

ACADEMIC COUNCIL

Minutes of Meeting
October 23, 2019**I. Consent Calendar**

1. Today's agenda items and their priority
2. Academic Council minutes of September 25, 2019

ACTION: Council approved the consent calendar.

II. Senate Officer Announcements

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

Posthumous Degrees: Last year, the Senate approved a systemwide policy proposed by UCEP for awarding undergraduate and graduate degrees to students who pass away close to the completion of the degree. The Senate conceived the policy as a presidential policy, but the General Counsel advised that it should be a Regents policy, which inspired campus administrators to take a closer look and recommend changes to some of the wording around posthumous graduate degrees. The Regents will consider the final policy later this academic year.

Cohort Tuition: The November Regents agenda will include a discussion item on cohort-based tuition, with an action item on a specific plan to follow in January. UCOP has instructed the campuses to begin preparing for a possible fall 2020 implementation of cohort tuition.

Presidential Search: All Senate divisions have responded to Chair Bhavnani's request for three nominees to the Presidential Search Academic Advisory Committee (AAC) that will advise the Regents Special Committee. Chair Bhavnani will announce the final AAC roster shortly. The Regents' Special Committee will host a "Stakeholders Day" on November 6 at UCLA to confer on the presidential search criteria with a variety of groups, including the AAC. In addition, Chair Bhavnani invited Council members to provide input into the qualities and qualifications for the UC President as well as on the general search process.

- Council members requested more information about the executive search firm the University will use for the search, including its role in shaping the parameters of the search, and the outcome of similar searches it has led in recent years.

UCM Chancellor Search: Chair Bhavnani is a member of the search committee advising the President on the selection of the new UC Merced chancellor. The search committee includes five faculty members who will as a subcommittee evaluate nominees and applicants for the position and submit names of recommended candidates to the full committee.

OA 2020 Meeting: Chair Bhavnani attended the OA 2020 Berlin Summit of Chief Negotiators, an international conference about Open Access. The Conference featured workshops on open access goals and challenges, cost-sharing models, publisher negotiations, and other topics.

ICAS Meeting: The Intersegmental Committee of Academic Senates represents the faculty of the three segments of California public higher education and provides a forum for UC, CSU, and CCC Senate leaders to discuss issues of mutual interest. ICAS' October meeting included a discussion about the need to review major expectations for the 21 UC Transfer Pathways against similar majors in the CSU-CCC Associate Degree for Transfer program. The goal is to identify areas of overlap similar enough to create a single transfer degree acceptable to both CSU and UC so that CCC students, at least in some majors, do not need to decide when they begin community college whether they are aiming to attend CSU or UC.

Task Forces: UCOC is constituting a new Senate Task Force that will consider whether UC should offer a fully online undergraduate degree. A second Task Force chaired by UCSC Chair Lau will consider systemwide strategies and recommendations for increasing faculty diversity, including through recruitment and retention.

III. Systemwide Review of Revised Presidential Policy on Native American Cultural Affiliation and Repatriation

Council reviewed comments from Senate divisions and systemwide committees to the proposed revised Policy on Native American Cultural Affiliation and Repatriation.

The Policy updates UC's compliance with the federal and state versions of the Native American Graves Protection and Repatriation Act (NAGPRA), and strengthens UC policy and practices related to the curation, repatriation, and disposition of Native American remains and cultural items in its custody. Specifically, recent State legislation included direct mandates to UC concerning its NAGPRA policies, processes, and consultation procedures. UC revised its Policy substantially to comply with legislation. The Policy assigns responsibility for overall policy implementation and compliance to a joint systemwide committee. It also asks the six UC campuses with NAGPRA-covered holdings to establish local committees to assess campus implementation of the policy and review claims for cultural affiliation and requests for repatriation or disposition of human remains.

Senate reviewers noted that campuses could struggle to identify tribal members with five years of related experience, or faculty representatives from the list of specified academic disciplines, which do not all exist on all six campuses. Reviewers recommended incorporating additional flexibility into the requirements for the composition of campus committees and the scope of disciplines, noting that expertise should take priority over specific discipline.

