of re-charging faculty salaries to grants in general because it undermines the integrity of state funding of faculty salaries. UCPB advised that, in order to ensure a 100% FTE slot, teaching be scaled to the percentage of state funding and that the buy-out be done on a yearly basis.

### **UCPB Representation**

The UCPB Chair served on two ad hoc groups – the Regents’ Task Force on Funding Options, and the President’s Work Group on Faculty Salary Scales – as well as representing UCPB at the regular meetings of the Academic Council, the Assembly of the Senate, the Academic Planning Council, and the Council on Research. A UCPB committee member sat on the Steering Committee of the Industry-University Cooperative Research Program, the ad hoc Committee on the Future of International Education at UC, the Technology Transfer Advisory Committee; and the Systemwide Library and Scholarly Information Advisory Committee.

### **Acknowledgments**

UCPB wishes to acknowledge the valuable contributions of the following committee consultants: Wyatt R. Hume, Provost and Executive Vice President-Academic and Health Affairs; Lawrence Hershman, Vice President for Budget; Lawrence Coleman, Vice Provost for Research; Cathie Magowan, Director, Science and Technology Research Programs; Dante Noto, Director, Humanities, Arts and Social Science Research Programs, and Bill Eklund, University Counsel. The chair offers special thanks to committee analyst Brenda Foust, whose research, drafting, and advice about committee directions were never less than superb.

Respectfully submitted:

Christopher Newfield, Chair (UCSB)	Norman Oppenheimer (UCSF)
Ted DeJong, Vice Chair (UCD)	Henning Bohn (UCSB)
Calvin Moore (UCB)	Susan Gillman (UCSC)
Patricia Conrad (UCD)	John Oakley, Academic Senate Chair, <i>ex officio</i>
Abel Klein (UCI)	Michael Brown, Academic Senate Vice Chair, <i>ex officio</i>
Malcolm Gordon (UCLA)	Jared Fox, Graduate Student Rep. (UCLA)
Roger Bales (UCM)	Zachary Avallone, Undergraduate Student Rep. (UCI)
Anthony Norman (UCR)	Brenda Foust, Policy Analyst
Stanley Mendoza (UCSD)	

**UNIVERSITY COMMITTEE ON PREPARATORY EDUCATION (UCOPE)  
ANNUAL REPORT 2006-2007**

**TO THE ASSEMBLY OF THE ACADEMIC SENATE:**

The University Committee on Preparatory Education (UCOPE) met two times during the 2006-07 academic year, and its English as a Second Language (ESL) advisory group met once. Both bodies considered matters within UCOPE's governing Senate Bylaw, SBL 192. According to SBL 192, UCOPE is tasked to advise the President and appropriate agencies of the Academic Senate on matters related to preparatory education, including the language needs of students from diverse linguistic backgrounds, 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). This report highlights the committee's activities and accomplishments from the 2006-07 year.

**Continuing Impact of New Admissions Testing Requirements on the University of California Entry Level Writing Requirement (UC-ELWR)**

UCOPE continued monitoring the impact of the revised SAT and ACT examinations. Of particular concern was the inclusion in the standard SAT of the previously separate writing test. The issue, as presented by UCOPE's consultants, was whether the University should accept the highest exempting score from the writing section of the test, even if taken from a sitting other than that used to meet entrance eligibility. UCOPE concurred and communicated its recommendation to the Academic Council.

Also, UCOPE reviewed the number of additional class sections that would be needed should the University end its practice of accepting a score of "3" on the Advanced Placement examinations which satisfy the ELWR. Additional longitudinal data are necessary, and the committee, with the assistance of its consultants, will analyze that data in the coming year.

Lastly, the California State University (CSU) is implementing an Early Assessment Program (EAP), which consists of an additional battery of test questions placed at the end of the state high school exit examination. It is thought that CSU will learn where students can be placed based on their performance on the EAP. When more data are available, UCOPE will investigate whether the EAP could be used by UC as well.

**Revision of Senate Regulation 636**

UCOPE presented to the Academic Council an amendment designed to simplify Senate Regulation (SR) 636, which governs the ELWR. In the extant version, specific standardized tests are listed by name and certain subsections are redundant. With the assistance of consultant George Gadda, an amended SR was drafted and endorsed by the committee. This proposed amendment is currently being reviewed by local and systemwide Senate bodies.

UCOPE concurrently presented to the Academic Council an amendment to SR 636 which would "cap" ELWR class sizes at 20 students per section. This proposal comes after much hard work by previous UCOPEs, their consultants, and their analysts. In June 2005, UCOPE submitted to the Academic Council a report entitled "Bringing Writing Class Size in Line with National Standards," which the latter

endorsed at its July 2005 meeting. The report was in response to the Academic Council's August 2004 request for data from UCOPE on the efficacy of writing instruction vis-à-vis class size. The issue first arose when UCOPE proposed in May 2004 that the class size for all UC-ELWR classes, and classes designed to assist students to complete the UC-ELWR, should be capped ideally at 15 students, but in practice at no more than 20 students—a policy which would parallel both the national standard and practice at UC's comparison institutions.

UCOPE posited that although the University faces uncertain budgetary constraints, the Office of the President's projected costs for capping writing classes is not unduly burdensome. Still, the Provost's Office, in spring 2006, indicated that the matter was one of "academic policy", not just budget, and therefore was in the purview of the Senate. Consequently, the Academic Council asked UCOPE and the University Committee on Education Policy (UCEP) to present supporting data on the issue, including an amendment to codify the national standard at UC. This amendment is also being reviewed by local and systemwide Senate bodies.

### **Revision of Senate Regulation 761**

The process of amending SR 636 called into question the validity of some passages within SR 761, which governs baccalaureate credit for remedial classes. Specifically, SR 761 included a reference to an outdated legislative ruling, LR 2.85. After consultation with the University Committee on Rules and Jurisdiction (UCR&J), it was determined that the retention of reference to LR 2.85 was an error since it had been superseded by a 1996 amendment to SR 761. Consequently, the reference has been removed.

### **Review and Selection of Essay Prompts for the 2006 University of California Analytical Writing Placement Examination (UC-AWPE)**

In accordance with its charge, UCOPE regularly reviewed the implementation of the UC-AWPE via updates from its consultants. In particular, the committee heard how the new vendor, Pearson Government Solutions, initiated improved administration processes. UCOPE also selected the essay prompt to be used in the 2007 UC-AWPE administration; the selection is an annual occurrence and follows extensive deliberation of several prompts introduced by UC-AWPE Committee Chair and UCOPE Consultant George Gadda.

### **Norming of the 2007 University of California Analytical Writing Placement Examination (UC-AWPE)**

UCOPE reviewed and discussed sample essays written in response to the selected UC-AWPE prompt and agreed on passing scores for them.

