

ACADEMIC COUNCIL

**Minutes of Videoconference Meeting
November 20, 2023****I. Consent Calendar**

1. Today's agenda items and their priority
2. Draft Minutes of October 25, 2023

ACTION: Council approved the consent calendar.

II. Senate Officers' Announcements

- **James Steintrager, Academic Council Chair**
- **Steven Cheung, Academic Council Vice Chair**

November Regents Meeting: Chair Steintrager's [remarks](#) emphasized the importance of maintaining competitive total remuneration for faculty by increasing pay and avoiding increases in employee contributions to the UC Retirement Plan (UCRP). The chair also touched on events in the Middle East that have sparked controversy on campuses, noting past Senate statements on free speech, academic freedom, and hate speech on campus and the Senate's published guidelines for department political statements. President Drake announced several initiatives aimed at combatting intolerance and fostering a safe and respectful campus environment. The public comment session was lively with numerous students expressing views about the ongoing Middle East conflict and others advocating for removing hiring restrictions for undocumented students.

The Regents approved several capital projects, including a new medical education building at UC Merced and the redevelopment of Gayley Towers at UCLA; a 2024-25 University budget that includes 4.2% salary increases for faculty; and a plan to gradually increase employer contributions to UCRP from 14% to 18% over eight years without increasing employee contributions to reach full funding in 25 years.

Chair Steintrager and BOARS Chair Knowlton appeared before the Regents' Academic and Student Affairs Committee to discuss the policy development process for UC undergraduate admissions, including BOARS' current work to review college-preparatory course criteria for UC's mathematics (area C) admission requirement.

Faculty Survey: The systemwide Senate is planning to administer a systemwide survey to faculty about their experiences working in the new academic labor landscape.

III. Academic Personnel and Programs (APP)

- **Douglas Haynes, Vice Provost, Academic Personnel and Programs**
- **Amy K. Lee, Associate Vice Provost, Academic Personnel and Programs**

Math Fellows: As visiting assistant professors in mathematics join the postdoctoral scholars bargaining unit, there is support for changing their job title to “Math Fellow.” APP has asked campus academic personnel offices to work with divisional Senates to seek exceptions to Senate Regulation 750.B to allow Math Fellows to serve as the instructor of record in courses. Senate faculty can serve as instructors of record in the interim, and the Academic Personnel Manual (APM) does not need to be modified to facilitate these changes because it does not explicitly list all covered titles.

- Council members stated a preference for revising systemwide Senate Regulation (SR) 750.B to explicitly include Math Fellows and avoid the need for campus-by-campus exceptions.

ACTION: Senate leadership will ask UCRJ to review SR 750.B in relation to the APM and UCAP to propose a revision to incorporate Math Fellows.

U-grade Grievances: UCOP is working with campuses on a proposed settlement with the UAW concerning the issue of U grades assigned to graduate students across four campuses during the fall 2022 strike.

APM 016: APP will release for management consultation the proposed revisions to APM 016, creating a framework for handling simultaneous misconduct investigations and academic personnel actions. The revisions were requested by the University Committee on Privilege and Tenure last year. They provide for an automatic no-fault pause on academic review actions during a disciplinary proceeding following a factual inquiry of allegations of misconduct. In the event of sanctions, a faculty member will have the opportunity to either proceed with or defer their academic personnel review. The proceedings will be included in the review file only if they are relevant to the faculty’s professional competence, professionalism, service, or other performance criteria.

Consultant Interview: UCOP has hired a consultant to assess UC’s academic and labor relations structure, staffing, and practices. The consultant will gather insights in a series of interviews with various constituents, including members of the Academic Council tomorrow.

Librarian Bargaining: Former Senate Chair Robert May will serve as faculty consultant on the bargaining team for the UC librarians’ contract, which was last negotiated five years ago.

Timekeeping and PTO: APP has provided guidance to campus academic personnel offices about faculty relations between graduate students as employees and as students. The guidance includes practices for timekeeping and tracking accrual and usage of paid time off (PTO). APP will monitor how campuses are deploying the guidance to inform future clarifications.

During the discussion:

- Council members requested more guidance about the rights and responsibilities of faculty members during a strike, particularly around continuity of instruction and sympathy strikes.

