ACADEMIC COUNCIL
ANNUAL REPORT 2012-13

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

During the 2012-13 year, the Academic Council considered multiple initiatives, proposals, and reports. Its final recommendations and reports can be found on the Academic Senate website. Matters of particular import for the year include:

BUDGETARY ISSUES

In April 2012, the faculty overwhelmingly endorsed a Memorial to the Regents requesting that they authorize public advocacy "in support of specific measures that will increase state revenues and specific measures that will prioritize funding for public higher education." Subsequently, at its May, 2012 meeting, the Council endorsed Governor Brown's ballot measure, which became Proposition 30 and in July 2012, all but one Regent present voted to support Proposition 30. In November 2012, Proposition 30 passed, which stemmed further cuts to the University. However, Governor Brown interpreted its passage to preclude any tuition increases, including Professional Degree Supplemental Tuition. Over the course of the year, the Academic Council engaged in an ongoing discussion of priorities for investment in the University's academic programs, and UC proposed a budget for 2013-14 that proposes a multi-year reinvestment.

In February, Council approved a response to the report of the Rebenching Budget Committee, which reflected the systemwide review and recommended that UCOP produce an annual report on the progress and status of Rebenching, and that the administration submit an implementation plan that spans two years, beginning in 2014-15 and updated biennially, in order to provide campuses with stability. Council further recommended that the weights assigned to students of various types be revisited in the initial evaluation and be adjusted biennially, if necessary. Finally, Council called for the development of a long-range enrollment plan. In August, Council issued a letter urging the Provost and Executive Vice President for Business Operations to ensure that all campus administrations fully engage the Senate in enrollment planning. In addition, as a result of that discussion, a joint Senate-Administration Enrollment Issues Work Group was formed to comprehensively examine challenges to long-range enrollment planning and enrollment planning in the context of rebenching.

A subset of Council members also participated in regular teleconferences held by Provost and EVC Dorr to brief them on budget issues.

FACULTY WELFARE

In June 2012, Council endorsed UCAAD's proposal that individual campuses study the extent of any salary inequities on the campus and propose strategies to correct them, with plans of action for developing a study to be reported to UCAAD by November 15, 2012. UCAAD, UCAP, and UCFW evaluated the campus salary equity study plans and were highly critical of their quality, particularly the lack of detail on data collection methodology and the lack of consultation with the divisional Senates. Council issued a letter in May outlining specific suggestions for developing the studies, and requesting that the Vice Provost for Academic Personnel convene a committee to discuss common metrics and share best practices regarding

methodology and implementation strategies.

In February, Council wrote a [letter](#) to EVP Brostrom and Vice President of Human Resources Dwaine Duckett requesting that UCOP commission a study of total remuneration for faculty. In addition, based on UCFW's recommendation, Council [endorsed](#) the administration's recommendation to the Regents to increase the employee contribution to UCRP to 8% and the employer contribution to 14%, effective July 1, 2014, with the caveat that there should be a corresponding salary increase of at least 3% for faculty and non-represented staff to off-set recent increases in contributions and arrest further decline in faculty total remuneration.

In February, Council [wrote](#) to the Vice Provost for Academic Personnel regarding the results of a systemwide review of the Negotiated Salary Trial Program (NSTP). Council expressed disappointment that the NSTP did not address the Senate's concerns with APM 668, a prior attempt to design a negotiated salary plan. However, it did not oppose implementation of the trial program at the three designated campuses on condition that the respective divisional Senates agree in writing. Subsequently, one of the campuses proceeded with the trial in the face of objections from their divisional Senate.

Beginning in November, the Senate leadership engaged with CFO Taylor's office in an ongoing discussion of the proposed composite benefits rates. The Senate maintains that the proposed rates inappropriately overcharge faculty summer salaries and grants, and that assessing UCRP contributions against a grant or contract when the compensation is not covered by UCRP is fundamentally inequitable. Furthermore, UC should not restrict the number of benefit rate categories, and each campus should be able to determine its own rates.

ADMISSIONS

In September 2012, BOARS issued an [Update on Comprehensive Review in Admissions](#), as requested by the Board of Regents. The report reported on 2010-12, a period in which there were changes in eligibility (implementation of a 9% local context and 9% statewide guarantee as well as a new Entitled to Review category) and the institution of single score individualized review at a total of six campuses.

In June, the Assembly approved [BOARS' recommendation](#) to adjust the statewide freshman admissions index to more accurately identify the top 9% of California public high school graduates (the index identified nearly 11% of public high school graduates as eligible for a statewide).

The Assembly also approved BOARS' proposal to amend [Senate Regulation 478](#) to accommodate IGETC for STEM majors.

GRADUATE EDUCATION

In 2011-12, Council considered revisions to the existing policy on self-supporting graduate degree programs proposed by the administration. Responses to the review of the policy raised broad concerns. In response, Provost Dorr created two working groups with broad representation to rewrite the policies on Professional Degree Supplemental Tuition and one on Self-Supporting Graduate Degree Programs. Work on the draft policies is ongoing, and it is expected that they will be distributed for systemwide review in fall 2013.