- Council members added that a clear and fair process is needed to determine tribal affiliation in claims of ownership of artifacts and remains, particularly in instances when multiple tribes claim ownership, or when an affiliated tribe cannot be identified. They also noted that the systemwide committee should consider how to address remains and artifacts in UC's possession from outside of the United States. Finally, the University should articulate a strong systemwide funding commitment, to ensure successful and effective implementation.

ACTION: Council will forward the full set of campus letters and a summary of comments to Vice Provost Carlson.

IV. Area D and Transfer Updates

- **Yvette Gullatt, Vice Provost for Diversity & Engagement and Interim Vice President, Student Affairs**
- **Elizabeth Halimah, Associate Vice Provost, Diversity & Engagement**
- **Monica Lin, Director, Academic Preparation and Relations with Schools**

Area D: In February 2018, the Assembly approved BOARS' proposed [revisions](#) to Senate Regulation 424.A.3, which recommended increasing the Area D ("Laboratory Science") requirement for freshman admission from two units (three recommended) to three units, while continuing to require two of the units to "provide basic knowledge in at least two of the fundamental disciplines of biology, chemistry, and physics." The revisions were intended to align UC's Area D expectations with the new expectations for high school science curricula based on California's adoption of the Next Generation Science Standards for K-12, which broaden the set of courses and disciplines considered college preparatory science. BOARS' revisions also recommended renaming the requirement "Science," to reflect the broader range of science disciplines to be accepted for the third unit under Area D.

However, the new policy was placed on hold due to the Provost's concerns about its potential effect on the eligibility of students in high schools that do not offer three science courses. The Provost was concerned that these students are more likely to be from underrepresented backgrounds and that a three-year requirement could also discourage them from applying to UC. The Public Policy Institute of California (PPIC) agreed to undertake a study to analyze the effects of a third required unit on eligibility. The PPIC is expected to release its analysis on November 15. UCOP expects the report to provide insights to help inform future decisions.

BOARS Chair Comeaux noted that the UC comprehensive review process would not penalize applicants who do not have access to a third science course, and BOARS is interested in data about potential behavioral changes triggered by a three-year requirement. Director Lin added that the State is not increasing the number of science courses students must take to graduate with a high school diploma, but it is holding schools accountable for a three-course series in Science outlined in the NGSS, and that schools are gradually ramping-up.

Transfer Pathways: Vice Chair Gauvain noted that she is working on a plan to assess the alignment of the UC Transfer Pathway courses across UC campuses, and their alignment with the Associate Degrees for Transfer offered by the CCC for admission to CSU. One of UC's primary goals is to ensure that transfers enter UC as true juniors prepared to graduate in two years. It will be important for UC to understand how CCC offerings in the 21 Transfer Pathways prepare transfers for the associated majors at UC, and also how to address unique gateway course requirements for specific majors at some UC campuses. Director Lin added that a new ad for Transfer Pathways+ on social media has yielded a high click-through rate.

- BOARS Chair Comeaux noted that BOARS is considering long-term strategies to monitor outcomes from Pathways+, address potential problem areas, and encourage more transfers to apply to UC. A Council member noted that a potential conflict exists between the mandate for all individual UC campuses to enroll a 2:1 ratio of freshmen to transfers, and the expectation that transfers enter UC prepared to graduate in two years.

V. Systemwide Review of Proposed Revisions to APM 230—Visiting Appointments

- **Susan Carlson, Vice Provost for Academic Personnel**
- **Pamela Peterson, Executive Director and Deputy to the Vice Provost**
- **Kimberly Grant, Director Academic Policy and Compensation**

The proposed revisions reflect changes made to comply with a stipulated agreement between the University and the UAW, in recognition of the new Academic Researchers bargaining unit. The agreement changes who qualifies as an academic “visitor” for which the “Visiting” prefix is used. The revisions clarify that 1) the titles of Visiting Professional Researcher and Visiting Project Scientist are reserved only for individuals who hold, or are on leave from, an academic or research position at a non-UC educational institution. They also clarify that 2) individuals employed by UC who are temporarily performing the duties of those series must now be appointed in a non-Visiting title in the Academic Researchers unit. In addition, the revisions permit the “Visiting” prefix to attach to the Specialist series, and clarify that doctoral students visiting from non-UC “educational” institutions can be appointed in a Visiting Specialist title, but for no more than one year.