### **UCOPE English as a Second Language (ESL) Advisory Group**

The UCOPE ESL Advisory Group met once during the 2006-07 academic year, and Group Chairwoman Jan Frodesen presented highlights of their deliberations on several topics: 1) Transfer students' GPAs are not indicative of success with academic English at UC; the success of California Community College (CCC) transfer students is of special concern; 2) For degree-seeking international students, the advisory committee has concerns over the minimum TOEFL scores acceptable for admission; 3) UC Education Abroad Program's reciprocal students' ESL needs are not being adequately addressed by the University. This concern is compounded by the difficulty involved in parsing TOEFL scores, student self-selection for additional English work, enrollment timing, and placement below UC's ESL capacity

to redress; and 4) A follow-up report on the Intersegmental Committee of Academic Senates (ICAS) ESL task force report focusing on ESL tutorial support at UC was presented.

### **UCOPE Representation**

UCOPE is represented on the Intersegmental Committee of Academic Senates (ICAS) by the UCOPE Chair, who is a regular ICAS member. The UCOPE Chair is also a member of the Analytical Writing Placement Examination Committee.

### **Acknowledgements**

UCOPE gratefully acknowledges the contributions of its committee consultants: Susan Wilbur, Director of Undergraduate Admissions, UC Student Academic Services; Jeanne Hargrove, Analytical Writing Placement Examination and High School Articulation Coordinator, UC Student Academic Services; George Gadda, UCLA Writing Program Director and Chair of the Analytical Writing Placement Examination Committee; and Jan Frodesen, Chair of the UCOPE-ESL Advisory Group, as well as UCOPE Vice Chair. Their opinions, presentations, and perspectives have significantly aided the committee in its work. Also, the committee appreciates the work of its analyst, Kenneth Feer.

Respectfully submitted,

John Eggers, Chair (SD)

Jan Frodesen, Vice Chair (SB) and ESL Advisory Group Chair

Richard Levin (D)

Susan Jarratt (I)

Joseph Nagy (LA)

Robert Ochsner (M)

Theda Shapiro (R)

Melissa Famulari (SD)

Manuel Pardo (SF)

Judith Habicht-Mauche (SC)

John Oakley, Academic Senate Chair, *ex officio*

Michael Brown, Academic Senate Vice Chair, *ex officio*

Kenneth Feer, Committee Analyst



**UNIVERSITY COMMITTEE ON RESEARCH POLICY (UCORP)  
ANNUAL REPORT 2006-07**

**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 2006-07 academic year, UCORP met eight times. This report contains a summary of the committee's activities.

**Investigation into Indirect Cost Recovery (ICR), AKA Facilities and Administration (F&A) Costs**

In response to member interest, the committee began an investigation into Indirect Cost Recovery (ICR), also known as Facilities and Administration (F&A) cost recovery. These monies are reimbursements to research institutions for the cost of conducting research—common examples are building maintenance and grant administration and accounting. Systemwide, federal ICR alone totals over \$500M annually; this amount, however, falls short of fully reimbursing the University for its F&A expenditures. As UC's total research increases, this gap between expenditures and recovery widens, putting the University on a downward trajectory in terms of net income relating to research. Writ large, the impact of this trend is well-illustrated in the University Committee on Planning and Budget's recent "[Future's Report](#)."

Members first consulted with their home campuses in a general fact-finding mission, and the subsequently met with Office of the President personnel in a Q&A. The committee then researched the topic further by analyzing data from other research universities and university advocacy organizations, such as the Council on Governmental Relations (COGR). Lead investigators sought additional input from colleagues on the University Committee on Planning and Budget (UCPB) and met jointly with Budget Office officials.

This investigation echoes previous efforts undertaken by UCORP, UCPB, and UCOP to clarify the complex issue. Each previous effort has failed to reach a wide audience. In order to produce as comprehensive a report as possible and to achieve wide dissemination of it, UCORP submitted to the Academic Council an interim report which included three recommendations for the 2007-08 UCORP:

1. To form a joint UCORP-UCPB working group, to operate for the 2007-08 academic year, comprised of no more than 5-6 members, with the charge of gathering data, deliberating on these and related issues, and making specific recommendations to the Academic Council regarding matters of ICR and general research budgeting and accounting.
2. To explore options for tracking the use of ICR funds, and use of Opportunity Funds and UC General Funds, so that the extent to which ICR funds are used to support research can be documented and evaluated, and the extent of the research support deficit (if any) can be quantified and tracked over time.
3. That UCORP and UCOP should work together to develop strategies for improving UC's research profile throughout the state and country, and to make clear to the public at large the unique importance of UC's research mission. Suggested strategies will be vetted through the Academic Council.

The Academic Council endorsed these recommendations, and UCORP will implement them in the upcoming year.

## **Universitywide Research Programs**

### University of California Committee on Latino Research (UCCLR):

Last year, in accordance with the Universitywide Review Processes for Academic Programs, Academic Units, and Research Units (the “Compendium”), UCORP participated in the Academic Senate’s evaluation of the report of the 15-year review of several multi-campus research units (MRUs). Upon receiving recommendations for significant structural and programmatic changes from UCORP and the other “Compendium Committees”, UCPB and the Coordinating Council on Graduate Affairs (CCGA), the University of California Committee on Latino Research (UCCLR) this year presented a three-year plan to implement many of the recommendations they received; the revised director’s report and plan outlines a transition from a largely re-granting body to a more tightly defined MRU<sup>1</sup>. The Compendium Committees responded to the revised report, with UCORP and CCGA supporting it and UCPB recommending a shorter period of transition. These responses were communicated to the Academic Council for submittal to the Office of Research.

### California Policy Research Center (CPRC):

In response to a request from Vice Provost for Research Lawrence Coleman, UCORP provided informal feedback to an Office of Research-initiated review of the California Policy Research Center (CPRC). UCORP supported many of the report’s recommendations, including that CPRC be relocated to Sacramento, that it seek extramural funding sources, and that it develop a better strategic plan outlining not only fiscal priorities but also programmatic ones.

### Restructuring MRUs:

Last year, a joint administration-Senate work group, co-chaired by then UCORP Chair George Sensabaugh and Vice Provost for Research Lawrence Coleman drafted a set of recommendations designed to improve the relevance and competitiveness of MRU-generated research and to maximize the benefit of UC’s financial investments therein. This report was reviewed by the full Academic Senate, and the Academic Council sent Vice Provost Coleman the Senate’s feedback (available [here](#)). The Office of Research is proceeding with the implementation of several of the agreed upon recommendations, such as the establishment of an oversight board, for which nominees were solicited from the Senate, among others. UCORP will continue to monitor the implementation and impact of this revised MRU structure, nomenclature, and operating protocol.

### California Institutes for Science and Innovation (Cal ISIs):

Last year, at the request of Provost Hume and Academic Council Chair Brunk, the chairs of UCORP and UCPB developed a draft protocol for the review of the California Institutes for Science and Innovation (Cal ISIs). The [protocol \(additional recommendation\)](#) was approved by the Academic Council and adopted by the Provost as the basis for a sequential review of the four Cal ISIs beginning with the review of the California Institute for Telecommunications and Information Technology (Cal IT2). The Cal IT2 review was sent to the Senate for comment in May 2007. UCORP and the other Compendium Committees are still finalizing their responses in order to meet an early fall 2007 deadline set by the Provost, and they are focusing on the efficacy of the Cal ISI review protocol and in further developing guidelines for the preparation of an ISI Director’s Report to parallel the review panel guidelines in the adopted protocol, as well as the overall functioning of Cal IT2.

