

## ACADEMIC COUNCIL

**Minutes of Meeting**  
**Wednesday, April 25, 2012**  
**And**  
**Wednesday, May 2, 2012**

**I. Senate Officers' Announcements****▪ Robert Anderson, Academic Council Chair**

- 1. Update on Memorial to the Regents.** A total of 3404 faculty members voted, and the vote was 93% in favor of the Memorial. We will transmit the results to the president, who will forward them to the Regents.
- 2. Provost, UCB and UCSD Chancellor search committees.** There are three finalists in the provost search. The new UCSD Chancellor will be announced shortly, and a committee has been formed to search for a Berkeley chancellor.
- 3. ICAS Legislative Advocacy Day.** Chair Anderson reported on the legislative advocacy day held by the Intersegmental Committee of the Academic Senates (ICAS). Faculty from all three segments met with various legislators and their staffs. In addition, they met with Steve Boilard from the Legislative Analyst's Office (LAO), who acknowledged that if less state funds per student are provided, educational quality will be affected. The LAO may support enrollment reductions if funding is not available. Chair Anderson noted that there have been no real sanctions for CSU for cutting enrollment. Max Espinosa, a staff person for Speaker Perez and a former student Regent, addressed AB 2190, a bill that would establish a successor to CPEC (California Postsecondary Education Commission), which was abolished by Governor Brown. The bill calls for three members to be appointed by the governor, three by the Senate rules committee, three by the Speaker of the House, and four students. ICAS members inquired whether they would consider adding non-voting representatives from the three Academic Senates, and Mr. Espinosa was open to passing on that suggestion to the authors of the bill. Several legislative staff people suggested that the visibility of the faculty Senates would improve if ICAS hired a lobbyist to communicate faculty views. Several also asked about ways to improve the transfer experience and asked about how the three segments were serving veterans.
- 4. National Association of Scholars (NAS).** The National Association of Scholars released a report critical of UC for bias. Several Senate committees are preparing a response, which will be discussed at the next Council meeting.
- 5. Birgeneau proposal.** Chancellor Birgeneau released a white paper proposing that campuses be allowed to establish local boards to make tuition and other decisions independent of the Regents. If there is time, Council can take up this item under New Business.
- 6. Academic Planning Council (APC).** The provost plans to reconvene the APC to clarify the process for converting state-supported to self-supporting programs. In particular, the provost's view is that the administration never agreed to the policy of simultaneous establishment and disestablishment. This issue has arisen in regard to

the proposal at UCLA for the Anderson Graduate School of Management to convert its state-supported MBA program to a self-supporting program, which the UCLA Graduate Council and Senate Executive Council opposed. The AGSM argues that it would be a change in funding status, but not a new program.

- 7. Joint Senate-administrative Task Force on Graduate Students.** The task force has been meeting, but the key issue of whether UC will equalize or level the playing field between US domestic non-residents and international students is not yet resolved. The net cost to UC of charging them only in-state tuition after the first year is \$15M. Administrators think that non-resident tuition is an important source of funding and that UC cannot afford to give it up. There is agreement that the Report will recommend that it should be a priority to raise stipends with any funding augmentation in future and that it will state that UC is uncompetitive and cannot fall further behind. Administrators are focusing on best practices rather than recommending action.

## **II. Approval of the Agenda**

**ACTION: The agenda was unanimously approved.**

## **III. Consent Calendar**

- 1. Approve draft March Council minutes.**
- 2. Approve apportionment of Assembly representatives**
- 3. Endorse ACSCOLI letter on use of laboratory fees**
- 4. Recommend to the Assembly that Mitchell Sutter (UCD) be named Chair of UCOC and Martha Conklin (UCM) be named Vice Chair of UCOC for 2012-13.**

**ACTION: The consent calendar was unanimously approved.**

## **IV. Senate Response to UC Observatories Review**

**ISSUE:** As Council requested at its March meeting, Chair Anderson drafted a response to the UC Observatories review, taking into consideration input from divisions and committees, as well as Council's discussion in March.