IV. Consultation with Senior Managers

- **Michael V. Drake, President**
- **Nathan Brostrom, Executive Vice President & Chief Financial Officer**

Campus Climate: The conflict in the Middle East has involved horrific acts of violence and exposed raw divisions on campuses. Navigating strongly held and often incompatible viewpoints has been challenging for UC and other universities. President Drake and the chancellors have released statements condemning acts of bigotry and intolerance on campuses, receiving both praise and criticism. At the November Regents meeting, President Drake announced three initiatives aimed at fostering constructive dialogue:

1. UC's Systemwide Director of Community Safety will convene campus counterparts to ensure that UC is taking all possible measures to support a safe campus environment.
2. UC will establish a systemwide Office of Civil Rights encompassing the Title IX office, a new systemwide Anti-Discrimination Office, and a new systemwide Disability Rights Office to provide guidance to campuses.
3. The University will use \$7 million from the president's discretionary fund to support campus emergency mental health resources for students and staff; programs that foster an informed and respectful dialogue on issues, including a better understanding of anti-Semitism and Islamophobia, and a "viewpoint-neutral" history of the Middle East; and additional training for campus leadership, staff, and faculty on navigating their roles in an inclusive learning environment.

Budget: President Drake expressed gratitude to the University's state partners for their support of the University. CFO Brostrom noted that the 2024-25 UC operating budget approved by the Regents includes a 4.2% salary increase for faculty and non-represented staff. There is also a projected core funds budget deficit of \$70 million, due in part to the increased costs of the UAW contract and health benefits. The deficit can be addressed through additional operational efficiencies, resource redirection, and alternative revenue sources. The Regents also approved a 2023-29 capital financial plan and the president's recommendation to increase the UCRP employer contribution rate and maintain the current employee contribution rate. To bolster the UCRP funded ratio, the University will transfer \$3 billion to UCRP from the Short-Term Investment Pool over five years, which will set UCRP on a path to full funding in 25 years.

During the discussion:

- Council members noted that the president's comments about the Middle East conflict were generally well received, but individual faculty are taking issue with the term "viewpoint-neutral." Council members also sought clarification on how faculty will be involved in developing the educational programs outlined in the president's statement.
- Members asked how the University will handle overlap in the UCB and UCLA chancellor search pools, and what the role of the new systemwide Office of Civil Rights would be in relation to campus offices with overlapping charges. They expressed concern about the

operating budget deficit, increases to employee health insurance premiums, and the need for more effective communication about changes in provider coverage.

- President Drake clarified that “viewpoint-neutral” refers to creating a neutral educational space for discovering history and fostering discussion without restriction or compulsion. He added that funding is intended to support existing programs as well as new programs directed by the campus community.
- The president noted that many of the top candidates for the UCLA and UCB chancellor position will share common characteristics, but that each position requires distinct qualities.
- The president also emphasized that the Office of Civil Rights will ensure consistent and effective application of policies across campuses and foster community among campus leaders without micromanaging.
- CFO Brostrom noted that the University is negotiating with healthcare providers to secure fair rates and has increased employer contributions to mitigate the impact of cost increases on the employees within the lowest income band. The University will conduct a comprehensive examination of its health benefits to better understand what has optimal value for faculty, staff, and retirees. He noted that the budget deficit can be mitigated in part by shifting investments and leaving vacant positions unfilled.

V. Online Undergraduate Degrees

In 2022, the Senate approved an amendment to Senate Regulation (SR) 630.E, clarifying the residency requirement for bachelor’s degrees. This revision introduced a “campus experience requirement,” mandating all undergraduates to complete a minimum of six units of in-person courses per quarter/semester for one year. Consequently, campuses are restricted from offering fully online undergraduate degrees unless a special exception is granted by the Senate. Some Regents oppose this requirement, viewing it as a significant alteration to the conditions of an undergraduate degree that should have involved their consultation.

Two potential solutions have been proposed to help resolve the disagreement. First, President Drake has proposed that a systemwide Senate committee review online degree proposals for quality and make recommendations thereon; however, this approach neither maintains the Senate’s approval authority nor directly addresses SR 630.E. Second, the Senate has pointed out that campuses could seek variances to 630.E, allowing them to offer fully online undergraduate degree programs. There remain concerns that the approval of a variance is not guaranteed, and that no criteria have been established to evaluate variance requests.

The Senate believes the best way forward is to form a presidential task force on instructional modalities and UC quality online undergraduate degree programs. The task force would comprehensively evaluate instructional modalities and establish criteria for introducing UC quality undergraduate degree programs that may be delivered remotely, and define criteria for a variance request. The Senate is collaborating with the systemwide provost’s office to draft a charge for the task force and the key questions it will address.

