

ACADEMIC COUNCIL
Approved Minutes of Meeting
February 23, 2005

I. Chair's Announcements *George Blumenthal, Academic Council Chair*

Chair Blumenthal welcomed UCSC alternate Faye Crosby and UCSF Senate Director Tamara Maimon, announced that Lawrence Pitts (arriving later in the day) will be the UCSF alternate, and reminded members that the Student Regent and Student Regent-Designate will also be visiting today. Upcoming scheduled Regents' visits will be with Regent Lozano in May or June, Regent Reese in July, and one other Regent to be determined.

March 9 Assembly Items: The Assembly will act on several items, including: the Concurrent Resolution on Graduate Education, the proposed New Division Guidelines, and an amendment to Bylaw 336 concerning the statute of limitation on disciplinary cases.

National Labs. There is a new draft RFP for management of LANL out for comments. This new draft seems intended to encourage more bidders. It doubles the management fee and eliminates limits on liability. With regard to pensions, the RFP deviates more from UC's position, asking for a plan of 105% funding for current and future employees, the implication being that current employees would be moved to a new pension system.

Long-range planning. President Dynes has formed a committee to develop in the next six months a long range strategic plan for UC. The group is co-chaired by the Provost and Sr. Vice President Darling and includes a number of Regents, three chancellors, and the Senate Chair and Vice Chair, and is charged with coming up with a "2020" plan for all aspects of the University.

Advocacy campaign. Last year, efforts were focused on interest groups to provide education and influence with legislators in support of the University. This year, faculty involvement is a focus, with the hope of getting faculty to commit to advocacy efforts over the long term. Chair Blumenthal, Vice Chair Brunk, and UCB Divisional Chair Knapp are currently developing a request that will be sent to divisions for their assistance in engaging faculty. The goal is to have several hundred faculty within the system agree to be available to respond on legislative issues affecting UC.

UCR&J Legislative Ruling. A ruling is anticipated from UCR&J on the voting rights of the UC Davis Academic Federation, whose members are non-Senate faculty. The ruling will come to Council for comment, then go back to UCR&J, who will then issue their ruling and publish it at the next Assembly. The implications of this issue and its outcome are profound. A telephonic meeting of the Academic Council may be called in the near future to specifically address this issue.

Action: As an initial step in implementing faculty advocacy efforts, Chair Blumenthal will send a formal request to divisional chairs for their aid in recruiting and coordinating faculty who can be available to respond on legislative issues.

Action: Chair Blumenthal may call a teleconference in the near future for the purpose of commenting on UCR&J's ruling on the issue of voting rights for members of the UC Davis Academic Federation.

II. Consent Calendar

1. Approval of the January 26, 2005 Minutes

2. UCD Proposal to Reconstitute the Division of Biological Sciences as the College of Biological Sciences.

3. University's Electronic Information Security Policy (IS-3)

Action: The minutes of the January 26, 2005 meeting were taken off of the consent calendar. The minutes will be revised to reflect the discussion that was held with the President (in the Q&A session with senior management) regarding the recent hiring of Professor Kolonji as Faculty Associate and Director of International Strategy Development.

Action: The draft Senate response on the UCD Proposal to Reconstitute the Division of Biological Sciences as the College of Biological Sciences was taken off of the consent calendar. The letter will be revised to include a paragraph clarifying the conditions of the acceptance of the proposal by the Davis Divisional Senate, and then sent to Council for final approval before submission to the Vice Provost Zelmanowitz.

Action: Council endorsed the short-term compliance updates to the Electronic Information Security Policy (IS-3).