**DISCUSSION:** Several members spoke in support of the letter. One expressed concern that in emphasizing the need for accountability, the Council's support for UCO and the Thirty-Meter Telescope (TMT) is lost. A member responded that since the financing for TMT is not in place, Council should not signal its support under any circumstances. UCORP Chair Crawford noted that his committee has not had the opportunity to review the financing model of the TMT, so stating support for the project is premature. Central funding for any project must be balanced with how it would impact other research priorities. A member stated that the University has gone on record in support of the project and noted that the future of UCO depends on building a next-generation telescope. A member opined that Council should only support the TMT if it is financially feasible. A member noted that Council's advice to develop a transparent administrative and financial infrastructure will help ensure UC's leadership role in the development of next generation telescopes. Council agreed on revisions to the letter.

**ACTION: Council unanimously approved the draft response, with revisions.**

## **V. UCAF Statement of Support for Research on Controversial Subjects**

**ISSUE:** UCAF submitted a statement of support for research on controversial subjects and has asked for Council's endorsement.

**DISCUSSION:** Members expressed concern that the academic freedom of all faculty is threatened by the violence against faculty. UCAF Chair Rehm noted that there will be a demonstration at UCLA today to mark animal research week. She stated that UCAF hopes that Council will issue a statement publicly supporting colleagues engaged in controversial research that can be used in the form of a letter to the editor. Several members strongly supported the statement, and one noted that these faculty are engaged in core science. A member stated that faculty engaged in areas of research other than science also are attacked. A member commented that mechanisms are in place to ensure that research is conducted with appropriate ethical standards and is in compliance with federal laws. Members suggested various revisions to the statement.

**ACTION:** Council unanimously endorsed UCAF's statement, with modifications.

## **VI. Consultation with the Office of the President – Senior Managers**

UCSD Chancellor. President Yudof said the new UCSD Chancellor will be announced soon. Berkeley Proposal on Local Boards. (“Modernizing Governance At The University Of California: A Proposal That The Regents Create And Delegate Some Responsibilities To Campus Boards”). President Yudof stated the he does not support the Berkeley proposal, noting that it is very important that UC maintain its character as a public university. A new board will not erase the University's problems and he sees the potential for conflict between local boards and the Regents. He noted that Regents are appointed by governors, and he fears that changing the structure could and threaten UC's constitutional autonomy. However, he noted that he would like to provide greater flexibility for the campuses in some areas and is interested in seeing the proposal that UCSF is working on.

State budget. President Yudof reported that budget negotiations continue to be slow. Some legislative leaders do not want tuition increases, are opposed to a multi-year budget, and do not want to eliminate set-asides, but they keep cutting the University's budget, making tuition increases unavoidable. However, the University will continue to work with all parties.

Q: Could you provide an update on the progress of the report on rebenching?

A: Provost Pitts said that staff are drafting it and that he and EVP Brostrom will follow up to make sure that it is completed and released soon.

Q: Can you comment on a document written by the engineering deans proposing differential tuition?

A: Provost Pitts responded that the Commission on the Future discussed this topic, but there was not widespread enthusiasm for the idea. Moreover, the University would not raise a lot of money with this mechanism. President Yudof added that the Senate was opposed to it, and he thinks the Board and the students would not support it, either. He stated that he does not intend to pursue this strategy, even if the ballot measure fails in November.

Q: Have you considered inviting the Regents to visit the campuses so they better understand the fiscal stress on the campuses?

A: President Yudof replied that at a recent meeting, three Chancellors spoke about how budget cuts are affecting their campuses. He is planning to invite individual Regents to meet with Chancellors to review campus budgets, as well as with deans, who are closer to the impact of the cuts.

Q: When will the Robinson-Edley report be released and is the review process?

