

ACADEMIC COUNCIL

Minutes of Videoconference Meeting

November 21, 2022

I. Consent Calendar

1. Today's agenda items and their priority
2. Draft Council Minutes of October 26, 2022

ACTION: Council approved the consent calendar.

II. Senate Officers' Announcements

- Susan Cochran, Academic Council Chair
- James Steintrager, Academic Council Vice Chair

Academic Graduate Student Strike: Unionized academic workers from four UC employee groups – Academic Student Employees, Graduate Student Researchers, Postdoctoral Scholars, and Academic Researchers – began a strike action November 14. Senate leaders are developing a letter to faculty with guidance on instructional matters, including faculty's professional responsibilities described in the Faculty Code of Conduct; the need to balance the right of faculty to support the strike with the rights of students to make academic progress and receive grades; and the need for faculty to observe shared governance and work with administrative partners on a response and solution. The Senate has learned that Department of Labor rules governing international work visas could prevent some international academic employees from obtaining H-1B, F-1, and other types of visas during the strike, or result in the suspension of existing visas.

UC Regents Meetings: The Senate chair and vice chair attended the annual retreat of the Regents on November 8-10 at Asilomar Conference Center, and the Regents meeting on November 16-17 at UCLA.

Title IX: The chair and vice chair are working with UC Legal on ideas for strengthening Title IX investigation procedures at the UC medical centers by aligning them more closely with procedures used on the general campus, while maintaining both the rights of faculty described in the Academic Personnel Manual and Senate bylaws and the autonomy of Medical Staff Boards.

III. Systemwide Review of Proposed Senate Regulation 479 (Cal-GETC)

Council reviewed comments from Senate divisions and committees in response to the systemwide review of a new Senate Regulation 479 creating the California General Education Transfer Curriculum (Cal-GETC). Cal-GETC was designed in response to State Assembly Bill 928, which calls for the establishment by May 2023 of a "singular" lower-division general education pathway that can meet the academic requirements necessary for transfer admission from the California Community Colleges (CCC) to both UC and CSU.

Nine Senate divisions and six systemwide committees submitted comments on the proposal. Most reviewers expressed general support for the proposal as a positive change focused on student success that will further support transfer and create more flexibility for students. They also acknowledged the need to respond to AB 928 and maintain faculty authority over transfer preparation and curriculum.

Reviewers also noted several concerns and questions. These included concerns about a change to the Language Other than English proficiency requirement and the introduction of an Oral Communication requirement; the potential for the Cal-GETC pattern to reduce preparation in some majors relative to the existing Intersegmental General Education Transfer Curriculum (IGETC) pattern; a request to extend the completion window for Cal-GETC certification; and a provision that permits individual schools and colleges to opt out of Cal-GETC. Reviewers also offered several editorial suggestions to enhance the clarity of the regulation.

- Chair Cochran noted that most CCC students complete the language requirement before they transfer to UC, and that the new Academic Council Special Committee on Transfer Issues (ACSCOTI) will be monitoring implementation details. Executive Director Lin noted that the Senate office had compiled the specific comments and questions that arose during the systemwide review. Those comments will be addressed and incorporated as additional clarifying revisions and presented to the Assembly for its consideration on December 8.

ACTION: A motion was made and seconded to approve Senate Regulation 479 with the clarifying amendments. Council approved motion unanimously.

IV. Systemwide Review of Amendment to Senate Regulation 630

Council reviewed comments from Senate divisions and committees in response to the review of an amendment to Senate Regulation (SR) 630. The amendment was proposed by the University Committee on Educational Policy (UCEP) and updates the residency prerequisite for an undergraduate bachelor's degree by adding new paragraph 630.E, requiring both freshman and transfer undergraduates to complete six units of in-person courses during a quarter/semester for one year, with the in-person course defined as having at least 50% of instruction occur face-to-face. The revision also closes a loophole that currently allows for the potential creation of a fully online degree program through individually approved online courses.

Four campuses and four committees expressed general support for the amendment. Several others expressed opposition or conveyed mixed views. Reviewers requested clarifications to the amendment and noted additional concerns about implementation and unintended consequences.

Council members reiterated several of these concerns. They included the absence of mechanisms on campuses to track the fraction of in-person instruction in a course; a concern that the amendment was inconsistent with the existing definition of residency in SR 610; a concern that the regulation would prevent campuses from launching fully online programs already in development, including a Creative Technologies B.A. at UCSC; and concerns that the regulations could stifle pedagogical innovation and creative application of technologies. Finally, there was concern that the regulation did not include a waiver mechanism allowing for the approval of specific online degree programs.

Chair Cochran noted that the regulation responds to faculty concerns that fully online degrees are not prudent or appropriate for UC, which is currently structured as a residential campus undergraduate degree, but it will allow campuses to experiment with online courses, minors, and majors, including the proposed Creative Technologies program as a fully online major. The regulation will also help UC avoid creating new educational and financial inequities across campuses.

