

## ACADEMIC COUNCIL

## Approved

## Minutes of Meeting

October 20, 2004

**I. Chair's Announcements**

Chair Blumenthal welcomed to their first Council meeting, UCORP Chair Max Neiman and the recently appointed Chair of the "proto-division" at UC Merced, Shawn Kantor. He announced that Regent Parsky would not be able to attend the meeting today, but that the visit would be rescheduled for a future Council meeting, and then gave updates on the following items:

*2005-06 Budget Priorities.* UCPB and UCFW have submitted very differing recommendations for allocating the planned increase in state funding. Chair Blumenthal will propose an alternate proposal when that item comes up for discussion later in the meeting.

*Proposition 71.* UC has taken a neutral position on this initiative. If it passes in the November election, it will be funded by a \$3B bond paid out of the state general funds, the same funds for which UC competes. At the same time, UC would stand to receive some of the substantial research funds from the planned institute associated with the initiative, and in anticipation of the institute's establishment, the Office of the President is compiling a list of names of possible faculty nominees to the governing board.

**Action:** Council members were asked to send to Council Vice Chair Brunk names of UC faculty researchers who are "disease advocates" with a broad perspective on stem cell research and who, if Proposition 71 is passed, could be considered as nominees to a governing board of the research institute associated with the initiative.

*Cal ISIs.* Several weeks ago, Vice Chair Brunk and Chair Blumenthal held a meeting with President Dynes, Provost Greenwood and Associate Vice Provost Huttner concerning the Senate's role in reviewing the Institutes. As a result of that meeting, we expected to receive a letter prior to today's Council meeting responding to former Chair Pitts' and former Chair Binion's request for a joint effort to formalize the Senate's role in reviewing and overseeing these research institutes. Although no such letter has been received, Chair Blumenthal reported on conversations with Provost Greenwood's office within the past day. Provost Greenwood is expected to address this issue during her consultation.

*Nominations for the 2005-06 Council Vice Chair.* Any faculty member may be nominated as Council Vice Chair except for individuals from the same campus as the current Vice Chair. (This year, that would exclude nominees from UCLA.) Traditionally, nominees come from among current or recent Council members. Chair Blumenthal asked Council members to encourage outstanding candidates to consider running, and he offered to speak with each candidate about the job. Council will vote (probably in January or February) and forward its recommendation to the March Assembly. Other nominations may be made at the Assembly; however, it is typical that the Council's nomination is endorsed. In the Council's selection process, the Chair will present the nominees, and an arrangement will be made so that nominees who sit on Council may

vote. Nominees who do not currently sit on Council will be invited to attend Council in order to be able to present themselves to members.

**Action:** Members were requested to begin considering nominees for the 2005-06 Academic Vice Chair. Nominations should be forwarded to Chair Blumenthal by December 2004.

*Senate Web Policy.* Starting in November, the Council's agenda will be available on the committee website. Prior to the November meeting, members will be sent the agenda as usual, via email, but will also receive a password for accessing the Council website.

*Distribution of Committee Responses to Divisions.* A Council member has requested that, to help in the divisional review process, committee responses be made available to Divisions as they are submitted.

**Action:** Division Chairs may request final committee responses from Director Bertero-Barcelo as they arrive, should this prove useful in the review process – however, the default process will be that the committee responses will be delivered with the Council agenda packages.

## **II. Consent Calendar**

**Action:** The minutes of the September 29, 2004 Council meeting, and the agenda for the November 10 Assembly were approved as amended.

## **III. Restrictions on Research Funding Sources**

**Issue:** In July 2004, by majority vote, the Council endorsed UCORP's "Report on Problematic Restrictive Clauses in Contracts, Grants and Gifts for Research" and at the same time endorsed an accompanying Resolution on Restrictions on Research Funding Sources. The Resolution maintains that individual faculty members are free to accept or refuse research support from any source, consistent with their individual judgment and conscience and with University policy. A question has been raised as to whether the Council should revisit its endorsement of the position articulated in the Resolution and conduct a general review of the statement.