- In general, Senate reviewers expressed support for the revisions; however, several noted that the new one-year appointment limit for visiting graduate student Specialists could negatively affect those students in the job market. In addition, UCAP noted that the language stipulating “educational” institution would, if taken literally, rule out relevant institutions such as a national laboratory or an industrial research laboratory. Policy authors could address this unintended consequence by removing the word “educational” from the phrase. Consultants clarified that the stipulations concerning visiting graduate students was part of the bargaining and UC could not change it. They agreed to consider UCAP’s concern.

VI. Consultation with UC Senior Managers

- **Rachael Nava, Chief Operating Officer**
- **David Alcocer, Associate Vice President, Budget Analysis and Planning**

November Regents Meeting: The Student Basic Needs Committee will discuss the intersection of student basic needs and mental health and a spending plan for the state allocation of \$15 million for basic needs. The Academic Affairs Committee will hear presentations on UC’s financial aid model; UC’s role in training high-quality educators; and the UC undergraduate experience. The Finance Committee will review financial reports, a capital financial plan, and a plan to renovate the UCSF Parnassus campus. The Compliance Committee will receive an update on UCOP budget audit implementation. The full Board will review scenarios for increasing member contributions to UCRP, a cohort tuition model, and an update on UCOP budget performance, and will formally endorse the March 2020 General Obligation Bond.

Budget Request: UCOP will also ask the Regents to approve a proposed 2020-21 Budget Plan outlining the University’s revenue and expenditure priorities. The plan includes three internal revenue approaches: 1) continue asset management strategies such as shifting working capital from STIP to higher yield pools; 2) increase philanthropy; and 3) generate savings through additional procurement. The plan also requests new ongoing State support to sustain core operations, fund high priority investments, and avoid a tuition increase. Specifically, the request includes a permanent base budget adjustment of 7.5%, including \$35 million to restore a portion of the \$95 million in one-time funds provided in 2018 but discontinued in 2019; funding to restore marginal cost shortfalls from prior years for current enrollment; to increase California

resident undergraduate enrollment and graduate student enrollment; to support competitive faculty and staff salaries; and cost increases for utilities, libraries, and other non-personnel costs. The request also includes \$60 million to support the multi-year framework goals of improving time to degree and eliminating achievement gaps; \$25 million to establish more sustainable support for the UCR School of Medicine; and \$5 million to support student mental health on all campuses.

Cohort Tuition: A joint Administration- Working Group is exploring the possibility of offering a cohort approach to undergraduate tuition that would provide entering undergraduates a guaranteed tuition level for up to six years of enrollment, and incorporate moderate inflationary-based increases for each cohort. The topic will be a discussion item at the November Regents meeting, and could lead to action in January.

- Council members expressed hope that the Regents would take a long view of UCRP funding and request an experience study every five years rather than annually. They also urged UCOP to challenge any suggestion that UC has successfully responded to State funding cuts with new efficiencies, and is doing fine with less funding. It was noted that faculty are seeing an increasing administrative burden that is harming morale, and that the University should establish clear protocols for campus closures due to power outages, fires, and other disasters.

VII. UCFW Letter on Proposed Increase in Employee Contributions to UCRP

Council discussed a letter from the University Committee on Faculty Welfare opposing increases of employee contributions to the UC Retirement Plan. The letter emphasized that increasing employee contributions beyond the already approved 3% employer increase does not have a strong financial justification, would impose additional burdens on lower-paid employees, and would undo the recent progress on faculty total remuneration. The letter urged the University to consider other reasonable alternatives for decreasing the unfunded liability, including borrowing, before employee increases.

- Council members agreed with the arguments in the letter, and noted that additional employee contributions would have only a modest benefit for the pension fund while disproportionately harming non-represented employees and creating significant morale loss. They also noted that the State should be encouraged to honor its responsibility to support the financial health of UCRP in the same way that it supports CalPERS and CalSTRS.