During the discussion:

- Members expressed concern about the quality and low completion rates of online undergraduate degree programs at other institutions, citing an example with 22% completion. Studies were referenced indicating that students who drop out of an undergraduate program are worse off than those who never attend college. It was noted that UC's 2030 goals commit the University to increase graduation rates and erase equity gaps, but online degrees could damage those goals if these negative outcomes were reproduced at UC. Members suggested adding a framing question to the charge regarding the need to investigate the impact of fully online degrees on equity and access.
- Concerns were raised that fully online degrees could create unhealthy intercampus enrollment competition, potentially disadvantaging less selective UC campuses, for example, if students can obtain an online degree from a more selective campus.
- Members expressed worry that online degrees could be perceived as a revenue generator for UC. While acknowledging a role for online education, they emphasized that the University should not prioritize profit over educational quality.
- Members emphasized the need for UC to comply with its accreditor requirements for a "substantive change" review for any new online program, as well as federal regulations on minimum engagement for students' financial aid eligibility.
- Emphasis was placed on the need for financial modeling to determine the resources required to maintain educational quality of an online degree program.
- Concerns were voiced about the unsuitability of online modes for STEM programs and for students who plan to pursue graduate study.
- Council members underscored the importance of preserving shared governance, educational quality, and faculty prerogatives over academic matters.

VI. Proposed Senate ad hoc Workgroup on Artificial Intelligence

Senate Chair Steintrager proposed the formation of a Senate workgroup to discuss challenges and opportunities associated with the use of artificial intelligence (AI) technologies at the University. While discussions about AI are occurring at the divisional level, and the provost is organizing a systemwide congress on AI in February 2024, a coordinated systemwide effort could be beneficial, especially given that the congress agenda omits the relationship of AI to academic integrity in coursework and in the admission process. Chair Steintrager invited Council members to contribute ideas for a workgroup charge.

- Council members expressed support for the effort, noting that the workgroup should solicit a range of perspectives from different disciplines, consider the effectiveness of AI detection tools, and address its use in courses where the act of writing, not the product of the writing, is the goal of the learning experience.

ACTION: A motion to create a charge for an ad hoc work group on artificial intelligence was made, seconded, and passed unanimously.

VII. Reports from Senate Division Chairs

- Individual campus Senates are re-engaging in five-year stewardship reviews for their chancellors, which were postponed during the pandemic.
- Many faculty are concerned about how UC's contract negotiations with Anthem Blue Cross will affect employees, particularly in campus communities with limited healthcare options.
- Divisions are discussing the distinction between free speech and hate speech; campuses are actively supporting the academic freedom rights of faculty who want to sponsor scholarly events and discussions related to the conflict in the Middle East.
- Divisions are developing survey instruments to assess how faculty are dealing with the effects of the new UAW graduate student contracts, including their effect on teaching and course content. Divisions are also assessing the role and effectiveness of disabled students' programs and disability resource centers; reviewing new schools and departments; and discussing increasing administrative burdens on faculty, strategies to increase faculty interest in campus and systemwide service shared governance around campus expansion plans and IT issues, and new efforts to address salary competitiveness.

VIII. Human Resources

- **Rachael Nava, Executive Vice President & Chief Operating Officer**
- **Cheryl Lloyd, Vice President of Systemwide Human Resources**

Benefits Studies: UCOP Human Resources is preparing Requests for Proposals (RFP) for a vendor to capture suitable data to inform four studies: total remuneration of the UC workforce, employee benefits, employee engagement, and employee separation reasons. Additional RFPs will identify a vendor or multiple vendors to analyze the data. The Senate has been invited to send representatives to a working group that will review the RFPs and then help identify the components of the studies.

Healthcare Benefits: The UC academic medical centers are negotiating with Anthem Blue Cross for UC Health's commercial Medicare and Medicaid business contracts; the extended contract expires on March 1, 2024. The negotiations have significant implications for healthcare in California given that Anthem members across California use UC providers. The Anthem-supported plans for UC employees and retirees are not part of the negotiations and remain unaffected at least through 2024. UC is also negotiating with UnitedHealth following its decision to eliminate UCSF Health coverage of the Medicare Advantage PPO. Current UC employees covered by United HealthCare will be able to maintain coverage and the open enrollment period was extended for affected retirees.

During the discussion:

- Council members asked UC HR to ensure that future efforts to convey information about benefit changes flow in a timelier and more transparent manner. They noted that some faculty are unhappy with UC's current pharmacy benefit manager and are urging an RFP for a replacement. Finally, they noted that the sharp rise in premium costs counterbalances last year's cost of living increase; they asked HR to do more to mitigate future cost increases.
- In response, Vice President Lloyd committed to improving communication. She noted that increasing healthcare costs create a challenging environment for UC in negotiations. UC is preparing for 2025 contract renewal negotiations, and plans to work with its actuaries and consultants to assess potential changes to benefits design that can help keep costs down. The total remuneration study will also help inform next steps.

Meeting adjourned at 4:00 pm
Minutes prepared by Michael LaBriola, Assistant Director
Attest: James Steintrager, Academic Council Chair