III. BOARS Update *Michael Brown, BOARS Chair*

- The draft document “UC’s Distinctive Freshman Admissions Process,” included in the agenda, is the first in a series of BOARS’ white papers on admissions and eligibility. The final version will be ready for next month’s meeting, but in the meantime, comments on this draft are welcome.
- BOARS has recently reviewed the selection procedures for National Merit Scholars. The National Merit qualifying test is the PSAT, which is owned and marketed by the College Board. BOARS has requested information specific to the validity of the test from the College Board without receiving a reply, and the committee, on its own, found no validity information on the PSAT, although it is of course, closely aligned with the SAT. BOARS did conclude that the selection procedures used by the National Merit Scholar program are inconsistent with fundamental principles governing the use of standardized tests because of: 1) lack of evidence that the PSAT has been validated for this use; and 2) the use of a single cut-off score; 3) lack of consideration at the first elimination stage of other relevant student information. Additionally, it is the opinion of BOARS that the criteria and selection procedures used by the program have an educationally unwarranted and negative impact on disadvantaged students. The National Merit Scholar status is considered differently among the UC campuses, some using it to grant credit, others in awarding financial aid. (Not all UC campuses recognize the NMSP.) BOARS will send a letter to local admissions committees asking them to review their practices with regard to National Merit Scholars, in particular, relating to the granting of awards or aid based on the consideration of a simple score. BOARS will also ask Council Chair Blumenthal to request relevant systemwide agencies to look at the appropriateness of participation in the National Merit Scholar Program.

Discussion: In answer to a question, BOARS Chair Brown clarified that admission of ELC students is based on completion of full high school course requirements, and that their performance at UC is statistically comparable to that of other admits. Another member asked whether the BOARS position on the PSAT is consistent with the UC “admission by examination” pathway. Chair Brown clarified that students admitted in that way generally have no other admission pathway, but noted that BOARS will be re-looking at UC’s use of tests and test scores for admission.

Action: Council members are asked to forward to BOARS Chair Brown further comments on the draft white paper on the UC freshman admissions process.

IV. Proposed University Statement of Core Values (Code of Ethics) *George Blumenthal, Academic Council Chair; John Oakley, UCFW Chair*

Issue: At its January meeting, the Regents’ Audit Committee discussed the draft “Statement of Core Values” and made modifications to the language that had been approved by UCFW and the Academic Council. A revised draft of the statement will go to the Regents in May for final vote. In

negotiating the language of the draft, it has been made clear that the Senate will not accept a statement that supersedes or impinges on the Faculty Code of Conduct.

Discussion: Because of the short timeline, UCFW Chair Oakley Chair suggested that Chair Blumenthal, in consultation with himself and others, be allowed to determine the acceptability of the draft language of the statement. Members noted the difficulty of commenting at this stage because they have not sent the current revision of the statement. Chair Blumenthal assured members that they will be able to comment on the draft before it goes to the Regents in May.

Action: On behalf of the Academic Council, Chair Blumenthal will negotiate the language and form of the draft statement that will go to the Regents, and will determine its acceptability based on whether the draft in any way supersedes the Faculty Code of Conduct.

Action: Chair Blumenthal will distribute the draft to Council members for comment before it goes to the Regents in May.

V. Joint Academic Council and Executive Vice Chancellors Meeting *George Blumenthal, Academic Council Chair, Quentin Williams, CCGA Chair, Manuela Martins-Green, UCR Divisional Chair*

Issue: The joint Academic Council/EVC meeting has been confirmed for Thursday, March 31, 2005 from 10am-1pm. The two topics for discussion are: 1) graduate education (co-presenters, CCGA Chair Williams and UCLA-EVC Dan Neuman; and, 2) diversity within the UC faculty (co-presenters, UCR Divisional Chair Martins-Green and UCSB-EVC Gene Lucas).

Action: Members will be notified as to whether the 9:00 to 10:00 time slot directly prior to the joint meeting will be used for Council business. Executive Director Bertero-Barcelo will distribute information on hotels

VI. Proposed Policy on Recordings of Courses

Issue: The three system-wide committees that responded have endorsed the draft policy. Divisional Chairs responses are due by March 14, 2005.

Discussion: In answer to a question of whether faculty are already covered under California copyright law, it was clarified that faculty are covered by statute law. It was also reported that at UCLA there is currently a copyright case about a web course taught by a lecturer, which raises the question of who is defined as faculty.

Action: Final determination of Council's response will be made at the March 30 meeting, after receipt of division comments.

VII. Draft Policy on Excess Units Fee

Issue: This proposed policy is a cost-saving measure by the state and is an accountability component of the current Compact with the Governor. Responses from five system-wide committees were received, which included recommended changes. Divisional Chairs responses are due by March 14, 2005

Discussion: Members questioned the cost-saving effectiveness of proposal, noting that the associated increase in administrative costs would likely outweigh the savings. Objections were also raised as to the impact it would have on EAP students, students who change majors, and low income students. It was also noted that UC's policy of asking for a declaration of major on the application adds to the number of changed majors and students who may need to take extra units. Since statistics are available on the students who carry excess units and why, it was suggested that the data be requested and used for making a stronger case for whatever position the Council will take on this issue. Some members cautioned that the Senate response not entirely foreclose on the notion of excess units fees.