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<sup>1</sup> See “Restructuring MRUs” section below.

### **National Laboratory Management Issues**

The committee received regular updates on the status of the Department of Energy (DOE) national laboratories' management contracts, generally, and specifically, on the challenges and changes involved in transferring administration of (1) the Los Alamos National Laboratory (LANL) to the Los Alamos National Security, Limited Liability Company (LANS LLC) and (2) the Lawrence Livermore National Laboratory (LLNL) to the Lawrence Livermore National Security, Limited Liability Company (LLNS LLC). Both LLCs are semi-independent management groups formed by UC, Bechtel, and others in response to DOE calls to change the administrative structure of the labs. Reports were provided by UCORP Chair Wendy Max, a member of the Academic Council Special Committee on the National Laboratories (ACSCONL).

Given the new and evolving relationship between UC and the labs, ACSCONL members felt that that body should be dissolved and replaced with a new one more specifically tailored to monitor the LLCs. Accordingly, the Academic Council approved the dissolution of ACSCONL and the establishment of the Academic Council Special Committee on Laboratory Issues (ACSCOLI). Specific areas of interest for ACSCOLI to investigate and monitor include the reporting relationships between the LLCs' boards of governors and UC leadership, the operational details of the complex management contracts, opportunities for closer cooperation between UC researchers and lab personnel, and allocation of the management fee monies collected by UC.

### **Institutional Review Board (IRB) Operations**

Previously, in response to reports of interference by Institutional Review Boards (IRBs) in faculty research, the Academic Council asked UCORP to take the lead in conducting an inquiry into the operation of IRBs at UC in order to determine the need for systemwide IRB standards. After conducting an extensive investigation, UCORP submitted the resulting report to the Academic Council in July 2006. The report, which recommends increased support for IRB staffing needs as well as a number of other measures, was distributed for general Senate review and comment from appropriate administrative agencies. Upon completion of the review, the Academic Council asked UCORP to revise the report. The lead authors of the original report, former UCORP Chair George Sensabaugh and analyst Brenda Foust, took the lead in making those revisions. The revised report was approved by the current UCORP as well as by the Academic Council. It may be viewed [here](#).

UCORP also continued to monitor the impact of an Office of Research-authored Memorandum of Understanding between UC IRBs that provides for single IRB approval of multi-campus research endeavors. 2006-07 was the first year of operation under the MOU.

### **Consultation with the Office of the President**

Consultants from the Office of Research regularly updated the committee on policy issues related to research, including:

- The California Stem Cell Initiative and the California Institute for Regenerative Medicine
- UC's bid for the National Bio- and Agro- Defense Facility
- UC's bid for a Peta-scale computer
- The joint UC-BP Energy Biosciences Institute
- Animal researcher security
- Ownership of research data
- Technology transfer

- Concerns over sources of research funding, like tobacco-related corporate sponsors and NIH grants
- Changes in state and federal policies relating to UC research, like funding- and security-related restrictions
- Federal non-competitive funding requests, AKA “earmarks”

UCORP also received briefings on the California Institute for Energy and Environment, as well as on its parent entity, the University of California Energy Institute, from Directors Carl Blumstein and Severin Borenstein, respectively.

### **Reports and Recommendations**

The committee commented on the following Senate matters:

- Draft Proposals on the Relationships Between (Pharmaceutical) Vendors and Clinicians
- Proposed Amendment to Senate Bylaw 205 Part I.A., Membership of the University Committee on Rules and Jurisdiction
- Institutional Review Boards at UC: An Inquiry into IRB Operations and the Researcher’s Experience
- Proposed Amendment to Senate Bylaw 181—University Committee on Information Technology and Telecommunications Policy
- Recycling Multi-campus Research Unit Funds, Recommendations of the Joint Academic Senate/UCOP Workgroup
- Structure, Function, Leadership, and Developmental Trajectory for Research Support Functions at the UC Office of the President
- Proposed Policy on Fiscal Impact Statements
- Regent’s Proposed Resolution 89 (RE-89)
- UCAF Proposed Student Freedom of Scholarly Inquiry Principles
- Revised Director’s Response to 15-year Review of the University of California Committee on Latino Research
- Review of the Industry-University Cooperative Research Program (jointly with UCPB)

### **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 the National Laboratories, Academic Planning Council, Committee to Conduct 5 Year Review of the California Policy Research Center (CPRC), Committee to Review Research Functions within the Office of the President, Council on Research, Industry-University Cooperative Research Program Steering Committee, Panel on Environmental Health & Safety, President’s Advisory Committee on the National Labs, President’s Advisory Committee on the National Labs, and the Technology Transfer Advisory Committee. 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: Lawrence Coleman, Vice Provost for Research; 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.

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

Cordially,

Wendy Max, Chair (SF)

Jose Wudka, Vice Chair (R)

Slawomir Hermanowicz (B)

James Carey (D)

Moyra Smith (I)

Ajit Mal (LA)

David Noelle (M)

John “Chris” Laursen (R)

Theodore Groves (SD)

Edward Murphy (SF)

Roger Ingham (SB, Fall-Winter)

Stanley Parsons (SB, Spring-Summer)

Andrew Fisher (SC)

John Oakley, Academic Senate Chair, *ex officio*

Michael Brown, Academic Senate Vice Chair, *ex officio*

Kenneth Feer, Committee Analyst

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

**VII. REPORTS OF STANDING COMMITTEES**

**A. Academic Council**

**• Michael T. Brown, Chair**

1. Proposed amendment to [Senate Bylaw 181](#)- Information Technology and Telecommunications Policy (**action**)

**Proposed Amendment to Senate Bylaw 181-Information Technology and Telecommunication**

The Committee on Information Technology and Telecommunication has proposed a name change and an amendment to its charge. In accordance with Senate Bylaw 116, Authority of the Assembly – Part II.E., “The Assembly is authorized to approve modifications to the University Academic Senate legislation. Except for Bylaws marked “[Protected – See Bylaw 166.E]”, modification of Bylaws requires the approval of two-thirds of all voting members of the Assembly present; modification of Regulations requires the approval of a majority of all voting members of the Assembly present. . . .Modification of legislation shall take effect immediately following approval unless a different date is specified or required.”

The proposed amendment to Senate Bylaw 181 was approved by the Academic Council at its meeting of June 27, 2007. The University Committee on Rules and Jurisdiction has found the proposed amendment consonant with the Code of the Academic Senate.