**Discussion:** UCORP Chair Neiman reported that at its October 18 meeting, UCORP chose not to revisit the resolution or the report, feeling that due deliberation and investigation of the matter of "strings" on research awards was carried out by the committee during its development of the report. He noted that the committee's activities in relation to the issue of restrictions on research funding were regularly reported to campus committees and to the Council. Members commented that, since procedural concerns have been raised as well as substantive questions, conducting a general review would be advisable. It was also noted that if the resolution is an affirmation of UC policy that has ramifications for UC researchers in general, a wider review would be appropriate.

**Action:** Council voted unanimously to send the Academic Council Resolution on Restrictions on Research Funding Sources out for general review to standing committees and divisions.

## **IV. BOARS Update, Michael Brown, BOARS Chair**

**Report:** BOARS has drafted a statement maintaining that criterion #14 of the Admissions Guidelines, which relates to supporting geographical diversity, should not be

interpreted as allowing preference for admission based on a student's geographic proximity to a campus. The statement invalidates practices on some campuses that implement geographical preferences, and it clarifies UC's policy at a time when some government officials have called for a more aggressive proximity preference in UC admission policy

#### **V. Western Association of Schools and Colleges (WASC) Review**

**Action:** This item was deferred to the November Council meeting, at which time more data will be available.

#### **VI. Proposed Amendments to APMs 120 and 220-22**

**Issue:** At its September 2004 meeting, Council asked UCFW to take the lead in working with the administration to address differences between the Council-approved versions of these two APMs, and the versions that were sent out for formal review by the administration in August. The consultation resulted in revised versions (dated 9/29/04) of APM 120 and APM 220-22, which are now consistent with Council's original proposals. Council has been consulted as to whether further Senate review is needed of these latest versions.

**Action:** Council approved adding a comma in between the words "course" and "not" in the first sentence of the paragraph on compensation in Appendix A of the proposed revisions to APM 200-22.

**Action:** Council agreed that further Senate review is not necessary for either the Proposed Amendment to APM 120- Emeritus Titles or the Proposed Amendment to APM 200-22 – Recall Appointments for Academic Employees.

#### **VII. Senior Management**

- **Robert C. Dynes, President**
- **M.R.C. Greenwood, Provost and SVP – Academic Affairs**
- **Bruce Darling, SVP – University Affairs**
- **Lawrence C. Hershman, Vice President – Budget**

#### President Dynes

*Inaugural Tour.* Visits to all regions of the state will continue, and are a good first-hand way to understand how UC is perceived and to advocate directly with the public. On recent trips to the state's northern region and to Washington D.C. (to visit students at UCDC and alumni), it was clear that UC is held in very high regard.

*Long-range Planning Process.* At their recent retreat, the Regents participated in a planning exercise and discussions to contribute in developing a strategic plan with a 20-year outlook for the university. The meeting was very productive and will be followed up on by addressing the changing nature of Regents meetings and better communication.

*UCSC Chancellor search.* The search is now at the final selection stage.

*National Labs.* The draft RFP for LBL is out for comment; the final RFP will come in December with 45 days thereafter to respond. A recommendation will be made to the Regents to bid on that contract. The draft RFP for LANL is expected soon. Discussions have been held with potential industry partners, although many companies are opting out because of the risk factor.

*Recent Honors.* Three UC faculty members were among Nobel Prize recipients this year; a number of UC faculty received the Lawrence award; and nine were elected to the Institute of Medicine.

#### Provost Greenwood

*Proposition 71.* UC is preparing for the probable passage of this state initiative on stem cell research. This is the first research initiative to take bond capacity, and will, if passed, establish a state institute on stem cell research. Names are now being requested of appropriate UC researchers to nominate to sit on the governing board of the institute. We expect that UC researchers will be highly competitive for the research funding enabled by this proposition.

*National Research Council Survey.* There are still some questions about the methodology and taxonomy that will be used for this survey of doctoral programs. Campuses are being prepared for the new forms and kinds of information that will be asked for in the survey. Campuses are being requested to give full and helpful responses when it is implemented, and administration would appreciate help from the Senate in encouraging colleagues to respond to the questionnaires and to work with the graduate deans to ensure that all areas of study are well covered. A more complete list of scholarly awards that go to UC faculty is being compiled, additions to which are also requested.

