

## ACADEMIC COUNCIL

Minutes of Meeting  
January 29, 2020**I. Consent Calendar**

1. Today's agenda items and their priority
2. Academic Council minutes of December 11, 2019

**ACTION: Council approved the consent calendar.**

**II. Senate Officer Announcements**

- **Kum-Kum Bhavnani, Academic Council Chair**
- **Mary Gauvain, Academic Council Vice Chair**

Presidential Search: The Regents Special Committee for the Presidential Search hosted “town hall” meetings at Riverside on January 16 and Berkeley on January 27. Additional town hall meetings are scheduled for January 31 at Merced and February 4 at San Diego. The Special Committee also hosted public meetings sponsored by the College Futures Foundation at Davis on December 13 and at Los Angeles on January 14. The Davis Senate is also sponsoring its own Presidential Search Town Hall on February 10. Chair Bhavnani has forwarded the Special Committee [letters from Council and UCPB](#) that encourage the Committee to include more opportunities for unscripted engagement with campus communities.

- Council members noted that town hall participants have focused on concerns about underfunding and views about how to improve the University, more than on the presidential search. It was noted that UCSD climate activists led a systemwide petition asking the selection of the new UC President to include a climate crisis focus.

Degree Completion RFP: UC has released an RFP in response to a 2019 state budget appropriation of \$15 million for UC to develop or expand degree and certificate completion programs at UC Extension centers. The deadline for the RFP is February 17. The UCOP RFP review panel will include four Senate members and make recommendations to the Provost and the President in April. Chair Bhavnani has sent a memo to divisional chairs clarifying that the Senate develops and approves degrees, even if degree completion programs are run through a campus' Extension Center.

Transfer: Vice Chair Gauvain is working with former Senate Chair Chalfant to develop tables describing information for each campus about 20 majors in the UC Transfer Pathways. These majors are the most popular among transfer students. The information in the tables aims to help CCC students understand what courses would be useful to take at CCC that give them a greater likelihood of graduating in two years after transfer to UC.

**III. Next Steps for Area D**

- **Eddie Comeaux, BOARS Chair**
- **Monica Lin, Director, Academic Preparation and Relations with Schools and Colleges**

Chair Comeaux noted that in December, Council agreed to recommend next steps for the Area D (“Laboratory Science”) freshman admission requirement that build on the Assembly’s February

2018 [revisions](#) to Senate Regulation 424.A.3 ([amended in April 2019](#)), in light of a new [Public Policy Institute of California \(PPIC\) report](#). The revisions to SR 424.A.3 aim to increase science literacy and better align UC's expectations for college-level science preparation with ongoing changes to high school curricula based on California's adoption of the Next Generation Science Standards (NGSS) for grades K-12. The Assembly's proposal to increase the number of years of required Area D science coursework from 2 years (3 recommended) to 3 years, was put on hold pending the outcome of a PPIC study UC commissioned to further analyze the effect of the changes. Key PPIC study findings revealed:

- 19% of high school graduates who have otherwise satisfied the A-G requirements may be affected by the proposed Area D increase.
- Asian American and white students are more likely to meet the new requirement than Latinx or African-American students.
- Many affected students are likely to be those who start the Area D course sequence late, specifically students who did not take a Science course in 9<sup>th</sup> grade.
- Although students who may be affected have a high probability of taking another year of Area D, many do not partly because of institutional factors such as course placement, grading policy, course validation rules, course counseling, and scheduling.
- In a separate analysis, UCOP found that 94% of UC freshman applicants completed the three recommended Area D science courses in fall 2019, but percentages were lower for underrepresented groups.