**Current Language:**

**181. Information Technology and Telecommunications Policy [formerly Computer Policy] [formerly 155] (CC 12 May 2004)**

- A. Membership shall be determined in accordance with Bylaw 128 and shall include the Chair of the Library Committee who shall serve as ex officio member. One undergraduate student and one graduate student shall sit with the Committee. [See Bylaw 128.E.] The Vice Chair shall be chosen in accordance with the Bylaw 128.D.2. and 3. (Am 7 May 87; Am 28 May 2003)
- B. Duties: The Committee shall represent the Senate in all matters of instruction and research policy involving the use of information technology and telecommunications and shall advise the President, consistent with Bylaw 40, concerning the acquisition and use of information and telecommunications technology at the University either at its own initiative or at the President's request. (Am 7 May 87; Am 28 May 2003)

**Proposed Language:**

**155. ~~Information Technology and Telecommunications Policy~~ Computing and Communications**

- A. Membership shall be determined in accordance with Bylaw 128 and shall include the Chair of the Library Committee who shall serve as ex officio member. One undergraduate student and one graduate student shall sit with the Committee. [See Bylaw 128.E.] The Vice Chair shall be chosen in accordance with the Bylaw 128.D.2. and 3. (Am 7 May 87; Am 28 May 2003)
- B. Duties: The Committee shall represent the Senate in all matters ~~of instruction and research policy involving the use of information technology and telecommunications~~ **involving the uses and impact of computing and communications technology**, and shall advise the President, consistent with Bylaw 40, concerning the acquisition, ~~and use of information and telecommunications technology~~ **usage, and support of computing and communications technology and related policy issues** at the University, either at its own initiative or at the President's request.

**JUSTIFICATION:**

The University Committee on Information Technology and Telecommunications Policy (ITTP) seeks to change the committee's name to the University Committee on Computing and Communications (UCCC, or familiarly, "U3C"), and amend its charge in parallel. Change is rapid in information technology and computing, and communications technology increasingly impacts our faculty's teaching and research as well as the student experience. While the Committee still exercises its responsibility in reviewing policy changes, more and more the Committee initiates and leads discussions on the enhanced and expanded uses of computing and communication technologies in support of the academic mission. The proposed changes will encourage future Committee leadership and membership to pursue this expanded and more activist agenda.

The following detail the proposed amendment:

- *Remove the word "Policy" from the Committee name.* The ambiguous wording of the current name leaves the misleading impression that policy issues dominate the agenda or alternatively that policy issues are limited to telecommunications, both of which are inaccurate. The list of duties makes clear that policy is only one of our ongoing concerns.
- *Remove the word "Technology" from the Committee name.* Having this word in the title leaves the impression that a primary committee concern is with technology for its own sake, when in fact the emphases are on the uses and impact of technology. Thus, like the corresponding Senate committees at Berkeley and Santa Cruz, ITTP proposes to leave technology out of the name, while making clear in its duties that

the uses and impact of technology are the Committee's foci. The committee name could list all the key words in its name, such as "technology", "uses and impact" and "policy", but ITTP feels this is unnecessary and cumbersome. The list of duties, rather than the name, is the best place to clarify and limit the scope of committee activities, while keeping the name simple and generic.

- *Replace "Telecommunications" with "Communications" throughout.* The term "telecommunications" has become synonymous with voice telephony. Today the issues and opportunities surrounding communications technology as a basis for information access and collaboration are far richer and broader than telephony. ITTP believes that the words "computing and communications" in tandem, together with our list of duties, make it clear that the Committee's scope includes human activities enabled by communications technology, rather than broader issue of human communication.
- *Replace "Information" with "Computing" throughout.* As library functions are increasingly based on digital technology, ITTP feels that not including the words "information" or "storage" in its name and duties makes clearer the distinction between ITTP and the Committee on Library. Nevertheless, there is overlap and a need for coordination in the sense that the library and scholarly communications functions are dependent on a general computing and communications infrastructure, and hence the continued justification for including the Chair of the Committee on Library as an *ex officio* member of the ITTP Committee.

**ACTION REQUESTED: Approval of proposed amendments to Senate Bylaw 181.**



## **VII. REPORTS OF STANDING COMMITTEES (Continued)**

### **A. Academic Council (Continued)**

#### **• Michael T. Brown, Chair**

2. Proposed amendment to [Senate Regulation 636](#) (SR636) University of California Entry Level Writing Requirement (**action**)

### **Proposed Amendment to Senate Regulation 636**

The University Committee on Preparatory Education (UCOPE) has proposed amendments to SR 636, which governs the University of California Entry Level Writing Requirement (ELWR). In accordance with Senate Bylaw 116, Authority of the Assembly – Part II.E., “The Assembly is authorized to approve modifications to the University Academic Senate legislation. . . Except for Bylaws marked “[Protected – See Bylaw 166.E]”, . . . modification of Regulations requires the approval of a majority of all voting members of the Assembly present. . . . Modification of legislation shall take effect immediately following approval unless a different date is specified or required.”

The proposed amendments to SR 636 were approved by the Academic Council at its meeting of December 19, 2007. The University Committee on Rules and Jurisdiction has found the proposed amendment consonant with the Code of the Academic Senate.

### **BACKGROUND:**

UCOPE presented its amendments in two parts. The first part would cap ELWR class-sizes at no more than 20 students, which is in alignment with both Comparison Eight institutions and national standards. The second part would eliminate the names of specific tests that can be used to pass the ELWR, as well as remove redundancies and add clarification to the regulation. As a result of the responses received from the systemwide review of the proposed amendments, the Academic Council recommended approving the latter amendment eliminating the names of the tests. With respect to capping the class-size, Council readily appreciated the pedagogical advantages of small composition classes in principle, but was uneasy about imposing another unfunded mandate on the system, however meritorious, and therefore did not approve the class-size cap. In addition, the Academic Council strongly encourages the Administration to resolve financial issues involved in limiting all ELWR classes to 20 students.

### **Current Language**

#### **636. University of California Entry Level Writing Requirement (Am 19 Feb 2004)**

- A. University of California Entry Level Writing Requirement is a reading and writing proficiency requirement. Each student must be able to understand and to respond adequately to written material typical of reading assignments in freshman courses. This ability must be demonstrated in student writing that communicates effectively to University faculty. (Am 30 Nov 83; Am 23 May 96; Am 19 Feb 2004)
- B. Prior to enrollment at the University of California, each student may satisfy the University of California Entry Level Writing Requirement either (Am 19 Feb 2004):

