

ACADEMIC COUNCIL

Minutes of Meeting
January 31, 2018

I. Consent Calendar

1. Today's agenda items and their priority
2. Draft Council minutes of December 13, 2017
3. February 14 Assembly of the Academic Senate Agenda
4. Doctor of Nursing Practice SSGPDP at UCI
5. Doctor of Nursing Practice SSGPDP UCLA
6. Simple name change of UCI College of Health Sciences to the Susan and Henry Samueli College of Health Sciences

ACTION: Council approved the consent calendar.

II. Senate Officer Announcements

- **Shane White, Academic Council Chair**
- **Robert May, Academic Council Vice Chair**

January Regents Meeting: The Regents delayed action on a 2018-19 University budget and tuition increases, following pressure from students, legislators, and the Governor to vote against an increase for California residents, and after noting that the Governor's base budget for UC included only a net 2.7% increase rather than the 4% agreed to in 2015. The Regents also discussed Huron Consulting's organizational review of UCOP. Individual Regents noted Huron's conclusion that UCOP is right-sized, has many best in class operations, and expressed skepticism about Huron's options for improving operations and achieving savings.

Academic Council Vice Chair: Chair White again noted that the Senate is seeking a strong and diverse pool of candidates willing to serve as Academic Council vice chair in 2018-19 and subsequently as Council chair in 2019-20. He said strong and effective Senate leadership is vital to the University and encouraged Council members to nominate themselves or encourage colleagues to apply by the March 13 deadline.

Sesquicentennial Academic Conference: Senate leaders are planning an academic conference in Fall 2018 to celebrate the University's sesquicentennial. Several ideas for themes and speakers have been proposed. Vice Chair May will circulate a list of proposed topics and invite Council members to suggest potential speakers.

III. Organizational Review of UCOP by Huron Consulting

- **Jay Rowan, Manager of Higher Education Strategy & Operations, Huron Consulting**

In 2017, the University hired Huron Consulting to review the UCOP organizational structure and make recommendations about UCOP's size and scope, portfolio of functions and services, and

governance practices. Huron collected and analyzed data about UCOP services, finances, human resources, and past change efforts, and interviewed a variety of stakeholders, including UCOP leadership and staff, Senate representatives, campus chancellors and EVCs, Executive Budget Committee members, and other UC campus representatives. It also performed benchmarking research comparing UCOP to ten large public university system offices.

Huron focused on UCOP services that provide unique value and those that could potentially be reorganized, relocated, expanded, maintained, or eliminated. Its final report outlined a set of potential options for “right sizing” the organization. Huron’s report noted that UCOP is at the forefront of higher education system offices, called many UCOP services uniquely necessary and/or “world class,” and concluded that UCOP is, in general, an appropriate size given the size and scope of the University of California. Huron noted that no other university runs its own retirement program, manages as many national laboratories, or has a similar system of shared governance. Furthermore, while other university systems devolve some central functions to a single flagship campus, UCOP manages several “best-in-class” functions such as undergraduate admissions, study abroad, research policy, and labor relations.

Huron also presented several options for refocusing, realigning, and reducing UCOP operations that it expressed in two broad “future state” enterprise-level options. The “Blue” and “Gold” scenarios included moving some systemwide functions from UCOP to one or more UC campuses – for example, a new UC Davis home and direct state funding model for the Division of Agriculture and Natural Resources, and new campus homes for UCEAP, ILTI, UCDC, UC Press, and others. The report also includes an option for transitioning the UC Health enterprise into an independent entity, albeit one in which campuses would maintain ownership of their academic medical centers. The scenarios project UCOP budget and FTE reductions of as much as 50% and 20%, although the realignments would reduce the overall UC budget by a much smaller amount, if at all given the costs of reorganization. Huron also notes that UCOP cost reductions are not necessarily in the interest of the system, and that while UCOP should evolve, it should not stagnate. It recommends an 18 month planning period before implementation and roll-out of any plan.

Discussion:

- Council members noted that their ability to independently assess the options and recommendations was limited by the absence of background data and analytics; the Senate leadership has repeatedly requested access to the “analytics”. They noted that moving programs to campuses to reflect a smaller UCOP may be good political optics, but the proposed realignments would not necessarily improve operations or result in a net benefit for the University. They noted that the potential spin-off of UC Health is a major decision that would require a separate examination independent of the other options. Finally, they expressed grave concerns about Huron’s recommendation to eliminate future funding for the President’s Postdoctoral Fellowship Program; such a recommendation was viewed as indicative of a general lack of understanding of UCOP’s academic programs and operations.