BOARS recommends the following actions:

1. Maintain the Area D subject requirement at 2 years of Science required and 3 recommended.
  2. Work with UC outreach and educational partnership programs to continue advising students and their families on the importance of rigorous science and math preparation.
  3. Engage in vigorous education, outreach, and support via UCOP High School Articulation to encourage high schools to redesign Area G Science elective courses for Area D approval, to increase the number of overall eligible students and eligible URM students.
  4. Leverage the online curriculum design and implementation expertise of *UC Scout*, whose mission is to reach educationally disadvantaged students across the state, raise achievement levels, and close educational opportunity gaps.
  5. Extend the reach of the UC California Science Project, which provides a statewide infrastructure for high-quality professional development for pre-K through university teachers, with the goal of improving science education for all California students, and a special focus on the needs of English learners and high-need schools.
  6. Capitalize on the commitment from the Lawrence Hall of Science at Berkeley to conduct direct outreach to all public high schools in need of support with NGSS implementation.
- Director Lin noted that momentum is increasing for NGSS implementation, and the percentage of CA high schools offering at least three science courses is growing and now at 95%. She noted that CSU is considering a new quantitative reasoning requirement that would require an additional A-G course in either math or science for eligibility. The state legislature wants alignment between UC and CSU requirements.
- Council members noted that it is important for the Senate to recognize the equity gap in Area D access. They noted that UC should take steps to address the gap and enhance outreach, but

that the state has a responsibility to fund the K-12 system sufficiently and equitably, to enable A-G expansion and implementation of the NGSS.

**ACTION: A motion was made and seconded to endorse the recommendations and to convey three additional points to the Assembly.**

1. Ask the President to convey to the state the Senate's dismay that some CA high schools are not offering at least three Science courses that meet Area D requirements, and urge the state to ensure that all high schools offer at least three Area D Science courses.
2. Convey that the Academic Senate intends to reconsider the issue of requiring three Science courses within five years, with the expectation that all CA high schools will by then be offering three courses, taught by qualified teachers.
3. Convey that the current underfunding of UC limits its capacity to increase outreach.

**The motion passed unanimously.**

#### **IV. Executive Session**

#### **V. Consultation with UC Senior Managers**

- Janet Napolitano, President
- Michael Brown, Provost and Executive Vice President, Academic Affairs
- David Alcocer, Associate Vice President, Budget Analysis & Planning

State Budget: The Governor has released his 2020-21 State budget proposal. It includes \$217.7 million of permanent new funding for UC, including \$169 million to support ongoing operational costs and student support services; \$25 million to support the UCR School of Medicine; \$15 million to expand UCSF Fresno; and \$3.6 million to support UC ANR. It also proposes one-time funding of \$55.3 million, including \$50 million for UC Davis to develop a grant program for no-kill animal shelters. The proposal does not cover all of UC's core operating cost increases or address UC's request for deferred maintenance funding. Additional resources are required to meet all of UC 2020-21 Budget Plan investments. To fill the gap, the University is considering only its second tuition increase in eight years. In January, the Regents discussed the pros and cons of an across-the-board model that ties increases to inflation, and a cohort-based model that assesses increases on incoming cohorts who would be guaranteed a rate for six years. The Regents may call a special February meeting to consider tuition.

Over time, UC has moved to a blended funding model that combines tuition/fees, UC general funds, and State general funds. The continued sustainability of that model requires moderate increases to each source – or exceptional increases to one. Making investments in UC's budget plan and sustaining them in subsequent years will require annual additional core funds of \$2.1 billion by 2024-25. Without additional resources, UC's annual budget shortfall will grow from \$259M in 2020-21 to \$734M by 2024-25. Regular inflation-based adjustments to student charges would significantly reduce (but not eliminate) the projected shortfall.