UNDERGRADUATE EDUCATION

Online education captured the legislature's, governor's, and Regents' attention in 2012-13 and therefore become the focus of an enormous amount of the Senate's time and effort.

A Blue Ribbon Panel on the Online Instruction Pilot Project, which was approved by Council in June 2011, met throughout 2012, issued a report, which was transmitted to the Provost in February, 2013. This independent review of the program's evaluation component was highly critical of the methodologies employed, drop-rates and their causes, a lack of data collection on faculty workload, and a significant retreat from the original evaluation goals. In addition, Council remains concerned about issues relating to UC Online Education (UCOE). It issued a letter expressing reservations about the copyright agreement that UCOE requires of its instructors.

In response to Governor Brown's proposal to earmark $10M from the state budget for the development of online courses, the Provost's office and Senate leadership closely collaborated on the Innovative Learning Technology Initiative (ILTI). The monies will be used to fund courses for matriculated students, only, developed by faculty with the support of their departments and approved through regular Senate course approval processes. A request for Letters of Interest was sent to all faculty to test the level of interest in online education. Subsequently, two conferences sponsored by the Provost, one in the north and one in the south, brought faculty, staff, students and administrators together to discuss the current status of online education in UC and chart pathways for the future. A follow-up meeting was held to summarize feedback that was then used to draft a formal Request for Proposals and was issued in late July.

In March, Senator Steinberg proposed SB 520, which would require campuses to give credit for online courses offered by third-party providers. Chair Powell and Vice Chair Jacob immediately released a statement strongly opposing the bill that was subsequently unanimously endorsed by the Academic Council. The letter was widely covered by the media and they also published several op-ed pieces. A hearing before the Senate Higher Education Committee was scheduled for April 24, the same date as the monthly Academic Council meeting. Council decided to meet in Sacramento to afford Council members the opportunity to testify. On the day of the hearing, Senator Steinberg introduced new amendments to the bill. However, he did not remove the provisions that would allow the privatization of a state-funded education, so Council and the University continued to oppose it. The bill passed the Senate Higher Education Committee, as well as the whole Senate. In August, Senator Steinberg decided to designate the bill as a two-year bill, effectively delaying its consideration.

RESEARCH ISSUES

Following the completion of UCORP's reviews of two Cal ISIs (Institutes for Science and Innovation), Council issued a letter suggesting ways to streamline the review process and improve its quality.

Council also considered changes to the section of the Compendium that addresses the appointment of MRU Directors, and made a recommendation to the Academic Planning Council.

GOVERNANCE

In January, President Yudof announced his intention to step down from the presidency. In accordance with Regents policy, the Chair of the Board of Regents asked Chair Powell to appoint an Academic Advisory Committee (AAC) of 13 faculty members to assist the Regental Special Committee to Consider the Selection of a President. The AAC met in person with the Special Committee three times and vetted a list of over 300 potential candidates. Chair Powell participated in interviewing the candidates and in the

selection process. When the announcement was made, he issued a [statement](#) on the nomination of Janet Napolitano as UC president supporting the choice and lauding the process.

SENATE TASK FORCES AND SPECIAL COMMITTEES

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

- Academic Planning Council
- Blue Ribbon Panel on the Online Instruction Pilot Project
- UC Online Education Advisory Committee
- Academic Advisory Committee (Presidential search)
- UCR and UCB Chancellor Search Committees
- Chancellor Review Committees
- California Open Education Resources Council
- Portfolio Review Group
- UC Copyright Ownership Policy Working Group
- Professional Degree Supplemental Tuition Working Group
- Self-Supporting Graduate Degree Program Working Group
- President's Privacy and Information Security Steering Committee

REVIEW OF ADMINISTRATION PROPOSALS AND INITIATIVES

Council responded to several proposals from the administration, both formal proposals and drafts. Based on a recommendation from the University Committee on Computing and Communications, Council issued a favorable response to the proposed [UC IT Accessibility Policy](#) as a statement of principle. It also supported a draft proposal to move the opening of applications to an earlier date, from October 1 to August 1 beginning in fall 2014, and responded to a range of options for changing UC's [financial aid policy](#), offering qualified support for one particular option, and requesting an annual report to BOARS analyzing the impact of any new strategy that is adopted.

REVIEW OF THE ACADEMIC PERSONNEL MANUAL (APM)

APM 015. In 2011, Council adopted a resolution by UCAF recommending the revision of APM 015 to incorporate freedom to address issues of institutional policy under the umbrella of academic freedom. The office of Academic Personnel proposed revised language for systemwide review to which Council responded in June 2012 and, with subsequent revisions, to a [final review](#) in February 2013. After consultation with the office of the President, General Counsel and Academic Personnel, Provost Dorr submitted to the Assembly, and the Assembly [approved](#), an amendment to section 015 of the APM in June 2013. In addition, Council and Assembly approved revisions to APM 035 to bring the APM into alignment with California law.