A: President Yudof responded that he expects it to be released in early May in draft form. It will be posted on a website for public comment and then a final draft will be released by late June, taking the comments into consideration. Any policy recommendations will henceforth be formally reviewed.

## **VII. Charge for Senate Membership Working Group**

**ISSUE:** The Chair of the San Francisco Division announced that it would extend Senate membership to titles in the Health Sciences Clinical and Adjunct series at the level of Associate Professor or higher, effective July 1, 2012. At its March meeting, Council appointed a group to write a charge for a Working Group that will address the underlying issues raised by the San Francisco Division in regard to Senate Membership. Council discussed the charge and membership.

**DISCUSSION:** Vice Chair Powell stated that the charge was drafted by a small group of Council members, and then vetted by UCFW. The charge outlines two main tasks. First, the Task Force will examine all individual entitlements conferred by Senate membership to see if they can be provided to non-Senate members. Task 2 will survey all campuses in order to ascertain any titles that might be considered for inclusion in the Senate. If Tasks 1 and 2 do not lead to a satisfactory outcome, the Task Force may recommend undertaking Task 3, which is to consider whether faculty governance should be restructured, possibly by creating two Academic Senates that can address the divergent needs of the general campuses and health sciences enterprise. He noted that the general campuses have added 72,000 new students in the last decade, which provided funding for growth, while growth on the medical campuses has been driven by NIH and other external funding for research and clinical services. Adding health sciences personnel would increase the Senate by 25%. Vice Chair Powell suggested retaining the members who wrote the charge to comprise the Task Force that will consider Tasks 1 and 2. A member suggested including the UCR divisional chair because it is developing a medical school. However, if the Task Force decides to take up Task 3, its membership should be broadened to include representation of the campuses. Members suggested modifying the charge to reflect this progression, and debated whether some of the subtopics in Task 1 should be deferred to Task 3. A member commented that the prior Task Force recommended Task 2 as a next step, but the health sciences campuses did not implement this suggestion. Chair Anderson responded that some of the issues should be easy to address (emeritus status and MOP participation), and the Senate should make a good faith effort to address these concerns. A member stated it may be possible to grant local discretion. At UCSD, the medical center faculty want to be able to vote in their departments on personnel matters, but are not asking to be involved in the Senate at the divisional or systemwide levels. Members discussed the meaning of the phrase, "participation in shared governance," critiquing it as too broad. A member asked whether those who have only clinical duties should have a role in academic personnel actions. A member noted that lecturers are similar to health sciences clinical faculty; a census or inventory of academic titles to which this proposal could apply is needed.

**ACTION: Council approved the formation of a Senate Membership Working Group to address Task 1 and Task 2 in the draft charge, and it approved a slate of members. If the Working Group decides that Task 3 should be addressed, the group's membership will be broadened to include representation of the campuses.**

### **VIII. Faculty Salaries Task Force Report.**

**ISSUE:** The Senate office received responses to the Faculty Salaries Task Force report from nine divisions and four committees. Council discussed next steps.

**NOTE:** This item was discussed at a follow-up teleconference on May 2.

**DISCUSSION:** Chair Anderson noted that there was a range of opinion with opposition from Berkeley and UCLA. He stated that the EVCs have made it clear that they are strongly opposed to giving increases without additional financial resources. If resources are available, then they are open to it. Council members discussed whether to advocate for allocating a pool of money equal to 3% of total salary for salary increases next year under all circumstances, or not to support a salary increase without additional revenue either in the form of state funds or student tuition? A member opined that if the governor's ballot initiative fails, the University's budget will be cut again; it would be a bad time to push for an increase. A member commented that it is not wise to take a firm stand that commits UC to faculty salary increases given the major uncertainties in the budget. A member countered that some form of salary increase should be considered independent of financial conditions, noting that unions negotiate increases, but those who are unrepresented, including faculty, do not. There is a substantial lag in faculty salaries, and a modest increase is needed to stop the gap from widening. A member stated that the University has treated faculty salary increases as discretionary, and not as a priority on the same basis as other cost increases. This has exacerbated the salary gap. He made a motion (see below) based on this opinion. A member stated that campuses have different budget priorities and need flexibility. At UCLA, for example, the salary lag is not as severe as on other campuses and many faculty support using the funds for recruitment or hiring. A member argued in favor of shoring up the salary scales. It is not good for the University to send the signal that you have to get a counter-offer or unionize to get a raise. A member who supports salary increases stated that nevertheless Council should not specify how to allocate the funds.