Presidential Priorities: President Napolitano shared a list of priorities she hopes to address during the remainder of her presidency:

- Close the AFSCME and AFT lecturers' contracts.
- Finalize a policy on affiliations between UC health systems and non-UC organizations

- Close debate on the use of standardized testing in admissions
- Finalize a policy on Sexual Violence/Sexual Harassment in the clinical setting
- Appoint a chancellor at UC Merced
- Prepare for a Supreme Court decision on DACA
- Finalize a systemwide policy on Native American Cultural Affiliation and Repatriation
- Negotiate a healthy state budget
- Close the State audit on undergraduate admissions policies and practices
- Win the March 2020 General Obligation bond

Labor Issues: President Napolitano said she appreciates Council's recent [statement](#) on the University's Collective Bargaining Negotiations with "Unit 18" Lecturers, and noted that the UC bargaining team is working hard to reach an agreement. In addition, the UCSC chancellor and UCOP are working to resolve the graduate student wildcat strike at UCSC. UCOP has offered to open informal discussions with the systemwide bargaining unit about issues affecting graduate students, following a letter dated 15<sup>th</sup> January from the UAW.

Title IX: The January Regents meeting included a report from UC's systemwide Title IX coordinator about UC's extensive Title IX efforts. These efforts include a revised SVSH policy and student adjudication framework, a response to proposed federal Title IX regulations, implementation of recommendations from the CA state auditor, and forming a task force to develop consistent faculty disciplinary guidelines across campuses. In addition, a working group is developing a policy to improve systemwide practices for preventing, detecting, and responding to sexual misconduct in the clinical setting.

Admissions: The Office of Ethics, Compliance, and Audit Services (ECAS) is finalizing its phase two report on an internal systemwide audit of undergraduate admissions. ECAS shared a draft of the report with BOARS and the admissions directors. The California State Auditor has also initiated an independent audit of UC admissions.

NAGPRA: The University is scheduling public consultation sessions with Native American tribes about a new draft policy on Native American Cultural Affiliation and Repatriation. The policy will be released for a second systemwide review this spring.

WGCA: The Working Group on Comprehensive Access has completed its deliberations. It did not reach a consensus on the central question of whether UC should enter into affiliations with external health care organizations that have internal policies limiting services provided at their facilities. The WGCA Chair's Report has been released for public comment. It outlines two options: 1) permit affiliations with non-UC entities that prohibit certain services for women and LGBT people, and 2) prohibit affiliations with non-UC entities that prohibit certain services for women and LGBT people.

- A Council member expressed concern about a lack of transparency and other possible process flaws in the WGCA. President Napolitano noted that small mistakes were made and accounted for, but that the overall WGCA process was conducted properly.
- Council members noted that campuses are preparing for a possible strike by Unit 18 Lecturers, and that campuses would benefit from clear UCOP guidelines and communications to students, faculty, and staff, particularly about accommodations for students. They noted that campuses will need flexibility to set instructional days in the event

of a strike, and that it would be problematic for department chairs or others to require faculty to cover classes for striking lecturers.

- A Council member asked University leaders to reconsider UC's state budget advocacy strategy.

Provost Brown: The Provost is preparing a series of presentations to the Regents around the general theme of the UC student experience as it relates to quality, access, and affordability. The January Regents meeting featured an analysis of the freshman pipeline to UC, and a presentation about graduate education as it relates to the CA economy. Provost Brown said he believes that the UC Center in Sacramento could be a national model for student-centered experiential public service learning programs. He noted that the Legislature is aware of UC's process on the possible expansion of Area D, and wants CSU to follow that process as it considers its own proposal to expand Area C.

## **VI. Implicit Bias**

### **o UCI Dean of Law L. Song Richardson**

Dean Richardson joined Council to discuss how race, gender, socioeconomic status, and other social categories can influence human behavior and judgments, often unconsciously. She also described interventions that can help mitigate negative effects of those behaviors and judgments.

She noted that in *Thinking, Fast and Slow*, Daniel Kahneman describes cognitive biases associated with "System 1" thinking – the brain's quick, unconscious, instinctive mode of decision-making, and "System 2" – its slower, more complex, and effortful decision-making. Kahneman also discusses the "anchoring effect," a tendency that occurs when an initial piece of information influences subsequent decisions. She described how this effect can influence decisions in the criminal justice system in, for example, recommendations for sentences or mental anguish awards.