Action: Final determination of Council's response will be made at the March 30 meeting, after receipt of division comments.

VIII. Consultation with the Office of the President – Senior Managers

Robert C. Dynes, President

UCI chancellor search. The search is underway and the first meeting of search committee has been held. The goal is to identify a replacement for Chancellor Cicerone before he leaves for his new post in July.

Advocacy activities. Since last month there have been a variety of activities. UC Day in Sacramento was very positive with participation of many alumni and five UC chancellors, and at which Regent Kozberg and Speaker of the House Nunez were honored. The anniversary of UCSC was marked, and a dinner held with 18 legislators from UC districts who commented on a range of pertinent issues including some of the campus LRDPs.

The budget. Both sides of the house seem in support of the Compact, and academic preparation is the only issue now up for discussion. The President will testify next week before the Senate and the Assembly on budget issues, and will be asking for restoration of funds for academic preparation within the budget, not as an "add-on." UC is also working with the DOF on measures of accountability for academic preparation.

Federal budget. Troubling aspects of the federal budget include the overall decline in research funding and the elimination of outreach programs. The Provost gave testimony in Washington last week that encouraged a national effort to improve support in this area.

M.R.C. Greenwood, Provost & SVP-Academic Affairs

Labs. The DOE has issued a modified RFP for LANL that includes an increased management fee as well as changes in how the pension will be structured that would force UC to formalize an organization to manage a retirement system separate from UCRP.

CSU applied doctorates. State legislation has been introduced that would give CSU degree-granting authority for clinical doctorates. The measure's language amounts to an amendment of the Donohoe Act and would change the statement of reasons why the state should support graduate education. UC will argue that, because of the need for medical training, establishing joint programs with UC medical centers is the most sensible plan. If the measure passes, it means that substantial funds for equipment and staff would go to CSU, but the more important issue is the question of whether CSU is prepared to take on the fund-raising and grants programs that would be needed. Another question, which is being looked into, is whether UC has possibly overlooked an educational need of California's.

CIRM. Intellectual property has emerged as an issue, with concerns being raised about the role of the initiative as an economic development program. There is pressure for revenue sharing and questions of how to do this and be consistent with Bayh-Dole. UC has influence in this discussion but no decision-making power.

Science and math initiative. A proposal is being floated on how to raise the participation rate in science and math BAs and increase the pool of students who will become educators. Goals are: to increase the number by 1000 per year building up to 2010; get businesses to commit to support the effort; and involve the Summer Institute. Aspects of the proposal will be going back out for review at the campuses.

Bruce Darling, SVP-University Affairs

State Government. About 3000 bills have been introduced this year, and a proportionate number of them will impact UC. The Governor's agenda includes a lot of issues on which he faces opposition.

Hearings. Yesterday a hearing was held on the Master Plan, with a follow up hearing to come. Other upcoming hearing topics include: medical schools and the health care profession; medical re-design and federal support to hospitals; public pensions; and five hearings on higher education held around the state.

Regents. Appointments for the three open Regent positions are in active discussion.

Joseph Mullinix, SVP-Business and Finance

Unions. A contract agreement with AFSCME, the service workers union, may be reached by April. Negotiations are starting with the California Nurses Association. A fact-finding report has been issued in regard to CUE negotiations, which makes salary recommendations for some job categories.

Capital budget. VP Hershman and SVP Mullinix have been looking at the long term situation for the capital budget. UC has limited debt capacity. With the uncertainty of the state bonding program in the future, there is the possibility of a call on this debt capacity to finance capital projects. Guidance has been sent to the campuses on the amount of debt available along with a request that campuses establish priorities accordingly for the next few years.

Efficiency. Several efficiency measures have been underway for some time, and there may be some relief coming from concerted efforts. The Regents would like to accelerate efforts, especially in information technology, and gain a higher level of return on investing in this area.

Lawrence C. Hershman, Vice President – Budget

Hearings. Regular hearings will be held on March 13th and April 14th, though not much can be done until the May revision comes out.

