UNIVERSITY OF CALIFORNIA ACADEMIC SENATE
ACADEMIC COUNCIL

Minutes of Videoconference Meeting
November 23, 2020

I. Consent Calendar

1. Today's agenda items and their priority
2. Draft Academic Council Minutes of October 28, 2020
3. Revision to Bylaw 125.B.14 (Senate Rep to Regents Committee on Health Services)

ACTION: Council approved the consent calendar.

II. Senate Officers Announcements

- **Robert Horwitz, Academic Council Vice Chair**

November Regents Meeting: The Regents' agenda included a series of items focused on undergraduate transfer to UC from the California Community Colleges, including UC's efforts to increase CCC transfers, the UC transfer student experience, and programs and partnerships that support transfer, such as UC's new transfer guarantee policy "Pathways+", campus-based Transfer Admission Guarantees, and transfer outreach programs. Representatives from transfer advocacy organizations encouraged additional reforms to further improve the transfer pathway. Transfer advocates assume that if the friction points inhibiting CCC student transfer are eased, more CCC students will come to UC, but UC campuses are already close to the 2:1 freshman-to-transfer ratio, and at capacity.

The Regents' Academic and Student Affairs Committee discussed UC's Education Financing Model and alternative approaches to financial aid. President Drake outlined his vision for a debt-free path to a UC degree, which will require the expansion of on-campus work opportunities. The Committee also considered opportunities for improving Native American student admission, enrollment, and outreach, and accommodations and services to support students with disabilities. The Regents accepted the report of the Special Committee on Basic Needs and its recommendations for addressing student basic needs insecurity.

The Regents approved a plan to amend UCRS to protect service credit accruals and relax break in service rules for employees temporarily laid off as a result of COVID-19 workforce actions. They also approved capital projects at UCD and UCSD; however, individual Regents called for the removal of a lecture hall from the UCSD project, citing expectations that remote/hybrid instruction will become more common post-pandemic.

Climate Change: President Drake invited Chair Gauvain and Vice Chair Horwitz to join the Global Climate Leadership Council, formed by President-emerita Napolitano to move UC to carbon neutrality by 2025. The goal of carbon neutrality is premised heavily on the use of carbon offsets, and GCLC is discussing the virtues of offsets relative to de-carbonization.

Feasibility Study Working Group: Vice Chair Horwitz and BOARS Chair Comeaux co-chair a Working Group the President has charged with evaluating the viability of a new UC admissions test, following the Regents' May 2020 decision to phase out the use of SAT/ACT in admissions by 2025. The Working Group has met nine times, with a final meeting scheduled for December.

- BOARS Chair Comeaux noted BOARS' recommendation that UC track and assess the effectiveness of outreach and communications efforts around Transfer Pathways+, particularly for students at low-sending California Community Colleges.
- A Council member encouraged the University to clarify what standardized testing UC will require next year and how scores should be used in the admissions process.
- A Council member noted UCD's and CSU Dominguez Hills' efforts to bolster Native American student recruitment, which could serve as models for UC.

III. Fossil Fuels Requests Follow-up

Council discussed next steps for three letters on fossil fuel investments Council sent to the administration at the end of the 2019-20 academic year. The letters asked the University to (1) implement transparency and oversight measures to allow the public to review the status of fossil fuel investments in the endowment and retirement plan; (2) issue an RFP for new commercial banking vendors that includes a criterion for eligible institutions to adhere to Environment, Social and Governance (ESG) principles; and (3) remove fossil fuel investments from managed funds in the UC Retirement Savings Plan.

It was noted that at a recent TFIR meeting the Chief Investment Officer expressed support for implementing the first request. However, the CIO noted that arriving at a comprehensive definition of "fossil fuel free" is complex and elusive, and he would benefit from specific guidance from the Regents about what specific investments should be avoided.

ACTION: Senate leadership will ask the Regents to address the issue in January.

IV. Systemwide Review of Proposed Revisions to Senate Regulation 544
Systemwide Review of Proposed Revisions to Senate Regulation 630

The University Committee on Educational Policy put forward proposed revisions to SR 544 and SR 630 at the end of the 2019-20 academic year.