She noted that Project Implicit at Harvard offers an internet-based [Implicit Association Test](#) (IAT) that serves as a virtual laboratory for collecting data on unconscious bias. The research shows that implicit bias linked to gender, race, age, and even facial features, is pervasive. Most people have an unconscious bias against black people, and most tend to associate men with leadership roles over women. Unconscious associations may derive from history and culture, parents, friends, school—and also media. A research group trained an AI system with information available on Google news, and then administered the IAT to the AI system, which had learned, for example, negative attitudes toward black people and to favor men as leaders.

Dean Richardson cited several studies documenting the impact of gender and race biases on hiring processes. First, for years, orchestras had primarily male performers and tried to recruit women with little success. When the person auditioning was positioned behind an opaque screen so that decision makers could only hear the quality of music played, there was a large immediate increase (ranging from 25% to 46%) in women musicians receiving job offers from orchestras. Another researcher found that removing the influence of the sound of someone's footsteps and shoe type led to an additional 10% increase in women hired. In other studies, researchers found that job candidates with more "white-sounding" names received 50% more callbacks for jobs than those with "African-American sounding" names, even when the resumes were otherwise identical. In another study, a consulting firm asked 60 law firm partners to review a memo for

quality. Half were told the memo was written by a white Associate, the other half by a black Associate. Partners were more critical of the memo they were told was written by a black associate. In another study, students who experienced the same online class were told their instructor was male or female; the students subsequently rated the “male instructor” significantly higher than the “female instructor.” Dean Richardson also described several studies that found discrimination based on implicit biases against women and racial minorities in hiring and tenure decisions in academia.

She noted that the human mind categorizes information automatically, and that our conscious thoughts can be impacted by unconscious or implicit categories and result in unfair or biased judgments, stereotypes, and attitudes about others. Implicit bias is increased by stress, time pressure, multi-tasking, discretion, ambiguous criteria, and incomplete data. Implicit bias is not reduced by good intentions or avoidance, for instance attempting to be “color blind” can actually reduce one’s ability to be anti-racist. Even people who strive to be egalitarian can make decisions based on implicit biases. In addition, interactions between people of different races can evoke feelings of anxiety that activate implicit biases. In particular, interactions that are awkward, with little eye contact, and brief, can produce discomfort and communication missteps. Such interactions can, in turn, influence how a person is evaluated, for instance in an interview they may affect how an applicant is seen as “fit” in hiring situations.

Dean Richardson advises organizations to incorporate implicit bias awareness into decisions about hiring and promotion. Organizations should assume that everyone has implicit bias and that to address it they should slow down the decision-making process, obtain more information about the candidates, and implement reminders about implicit bias before making a decision. Organizations should also set inclusive excellence goals, and tie benefits or rewards to meeting those goals and creating diverse teams. They should also consider non-traditional evaluation criteria and identity-blind evaluations, revisit the use of teaching evaluations, and develop and use scripts and sequencing in advance of an interaction, especially an interview. Finally, everyone should talk to individuals and groups who are different from themselves. This enables people to learn more about one another, which has the positive effect of reducing implicit biases.

## **VII. Report of the Academic Council Standardized Testing Task Force**

- **Eddie Comeaux, STTF Co-Chair**
- **Henry Sanchez, STTF Co-Chair**
- **Jonathan Glater, STTF Member**

The STTF report will be released for systemwide Senate review on February 3. The deadline for comment will be March 23 to enable discussion at the April Council and Assembly meetings. Based on feedback, the Assembly will issue a final set of policy recommendations to President Napolitano for transmittal to the Regents in April 2020. The Assembly will also have an initial discussion of the report on February 12. The report includes six recommendations:

1. Review and update components of the statewide eligibility index.
2. Expand Eligibility in the Local Context.
3. Undertake further analysis of the admissions process to identify those points in the process, and the factors at work at each point, that contribute to disproportionate declines in representation of students who belong to populations that have historically been excluded from higher education opportunity at UC.
4. Study and expand student academic support services.