*Science and Math Initiative.* The terms of the compact with the Governor call for UC to improve math and science teacher education. Existing UC programs already meet many of the benchmarks set for the university. Broader issues associated with math and science education are, however, also of concern and are being looked at by consulting directly with faculty and students on the campuses. Statistics indicate that a very small number of students in secondary school go on to complete BAs in math or science. Moreover, the pool of students going into science and math teaching will not meet the state's need for teachers. The challenge is to identify students who begin studies in science and math, retain them and develop a sufficient pool of potential teachers. A University of Texas program, called U-Teach, is successful in meeting those goals, and several members of Academic Affairs will soon visit Texas in order to see how that statewide program may provide a model for UC.

*Cal ISIs.* The administration's response to Council regarding the Senate's role in oversight of the Cal ISIs, anticipated for today's meeting, is still being finalized. Provost Greenwood apologized for the delay.

**Action:** In anticipation of the passage of the state initiative on stem cell research, Provost Greenwood asks that members of the Council forward to the Council Vice Chair names of faculty who would be appropriate to sit on the governing board that would be associated with the planned research institute.

**Action:** To help in compiling a full and useful list of scholarly awards made to UC faculty, Provost Greenwood requested Council members to forward for addition lists of significant awards in their fields.

**Action:** Provost Greenwood asked for more time to develop a response to the Senate's recommendations on a Senate review structure for the Cal ISIs.

#### Sr. Vice President Darling

*Private Funding.* An 8% increase in private funding has been realized, and this is the fifth year in a row that it has been above \$1B. UC has seen the return of some large gifts;

however, there is still a need for greater recovery. Some campuses need some assistance in how to raise their sights for increased private giving.

*State Legislature and UC.* There is a renewed focus on higher education in state government, based in part on a shift in the weight of parental interest.

*Earmarking of Federal Funds.* UC has a long-standing policy of neither encouraging nor benefiting from earmarking federal research funds, but campuses do attempt to benefit from earmarking to some extent. Earmarking involves directly approaching congressional representatives and having targeted funding for institutions written into an appropriations bill. Early discussions are being held as to how to address this increasing trend at UC and how to support competitive review as much as possible, but also allow earmarking in certain special instances.

**Action:** Sr. VP Darling will be asking the assistance of the Senate in articulating a position on and sustaining UC policy related to the practice of earmarking federal funds.

#### Vice President Hershman

*State Budget.* The state still carries a significant structural deficit, and there is concern as to how that will or can be handled given the new requirement for achieving a balanced budget. State revenues are up somewhat, as are jobs, and the compact is being honored.

*Regents Budget.* A draft budget for 2005-06 will be presented to the Regents at their November meeting. The final budget is the outcome of decisions made by the Regents, the Department of Finance and the Legislature. Proposed increases in revenue include a 3% increase in base funding and revenue retained from fee increases. One-time funding for UC Merced is negotiated separately. Professional school fee increases will be retained by the schools.

*Capital outlay.* Many bids are coming in significantly over-budget. This may necessitate delaying some capital projects until the bidding climate becomes more favorable. Campuses are being asked to help in keeping down costs for capital projects.

#### **VIII. Regent Parsky**

**Action:** Regent Parsky's visit was cancelled and will be rescheduled for another Council meeting later this year, if possible.

#### **IX. Priorities for the 2005-06 UC Budget**

**Issue:** UCFW and UCPB were asked to take the lead in formulating a Council response on how the planned 3% increase in UC state funding for 05-06, as well as the additional funds retained from tuition increases, should be applied. UCFW has recommended that faculty salaries be a single top priority; UCPB recommends applying the increases first to staff salaries, second to graduate student aid, and then to five additional areas. Council's recommendations will need to be finalized in order for the Council's input to be considered in the preparation of the UC budget presentation to the Regents in November.

**Discussion:** Council Chair Blumenthal suggested a compromise in which 05-06 budget priorities would be (in order): merit increases for faculty and staff; COLAs for faculty and staff; graduate student aid; and improving the student-faculty ratio. Members considered the relative merits of the three proposals and discussed salary equity (among faculty and between faculty and staff); recruitment, retention and morale concerns among both faculty and staff; and the critical situation in regard to graduate student support.