UCEP Chair Cocco noted that UCEP used federal accreditation guidelines for financial aid accounting to arrive at the 50% threshold to define an in-person course. She added that UC's accreditor, WASC, requires online courses to include specific engagement activities and uses the 50% threshold to distinguish between in-person and correspondence courses. She noted that a lecture posted online is technically defined as a correspondence course that does not meet the minimum engagement requirement for financial aid. She suggested that the Academic Senate should define Regulation 630 as the "UC Campus Experience Requirement," and added that Senate regulations do not typically make explicit the possibility of waivers or opt-out mechanisms.

ACTION: A motion to return the proposal to UCEP for additional consideration was made, seconded, and passed unanimously.

V. Systemwide Review of Entry Level Writing Requirement Task Force Report

Council reviewed comments from Senate divisions and committees in response to the systemwide review of the Entry Level Writing Requirement (ELWR) Task Force report and recommendations. The report proposes several principles to guide campus ELWR placement methods. It also proposes a revision to Senate Regulation 636 to reflect the principle of the ELWR as an instrument of equity and inclusion and to establish an ELWR Oversight Committee that will advise the University Committee on Preparatory Education (UCOPE) on the use of the ELWR.

Many Senate reviewers expressed at least general support for the principles and recommendations in the report. They noted the need to unify local placement processes across campuses and modernize UC's writing placement processes for the benefit of all students, especially those disproportionately affected by a lack of access to quality preparatory education. Others expressed concerns about the authority of the proposed Oversight Committee; the additional resources needed to support local placement, assessment, and data collection processes following the elimination of the Analytical Writing Placement Exam (AWPE); and the reframing of the ELWR from a tool that assesses preparation for all freshman curricula, to a tool focused on preparation for first-year writing programs. Similarly, reviewers expressed mixed support for the proposed revisions to SR 636.

Academic Council members agreed that the proposed revision to SR 636 would benefit from additional consideration and particular attention to three areas: 1) clarifying the term "equity" to "educational equity"; 2) broadening the composition of the proposed Oversight Committee to include both Senate and non-Senate writing faculty who are familiar with the ELWR, including lecturers; and 3) clarifying the language of the regulation to reflect an expectation that the ELWR should prepare students for all first-year college-level courses.

ACTION: Comments from the systemwide review will be sent to UCOPE with a request that the committee review the feedback and advise the Council about the Task Force recommendations and a new revision to SR 636 that addresses the concerns.

VI. Consultation with Senior Managers

- Michael Drake, President
- Michael Brown, Provost & Executive Vice President, Academic Affairs

November Regents Meeting: The Regents discussed the continuing impact of the pandemic on faculty and the state of diversity at the University, including progress UC is making to diversify the faculty and University leadership, and efforts to build on that progress. The Regents also heard an update about the implementation of the UC Community Safety Plan, including campus progress assembling independent campus Police Accountability Boards; demilitarizing UC police vehicles, uniforms, and equipment; and building interactive data dashboards featuring community safety data.

UAW Strike: The University is bargaining in good faith with the United Auto Workers (UAW) union around improvements to compensation, paid leave, childcare and other benefits for academic student employees. However, the UAW has included several challenging proposals in negotiations that will be difficult if not impossible for UC to meet given the financial impact they would have on University operations. The University has invited the Union to engage with a third-party mediator.

- Council members noted that some faculty are confused by conflicting messages concerning the rights and responsibilities of faculty and graduate students during the strike, and what faculty are permitted to communicate to their students. Members noted that the University should continue to help graduate students thrive by creating educational and financial opportunities for them. They expressed concern that the strike could harm undergraduates and noted that unionization has complicated the faculty-student educational relationship. They also expressed concern that higher labor costs could increase pressure on grant awards and have cascading financial effects that could ultimately reduce opportunities for graduate students.
- President Drake responded that the University wants to clarify any confusing messages, but also needs to be cautious about communications around the strike. He said he appreciates the challenging and complicated nature of the situation for faculty. The University wants to arrive at a fair, reasonable, and sustainable conclusion that supports graduate students and protects the institution. Faculty's extra efforts during this period are much appreciated.

VII. Introduction to Budget Issues

○ David Alcocer, Associate Vice President, Budget Analysis & Planning

Role of the UCOP Budget Office: The Office of Budget Analysis and Planning is responsible for developing the University's annual systemwide operating budget and its policies and methodologies for allocating core funds across campuses. It works with UC State Government Relations to interface with state agencies on budget issues; it also crafts the University's annual budget request to the State and the annual UC budget plan approved by the Regents. Finally, it manages policies around tuition, fees, and financial aid; and conducts longer-term financial planning, forecasting, and analysis.

