

ACADEMIC COUNCIL

Minutes of Videoconference Meeting

November 22, 2021

I. Consent Calendar

1. Today's agenda items and their priority
2. Academic Council minutes of October 27, 2021
3. December 8 Assembly Agenda

ACTION: Council approved the consent calendar.

II. Senate Officer Announcements

- o **Robert Horwitz, Academic Council Chair**
- o **Susan Cochran, Academic Council Vice Chair**

Union Negotiations: The University has reached a tentative five-year contract agreement with the UC-AFT, the union representing Unit 18 Lecturers. The UC-AFT canceled a planned strike and its members are expecting to ratify the agreement. Lecturers will receive an immediate 7% pay increase, followed by annual increases of 3%, 3%, 3%, and 4%. The agreement also includes merit raises, a \$1,500 signing bonus, and enhanced job stability. The University is also negotiating the membership of a new Graduate Student Researcher bargaining unit. UC wants the unit to include students who are UC employees paid through university research funds and grants, but exclude students who are not UC employees and receive research funding in the form of fellowships.

November Regents Meeting: The Regents approved a 2022-23 UC budget that asks the state to make substantial new investments in core operations, capital projects, and deferred maintenance. The budget also includes a 4% increase to faculty salaries and an additional 1.5% to address salary equity gaps. The Regents also approved a proposal to reduce the UCRP employer contribution from 15% to 14% with the 1% gap addressed through additional STIP borrowing and external financing. The Regents added a sunset clause that automatically restores the contribution to 15% in two years unless the Regents act.

The Regents discussed reports from the UC Presidential Working Group on Artificial Intelligence, the Senate's Smarter Balanced Study Group, and the Southern California Hub, which facilitates collaborations between Southern UC campuses and the UC-managed National Laboratories. During a discussion of transfer student policy, Chair Horwitz suggested that UC Online could help students at less-resourced community colleges fill transfer requirements gaps.

ECAS: Senate leadership are working with the Office of Ethics, Compliance, and Audit Services on a policy that addresses foreign influence in research. Senate leadership also have asked ECAS to develop a set of complaint procedures similar to whistleblower reporting for UC staff working at UC-affiliated hospitals.

Climate Crisis: The Senate's Climate Crisis Task Force will ask the Academic Council to recommend to the Assembly that it approve and initiate a ballot on a proposed Memorial to the UC Regents on the topic of the climate crisis. UCOP is also working on a plan to engage the

campuses, ANR, and the National Laboratories in a translational research effort around climate change and resiliency.

Response to Dependent Care Resolution: President Drake has responded to the Council's September 2021 Resolution on Dependent Care with a promise to initiate a discussion at the Council of Chancellors about campus investments needed to support the Council's dependent care goals.

Policing Workgroup: President Drake has asked the Senate to develop a systemwide program to orient new campus police to the UC culture and community. UCFW will lead a working group that will make recommendations to the President on the design and format of the initiative.

UC Online Advisory Council: Provost Brown has responded to a Senate request to improve the organization and effectiveness of UC Online by assembling a new UC Online Advisory Committee. The Committee will include three Senate members, including Chair Horwitz and Vice Chair Cochran who will serve one- and two-year terms respectively, and UCEP Vice Chair Russ, who will also serve a two-year term.

- Council members expressed interest in learning more about how the new federal infrastructure bill might be leveraged to support the University's capital, deferred maintenance, and climate resiliency needs.
- Members noted that the Council's Resolution on Dependent Care asked the University to take a systemwide look at programs to better support faculty, staff, and students with dependent care responsibilities. Passing the request to chancellors misses an opportunity to be proactive and identify systemwide principles and best practices. It was agreed that UCFW would help the Council consider specific follow up requests and next steps.

III. Systemwide Review of Revised Policy on Sexual Violence and Sexual Harassment

➤ Suzanne Taylor, Title IX Coordinator

Council reviewed responses from Senate divisions and committees to the proposed revisions to the Presidential Policy on Sexual Violence and Sexual Harassment. Coordinator Taylor noted that the revisions are intended to better account for prohibited conduct in the context of patient care in the clinical setting, and to comply with the provisions of a new state law, Senate Bill 493, which adds new SVSH protections. These protections include the explicit addition of sexual exploitation as a form of prohibited conduct and new limitations on no-contact orders, which maintain the prohibition on respondents contacting a complainant but remove an existing restriction on a complainant's ability to contact a respondent. The intent of SB 493 is to counteract adverse provisions in new federal Title IX regulations that UC had also objected to. UCOP plans to issue the final revised policy before the winter holiday.