SR 544: UCEP Chair Potter said the revisions were driven by UCEP's conversations with the Innovative Learning Technology Initiative (ILTI), and are intended to facilitate UC student access to courses offered on other UC campuses by clarifying the existing cross-campus course enrollment process. The revisions add language requiring a student's non-home campus to check prerequisites before allowing the student to enroll in a course, and language stating that students have a right to petition their home campus for the kind of credit they want for the course and for permission to exceed the upper limit on non-home campus courses that count toward graduation.

Senate reviewers expressed general support for the goals of the revisions, but noted details that need additional clarification. In particular, there was concern about a lack of clarity around who will verify prerequisites, and the potential impact on staff and faculty workloads of doing so given that not all campuses currently require a prerequisite check.

SR 630: The revisions aim to simplify the regulation and allow students more flexibility to fulfill the "senior residency requirement," which requires them to complete 35 of their final 45 (quarter) units "in residence" at their home campus. The revised SR 630 no longer specifies when students must complete units in residence, only that they must complete 45 quarter (or 30 semester) upper division units in residence. The changes will align the policy with the needs of students who fulfill upper division requirements earlier in their career; clarify the focus of the

residency requirement on students' upper-division courses; and benefit students who want to enroll in a systemwide program like study abroad in their final year.

Senate reviewers sought additional clarifications, including whether systemwide courses count toward the residency requirement. They also noted that the revisions could have unintended consequences, by increasing the number of required upper division units on some campuses, hindering the ability of transfer students to participate in study abroad, and giving students the ability to complete a degree without stepping foot on campus. Council members noted that the proposed revisions should be considered in the context of the current review of ILTI and the report of the Online Undergraduate Degree Task Force, and should consider fundamental questions about the kind of undergraduate experience UC should offer.

ACTION: UCEP will consider comments and revise the proposed regulations for later review.

V. Reports from Senate Division Chairs

- The UCB Senate has called a special division meeting to consider motions allowing temporary grading flexibility during COVID-19. The UCB Senate is also participating in a joint working group on the budget, a special task force on the use of online/hybrid courses after COVID, and a working group on working titles for non-Senate faculty.
- UCD will require negative COVID tests for campus visitors beginning December 1. The campus is rescinding approvals for in-person courses scheduled to begin in winter quarter in some schools, extending P/NP flexibility to winter, and planning for spring quarter and summer session.
- At UCI, a joint budget work group is exploring new efficiencies and cost savings. Senate leaders are calling for a cautious approach to any long-term policy and procedural changes. The campus expects to return to standard P/NP policy in winter quarter, and is introducing flexibility into the permitted use of graduate students in dual mode instruction.
- UCLA requires regular testing for all students, faculty, and staff living or working on campus, except those in the Health Sciences.
- The UCM Senate has been hosting town hall meetings as fora for faculty to share concerns and best practices. The campus is building a COVID testing and tracing infrastructure and plans to deliver instruction almost entirely online in winter and spring quarter.
- UCR faculty are considering a statement about Zoom's decision to shut down a SFSU seminar over the participation of a controversial speaker. The division is pushing for more shared governance in budget decisions, and anticipating a report from campus safety task force that evaluates the role of campus police.
- UCSB is planning for a gradual and cautious expansion of on-campus services for students by summer 2021. Changes in enrollment patterns are overloading some STEM departments, making it difficult to provide quality advising and instruction to all students.
- The UCSC Senate is working with the administration to review potential budget cuts and a proposal to move to a Responsibility Center Management budget model. CAP wants to restart Associate Step V, and UCSC is reviewing potential racial bias in policing and student conduct actions.

- Return to Learn is UCSD' plan for safely and incrementally repopulating the campus. Currently 10,000 students are living on campus and 100k COVID tests have been administered. Before San Diego County's recent shut down of in-person instruction, 60% of classes were being offered in person without a single COVID case. The administration walked back its asynchronous instruction mandate, agreeing that faculty have the right to teach classes in the manner of their choosing.
- UCSF is implementing random asymptomatic COVID testing of faculty and staff and working with San Francisco community organizations to bring testing to at-risk neighborhoods. UCSF has partnered with a personal finance company to assist faculty and staff with down payment support and other home-buying resources. The demand for on campus childcare services far exceeds what UCSF has been able to provide.
- Several division chairs noted that campuses are making special in-person learning accommodations for international students to ensure compliance with new visa rules. It was noted that UCOP is gathering reports from campus policing work groups and planning a symposium in January to discuss best practices.