**MOTION 1:** Allocating 3% of total salary for salary increases for faculty and non-represented staff over and above increases associated with faculty merit reviews should be considered on an equal basis with other unavoidable cost increases (17 in favor, 1 opposed).

Council then discussed the main recommendations of Faculty Salaries Report. "Step 1" outlined in the report would allocate the funds to augment the scales, moving them upward to the median of the nine general campus averages for each rank and step. "Step 2" would change the salary of faculty who move to a new rank and/or step at a minimum to the average of their peers at the new rank and step on that campus. Council addressed "Step 1" first. A member pointed out that the plan would establish a minimum, not a ceiling; it does not preclude campuses from choosing to provide additional off-scale salary. A member responded that given limited funding, this would be difficult to do for all off-scale faculty. He made a motion that a portion of the funds should be used to provide across-the-board increases. Many faculty benefited from one part (range adjustment) of the first year of the Faculty Salary Plan in 2007, but received no benefit from the other part

(market adjustment); we should not repeat that experience. A member made an amendment to the motion, suggesting that 2% be used for across-the-board increases and that any additional available funds should be used to implement “Step 1.” A member noted that a 2% increase, in combination with this year’s 3% increase will offset the rise to 5% in employees’ contribution to UCRP. A member emphasized the importance of higher published scales in recruiting efforts. She noted that the problem with across-the-board increases is that this does little to fix the scales. “Step 1” puts greater resources into the scales; we ought to endorse it as the Task Force recommended. UCAAD’s Chair said that her committee has raised concerns about a percentage increase, particularly in the context of the recent report on salary equity. Increases based on percentages make such inequities worse. A member inquired how health sciences faculty would be affected by this plan. Chair Anderson responded that if there is an increase in the scales, it would raise the scales in the HSCP, raising the X and X’ components (which are UCRP covered compensation). For faculty whose X component is state-funded, it would likely raise the total salary. For faculty whose X component is funded by clinical income, it would have the effect of raising UCRP covered compensation, but might not raise total salary.

**MOTION 2:** Council recommends that 2% of total salary should be used for across-the-board salary increases for faculty and non-represented staff. To the extent that salary increase funds are in excess of 2%, any additional funds should be used to implement the Task Force’s “Step 1” recommendation, proportionally, to the level possible (13 in favor, 4 opposed).

Council then discussed “Step 2.” A member made a motion to endorse Step 2 to the extent that funds are available after the prior motion is implemented. A member stated that at Berkeley, the Senate, through its Budget Committee, is involved in setting salaries, and this proposal would undermine that role in shared governance. The campus already is addressing salary issues through other mechanisms and is not convinced that this method would be better. She argued that if this is implemented, campuses should be allowed to opt out. A member argued that campus autonomy operates primarily to raise salaries for a few faculty. A member commented that this proposal would help to rectify salary inequities for women and underrepresented minorities. It may also reduce the “loyalty penalty.”

**MOTION 3:** Council endorses the Task Force’s “Step 2” recommendation (to reformulate the scales correlated to campus averages for each rank and step at the time of merit advancement), to the extent that funds are available after the implementation of Motion 2 (11 in favor, 5 opposed).