- The letters from Senate reviewers expressed general support for the revisions, but also included suggested clarifications as well as more substantive improvements. Council members noted that the policy should clarify how it will apply to UC faculty and staff working in satellite and UC-affiliated facilities. There was also concern that the revised no-contact policy could threaten the well-being of respondents.

ACTION: The comments and a summary letter will be forwarded to Vice Provost Carlson.

IV. Systemwide Review of Proposed Revisions to Senate Regulation 478 (IGETC)

- **Madeleine Sorapure, BOARS Chair**
- **Monica Lin, Director, A-G and Transfer Policy Analysis & Coordination**

Council reviewed comments from the systemwide review of a revision to Senate Regulation 478 proposed by BOARS. It creates Intersegmental General Education Transfer Curriculum (IGETC) Area 7 – Ethnic Studies, an additional IGETC subject area that prospective California Community College transfers can fulfill by completing an approved course in Ethnic Studies. The revision also aligns UC with new state legislation requiring CSU to include an Ethnic Studies course in their general education curriculum for a baccalaureate degree. Both UC and CSU share a goal of implementing the requirement in a way that does not increase the total number of courses required for IGETC. However, CSU faculty have opted to reduce the number of required courses for Area 4 (Social and Behavioral Sciences) from 3 to 2 to accommodate a new Area 7 course. In contrast, UC will require that one of the existing three courses required in either IGETC Area 4 or Area 3 (Arts and Humanities) is approved as an Ethnic Studies course. This “overlay approach” maintains the total number of courses required for IGETC, without reducing the total number of courses UC requires in Areas 3 and 4.

The letters from Senate reviewers expressed general support for the revisions, but also included several concerns. One concern was that the wording of the regulation excludes courses with ethnic studies content that are not in the Arts and Humanities or the Social and Behavioral Sciences. Another was that the course prefixes included in the Area 7 criteria are not inclusive of those used at all UC campuses. Finally, there was concern that maintaining different IGETC Area 7 requirements for UC and CSU will not meet the letter (or spirit) of AB 928, a new law that creates a single transfer pathway from CCC to UC and CSU.

Council members observed that the more inclusive disciplinary approach suggested in the letters may not align with the overall goal of easing the transfer path for students. Director Lin noted that both UC and CSU will be approving courses for Area 7 based on the same set of core competencies, making it likely that the same set of CCC courses will be approved by both UC and CSU to fulfill IGETC Area 7.

ACTION: BOARS will consider comments and Council will discuss again in December.

V. Proposed Revisions to Senate Regulation 424.A (Ethnic Studies)

- **Madeleine Sorapure, BOARS Chair**

Council reviewed BOARS’ request for a systemwide review of proposed revision to Senate Regulation 424.A. Chair Sorapure noted that the revision adds Area H, an A-G Ethnic Studies requirement for admission to the University. Area H would require that at least one high school course California students use to satisfy another A-G area be an approved half-unit course in Ethnic Studies. This “overlay” approach does not add courses to the total A-G pattern. The addition of Area H aligns with a new ethnic studies requirement proposed for California K-12. High schools will have until 2030 to develop eligible courses. BOARS also has approved A-G Ethnic Studies course criteria and guidelines developed by a faculty workgroup that establish UC’s expectations for Area H. Chair Sorapure noted that research shows that Ethnic Studies are beneficial to at-risk and URM students.

ACTION: Council agreed that the proposal should circulate for systemwide Senate review.

VI. Consultation with Senior Managers

- **Michael Drake, President**
- **Michael Brown, Provost and Executive Vice President, Academic Affairs**

Union Negotiations: President Drake noted that the agreement with UC-AFT is fair and meets the University's goal to better support lecturers and students. The University is currently negotiating with the UAW on the membership of a Graduate Student Researchers bargaining unit. Collective bargaining will begin after PERB issues a finding about who should be included in the union. He said the University supports the right of any employee group to organize and noted that the vast majority of graduate students the UAW has proposed for inclusion in the bargaining unit are GSRs, however, the University believes it would be inappropriate for the unit to include individuals doing research who are not compensated employees.