VI. Consultation with UC Senior Managers

- **Michael Drake, President**
- **Michael Brown, Provost and Executive Vice President, Academic Affairs**
- **Nathan Brostrom, Executive Vice President and Chief Financial Officer**

Report from President Drake: President Drake cited the promising initial results of COVID-19 vaccine clinical trials, and expressed hope that a safe and effective vaccine was in sight. He added that even if a vaccine is distributed widely in 2021, UC will continue in a state of altered operations and require masks at least through summer 2021. Campuses are recommending that students either stay on campus through the holidays, or return home through the holidays. He noted that the infection rates of UC students living on campus are lower than the overall 18 to 24-year-old cohort and the cohort of UC students living off-campus.

President Drake thanked the Senate for its comments on the proposed curtailment program, and expressed appreciation for the faculty's hard work, flexibility, and leadership in adjusting to the demands of the pandemic. Earlier today, the president released a letter asking each UC location to establish an overall savings target equivalent to 0.7% of payroll and to establish a pandemic relief fund to prevent layoffs and preserve lower-paid jobs. He said UC locations will be permitted to employ a mix of measures to meet the target based on which meet their financial and operational needs best. The Regents amended UCRP to preserve the accrual of service credit during an unpaid furlough or curtailment, to ensure that a temporary layoff does not constitute a break in service.

President Drake noted that the report of the Special Committee on Student Basic Needs takes a broad look at goals and strategies for better supporting student basic needs by 2025. He said students experiencing homelessness and food insecurity are also more likely to lack access to the technology required for remote study during the pandemic. He emphasized that the flu vaccine protects both individuals and the UC Health system.

UC Budget: CFO Brostrom noted that the state has collected $11 billion more in tax revenue than anticipated in prior assumptions, and expects a $26 billion windfall by spring 2021. UCOP has developed a budget request of $518 million, which includes restoration of the $300 million reduction in General Fund support UC sustained in 2020-21, and new funding to support cost

increases, student success and mental health programs, and UC Programs in Medical Education. UC also will request $250 million in one-time funds for a Deferred Maintenance Plus program to address critical shovel-ready projects that have energy efficiency components. UC hopes Congress will pass another stimulus bill targeting the states. Despite the pandemic, UC's fundamentals are strong. In contrast to national trends, overall UC undergraduate enrollment is up, and the declines in nonresident enrollment seen at some campuses should rebound. The current budget crisis has underscored the need for a predictable and stable tuition policy. Tuition increases help support campuses, but also bolster the financial aid system and increased affordability for lower income students.

Comments and Discussion

- Council members asked if UCOP would require campuses to abide by a minimum set of standards for curtailment length and progressivity. Some expressed concern that the flexibility given to campuses could create unequal effects on faculty and staff across campuses and harm the systemwide sense of UC. Individual members emphasized the need to protect employees' service credit accrual as well as their highest average plan compensation (HAPC) with respect to pension calculations, noting that the 2009 furlough plan preserved both. Members expressed concern that the program would do little to address campus deficits, and asked administrators to consider a systemwide policy on reserves. They asked for reassurance that UC Path will process curtailment actions accurately.

- President Drake said curtailment is only one method available to campuses for generating the savings target and preventing layoffs. Some campuses may choose different or additional levers to generate savings, while others with deeper structural problems may decide to implement lengthier curtailments. All chancellors support the principle of progressivity, and UCOP expects any campus-based plan to adhere to this principle. He noted that UCOP is working with the campuses, Regents, state leaders, and other constituencies on a plan to address UC's long term structural challenges.