Some felt that sending a strong message in support of graduate education was needed and it was noted that in the realm of graduate support a little goes a long way. A consensus was reached that support of faculty, staff and graduate education were equal and, to a large degree, interlinked concerns and should be presented as a single top priority for receiving the budget increases. A concern was also raised about the draft budget's proposed expenditure for "parity and equity compensation for faculty and staff." Some members felt that even though parity and equity may be desirable ideals, the terms by themselves are vague and do not point to how resources would actually be applied toward faculty and staff compensation, and raise questions about how executive salaries figure in the budget.

**Action:** Council voted unanimously to recommend, as a combined and single top priority, that faculty and staff salaries (including both merits and COLAs) *and* graduate student support, receive highest consideration in the allocation of the planned 3% increase in 05-06 state funding as well as additional funds retained from student fees. A letter reflecting this position will be sent to President Dynes.

**Action:** Two previous Academic Council reports on executive salaries will be included in the Council's November agenda for discussion.

#### **X. Draft Proposal to Streamline the Course Major Preparation-Articulation Process Between the UC Campuses and the California Community Colleges**

**Action:** This Proposal will be discussed at a future Council meeting.

#### **XI. Regents' Policy on the Establishment of Professorial Name Chairs**

**Issue:** AVP for Academic Personnel, Ellen Switkes, has requested that this regental policy be rescinded. The policy provides for the establishment of unendowed Professorial Name Chairs honoring particularly distinguished faculty. The proposal argues that, if a department wishes to name a chair after a distinguished faculty member, endowments should be raised to fund the named chair, which would give value to the title and is a fairer practice in respect to donors who endow named chairs.

**Discussion:** Some members disagreed with the notion that an endowed chair is more "valuable" than one that is not funded but based on merit alone. A minority saw the policy as somewhat anachronistic, and it was also commented that the short turnaround time was insufficient for review.

**Action:** By a majority vote, Council elected not to support the proposed elimination of the Regents' Policy on the Establishment of Professorial Name Chairs.

#### **XII. Academic Council Special Committee on the National Labs**

##### **1. Request to nominate faculty members to serve on the search panel for the Associate Director for Strategic Research Team and possibly the search panel for the C Division Director.**

**Discussion:** Chair Blumenthal clarified that the request for faculty participation on these recruitment panels is on an ad hoc basis and specific to upcoming searches. He suggested that the process for nominations be that ACSCONL gather names and forward recommendations to him for nomination. Members raised the general question of the Senate's role vis a vis the labs and whether involvement without actual authority is to the benefit of the Senate.

**Action:** By majority vote, Council approved having Senate representation on an ad hoc basis on search committees related to recruitment of scientific personnel for the national labs. ACSCONL will forward nominations to the Council Chair.

## **2. ACSCONL Update, Council Vice Chair Brunk**

Surveys: Two recent opinion polls on UC's relationship with the labs were conducted: the UC lecturers and librarians opposed bidding for the renewal of management contracts for LANL and LLNL; and a survey of undergraduate students showed results strongly in favor of UC competing to continue management. Results of both surveys will be reported at the Regents November meeting.

The bidding process: The success of UC's bid will depend on successful partnering with industry. The number of potential partners is, however, waning due to economic considerations. UC is maintaining that it will assume the role of dominant partner. The draft RFP for the Berkeley lab is out and the formal version will be available in about a month. The Office of Lab Management has been regularly briefing ACSCONL and the Senate leadership, and representatives of the Senate have been able to participate in high-level discussions within the University.

## **3. ACSCONL Statement of Principles on Competing for the NNSA Laboratories**

At its September meeting, the Academic Council suggested revisions to the statement of principles. ACSCONL has considered these recommendations and has re-submitted the principles for Council's endorsement.