TMT: The 2021 National Science Foundation "decadal survey" lists the Thirty Meter Telescope project as a funding priority. UC is a partner in the TMT project. The report did not list a site preference for the TMT, but calls for engagement with indigenous communities near possible sites in Hawaii and Canary Islands before a decision is made.

Regents Business: The Regents approved at their November meeting a reduction in the UCRP employer contribution rate from 15% to 14% effective July 1, 2022. The action follows strong market returns that moved UCRP's funded status above 90%. The reduction will be paired with additional STIP borrowing and implemented as a two-year pause in the 15% contribution rate. The pause will help campuses avoid \$500 million in costs in each of the next two years and continue UCRP on a positive trajectory toward 100% funded status. UC is also working on a request for one-time state funding to leverage UC expertise on multi-disciplinary research around climate resiliency.

Community Safety Plan: Faculty are serving on two systemwide campus safety working groups, the first focused on collecting campus safety data, and the second on demilitarized alternatives for police vehicles, uniforms, and equipment. The University has employed a search firm to recruit a systemwide director for the Community Safety Plan.

Legislation: A new state law (SB 820) that prohibits UC from contracting out for services and functions that can be performed by UC employees is harming campus staffing and operations. The University wants to work with the Legislature to make improvements to the bill.

- Council members asked if UC had considered including undergraduate researchers in bargaining discussions. They noted that the GSI union membership had removed opportunities for undergraduates to participate in teaching, and that GSR negotiations include similar risks for undergraduate research opportunities. Members noted that faculty need guidance about how to navigate their relationships with unionized GSRs, including how to distinguish between GSRs' work as compensated employees and their work as graduate students. They observed that unionized GSRs may see fewer opportunities if it became less expensive for faculty to hire post-docs. Council members also asked if the University would consider reducing employee contributions to UCRP and expanding MOP eligibility to additional staff categories, if the faculty salary increase would apply to off-scale salaries, and how UC was accounting inflationary conditions in its salary plans. Finally, they asked President Drake to comment on the proposed "Munger Hall" at UCSB.

- President Drake noted that GSR negotiations are focused on graduate students and the service they perform for the University, rather than their academic status. The University wants to reach agreements that support the UC mission and do not compromise its principles or excellence. He noted that the UC budget proposal includes faculty and staff salary increases that reflect the current inflationary environment. He expressed an openness to MOP expansion and noted that reducing the UCRP employer contribution rate would allow campuses to identify new funding priorities. He noted that the pre-COVID plan for Munger Hall deserves further consideration, and that the University wants to increase student housing, but is also sensitive to issues of quality.
- Provost Brown added that the 2022-23 faculty salary plan will include an equity component. He noted that the dual status of graduate students as employees changes the nature of their relationship to faculty and to the University in ways that should be monitored carefully. He mentioned that the 2021-22 state budget asked UC to establish a dual admissions program as a separate transfer pathway. The University believes that it can implement such a pathway; however, it is concerned that additional transfer enrollments will reduce space for freshmen. He emphasized the central role of the Senate and BOARS in determining admissions policy based on analytical investigation and observed the faculty and administration's shared interest in broadening access to the University. Finally, he noted that UC Online has a new systemwide digital workgroup that is defining a guidance framework for a wide range of online learning topics and issues.

VII. Executive Session (Labor Negotiations)

- **Susan Carlson, Vice Provost for Academic Personnel and Programs**
- **Amy K. Lee, Associate Vice Provost**
- **Alison Woodall, Deputy General Counsel**

VIII. Executive Session (Senate Membership)

IX. Academic Freedom and Political Postings on Departmental Websites

Council reviewed a UCAF letter and its two recommendations related to the ability of campus academic departments to issue or endorse statements on political issues in the name of the department. The letter articulates an overriding principle that departments should not be precluded from issuing or endorsing statements. It recommends, consistent with the UC Electronic Communications Policy, that department statements include disclaimers making clear that the statements are not intended to represent the views of the University as a whole. The letter also recommends that departments clarify in such statements whose views within the department the statement represents, and make allowances for the expression of minority views.