IV. Consultation with UC Senior Managers

- **Janet Napolitano, President**
- **Michael T. Brown, Provost & Executive Vice President, Academic Affairs**

○ **Nathan Brostrom, Executive Vice President and Chief Financial Officer**

State Budget: The Regents delayed a vote on a proposed 2.5% tuition increase for CA resident undergraduates to May. The delay creates some logistical challenges for campuses. UC is developing materials demonstrating how much State funding would be needed to offset the increase, describing how campuses used revenue from last year's increase to benefit students, and illustrating how a revenue shortfall would impact campuses. The University has committed to working with students, faculty, Regents, and legislators to achieve a \$70 million tuition buy-out by the state, and on continuing advocacy efforts in Sacramento.

Yesterday President Napolitano, Regent Kieffer, and Justice Moreno appeared at a joint legislative hearing to discuss Justice Moreno's fact finding review of UCOP's interference in a 2016 state audit. Several legislators emphasized the need to move beyond the audit, to mend relations with the University, and to support it and its financial needs.

Huron Report: The University asked Huron Consulting to undertake a strategic review of UCOP to ensure it is optimizing its value to the UC system. Huron did not propose across-the-board cuts to UCOP, and emphasized that UCOP is fairly lean considering UC's size and complexity, and manages many "best in class" functions. Huron's recommendations fell into four categories: 1) changes to accounting practice to more accurately reflect the financial relationship between UCOP and the campuses; 2) moving several programs currently housed at UCOP to a campus; 3) creating new UC "locations" for several large functions housed at UCOP; and 4) reorganizing and streamlining specific UCOP offices and functions. UCOP is consulting a variety of internal constituencies about the recommendations and understands that establishing UC Health as a stand-alone entity would be a major structural change requiring deep study.

Faculty Salaries: President Napolitano said she appreciates Council's [December 22 letter](#) concerning the faculty salary gap. She has discussed the matter with the Chancellors, and with former Academic Senate Chair Daniel Hare in his capacity as new Faculty Advisor to the President. The chancellors are similarly concerned about faculty salary competitiveness, but also believe that any plan must be flexible enough to account for variations by campus, discipline, and department. The President will ask the Senate to provide more campus-specific information about the gap that might be relevant to an effective systemwide plan.

Retiree Health: The Retiree Health Benefits Working Group held its first meeting on January 16 to begin work on its charge to develop recommendations for ensuring the long-term financial viability of the retiree health benefits program. The President has asked the Working Group to send recommendations to her by June 1 for implementation in 2019.

Federal Budget: The latest in a series of continuing resolutions passed by Congress to fund the government expires February 8. Congress's ability to agree on a permanent funding plan has been complicated by the lack of a deal on immigration reform and on budget caps for military spending and domestic programs. The University supports parity in any plan to raise spending caps and will advocate for the highest level of funding for non-defense programs that support UC's education, research, and health missions.

DACA: Congress is discussing several bipartisan immigration bills that include protections for DACA students. The Department of Homeland Security has appealed the court order UC obtained on DACA, and the Justice Department has petitioned the Supreme Court to intervene. Meanwhile, the University is encouraging DACA students to re-enroll, providing them with legal services, and sponsoring DACA renewal workshops on campuses.

Provost Brown: Provost Brown led a [discussion](#) at the Regents Academic and Student Affairs Committee that highlighted the benefits of the UC undergraduate student research experience, and the role of graduate students and other academic stewards in that experience. It was one of a series of presentations about key academic issues intended to highlight the “how and why” of the University’s educational mission.

Discussion: Council members noted that UC’s reliance on external consultants neglects the existing expertise on campuses that could provide informed consultative solutions to problems, and in doing so cultivate shared governance. Moreover, the Senate regularly works with outside consultants to achieve the best possible conduct of examinations and reports. They noted that the Huron report is persuasive in its message about the lack of “bloat,” but provides little data to support its change options. The cost of implementing the changes could more than offset any savings. They noted that moving systemwide programs to a campus could reduce their accountability to the system, as well as their functionality, and they emphasized the need to involve the faculty in budget advocacy. A suggestion was made to rename UCOP in a way that emphasizes the separate foci of its broad system operations and programmatic mission and its distinct governance mission.