5. Obtain the necessary data and test items to perform an updated item-level analysis of current standardized tests to test for bias and disparities.
6. Develop a new test that will be continuously accessible to students and that will assess a broader array of student learning and capabilities than do current tests.

The report also discussed two reforms the STTF considered but does not recommend: 1) moving to a “test optional” policy, and 2) using the Smarter Balanced Assessment for UC admission.

This report is a yearlong effort grounded in empirical data. The STTF and its writing subcommittee met with a wide range of organizations and individuals representing diverse views about standardized tests and their use in college admissions. It conducted original analyses of data, and endured long and intense conversations about the analyses and recommendations.

The STTF found that standardized tests provide predictive validity above and beyond HSGPA, including for disadvantaged students. It found that UC does not use standardized tests to exacerbate bias, but as one component of a holistic system that assesses applicants based on 14 factors and takes into account disparities in opportunity based on socioeconomic status. It found that students who did not score highly on the SAT/ACT still get into UC, and that many URM students gain entry on the strength of test scores. It found that test score differences do not explain racial disparities in UC admission rates, and that campuses compensate for variation in SAT/ACT scores across SES groups by noting the difference in average scores between groups, and re-norming scores based on social group defined by ethnicity and by family income. Campuses also use tests to identify promising but otherwise ineligible applicants from disadvantaged backgrounds and to select students from disadvantaged backgrounds who are more likely to earn higher grades and graduate on time.

The report also notes that the empirical findings do not account for all purposes, goals, and missions of the University. It notes that predictive validity is important, but UC also has a role in interrupting persistent inequality, and the normative assumptions underlying the data and analyses do not capture all relevant structural inequities. The STTF did not conclude that the tests have no role in disparate outcomes, and the STTF does not have data on the potential effect of the testing requirement and scores on students who choose not to apply to UC. In addition, while the STTF achieved a high degree of consensus, there was disagreement on some points. In particular, some STTF members would phase out the current use of standardized test scores sooner than the report contemplates, in anticipation of a replacement assessment.

- Council members thanked the STTF for producing a thoughtful, deliberative, and scholarly document. Some members expressed surprise at the finding that standardized tests have benefits for disadvantaged students, given public perceptions and assumptions. Members noted the finding that UC campuses consider test scores in context, as part of comprehensive review, and correct for disadvantaged status; and the finding that standardized tests help UC find talented students, including otherwise ineligible applicants from disadvantaged backgrounds, who do not stand out in terms of high school grades alone. Members noted that the Senate should expect UC leaders and others to engage with it seriously. Finally, the Senate should clarify that the current report is not the final Senate recommendation.
- Council members also noted that the report provides arguments for the elimination of tests. They noted that admissions policy decisions should not be driven solely by data but also by a thoughtful evaluation of how well the University’s purposes, goals, and missions are served.

Moreover, the University should not be defensive about its efforts to help low income and disadvantaged populations.

### **VIII. Admissions Audit**

#### **o Matthew Hicks, Deputy Systemwide Audit Officer-Ethics, Compliance & Audit Services**

In response to the national admissions scandal, the Office of Ethics, Compliance, and Audit Services (ECAS) initiated a two phase internal systemwide audit of undergraduate admissions. The first phase reviewed local processes and controls—particularly around 1) Admission by Exception, 2) Athletics, and 3) Special Admissions. In June 2019, ECAS recommended several management corrective actions for campuses to develop in consultation with faculty to bolster defenses against admissions fraud.

Phase 2 of the audit analyzed the effectiveness of controls through additional sampling of admissions decisions and the appeals process in those three categories. The Phase 2 report includes additional recommendations to campuses and the systemwide admissions office for clarifying policies and procedures, and recording how special talents are assessed. In addition, the California State Auditor will be conducting an independent audit of UC admissions.

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Meeting adjourned at 4:30 pm

Minutes prepared by Michael LaBriola, Principal Committee Analyst

Attest: Kum-Kum Bhavnani, Academic Council Chair