APM 210. Following extensive discussions between UCAAD and UCAP, Council recommended to Provost Carlson that her office initiate a systemwide [review of APM 210.1-d](#) to clarify its provisions on recognizing research, teaching and service that promotes diversity in merit reviews.

APM 241. Responding to a systemwide review of APM 241 that aimed to bringing APM 241-24 into compliance with Regental policy regarding the appointment of MRU directors, Council [opined](#) that the proposed language was problematic because it excludes the lead campus' Senate and/or administration

from the appointment process. Although Council could not agree upon possible alternate language, it did forward sample language for further refinement and consideration.

APM 600. Revisions to APM 600, which addresses salary administration, were proposed to update in order to facilitate the implementation of a systemwide payroll and shared service center. Council found that the format of the revisions made it difficult to determine what was being revised, and found that some sections generated controversy. Council requested another review in the fall, with a side-by-side comparison of the two versions and a clear rationale for the proposed changes.

APM 150. In April, Council requested that Vice Provost Carlson initiate a review of APM 150 that clarifies that the non-Senate faculty member has a right to either a hearing before UCP&T (per Senate Bylaw 337), or to a grievance process outlined in APM 140; notifies them that they must choose between these two processes at the outset; and provides adequate time (30 days) for them to make this choice.

APM 430. In December, Council opined on a proposed new section of the APM, APM 430, addressing Visiting Scholars. In May, in response to revisions to the proposed new section, Council questioned the need for the section, as well as the inclusion of visitors in a document that governs UC academic personnel.

In addition, in December, Council responded to a proposed new section of the APM, APM 700 (Leaves of Absence), questioning the need for new policy language, and suggesting that other sections of the APM can be used to handle presumptive resignation. In March, Council replied to a second round of review.

OPEN ACCESS

After extensive review, Council approved an open access policy for faculty publications that will be implemented on a pilot basis at three UC campuses beginning in November 2013 (UCLA and UCI will begin to use the repository; UCSF will retain its own policy, which it passed in May 2012). The policy was originally proposed by University Committee on Library and Scholarly Communication (UCOLASC) in August 2012, and underwent two rounds of review during the 2012-13 academic year. The responses from the campuses in January were critical of the details of the policy, but supportive of open access in general. UCOLASC agreed to revise the policy based on the input, particularly regarding the scope of the license grant and commercial use, and also drafted a memorandum of understanding, which was sent to the provost. Provost Dorr responded positively, assuring the Senate that the administration would partner with the Senate to implement the policy and that the University would not make commercial use of articles placed in the repository. The packet was sent for expedited review and Council voted in favor of adopting the open access policy at its July meeting.

The policy will give UC a limited, non-exclusive right to make published UC faculty scholarship freely available in an existing open-access online repository maintained by the California Digital Library (CDL). Faculty may opt-out of the open access license, or request a temporary embargo on the application of the open access policy, for any publication and for any reason, through a simple online mechanism. The trial program will help to resolve some of the implementation questions that arose during Senate review, particularly about the impact it could have on library and faculty research budgets and on faculty publication in certain fields. UCOLASC and the CDL will report to the Senate on the results of the implementation in May 2014, and again in fall of 2014. If any of the concerns expressed by faculty during the review come to pass and cannot be satisfactorily resolved, the Senate will determine by November 2014 whether to expand implementation to the remaining seven campuses, alter the policy, or revoke it.

RELATIONS WITH OTHER GOVERNING BODIES

The Regents
The Academic Council Chair and Vice Chair executed their roles as faculty representatives to the Regents throughout the year, acting in an advisory capacity on Regents' Standing Committees, and to the Committee of the Whole. In addition, Regent Varner attended the October Council meeting and Regent Kieffer attended the December meeting.

ICAS
The Intersegmental Committee of the Academic Senates is a group representing the faculty Senates of the California Community Colleges, California State University, and the University of California. Chair Powell served as Chair of ICAS this year. The group was particularly active in advocacy efforts and united to vigorously oppose SB 520, Senator Steinberg's bill on online education.

State Legislature

This year, both BOARS and UCORP held meetings in Sacramento to afford them the opportunity to communicate with legislators. In addition, in March, the Academic Council met in Sacramento and testified against SB 520 before the Senate Higher Education Committee.

SENATE POSITIONS ON STATE AND FEDERAL LEGISLATION

Council wrote to Associate Vice President of Federal Governmental Relations Gary Falle to urge him to oppose the draft High Quality Research Act, which would allow political review of the grant review process at the National Science Foundation.

In addition to Chair Powell's and Vice Chair Jacob's letter opposing SB 520, which was later endorsed by Council, the Senate office commented on the following bills: (1) Council expressed concern about AB 181, which would have authorized (but not required) any UC campus to establish a pilot program to enable a student to earn a UC bachelor's degree within three years of graduation from high school, at a cost to the student not to exceed $20,000. It did not pass. (2) Council offered comments and concerns on AB 609, which would have required a state agency that provides funding for direct research to provide free online public access to final peer-reviewed and published manuscripts not later than six months after publication in peer-reviewed journals.

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