President Napolitano responded that she understands the skepticism about outside consultants, but it seemed wise to use Huron given its deep experience with higher education and past experience with UC, and the necessity for a timely external review in the current environment. Huron’s report is a tool and a set of options; not a set of decisions, and a broad consultative process about the recommendations is now beginning. There is also value in identifying potential changes to UCOP’s structure that could help it focus effort on functions that are uniquely valuable to the system.

- V. Systemwide Senate Review: Proposed Revisions to Senate Regulation 424.A.3**
- **Henry Sanchez, BOARS Chair**
 - **Stephen Handel, Associate Vice President, Undergraduate Admissions**
 - **Monica Lin, Director, Academic Preparation & Relations with Schools & Colleges**

Council discussed BOARS’ [proposed revisions](#) to Senate Regulation 424.A.3 related to the area “d” (laboratory science) requirement for freshman admission. The revisions would increase the minimum area “d” requirement from 2 units (3 are currently recommended) to 3 units, while continuing to require 2 units of coursework that “provide basic knowledge in at least two of the fundamental disciplines of biology, chemistry, and physics.” The amendments would change the name of the area “d” requirement from “Laboratory Science” to “Science” to reflect the broader range of science disciplines to be accepted for the third unit under area “d.” The changes would affect students entering high school in fall 2019.

The revisions aim to better align UC's expectations for science preparation with changes to high school science curricula based on California's adoption of the Next Generation Science Standards (NGSS) for K-12, and the new three and four course models high schools will move to under the NGSS. Revisions to the area "d" course criteria posted in the [A-G Guide](#) will include specific examples of courses that could fulfill the requirements not explicitly mentioned in the Senate regulations. The revised policy will help increase academic preparation, science literacy, and science course options for all students, and connect UC's academic preparation expectations more closely with the curriculum reform efforts well underway in California high schools.

In November, Council requested additional data about course availability to address concerns about the potential for differential access to area "d" courses under the new policy, given that 95% of UC undergraduate applicants already take three or more area "d" courses, but 60% of the 5% who complete only two are from disadvantaged groups. A UCOP analysis concluded that most UC applicants who take only two area "d" courses do so because UC requires only two for minimum eligibility. In addition, the vast majority of UC applicants come from CA high schools that are increasing their offerings of 3 or more science disciplines, while the number of high schools offering only 1 or 2 disciplines is declining. 97% of California high schools will be able to offer a third science course immediately; that number will grow as more move to a 3 or 4-course NGSS model to meet the new State standard. Furthermore, an expansion of the types of courses eligible under area "d," such as computer science and engineering, will give all students more flexibility to fulfill a three-year requirement.

Discussion: Council members thanked BOARS for its efforts to clarify the questions raised during the systemwide review and emphasized that the University should not inadvertently discourage or inhibit access to disadvantaged students. One member advocated for a second systemwide review to ensure that the campuses with concerns were comfortable with the changes.

ACTION: A motion was made and seconded to approve the recommendation for transmission to the Assembly. The motion passed 16-1.

VI. Advancing Faculty Diversity

- **Susan Carlson, Vice Provost, Academic Personnel**
- **Amy K. Lee, Director, Diversity, Labor, and Employee Relations**
- **Mark Lawson, Director, President's Postdoctoral Fellowship Program**

State Funding for Faculty Diversity: Vice Provost Carlson noted that in each of the last two years the State provided UC with \$2 million to support equal opportunity in faculty employment. In 2016, following a competitive process, UCOP awarded funding to pilot programs at the UCD College of Agricultural and Environmental Sciences, the UCR College of Engineering, and the UCSD School of Engineering. A [UCOP report](#) on the use of the funding includes data showing that the funding of targeted interventions had a clear impact on hiring results in those units relative to their past performance and to comparator units. In 2017, UCOP awarded funding to four faculty diversity pilot programs at UCB, UCI, UCSF, and UCSB, and it is possible that

funding will continue for a third year. The UCAADE chair serves on the project advisory committee that selected the pilots and provides ongoing guidance.

- Council members noted that the success of the program highlights the vital role UC's Office of Academic Personnel plays in encouraging synergies across the campuses.