LAO recommendations. The main report from the LAO will come out tomorrow, but the overview was published today. They project revenues will be slightly more than \$2B more than the governor's budget this year. The LAO recommendations include that: UC not be allowed to retain the portion of fee revenue coming from the fee increases; CCC fees be increased; enrollment growth be less than what is covered in the Compact; and funding formulas be reviewed.

IX. Discussion with Student Regent Jodi Anderson and Student Regent-Designate Adam Rosenthal

In her introduction, Regent Anderson described her personal engagement with educational issues as progressing from outreach, education, and student affairs to an interest as a graduate student in organizational change. In addition, she has a particular interest in access and equity issues. Student Regent-Designate Rosenthal noted his dual directions of teaching and law. He has taught in primary school, and is now at the UC Davis Law School. The two visiting Regents were particularly interested in discussing the following topics with Council: the influence of the Senate on Regental positions; allocation of return-to-aid funds; UC Merced start-up challenges; graduate student issues; non-resident tuition; the proposed excess unit fee policy; non-resident tuition; professional school fees and privatization; UC Teach; living wage issues; military recruitment on campuses; EAP funding; the suspension of the EAP program in Israel; and the role of students on Senate committees. Topics raised by Council members included: the question of instituting a Faculty Regent; communication between the Senate and the Regents; conflicting interests of faculty and students; the budget process; executive salary levels; and the extent to which UC's student population reflects the state's diversity.

X. Reconsideration and Review of the Council Resolution on Restrictions on Research Funding Sources

Issue: At its October 20 meeting, the Academic Council agreed to send out for general review the Academic Council Resolution on Restrictions on Research Funding Sources, which was adopted by the Council on July 21, 2004. Responses have been received from six system-wide committees.

Discussion: CCGA Chair Williams noted two reasons for that committee's recommended revisions to the resolution: 1) to make it clear that it is not in the purview of administrative units to impose restrictions on funding sources; and 2) that a wholly unacceptable funding source is conceivable, therefore a process for petitioning for restrictions should be indicated. There was some support among Council members for the notion that academic freedom not be treated as an absolute, and also for the UCPB position that the notion of collective academic freedom would allow a group to voluntarily decline a funding source. It was reported that UCLA will be holding a town hall meeting to address the question of whether a chancellor has the authority to reject a funding source. The concern was raised that even when a group decision is voluntary, there is possible undue pressure on individuals.

Action: Council's position and possible further action will be determined at the March 30 meeting, after receipt of division comments.

XI. 15-Year Review of CalSpace

Issue: Council will determine if it should support the position of UCORP and CCGA, which call for continuation of CalSpace with a renewed vision and on the condition that it is competed among the campuses; or that of UCPB, which calls for disestablishment.

Discussion: The ongoing validity of the original vision of the MRU was questioned, and it was noted that CalSpace has not fulfilled much of the expectations of the initiative. Members were reminded that the Council recommended disestablishment of CalSpace several years ago. It was also suggested that better uses for the \$1M CalSpace funding could be found. Council supports the notion that MRUs should have a life span and end date so that funds can be recycled to new MRUs.

Action: A motion was made and seconded that Council recommend disestablishment of CalSpace.

Action: The question was called and supported by a two-thirds vote.

Action: The above motion was passed in a vote of 14 to 1 with one abstention. Council will recommend that CalSpace be disestablished and that its associated funds be offered in open competition for the establishment and support of an MRU or MRUs in any discipline.

XII. Proposed Revisions to Senate Bylaw 336.B.

Issue: UCP&T has proposed an amendment to SBL 336, clarifying the statute of limitations for disciplinary cases. All comments have been received from committees and divisions

Discussion: Chair Blumenthal noted that this proposed change clarifies a three-year statute of limitation on initiating a disciplinary case that begins once anyone in the administrative tree knows of the reported infraction. This proposal clarifies the bylaw, but does not necessitate a change in the faculty code of conduct. There was some discussion of whether the proposed term "conclusively presumed" most accurately conveyed the sense of the amendment. After the legal application of the term was clarified, Council agreed to the proposed language.

Action: In a vote of 13 to 1 with one abstention, Council approved the proposed revisions to Senate Bylaw 336.B.4 to go before Assembly for final approval at its March 9 meeting.