1. by attaining a score approved by the University Committee on Preparatory Education on one of the following examinations:
    - a. the University of California Analytical Writing Placement Exam [formerly called the Subject A Examination] (Am 19 Feb 2004)
    - b. the SAT II Writing Test
    - c. the Advanced Placement English Language and Composition Examination
    - d. the Advanced Placement English Literature and Composition Examination,
    - e. the International Baccalaureate Higher Level Examination in English (Language A only); or
  2. by earning at least 3 semester credits or 4 quarter units of transferable college credit in English composition with a letter grade not below C. (Am 6 Mar 74; Am 28 May 80; Am 26 May 82; Am 30 Nov 83; Am 4 May 86; Am 23 May 1996)
- C. (1) A student who has not satisfied the University of California Entry Level Writing Requirement prior to enrollment in the University of California must satisfy the requirement by passing an examination or successfully completing a course in English composition or another course or program of study. Any such course or program of study or examination must be approved for this purpose by an appropriate agency of the Academic Senate Division of the student's campus. To satisfy the University of California Entry Level Writing Requirement by successfully completing a course or program of study, a student must enroll for a letter grade and earn a grade of C or above. A student who receives a final grade of C- or below may repeat the course. (Am 19 Feb 2004)
- (2) A student must satisfy the University of California Entry Level Writing Requirement as early as possible during the first year in residence. A student who has not done so after three quarters or two semesters of enrollment will not be eligible to enroll for a fourth quarter or third semester. Exceptions to this requirement may be made by an appropriate agency of the Academic Senate Division of the student's campus. (Am 26 May 82; Am 23 May 96; Am 19 Feb 2004)
- D. Students may satisfy the requirement by passing an examination or by successful completion of a one-quarter or one-semester University of California Entry Level Writing Requirement course in English composition or other approved course or program of study. The examination satisfying the requirement must meet the standards established by the University Committee on Preparatory Education. The University of California Entry Level Writing Requirement course must be taken for a letter grade and passed with a grade of C or higher. Students receiving a final grade of C- or below may repeat the course. (Am 28 May 80; Am 26 May 82; Am 19 Feb 2004)
- E. Any award of baccalaureate credit for University of California Entry Level Writing Requirement course(s) must be consonant with [SR 761](#). (En 30 Nov 83) (Am 19 Feb 2004)
- F. Students who, prior to initial enrollment at UC, have earned at least four quarter units of transferable college credit in English composition with a grade not lower than C have

satisfied the University of California Entry Level Writing Requirement. (Am 30 Nov 83; Am 6 May 86; Am 19 Feb 2004)

- G. Any student who has not satisfied the University of California Entry Level Writing Requirement prior to enrollment at UC must satisfy it by passing an approved course or other program prescribed by the student's UC campus of residence for satisfying the requirement. Only after satisfaction of the University of California Entry Level Writing Requirement can students take for transfer credit a course in English composition after enrollment at UC. (Effective for students enrolling at UC in Fall 1986 or thereafter.) (En 4 Mar 86; Am 19 Feb 2004)

## Proposed Language

### 636. University of California Entry Level Writing Requirement (Am 19 Feb 2004)

- A. University of California Entry Level Writing Requirement is a reading and writing proficiency requirement. Each student must be able to understand and to respond adequately to written material typical of reading assignments in freshman courses. This ability must be demonstrated in student writing that communicates effectively to University faculty. (Am 30 Nov 83; Am 23 May 96; Am 19 Feb 2004)
- ~~B. Prior to enrollment at the University of California, each student may satisfy the University of California Entry Level Writing Requirement either (Am 19 Feb 2004):~~
- ~~1. by attaining a score approved by the University Committee on Preparatory Education on one of the following examinations:~~
    - ~~a. the University of California Analytical Writing Placement Exam [formerly called the Subject A Examination] (Am 19 Feb 2004)~~
    - ~~b. the SAT II Writing Test~~
    - ~~c. the Advanced Placement English Language and Composition Examination~~
    - ~~d. the Advanced Placement English Literature and Composition Examination,~~
    - ~~e. the International Baccalaureate Higher Level Examination in English (Language A only); or~~
  - ~~2. by earning at least 3 semester credits or 4 quarter units of transferable college credit in English composition with a letter grade not below C. (Am 6 Mar 74; Am 28 May 80; Am 26 May 82; Am 30 Nov 83; Am 4 May 86; Am 23 May 1996)~~

**B. There are three ways a student may satisfy the University of California Entry Level Writing Requirement prior to enrollment at the University of California: by passing the University of California Analytical Writing Placement Examination, by attaining an acceptable score on another approved test of Writing, or by earning at least 3 semester credits or 4 quarter units of transferable college credit in English composition.**

- 1. The content of the University of California Analytical Writing Placement Examination shall be approved by the University Committee on Preparatory**

**Education, which shall also set the passing standard on the University of California Analytical Writing Placement Examination.**

- 2. The list of approved tests of Writing shall be determined by the University Committee on Preparatory Education, with the concurrence of the Academic Council of the Academic Senate. The acceptable scores for each test of Writing shall be determined by the University Committee on Preparatory Education. (The current list of approved tests and the corresponding acceptable scores is available at <http://www.ucop.edu/sas/awpe/index.html>.)**
- 3. The student must earn a letter grade of at least C in any transferable college English composition course used to satisfy the University of California Entry Level Writing Requirement.**

~~C. (1) A student who has not satisfied the University of California Entry Level Writing Requirement prior to enrollment in the University of California must satisfy the requirement by passing an examination or successfully completing a course in English composition or another course or program of study. Any such course or program of study or examination must be approved for this purpose by an appropriate agency of the Academic Senate Division of the student's campus. To satisfy the University of California Entry Level Writing Requirement by successfully completing a course or program of study, a student must enroll for a letter grade and earn a grade of C or above. A student who receives a final grade of C- or below may repeat the course. (Am 19 Feb 2004)~~

~~(2) A student must satisfy the University of California Entry Level Writing Requirement as early as possible during the first year in residence. A student who has not done so after three quarters or two semesters of enrollment will not be eligible to enroll for a fourth quarter or third semester. Exceptions to this requirement may be made by an appropriate agency of the Academic Senate Division of the student's campus. (Am 26 May 82; Am 23 May 96; Am 19 Feb 2004)~~

**C. There are two ways a student may satisfy the University of California Entry Level Writing Requirement subsequent to enrollment at the University of California: by passing the University of California Analytical Writing Placement Examination, or by successfully completing a course or program of study approved for that purpose by an appropriate agency of the Academic Senate Division of the student's campus.**

- 1. To satisfy the University of California Entry Level Writing Requirement by means of a course, the student must earn a C or above or its equivalent. A student who receives a final grade of C- or below has not fulfilled the University of California Entry Level Writing Requirement and may repeat the course(s).**
- 2. Any award of baccalaureate credit for University of California Entry Level Writing Requirement course(s) must be consonant with [SR 761](#).**

~~D. Students may satisfy the requirement by passing an examination or by successful completion of a one quarter or one semester University of California Entry Level Writing Requirement course in English composition or other approved course or program of study. The examination satisfying the requirement must meet the standards established by the University Committee on Preparatory Education. The University of California Entry Level Writing Requirement course must be taken for a letter grade and passed with a grade of C or higher. Students receiving a final grade of C or below may repeat the course. (Am 28 May 80; Am 26 May 82; Am 19 Feb 2004)~~