President's Postdoctoral Fellowship Program (PPFP): Director Lawson described the PPFP's success in promoting the diversity of the UC faculty through its support of postdoctoral scholars. UC awarded 35 Presidential Postdoctoral Fellowships and Chancellor's Postdoctoral Fellowships in 2016-17. In the past five years, 53 of 122 Fellows (43%) were hired into tenure track positions at UC campuses, 18 in 2017-18. 87% of Fellows hired in 2004-05 achieved tenure within ten years. The post-doc experience gives Fellows a competitive edge in the job market and they are widely recruited; 70% of UC Fellows obtain a tenure track position somewhere in the U.S., and last year, 19 were hired by other institutions. The PPFP contributes about 1/7 of UC's underrepresented minority faculty hires, and Fellows play an important role as role models and mentors to UC undergraduates. Director Lawson added that while the inherent value of the program is clear, he is always thinking about how to further enhance its return on investment and assessing the extent to which it achieves the strategic diversity needs and goals of the University. With more funding, the PPFP could increase URM hiring even more.

- Council members noted that the program is a service to the nation and has been a model for other institutions. They suggested doubling or quadrupling its size, noting that it was the University's most effective tool in diversifying the academy and its pipeline. They suggested that UC consider partnerships with other institutions to increase the overall number of Fellows and further leverage its value. They also noted that retaining diverse UC faculty, particularly by improving campus climate and culture, is important, suggested asking the state to fund a faculty diversity program focused on retention.

VII. Legislative Ruling on Bylaw 55.D Voting Requirements

At the request of a campus, UCRJ issued a ruling on [Senate Bylaw 55.D](#), concerning the extension of voting rights on personnel matters to Emeritae/i department members. The ruling clarifies several technical issues concerning voting – notably, that the requirement for a 2/3 majority to extend voting rights refers to 2/3 of all faculty in a department who were eligible to vote, not merely those who voted, and that faculty who abstain from a vote are counted as if they voted in opposition. Bylaw 206.A notes that “Prior to issuance of a ruling, the position of [UCRJ] as to what such ruling should be shall be submitted to the Academic Council for consideration and comment. After considering such comment, the committee shall issue its ruling and report it to the Assembly for its information.”

Council members had no comment.

VIII. UCAF Response to UCSA Letter on Freedom of Speech and Hate Speech

The UC Student Association (UCSA) wrote a letter to President Napolitano and the Regents on “Freedom of Speech and Hate Speech.” The letter criticized the University's First Amendment

defense of campus speakers who students consider hateful, and expresses the view that students have a right and duty to prevent speakers they consider hateful from speaking on campus, through the “heckler’s veto.” The UCSA letter’s authors included UCAF’s student representatives, who asked UCAF to respond to the UCSA letter.

UCAF Chair Elmendorf noted that in response, UCAF wrote a letter to Academic Council reaffirming support for UC’s [Principles of Community](#) and agreeing that hateful speech can cause real harm. UCAF supported constitutionally-protected freedom of speech, academic freedom, and the open exchange of ideas on campus, and said that the “Heckler’s Veto” should not hinder these things. The UCAF letter asked Council to forward it to the UCSA as a courtesy to the students.

UCAADE Chair Golash-Boza noted that UCAADE was troubled by Council’s [endorsement](#) last year of UCAF’s statement “On the Free Exchange of Information,” which encouraged students to “develop more productive, effective and intellectually engaged methods of response to speakers whose opinions they dislike than the exercise of the ‘heckler’s veto’.” UCAADE believes that students have a right to protest in ways that may disrupt communication.

Council members noted that the terms “heckler” and “heckler’s veto” are vague, but understood that they were used with clarity in the UCSA letter, and observed that there is a long tradition of political protest and “heckling” on campus. A member noted that while the University has a legitimate interest in enforcing the ability of a professor to present ideas uninterrupted in a lecture, students should not be bound to respect any speaker invited to campus. UCAF Chair Elmendorf offered to relay Council members’ concerns to UCAF.

IX. New Business

Bilateral Task Force Statement: Council reviewed an aspirational statement drafted by a Task Force affiliated with the UC-Mexico Initiative. The statement concerns DACA students, other undocumented students enrolled at UC, and students who are US citizens with undocumented families, who may be forced to leave the United States before completing their degree. The statement notes that UC has a moral and ethical obligation to help students it enrolls attain their educational, career, and developmental goals. For some students, that may involve assistance finishing their UC degrees, and for others, a commitment to facilitating their smooth transition to an institution of higher education in the country to which they relocate. The statement shows the University’s commitment to such students and will help empower faculty and administrators to do the right thing to help them.

ACTION: A motion was made and seconded to adopt the statement as a Council statement. The motion passed unanimously.

Meeting adjourned at 4:30 pm

Minutes prepared by Michael LaBriola, Principal Committee Analyst

Attest: Shane White, Academic Council Chair