XIII. Draft Proposal to Streamline the UC Major Preparation-Articulation Process Between UC Campuses and the California Community Colleges

Issue: Committees and divisions have reviewed the proposal, which was originally submitted to Council last year. The proposal intends to ease the transfer process for students, and provides that if four campuses approve a course for major preparation, it will be deemed that other campuses agree unless they explicitly opt-out.

Discussion: Chair Blumenthal noted that responses to the proposal included concerns about how “opt out” is defined and about the length of the opt-out period. He clarified that there is a master list of courses available at ASSIST (the on-line course articulation program). He also informed members that the plan could have an annual opt-out date when a department would notice its option, which would provide both an adequate timeframe for responding and adequate safety for students who are in the pipeline. The majors will need to be tracked, and that task could be delegated to UCEP. Members expressed concerns about implementation costs for departments, and stressed that departments not be pressured into accepting courses. An advantage of the plan was noted in that the articulation review of a course carried out by four campuses can serve as a good pre-review of the course for other campuses.

Action: The Academic Council voted unanimously to approve the proposal in principle. Legislation will be drafted to formulate this proposal as a Senate regulation, the draft of which will return to the Council, and then go to Assembly for final approval.

XIV. Faculty /Senior Management Salaries

Issue: The Academic Council is discussing practices and policy regarding the salaries of senior management in relation to those of faculty.

Action: Chair Blumenthal may call a teleconference in the near future for the purpose of discussion this issue prior to the March Regents meeting. This item will also reappear on the March Council agenda.

XV. Development of Policy on Administrative Structures for Interdisciplinary Activities

Issue: During 03-04 Council members initiated a discussion of how the Senate might best address administrative difficulties related to interdisciplinary activities. It was decided that divisional chairs would identify interdisciplinary entities/groups on their campus, and, through interviews, gather information on administrative and policy problem areas. In order to accomplish this objective, a list of questions was developed. Divisional chairs were requested to comment on the questions.

Discussion: It was suggested that the staff could develop the questions further, based on information and responses gathered so far. Some members saw the information itself to be of little value and the suggestion was made to abort the effort. Most felt that there is still a need to identify what is being done and what may need to be done in this area. Chair Blumenthal recommended that at its next meeting Council consider forming a workgroup that would be charged with the task of honing the questions and gathering information from faculty on the campuses.

Action: At its March meeting, the Academic Council will consider the formation of a Special Committee or Task Force to identify, gather and analyze useful information from campus faculty about administrative best practices and needs with respect to interdisciplinary activities.

XVI. Academic Council’s Special Committee on the National Labs *Cliff Brunk, ACSCONL Chair*

Action: Due to lack of time this item was not covered but will be on the March Council agenda.

XVII. Policy on Public Access and Archiving of Research Results Relative to the Stem Cell Research Bond Act *Lawrence Pitts, Chair, Special Committee on Scholarly Communication*

Issue: The SCSC proposes that results of research funded by the California Institute for Regenerative Medicine (CIRM) be made available on a free public access online repository within six months of original publication. This measure is meant to enhance progress of research and provide Californians with research results coming from a publicly funded program. The proposal, if endorsed, will be submitted to the Independent Citizens Oversight Committee (ICOC) for consideration in April.

Discussion: Professor Pitts noted that publishers may in the future begin to fight open publication, but it is not an issue at present. This is the right time to put the proposal before the ICOC, when they are just starting to make their basic policy decisions. Council members expressed support for the proposal. To make the policy more effective, it was suggested that the wording of the first paragraph be changed to indicate that the researcher shares the copyright with the CIRM.

Action: Council voted unanimously to endorse the proposal, pending minor changes in wording. The revised proposal will be distributed to Council for final comment, along with a transmittal letter to the Provost, asking her to forward the proposal to the CIRM's Independent Citizens Oversight Committee.

XVIII. UCAAD Addendum to the Report of the Task Force on Graduate and Professional School Admissions

Issue: Council endorsed the Task Force Report in 2003, noting that the report indicated outreach to traditionally under-represented students as an area in which UC could improve. The Academic Council asked the University-wide Committee on Affirmative Action and Diversity (UCAAD) to look into this issue and report its findings and recommendations back to the Council. UCAAD has now completed what will be an addendum to the main report, which Council may either endorse or send out for general review.