## **IX. Dissolution of the University Committee on Computing and Communications (UCCC)**

**ISSUE:** At its January 2012 meeting, Council voted to ask UCOC to consider dissolving UCCC on the grounds that its charge is obsolete. UCOC subsequently recommended that UCCC be disbanded, contingent on Council establishing a work group to assign the parts of its charge to existing standing committees.

**DISCUSSION:** Members discussed whether to recommend that UCCC disband. Several members stated that other standing committees already address issues that UCCC addresses; there is significant duplication of mandate. Computing has become ubiquitous since the establishment of this committee and is no longer a specialized area. Members suggested that Council examine Senate bylaws and assign parts of UCCC’s charge to existing standing committees. A draft should be circulated to the chairs of those committees prior to the May Council meeting.

**ACTION: Council voted unanimously to recommend to the Academic Assembly that UCCC be disbanded and to establish a work group to determine which parts of UCCC's charge should be assigned to other standing committees.**

## **X. Faculty Diversity Issues**

**ISSUE:** Council discussed several issues related to faculty diversity with Susan Carlson, Vice Provost of Academic Personnel, including: A) UCAAD's response to the critiques of the salary equity study; B) implementation of [APM 210-1.d](#) (contributions to diversity in merit reviews); C) report of the Faculty Diversity subcommittee of the President's Council on Climate, Culture and Inclusion group; D) funding for the President's Postdoctoral Fellowship Program; and E) Regent Ruiz' interest in faculty diversity in preparation for his visit with Council in May.

**DISCUSSION:** A member stated that the President's Post-doctoral Fellowship Program has successfully increased faculty diversity by funneling diverse faculty into the UC pipeline, but last year suffered a 20% cut in its operational budget. Vice Provost Carlson noted that there was no cut in the incentive funds for departments that hire these fellows. She stated that UCOP's Institutional Research unit is beginning a study of the effectiveness of the program over time. A member suggested that UCAAD should have input on the design of the study. A member opined that the diversity measures undertaken by the University create a culture of compliance, rather than a commitment to diversity, and stated that UC should review its policies about faculty search processes to make sure they result in increased diversity. A member suggested that this could be done using funding from UC's ADVANCE grant from the NSF, which aims to increase the number of women and minorities who pursue academic careers in the STEM fields. Vice Provost Carlson replied that her office is now collecting data on search committee composition and pools, and plans to execute such research projects.

Vice Provost Carlson reported that the Faculty Diversity Working Group of the President's Council on Climate, Culture and Inclusion suggested a range of alternative recommendations, some of which can be implemented on the campuses and some at the systemwide level. The University needs to decide who should be accountable for meeting diversity goals. The Working Group identified better implementation of APM 210 as an opportunity for improvement.

Chair Anderson noted that in May, Council will be meeting with Regent Ruiz, who is interested in discussing faculty diversity. However, the Senate as an institution has little control over faculty hires—Chancellors, EVCs, Deans, and Department Chairs do. Those deans who provide leadership on diversity seem to get better results. They also control resources and review the position description. A member suggested that meeting with Deans to discuss best practices when they convene in disciplinary groups could be helpful. Vice Provost Carlson noted that 20% of UC faculty hires are graduates of UC; the graduate student pipeline is vital. A member suggested that documentation of the search process should routinely be included in the CAP appointment dossier, and should be provided to campus committees on diversity, which can decide whether to review them. Senate committees could then have institutional input and possibly identify patterns.

## **XI. Executive Session**

*Minutes were not taken for this portion of the meeting.*

**ACTION: Council endorsed in principle UCAAD's preliminary recommendation that each campus conduct a study and develop an action plan to address gender inequities in salary where they exist and report this plan to UCAAD by November 15.**

**XII. Executive Session**

*Minutes were not taken for this portion of the meeting.*

**XIII. New Business**

Meeting adjourned at 4:30 pm

Attest: Robert Anderson, Academic Council Chair

Minutes prepared by Clare Sheridan, Senior Policy Analyst