- Council members expressed support for a consistent “political postings” policy across campuses, and noted that the ultimate audience for the recommendations should include chancellors and EVCs. A member suggested that recommendation 2) remove the suggestion that departments be expected to list specific faculty names, and instead ask departments to include a statement about the process it used to develop and seek faculty support for the statement. Council agreed that the UCAF letter and recommendations should be circulated for systemwide Senate review and comment as a proposed systemwide approach.

ACTION: The UCAF letter will circulate to campuses for systemwide review.

X. Remote Teaching by TAs
○ **Andrea Kasko, CCGA Chair**

Campuses are seeking guidance about how to handle requests from Teaching Assistants for remote teaching accommodation due to non-medical reasons such as child care or a lack of affordable housing near the campus. Some campuses are handling these requests at the department level. Currently the requests are not numerous, but clear and consistent policies will help prevent inequalities from arising should requests increase after the pandemic. CCGA also observes that last year's revision to Senate Regulation 610 signaled more flexibility to the Senate graduate student residency policy by clarifying that residency is not necessarily linked to physical presence on campus, but adheres to students as long as they are enrolled in a course approved by faculty. Given that the SR 610 makes it possible for graduate students to fulfill their degree requirements from a remote location, campuses may benefit from systemwide policies or guidance around teaching assistantships in the context of this new policy.

- Council members noted that campuses are in different stages of discussion about the issue. On some, Senate approval is required for classes proposed to be taught remotely, while on others departments decide. Most campuses are allowing liberal disability-based teaching accommodations, but they differ in their approaches to non-medical requests. Individual Council members expressed support for central guidance, but others noted that their campuses would not welcome such guidance if it encouraged or required more remote instruction. Finally, Council members emphasized the need for advocacy around better support for graduate students.

ACTION: CCGA will draft a proposal for further Council discussion and review.

XI. Division Chairs Reports and Issues

Honorary Namings: UCLA is pursuing a review of policies and procedures around honorary (as opposed to philanthropic) naming of buildings and other spaces on campus. As part of the inquiry, UCLA wants to determine the role campus Senates play in namings or re-namings. A few division chairs shared information about how their campuses participate in these processes.

Online Teaching and Degrees: The UCI Senate is developing pedagogical guidelines for remote and hybrid course modalities; meanwhile, UCI faculty will not need special approval to teach online or hybrid courses in winter quarter. The UCSC Senate is also discussing a framework for fully online degree programs and expects the first proposal to come to UCEP in the near future. UCEP Chair Lynch noted that UCEP is drafting principles for the development and implementation of fully online programs and she offered UCEP's assistance to campuses.

Munger Hall: UCSB faculty are asking the administration to reject Munger Hall, a massive, mostly windowless dormitory proposed and designed by a campus donor to address the UCSB housing shortage. Faculty have concerns both about the design of the building plan and the lack of Senate consultation during its development. Other division chairs noted similar concerns about consultation around growth, long-range development planning, and construction. Divisional Senates also seek more significant involvement in budget planning and enrollment management.

Research Recovery: UCSF faculty may apply for research bridge funding awards from a pool of money created by the Chancellor, who currently requires that the faculty member's home department and dean each fund 1/3 of the total award. The Senate is encouraging the chancellor to relax these rules so that more faculty can access the money.

Staffing: Several campuses are experiencing staff shortages and staff are asking for more remote work options. Campuses are discussing which staff are eligible for remote work and under what circumstances. Some administrations have been hesitant to implement campus-wide rules and are pushing decisions out to individual units.

Other Issues: Campuses are discussing difficulties associated with the shift to new purchasing software, faculty access to student evaluations, impacted majors and student-faculty ratios, the benefits of the RCM budget model, the costs and benefits associated with full campus electrification, and resources and supports for faculty who are targeted online for exercising their free speech and academic freedom rights.

Meeting adjourned at 4:15 pm
Minutes prepared by Michael LaBriola, Assistant Director
Attest: Robert Horwitz, Academic Council Chair