Action: At the suggestion of Chair Blumenthal, Council agreed to send the Addendum out for general review by the divisions and the standing committees.

XIX. Student/Faculty Ratio *Joe Kiskis, UCEP Chair*

Issue: UCEP has drafted a letter calling attention to the erosion of the faculty-student ratio at UC, a key indicator of the quality of instruction. UCEP is asking that Council endorse the letter and forward it an appropriate and effective agent, who could use it to advantage in the budget process.

Discussion: Chair Kiskis noted that the letter specifically addresses the \$10M in the Regents' budget meant to stave off further erosion in the student-faculty ratio, and that the ultimate goal is to help persuade state legislators on this issue. Members expressed general support for the idea. It was suggested that the role of student-faculty ratio in graduate education be included in the letter if it is to go forward. The concern was raised, though, that the Senate, having already issued very clear budget priorities, not be seen as changing its mind or diluting its position. It was commented that the amount of money being asked for is too small, and a suggestion made that the advocacy campaign be the mechanism to bring the issue before the Legislature.

Action: UCEP Chair Kiskis was asked to recast the draft letter in light of Council's discussion, and resubmit it for Council action. Members may send further suggestions to Professor Kiskis by email.

XX. Senate Issues/Topics of Concern

None

Meeting adjourned 4:30
Attest: George Blumenthal, Chair
Academic Council

Minutes prepared by
Brenda Foust,
Policy Analyst

Distributions – Information for Committee Members Only

1. 2/15/05 letter Kiskis/Blumenthal re: Proposal for an Excess Units Fee

ACADEMIC COUNCIL		Key: X=In attendance, \=Absent, Alt=Alternate										
Attendance 2004-2005		9/29	10/20	11/22	12/15	1/26	2/23	3/30	4/27	5/11	6/22	7/27
<u>Officers</u>												
George Blumenthal,												
Chair		X	X	X	X	X	X					
Cliff Brunk, Vice Chair		X	X	X	X	X	X					
<u>Divisional Chairs</u>												
Robert Knapp	UCB	X	X	X	X	X	X					
Dan Simmons	UCD	X	X	X	X	X	X					
Joseph DiMento	UCI	X	X	X	X	X	X					
Kathleen Komar	UCLA	X	X	X	X	X	X					
Manuela Martins-Green	UCR	X	X	X	X	X	X					
Donald Tuzin	UCSD	X	X	X	\	X	X					
Leonard Zegans	UCSF	/	X	X	X	X	\					
Walter Yuen	UCSB	X	X	X	X	X	X					
Allison Gallaway	UCSC	X	X	X	X	X	\					
<u>Committee Chairs</u>												
Joseph Kiskis	UCEP	X	X	X	X	X	X					
Michael Brown	BOARS	X	X	X	X	X	X					
John Oakley	UCFW	X	X	X	X	X	X					
Quentin Williams	CCGA	X	X	X	X	X	X					
Michael Parrish	UCPB	X	X	X	\	X	X					
Alan Barbour	UCAP	X	X	X	X	X	X					
Max Neiman	UCORP	\	X	X	\	X	\					
<u>Guests with Standing Invitations</u>												
Sam Traina	UCM-TF	X										
Shawn Kantor	UCM		X	X	X	X	X					
<u>Alternates</u>												
George Sensabaugh	UCORP	X			X							
Faye Crosby	UCSC						X					
Lawrence Pitts	UCSF						X					
<u>Guests</u>												
David McNeil, CSU												
Chair				X								
Mary-Beth Harhen				X								
Regent Novack				X								

Regent Blum				X		
Regent Anderson						X
Regent-Designate Rosenthal						
Leigh Trivett, Regent						
Sec			X	X		X
<u>President & Senior Management</u>						
Robert Dynes, President	X	X	X	\	X	X
M.R.C. Greenwood, Provost	X	X	X	X	\	X
Joseph Mullinix, SrVP-B&F	\	\	\	X	X	X
Bruce Darling, SrVP-						
UER	X	X	\	X	X	X
Lawrence Hershman, VP-Budget	X	X	X	X	X	X
<u>Council Staff</u>						
Maria Bertero-Barcelo, Director	X	X	X	X	X	X
Brenda Foust, Policy Analyst		X		X		X
Betty Marton, Policy Analyst	X		X		X	