**Action:** The ACSCONL Statement of Principles on Competing for NNSA Laboratories was unanimously approved.

## **XIII. UC Regent Selection Advisory Committee as outlined in the State Constitution**

**Issue:** The California Constitution calls for an advisory committee, on which a UC student and a UC faculty member sit, to be consulted by the Governor in the appointment of new members to the UC Board of Regents. This provision has not been invoked in recent years; however, the UC Students Association has sent a letter to the Governor asking that this body be convened in anticipation of upcoming appointments of Regents to fill the three empty positions on the board. The Senate has been invited to join the students in this request. Council Chair Blumenthal has proposed that the Chair of the Academic Council be formally designated the faculty member on the committee.

**Action:** 1) Council voted unanimously in support of sending a letter to the Governor requesting that he convene the Regent Selection Advisory Committee preparatory to beginning the process of filling the positions currently or soon to be open on the Board of Regents. 2) By the same vote, Council agreed that the Chair of the Senate or his or her designee shall be the faculty representative on that committee.

## **XIV. Proposed Revisions to Academic Personnel Manual 210-1-d Instructions to Review Committees which Advise on Actions in the Professor and Corresponding Series, APM-240 Deans and Provosts, and APM-245 (Appendix A) Department Chairs**

**Issue:** At its June 2004 meeting, the Academic Council endorsed the amendment to these APMs as proposed by University Committee on Affirmative Action and Diversity (UCAAD) in collaboration with the University Committee on Academic Personnel (UCAP). In 2003 it was sent out for review by the Senate prior to the final changes. The proposal has now gone out for formal review from the administration, which assures that it will go to campus senate committees for possible further input from Senate members through divisional channels.

**Action:** Council agreed that the Proposed revisions to APM 210-d, 240, and 245 (Appendix A) do not need to be sent out by the Council for follow-up review and can be forwarded to the administration.

#### **XV. California Institutes on Science and Innovation (CAL ISIs)**

**Issue:** Over the past two years, the Academic Council has repeatedly asked the Office of the President to establish an agreement on the nature and extent of Senate involvement in the review process of the CAL ISIs. No formal response has been received to date; however, Provost Greenwood indicated in her update earlier in the meeting that a proposal will be finalized soon in consultation with Senate leadership, and ready for Council review in November.

**Action:** This issue will be brought back to Council in November, when the administration's response to the Senate's recommendations will be available for review.

#### **XVI. Joint Senate / Executive Vice Chancellors Meeting**

**Issue:** This year the Academic Council and the Executive Vice Chancellors will hold their second biannual joint meeting. To accommodate scheduling needs, an extra meeting of Council on Thursday March 31 has been provisionally agreed to, and if held, would entail an overnight stay for most members. Two tentative topics for the meeting are: interdisciplinary issues and graduate education.

**Discussion:** The suggestion was made to include as a topic the role of the Senate in the campus budget process. Santa Barbara and San Diego budget practices were brought up as possible models.

**Action:** Members are requested to respond to Executive Director Bertero-Barcelo as to their availability for an extra meeting on March 31.

**Action:** Members were asked to suggest additional topics that can be productively discussed at the joint meeting. The EVCs will be asked to suggest topics as well and further discussion will be held at the next Council meeting.

#### **XVII. New Business**

**Issue:** UC Davis Divisional Chair Simmons is heading a committee that is looking at shared governance. A part of their report focuses on support for the Senate office. They have requested budget information from the other divisional Senates, and to help in gathering that data, he requests the cooperation of the other Divisional Chairs. The report will be shared with other divisions when it is completed.

**Discussion:** Executive Director Bertero-Barcelo explained that senate budget data cannot meaningfully be formulated in a standard way across campuses. Fact sheets are, however, being developed for each campus senate office, and will include useful budgetary information for comparative purposes.



**Action:** Divisional Chairs are requested to encourage their Senate directors to be responsive to requests from other senate offices for information on office operations that can be made available in the form of the fact sheets mentioned above.

Meeting adjourned at 4:30 p.m.

Attest:

George Blumenthal, Chair  
Academic Senate

Minutes prepared by:  
Brenda Foust,  
Policy Analyst

Distributions

1. Draft UC 2005-06 Budget Request
2. 10/16/04 Press Release “Don’t Bid for Weapons Labs Contracts, UC Lecturers and Librarians Say.”