**D. A student who has not satisfied the University of California Entry Level Writing Requirement prior to enrollment at the University of California must do so as early as possible during the first year in residence. A student who has not satisfied the University of California Entry Level Writing Requirement after three quarters or two semesters of enrollment will not be eligible to enroll for a fourth quarter or third semester. Exceptions to this requirement may be made by an appropriate agency of the Academic Senate Division of the student's campus.**

~~E. Any award of baccalaureate credit for University of California Entry Level Writing Requirement course(s) must be consonant with [SR 761](#). (En 30 Nov 83) [See [Legislative Ruling 2.85](#)] (Am 19 Feb 2004)~~

**E. Once enrolled at the University of California, a student must satisfy the University of California Entry Level Writing Requirement before earning transfer credit for the purpose of satisfying any subsequent University of California writing requirements by taking courses at other institutions.**

~~F. Students who, prior to initial enrollment at UC, have earned at least four quarter units of transferable college credit in English composition with a grade not lower than C have satisfied the University of California Entry Level Writing Requirement. (Am 30 Nov 83; Am 6 May 86; Am 19 Feb 2004)~~

~~G. Any student who has not satisfied the University of California Entry Level Writing Requirement prior to enrollment at UC must satisfy it by passing an approved course or other program prescribed by the student's UC campus of residence for satisfying the requirement. Only after satisfaction of the University of California Entry Level Writing Requirement can students take for transfer credit a course in English composition after enrollment at UC. (Effective for students enrolling at UC in Fall 1986 or thereafter.) (En 4 Mar 86; Am 19 Feb 2004)~~

### **Justification**

Under the Academic Senate's current regulation 636, prior to enrollment at the University of California students may satisfy the University of California Entry Level Writing Requirement (ELWR) either by attaining a score approved by the University Committee on Preparatory Education (UCOPE) on an approved examination, or by earning transferable college credit in an English composition course. After enrollment, students may either take the UC-provided

examination, the Analytical Writing Placement Examination (AWPE), or enroll in and pass a course designed to meet the ELWR.

The proposed amendment addresses two issues within the regulation as currently written: 1) The need to remove names of specific non-UC examinations and 2) the need to make interpretation and application of the regulation easier by removing confusing and redundant language.

## I.

There are presently five examinations approved under Senate Regulation 636 by which a student may satisfy the Entry Level Writing Requirement, including the University of California Analytical Writing Placement Exam (formerly called the Subject A Examination), the SAT II Writing Test, the Advanced Placement English Language and Composition Examination, the Advanced Placement English Literature and Composition Examination, and the International Baccalaureate Higher Level Examination in English (Language A only).

A change to Senate Regulation 636 is necessary because the nature of the ACT and SAT examinations has changed effective for students applying to enter the University of California as of fall 2006. Both the ACT and SAT examinations now include a writing component, initiated in spring 2005, and have had a name change.<sup>1</sup> Rather than list the new names of the examinations in the proposed regulation change, UCOPE believes the names should be removed altogether. The need for their removal became particularly clear last year, as UCOPE established provisional scores on the ACT and SAT examinations that will satisfy the ELWR. These provisional scores may have to be revised, however, once more data are available, and it does not seem expeditious to have to revise an Academic Senate regulation each time there is a change in a writing examination or in its analysis.

The proposed regulation is now completely generic as to the examination names,<sup>2</sup> and retains the essence of [UCOPE's charge](#) to supervise the ELWR. Under the proposed regulation, UCOPE could add or subtract examinations from an approved list, but without changing the regulation. UCOPE believes that the proposed regulation allows flexibility for approving writing examinations that other testing agencies may present to the University of California

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<sup>1</sup> The new SAT examination includes a writing component, obviating the need for the SAT II Writing Test which is no longer administered by the College Board. For the first time, the ACT examination includes a writing component.

<sup>2</sup> Proposed Senate Regulation 636 is modeled after [Senate Regulation 418](#), amended May 28, 2003, which reads:

**418.** {SR 418 as set forth below, is to be valid for freshmen entering the University as of fall 2006}

Each Applicant for admission must submit scores on an approved core test of Mathematics, Language Arts, and Writing. The applicant must also submit scores on approved supplementary subject matter tests to be taken in two different "a-f" subject areas: History/Social Science, English, Mathematics, Laboratory Science, Language other than English, or Visual and/or Performing Arts. (Am 4 May 95; Am 28 May 2003)

Approval of tests shall be determined by the Board of Admissions and Relations with Schools, with the concurrence of Academic Council and the Assembly of the Academic Senate. The minimum scores acceptable shall be determined by the Board of Admissions and Relations with Schools, and may vary depending upon the overall grade-point record of the applicant. (Am 28 May 2003)

and UCOPE as proposed tests for satisfying the Entry Level Writing Requirement.<sup>1</sup> Furthermore, in UCOPE's view it is inappropriate to name commercial companies or agencies in Academic Senate regulations.

## II.

Secondly, the language in the regulation in its current iteration is often confusing and redundant, leading to many questions on the part of interested parties, such as high school and transfer students, their counselors, and even within the Academic Senate and the Office of the President. For example, current sections C (1) and G both address students who have not satisfied the ELWR prior to enrollment. Baccalaureate credit for both UC courses and transfer courses taken prior to passage of the ELWR are addressed in non-sequential sections. Sections B (2) and F are nearly indistinguishable. As a result, understanding the strictures of the ELWR is difficult, which causes frustration and often leads to guessing about the meaning of similar passages.

UCOPE believes reorganizing the regulation and incorporating more precise language will make it easier for non-UC persons and UC personnel alike to understand and apply the prerequisite of the Entry Level Writing Requirement. Clarifying Senate Regulation 636 will have the benefit of improving its accessibility to the parties most impacted by it.

**ACTION REQUESTED: Approval of the proposed amendments to Senate Regulation 636**

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<sup>1</sup> For example, UCOPE has studied the appropriateness of the International Baccalaureate (IB) Standard Level English A1 Examination as an additional pathway for students to satisfy the Writing Requirement, and has found that the examination meets appropriate University of California writing standards. Amendment of Regulation 636 would also allow for inclusion of the IB examination as an acceptable method for students to satisfy the Writing Requirement.

## VII. REPORTS OF STANDING COMMITTEES (Continued)

### A. Academic Council (Continued)

#### • Michael T. Brown, Chair

3. Proposed Academic Senate Resolution on Limiting UC's Role in Manufacturing Nuclear Weapons (**action**)
  - Michael T. Brown Chair, Academic Council
  - Mary Croughan, Vice Chair, Academic Council

## PROPOSED ACADEMIC SENATE RESOLUTION ON LIMITING UC'S ROLE IN MANUFACTURING NUCLEAR WEAPONS

Congressional legislation enacted in 2003 required that the three University-Department of Energy (DOE) laboratory contracts be competed. These contracts had never been competed, going back to the original award to the University on a sole source basis, beginning with Los Alamos in 1943 and renewed at intervals since that date.