- CFO Brostrom said UC was faced with a choice between protecting service credit or HAPC, and chose service credit. He said increasing the number of students in dorms will help boost auxiliary revenues and address campus deficits, and that the Regents are contemplating changes to UC debt policy that add minimum systemwide campus cash-on-hand prerequisites for access to capital markets. UCOP has also raised the possibility of a systemwide approach to investment management. CFO Brostrom asked the Senate to forward him Council's three letters on fossil fuel investments referenced in agenda item III above.

VII. Visit with Regent George Kieffer

Regent Kieffer noted that his twelve-year term on the Board of Regents ends in 2021, and he has been honored to serve on the Board and lead it as chair in 2017-18. He said he often protested the Regents as a UCSB undergraduate and never imagined he would become a Regent himself. He noted his previous service as Alumni Regent, president of the UC Santa Barbara Alumni Association, and president of the Board of Governors of the California Community Colleges.

Regent Kieffer said his relationship with Senate leadership was crucial to his success as Board chair. He observed that the question of "who runs the University?" is interesting. While the Regents have an important role, it is the faculty and staff who run UC on a day-to day basis. He thanked the faculty for everything they do to support the University's tripartite mission of

teaching, research, and service, and expressed particular appreciation for the faculty's response during COVID, which has helped keep UC strong. He invited questions from Council members.

- A Council member asked Regent Kieffer for advice on better representing faculty perspectives Regents meetings.

Regent Kieffer responded that the faculty representatives to the Regents do a good job of representing faculty perspectives at Board meetings, but he emphasized the importance of effective communication, and encouraged the Senate to choose leaders who communicate well. He added that faculty representatives should consider the Regents to be the real target of their comments at meetings, and that the Regents appreciate points made concisely and in a digestible fashion. He noted that the annual turnover of faculty representatives can be a barrier to forming deeper relationships, and encouraged them to spend time with Regents in informal situations to develop personal relationships.

- A Council member noted that the Regents have not responded formally to the Senate's July 2019 Memorial on Divestment from Fossil Fuel Companies. The Chief Investment Officer told Council that he eliminated fossil fuel investments based on their high risk, but he is unable to formally divest without a Regents policy. The CIO's comments also suggest that UC could ramp-up investments if they become less risky.

Regent Kieffer responded that the Regents assume the University has divested from fossil fuels for all intents and purposes, and he agreed to raise the matter with the Chief Investment Officer. Regent Kieffer noted that the current Board is progressive on climate issues; however, he takes a more moderate view, believing the CIO to have a fiduciary obligation that should be balanced with environmental concerns.

- A Council member asked what opportunities exist for Regents to make the case for UC in Sacramento.

Regent Kieffer responded that the Board is working hard to establish and maintain good relationships with individual legislators. It can be challenging for legislators to fully comprehend the complexity of the University of California, but UC can also do a better job of explaining what it does and listening to legislators' questions and concerns. Regent Kieffer said it is also important for UC to increase the involvement of its students in state policy discussions. He said after he leaves the Board, he will continue fundraising to support a new building to house the UC Center in Sacramento, which is important for engaging UC students and faculty in state government. He said it is important for new Regents to get up to speed on the University's values and needs, and said the Board could benefit from a mentorship program for new members.

- A Council member asked Regent Kieffer if the California Master for Higher Education is still relevant.

Regent Kieffer responded that the original Master Plan framework, which outlines distinct roles for the three segments of higher education and a vision of broad access, is still a major asset to the state. At the same time, the Master Plan vision of tuition-free education has become outdated, due in part to funding constraints, escalating demand for access to UC, and socioeconomic changes. He said the rising cost of education is a fundamental problem facing American higher education, and student debt loads have become unmanageable. American higher education is the best in the world but also the most expensive, partly owing to luxury amenities and experiences offered by the academy that are tangential to the core educational mission.

- A Council member noted that UC has a tripartite mission of accessibility, affordability, and excellence, but expressed concern that the Regents seem less focused on academic excellence, graduate education, and research.
- A Council member noted that the pandemic could hurt faculty success over the long term and reduce research productivity and leadership opportunities in ways that disproportionately affect women and underrepresented faculty.
- A Council member expressed concern about the Regents decision to deny the faculty's request to delay action on the recommendations of the Working Group on Chancellor Search and Selection, which many feel will diminish the role of the faculty and UC president in chancellor searches.