ACTION: A motion to endorse the UCFW was made, seconded, and passed unanimously. A cover letter with additional points will be circulated for feedback and approval.

VIII. Executive Session

At the invitation of Special Committee Chair Elliott, Council discussed criteria for the presidential search.

ACTION: A motion was made and seconded to request an in-person meeting with the presidential search firm. The motion carried unanimously.

IX. Campus and Council Visits

Council discussed the focus of upcoming visits by Senate leadership to campus, where it was mentioned that leadership hope to meet with members of the Divisional P &T Committee, with members of the Executive Council for the Division, and with a group of early- and mid-career Senate faculty, and who demonstrated an intimate connection with diversity issues. Council also discussed visits by UC leaders to Council, including Board of Regents Chair Perez in November.

X. UCAF Statement on Defense of Academic Freedom

o Sarah Schneewind, UCAF Chair

In 2015, Council had endorsed a UCAF [Statement](#) on Academic Freedom and Civility and asked each campus to distribute it as supplement to similar statements issued by chancellors each fall. UCAF has drafted a replacement, noting that the 2015 Statement is already out of date in addressing contemporary academic freedom threats.

- Council members expressed support for updating the statement, but were also concerned that it did not adequately address circumstances in which academic freedom might be complicated or nuanced; acknowledge that some forms of speech are harmful to students; and distinguish between a variety of academic freedom threats big and small and between academic freedom and freedom of speech. It was noted that some might interpret the statement to suggest that disruptions from “provocateurs” are equally important to government attacks on science and threats to research funding. Other Council members spoke in favor of keeping the statement simple. It was also noted that the UCLA CAF has requested more time to review the statement.
- Chair Schneewind noted that the statement frames faculty academic freedom rights and responsibilities in the context of professional standards, which do not permit offensive or abusive speech. In addition, UCAF intends the statement to acknowledge that all threats to academic freedom are in the same universe and part of the same problem.

ACTION: UCLA Chair Meranze will draft a summary of suggestions for UCAF to consider.

XI. California Senate Bill 206 – Fair Pay to Play Act

o Eddie Comeaux, BOARS Chair

The Governor has signed California Senate Bill 206, which allows student athletes to earn income from endorsements and the commercial use of their name, image, and likeness without losing eligibility for competitions or scholarships. The University opposes the bill.

Chair Comeaux asked Council members to issue a statement in support of the bill. He noted that college athletics is a multi-billion industry that generates millions of dollars in revenue for UC athletics departments on the backs of amateur athletes who sometimes suffer life-altering injuries but have no opportunity to profit from their name, image, and likeness. It is an exploitive structural arrangement and a civil rights issue. Moreover, there was no shared governance in the way UC came to oppose the bill; revenue-generating athletics departments have outsized influence over policy, and athletic administrators, whose departments benefit financially, are

driving the narrative. It is important for the faculty to support the bill. Although the Governor has signed the bill, there is still a chance it could be overturned through legislation.

Several divisional chairs requested an opportunity to inform and gather input from their divisions concerning a statement.

ACTION: Chair Comeaux will circulate a draft statement to the Council. Divisional chairs will consult their faculty as needed, and Council will discuss the statement in November.

XII. Climate Change Principles

- o **Andrew Baird, UCORP Chair**

UCORP has proposed principles to guide UC’s response to the climate change challenge. The principles state that UC must lead in demonstrating carbon neutrality by prioritizing the 2025 Carbon Neutrality Initiative; support co-ordination and faculty engagement in developing alternative approaches to address the challenge of climate change; and foster the mobilization of multi-, cross-, and trans-disciplinary teams to communicate and explain the urgency of sustainability. UCORP will bring a formal request for endorsement to the next Council meeting. In the meantime, Chair Baird noted that he would welcome input in to the principles, and is available to meet with systemwide committees.

XIII. Executive Session

No notes were taken for this portion of the meeting.

Meeting adjourned at 4:30 pm
Minutes prepared by Michael LaBriola, Principal Committee Analyst
Attest: Kum-Kum Bhavnani, Academic Council Chair