Beginning with the Lawrence-Berkeley National Laboratory (LBNL) competition, the DOE announced its intent to compete and award the LBNL contract "without negotiations." This meant that the terms and conditions of the contract published in the Request for Proposal constituted binding contract terms if a responsive bid was submitted. The DOE followed the same process in the competitions for the management and operation of the Los Alamos (LANL) and Lawrence-Livermore (LLNL) National Laboratories. As a result, UC's Board of Regents was confronted with, and agreed to, the necessity of competing for award of each of the contracts under the terms dictated by the DOE. As a result of successful bids, the University manages three national laboratories, serving directly as the contractor for the LBNL and serving as a member of two limited liability companies (LLCs) that hold the prime contracts to operate the Los Alamos and the Lawrence-Livermore laboratories.

In Spring 2007, the Academic Council learned three things that are deeply concerning. First, what had been widely believed to be 5- or 7-year contract terms were not. Though the contract terms are each nominally for a five or seven year term (five for LBNL; seven for LANL and LLNL), the DOE, upon its own initiative, may unilaterally extend the terms for up to a total of 20 years under the new concept of an "award term incentive." This unilateral renewal component is a significant change from prior University laboratory contracts.

Second, and as a consequence of the non-negotiated nature of the lab contracts, the University lost its long-held right to terminate the contract with 18 months' notice. This is particularly significant in view of the right of the DOE to extend unilaterally the term of the contracts up to 20 years.

Third, the current contracts grant the DOE the unilateral right to increase plutonium pit production, an activity essential for nuclear weapons production and nuclear warhead replacement. Pit production currently operates at a low level at the Los Alamos facility, delivering in June 2007 the first certified plutonium pit in 20 years, as part of the scientific mission of the lab. The University has produced pits at Los Alamos since the 1940's for



purposes of research, development, and testing. But the Academic Senate Chair has just learned that the mission was expanded in the late 1990's to include the capacity to develop warhead-ready pits at the unconfirmed level of up to 10 per year. Moreover, that level may change: under the current contract, the level of pit production is determined by the DOE rather than the University.

None of these three features of the laboratory management contracts were properly communicated to, known by, or understood by Academic Senate representatives and other University leaders at the time the University agreed to enter the contracts.

The Academic Council also has deep concern about a fourth feature recently introduced in UC's engagement with nuclear weapons contracts that is expected to cause increased plutonium pit production for weapons stockpile purposes. On December 18, 2007, the National Nuclear Security Administration announced that the Los Alamos National Laboratory had been chosen as the Department of Energy's preferred alternative site for plutonium research, development, and manufacturing. This action is part of a larger effort to transform the nation's nuclear weapons complex into a smaller enterprise that is more responsive to future security threats. As a part of this effort, the Los Alamos site will require the manufacturing capacity to produce up to 80 pits per year, being the nation's the only site for pit production.

When it met on December 19, 2007, the Academic Council was aware that the DOE on December 17, 2007, had assigned the nation's exclusive pit-production capacity to the Los Alamos National Laboratory. The Academic Council was also aware that extraction from the contracts would be complicated and would require substantial negotiation with the DOE, but that extraction is nonetheless possible.

Acting on a recommendation by the Academic Council's Special Committee on Laboratory Issues (ACSCOLI) and given the longstanding views of UC faculty that UC's service to the nation was best focused on the science associated with national security and not as an industrial manufacturer of nuclear weapons, the Academic Council endorsed, in concept, the following recommendation on December 19, 2007, endorsed specifically via email:

**Academic Council Resolution on Limiting UC's Role  
in Manufacturing Nuclear Weapons  
December 19, 2007**

RECITALS:

1. In 2003, Congress enacted legislation requiring that the federal contracts for the three University-managed National Laboratories, which had been managed continuously by the University of California since their beginnings some 50-65 years ago, be competed.
2. The 2004 Academic Senate faculty opinion survey showed strong faculty support for UC's efforts to compete for the Laboratories, however, the survey was conducted before it was learned that UC was surrendering a previously held right to terminate unilaterally its management of the Laboratories and was tying itself to contracts whereby the term could be

unilaterally extended by Department of Energy/National Nuclear Security Administration (DOE/NNSA) for up to 20 years.

3. The production at Los Alamos of plutonium “pits,” which are essential components of nuclear weapons, was originally introduced as a scientific and engineering pilot project to explore the potential for the development of pit production technologies.
4. The Los Alamos National Security Limited Liability Company, of which UC is a partner, has the prospect of becoming the nation’s sole manufacturer of plutonium pits.

**WHEREAS:**

The Academic Senate has learned that the Prime Contract for Los Alamos allows for the possibility of the DOE/NNSA increasing the number of plutonium “pits” to as many as the DOE/NNSA deems necessary, beyond any UC-imposed limits;

**THEREFORE BE IT RESOLVED THAT:**

1. The President, or the President’s designee, should carefully monitor the level of production of plutonium pits at the labs, as well as any role of the labs in the oversight and management of such production, and issue a report on the results of this monitoring on an annual basis to the Academic Senate; and
2. If the level of production of plutonium pits at the labs can not be accurately reported to the Academic Senate for any reason, UC should reassess its participation in the management of the pertinent labs; and
3. Should any National Laboratory managed by UC directly or through a lab-management partnership begin either to produce or to manage the production of plutonium pits for any purpose beyond current low levels, or for the purpose of nuclear warhead replacement or production, UC should reassess its participation in the management of that Laboratory.

**ACTION REQUESTED: Approval of the Academic Council Resolution on Limiting UC’s Role in Manufacturing Nuclear Weapons, as a Resolution of the Academic Senate**

## VII. REPORTS OF STANDING COMMITTEES (Continued)

### A. Academic Council (Continued)

#### • Michael T. Brown, Chair

#### 4. Proposed Student Freedom of Scholarly Inquiry Principles (action)

### Proposed Student Freedom of Scholarly Inquiry Principles

After the passage of [APM 010](#) in 2003, the student regent came to a meeting of the University Committee on Academic Freedom (UCAF) to discuss his proposal for a policy or statement that would address student academic freedom. A joint faculty-administration-student work group, led by the UCAF chair, was established to discuss the issue formally. During the 2005-06 academic year, UCAF submitted for the Academic Council's consideration a proposed *Student Freedom of Scholarly Inquiry Principles*. Based on responses received from a systemwide Senate review, UCAF further revised and refined the document. UCAF made an additional suggestion for the *Principles* to appear as a footnote to APM 010, which Council decided warranted a second review. After a second round of systemwide review, at its September 26, 2007 meeting, the Academic Council endorsed the *Student Freedom of Scholarly Inquiry Principles* as provided below.

### Preamble to Student Freedom of Scholarly Inquiry Principles

Approved by the Academic Council on September 26, 2007

The University of California seeks to provide and sustain an environment conducive to sharing, extending, and critically examining knowledge and values, and furthering the search for wisdom. Effective performance of these central functions requires that students be free within their respective level in the educational process to pursue knowledge in accord with appropriate standards of scholarly inquiry.