Regent Kieffer said the Regents understand, in principle, that teaching and research are equal parts of the UC mission. However, the majority of Regents agendas are devoted to undergraduate and financial issues, which gives the Regents an imperfect view of priorities. He said the topic of research can be unwieldly for a large board to address meaningfully, but encouraged Senate leadership to advocate for the inclusion of research topics on Board agendas. Regent Kieffer expressed support for addressing equity problems, but asked faculty to remember that everyone is suffering. He said he regrets the Board's decision regarding chancellor searches, and attributed it to Board dynamics and a misunderstanding about the extent of faculty input into the recommendations.

VIII. Equity, Engagement, and Morale in the Health Sciences

- **Sharmila Majumdar, UCSF Chair**

Chair Majumdar noted that the low morale of health sciences faculty continues to be a major concern. Council acknowledged the problem in November 2018, when it endorsed a request from the UCFW-HCTF that UC undertake a comprehensive study of faculty morale and turnover in the UC Health System. Health Sciences faculty represent 56% of total UC faculty, but most lack Senate titles, including those in the Adjunct and Health Sciences Clinical series. Non-Senate faculty lack access to privileges such as bridge funding, intra-mural funds, and housing loans, and are often prohibited from serving as primary advisor to graduate students, from having authority over courses and grades, and, perhaps most importantly, from participating in shared governance. Some feel undervalued by the University. A change in series is sometimes appropriate and can be pursued, but Senate members are expected to perform teaching, research, and services duties, and not all Adjunct and Health Sciences Clinical faculty meet these criteria, and their duties differ across campuses. UCSF sees it as an equity issue, as there are higher numbers of URM faculty and women faculty in non-Senate series.

UCSF has implemented local solutions to better engage and provide a voice to non-Senate clinical faculty. UCSF started a Clinical Affairs Committee that is open to non-Senate titles. The systemwide Senate also approved UCSF's request for a variance to Regulation 750, which allows Adjunct and Health Sciences Clinical faculty to be in charge of courses and grades. A UCSF Senate Clinician Physician Engagement Work Group is developing a proposal to develop closer links with UCSF Health.

On the systemwide level, the Clinical Affairs Advisory Group (CAAG) includes faculty representatives from UC's six health sciences campuses, and has been meeting to discuss engagement and morale issues. UCSF recommends formalizing CAAG as a Special Committee on Health Sciences that will serve as a parallel track for shared governance for non-Senate

clinicians and a conduit, facilitator, and advocate between the University's professional health sciences schools, the Academic Senate, and UC Health. UCSF also encourages the local review of individuals in non-Senate titles and their reclassification if they are in the wrong series based on duties and responsibilities. UCSF also encourages medical centers to be transparent about the specific criteria for advancement and to do more to educate faculty about the criteria.

Vice Chair Horwitz said he and another former UCSD divisional chair, Professor Maripat Corr, undertook a study and made recommendations to the UCSD chancellor for addressing morale problems in the health sciences at UCSD. The changes included new mechanisms to more easily enable series changes. Professor Corr emphasized the need for campus Senate leadership to engage with and create links to health sciences leadership. She said the morale and engagement issues cross over to health sciences faculty with Senate titles, and are not confined to campuses with medical centers. Vice Chair Horwitz said the issues extend to faculty in other professional schools such as Law, and that ten years ago, a Senate task force concluded that the Senate should not extend Senate membership.

ACTION: The Senate will assemble a working group to consider the specific problems facing health sciences faculty that affect morale and what the Senate could do to help. The working group will assemble a fact sheet summarizing information about each Health Science series and their respective responsibilities and funding, to support a future Council discussion.

IX. Executive Session

- **Susan Carlson, Vice Provost, Academic Personnel**
- **Amy K. Lee, Associate Vice Provost for Academic Personnel and Programs**
- **Allison Woodall, Deputy General Counsel - Education Affairs, Employment & Governance, Office of General Counsel**

No notes were taken for this portion of the meeting.

Meeting adjourned at 3:45 pm
Minutes prepared by Michael LaBriola, Principal Committee Analyst
Attest: Robert Horwitz, Academic Council Vice Chair