Funding Sources: The UC Medical Centers are the largest funding source in the University's 2022-23 budget, comprising 36% of the overall \$47 billion budget. UC "Core Funds" constitute 22% of the overall budget. Core Funds include tuition and fees, State general funds, and UC general funds, most of which is nonresident supplemental tuition. Sales and services are 23% of the budget; government contracts and grants are 12%; and private support 6%. Campuses manage some revenues, including those related to the medical centers, research grants, private

gifts, auxiliaries, and some student fees, while other revenues are managed centrally, including State funds, systemwide tuition, and investments.

Trends Over Time: The UC operating budget has become larger and more varied over time with particularly rapid growth in the medical centers. Since 2000-01, available core funds have increased by 9%, while student enrollment has increased by 71%, resulting in a 36% decrease in funding per student.

Expenditures: UC is a people-driven institution that relies on a highly skilled workforce who command competitive salaries. Its largest core funds expenditures are faculty and staff salaries (48%), employee and retiree benefits (20%), equipment and utilities (17%), and financial aid (15%).

Campus Allocations: In 2011, UC adopted a simpler and more transparent campus funding model, known as “funding streams,” which allows campuses to retain all revenue they generate, and funds UCOP through a fixed assessment on campus expenditures. UCOP also introduced Budget Rebenching, a six-year plan to use new State funds to equalize the per-student funding allocation formula across campuses that also established separate funding corridors for UCM and UCSF to recognize their special needs.

Budget Process: The UC budget cycle begins at the September Regents meeting with a preliminary discussion about the UC budget for the following fiscal year. UCOP asks the Regents to approve a final proposed budget in November, which becomes the University’s official request to the state. The request informs the Governor’s January budget, which is the basis for a series of discussions and negotiations with the Legislature. The Governor submits a revised budget in May, which may reflect some of the Legislature’s priorities. Following additional negotiations in conference committees, the Legislature votes on a final spending plan by June 15, which the Governor must sign by June 30.

Enrollment Growth and Funding: The 2022 Budget Act funds 5,000 new California resident undergraduates over two years. It also includes a compact with the Governor calling for additional enrollment growth of 1% and annual base budget increases of 5% in each of the next five years. However, this year UC’s actual enrollment growth fell short of the 2023-24 funded full-time equivalent (FTE) target, largely due to a sharp pandemic-related decline in transfer and summer session enrollments. UC will meet the targets in the Budget Act, but on a longer than anticipated timeline.

2023-24 Budget: The fiscal year 2023-24 UC budget approved by the Regents includes \$541 million of new expenditures to support ongoing investments in core operations, enrollment growth, and student financial aid, and one-time investments in facilities renewal, enrollment growth, and clean energy projects. UC is requesting a 5% (\$252 million) increase in ongoing funding from the state to augment revenues it plans to generate from alternative sources, including procurement savings and new asset management strategies. It is also asking for \$1.2 billion in one-time funding to support capital renewal and seismic upgrades.

- Council members asked AVP Alcocer to comment on the extent to which revenues generated at the medical centers support the general campus. They also asked what factors may cause a campus to be more or less dependent on state funds.

- AVP Alcocer noted two competing perspectives about medical center revenues: one is that the medical centers are profitable enterprises that help subsidize other programs across the general campus; the other is that the medical centers are a drain on campus resources. He said he believes the former is more likely true – and that medical center resources benefit the general campus. He noted that two main factors affect a campus’s relative dependence on state funds: its ability to generate revenue from undergraduate nonresident tuition, and its ability to generate revenue from philanthropy.

VIII. UCOPE Request re: Entry Level Writing Requirement Fee

The University Committee on Preparatory Education asked the Academic Council to seek confirmation from President Drake that the revenue from the new Entry Level Writing Requirement (ELWR) fee being assessed of students will be used only to support writing placement at the campuses.

ACTION: A motion to endorse the request and send it to President Drake was made, seconded, and passed unanimously.

IX. Reports from Senate Division Chairs

Division chairs compared notes and questions concerning local campus planning around the graduate student strike, faculty rights and responsibilities, and the impact of the strike on the delivery of instruction, grading, and other matters.

Division chairs also mentioned that individual campus Senates are discussing how campuses and departments will implement budget cuts to address projected deficits; strategies for increasing faculty engagement in campus life and for attracting more faculty to Senate service; local efforts and discussions around faculty research recovery and faculty remote teaching accommodations; and climate change issues. Division chairs also compared current scheduling for their executive committees and best practices for motivating faculty to attend executive council meetings.

X. Executive Session: Labor Relations Update

- **Letitia Silas, Executive Director, Labor Relations, Systemwide Human Resources**
- **Douglas Haynes, Vice Provost, Academic Personnel and Programs**
- **Amy K. Lee, Associate Vice Provost, Academic Personnel and Programs**
- **Allison Woodall, Deputy General Counsel for Education Affairs, Employment & Governance, UC Legal**

Notes were not taken for this discussion, which is protected by the attorney-client privilege.

Meeting adjourned at 4:30 pm
Minutes prepared by Michael LaBriola, Assistant Director
Attest: Susan Cochran, Academic Council Chair