But the nature of student freedom of scholarly inquiry has not been well articulated in the University. This lack of clarity was brought to the attention of the University Committee on Academic Freedom (UCAF) in 2003 as a result of student awareness of the recent revisions to the University's policy on academic freedom (APM 010). UCAF agreed to examine the issue, and a joint Academic Senate-Student Affairs systemwide work group was established to this end. The workgroup consisted of faculty from UCAF, Academic Senate faculty leaders, student regents, student representatives from campuses, divisional campus student affairs representatives, and staff from the Office of the President.

In the workgroup's deliberations, it became clear that the issue was more complex than first thought. This was primarily due to articulating sound principles that account for differences in student roles based on whether they are undergraduate students, graduate students, or postdoctoral fellows. Within this range of roles, the concept of "student" has varied operational meanings associated with intellectual maturity and development, as well as with academic responsibilities such as graduate student teaching and participation as a researcher-colleague.

The most salient guiding principle that emerged from our deliberations is that academic freedom is conferred in the University of California by virtue of faculty membership.—As such, student freedom of scholarly inquiry is ultimately derived from, and protected by, faculty academic

freedom. Student freedom of scholarly inquiry should also not be construed as adversarial to the faculty from which it derives. The academic freedom of the faculty in the classroom is not absolute, as outlined in the Faculty Code of Conduct in situations where controversial opinions are not germane to the subject of the course.

These Principles are intended as an aspirational statement to guide members of the University community toward the goal of preserving an environment conducive to promoting the highest standards of teaching and scholarship.

### **Student Freedom of Scholarly Inquiry Principles**

The University seeks to foster in its students a mature independence of mind, and this purpose cannot be achieved unless students are free to express a wide range of viewpoints in accord with the standards of scholarly inquiry for the competence of student work at each level of the educational process. The substance and nature of these standards properly lie within the expertise and authority of the faculty as a body.<sup>1</sup> As such, it is primarily the responsibility of the faculty as set forth in the Faculty Code of Conduct to insure that student freedom of scholarly inquiry is fostered and preserved in the University.<sup>2</sup>

While there is substantial variation in students' competence to engage in scholarly inquiry based on their level in the educational process, the faculty has the major responsibility to establish conditions that protect and encourage all students in their learning, teaching, and research activities, and such conditions should not place an unrealistic burden on students. Such conditions include, for example: free inquiry and exchange of ideas; the right to critically examine, present, and discuss controversial material relevant to a course of instruction; enjoyment of constitutionally protected freedom of expression; and the right to be judged by faculty in accordance with fair procedures solely on the basis of the student's academic performance and conduct.

For students to develop a mature independence of mind, they must be free in the classroom to express a wide range of viewpoints in accord with standards of scholarly inquiry and relevance to the topic at hand. No student can abridge the rights of other students when exercising their right to differ. Students should be free to take civil and reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled.<sup>3</sup> The faculty has authority for all aspects of the course, including content, structure, relevance of alternative points of view,

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<sup>1</sup> See *Academic Freedom*, [University of California Academic Personnel Manual 010](#).

<sup>2</sup> See *The Faculty Code of Conduct*, [University of California Academic Personnel Manual 015](#).

<sup>3</sup> An example of this responsibility from the American Association of University Professors statement on the Academic Bill of Rights follows: If a professor of constitutional law reads the examination of a student who contends that terrorist violence should be protected by the First Amendment because of its symbolic message, the determination of whether the examination should receive a high or low grade must be made by reference to the scholarly standards of the law. The application of these standards properly distinguishes indoctrination from competent pedagogy. Similarly, if a professor of American literature reads the examination of a student that proposes a singular interpretation of *Moby Dick*, the determination of whether the examination should receive a high or low grade must be made by reference to the scholarly standards of literary criticism. The student has no "right" to be rewarded for an opinion of *Moby Dick* that is independent of these scholarly standards. If students possessed such rights, all knowledge would be reduced to opinion, and education would be rendered superfluous.  
(<http://www.aaup.org/AAUP/About/committees/committee+repts/CommA/academicbillof+rights.htm>)

and evaluations. All decisions affecting a student's academic standing, including assignment of grades, should be based upon academic considerations administered fairly and equitably under policies established by the Academic Senate.<sup>4</sup> In professional curricula, such decisions may include consideration of performance according to accepted professional standards.<sup>5</sup>

Students may also serve as instructors under supervision of the faculty. The faculty retains authority over all aspects of the course, including, content, structure, evaluations, and delegation of authority for the course, and must base the guidance of student instructors on accepted scholarly and professional standards of competence in teaching. However, such student instructors share with faculty the freedom and responsibility to present concepts, lead discussion in class, and to insure the appropriate and civil treatment of other members of the academic community.

Faculty guidance and supervision of student research is desirable and appropriate. Students' freedom of inquiry while conducting research may not be abridged by decisions contrary to accepted conduct<sup>6</sup> and scholarly and professional standards, except under certain circumstances.<sup>7</sup> Students are entitled to the protection of their intellectual rights, including recognition of their participation in supervised research and their research with faculty, consistent with generally accepted standards of attribution and acknowledgement in collaborative settings.

These protections are in addition to, and distinct from, the full protections of the Constitution of the United States and of the Constitution of the State of California guaranteeing freedom of speech.

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<sup>4</sup> See APM 015.

<sup>5</sup> See University of California 170.00 Policy on University Obligations and Student Rights, section 171.09. <http://www.ucop.edu/ucophome/coordrev/ucpolicies/aos/uc170.html>

<sup>6</sup> See University of California Presidential Policy on Student Conduct and Discipline, Section 100.00.

<sup>7</sup> Graduate thesis research must be conducted under the supervision of a specified faculty advisor. If the student cannot identify a faculty advisor in the student's program who agrees to supervise the research, then the student may not conduct his or her research as part of the thesis or dissertation. Graduate student research also may not be supported by intramural or extramural resources when it does not conform to the specific faculty member's research program under which the award was made.

**VII. REPORTS OF STANDING COMMITTEES (Continued)**

**A. Academic Council (Continued)**

- **Michael T. Brown, Chair**

**5. General Discussion of issues and concerns of interest to Assembly Members including:**

- ii. Search for a New President (discussion)**

- iii. UC's Budget 2008-09 and beyond (discussion)**

- iv. Faculty Salary Plan (discussion)**

- **Mary Croughan, Vice Chair, Academic Council**
- **James Hunt, Chair, University Committee on Academic Personnel (UCAP)**
- **James Chalfant, Chair University Committee on Faculty Welfare (UCFW)**

- v. Graduate Student Support and Non-Resident Tuition (discussion)**

- **Bruce Schumm, Chair Coordinating Council of Graduate Affairs**

- vi. Other topics of interest (discussion)**

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

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

**X. UNFINISHED BUSINESS (none)**

**XI. NEW BUSINESS**

*If you need additional information regarding this meeting, please contact the Academic Senate at:  
Telephone#: 510-987-9458 or Fax #: 510-763-0309*

*Next scheduled meeting of the Academic Assembly: Wednesday, February 20, 2008.*