UNIVERSITY OF CALIFORNIA   **ACADEMIC SENATE**
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ACADEMIC COUNCIL

Minutes of Videoconference Meeting
December 15, 2021
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I.   Consent Calendar

1. Today's agenda items and their priority
2. Academic Council minutes of November 23, 2021
3. UCOPE Extension of Waiver of Senate Regulations 636.B and 636.C
4. UCEP proposed systemwide course and program review template

ACTION: Council approved the consent calendar.

II.   Senate Officer Announcements
   o **Robert Horwitz, Academic Council Chair**
   o **Susan Cochran, Academic Council Vice Chair**
   o **Hilary Baxter, Academic Senate Executive Director**

GSR Negotiations: The University and UAW are negotiating the membership of a new GSR
bargaining unit. The parties have agreed to a definition of "graduate student employee," which
the University will use to identify the students it believes should be eligible for the unit—UC
employees paid through university research funds and grants.

➢ Council members emphasized that collective bargaining should maintain a clear distinction
    between graduate students' academic roles and their employee roles. They wondered if
    graduate students who transition in and out of different roles could gain and then lose status
    as represented employees.

Review of SR 478: The Senate has released for a second systemwide review a newly revised
Senate Regulation 478 creating Intersegmental General Education Transfer Curriculum Area 7 –
Ethnic Studies. BOARS modified its original proposal following discussion at November
Council and in response to feedback from the first systemwide review. To accommodate a new
Area 7 course in the IGETC pattern and to better align UC with CSU's plans for Area 7, the new
revision abandons the "overlay approach" and proposes reducing the number of required courses
for Area 4 (Social and Behavioral Sciences) from 3 to 2.

AB 928: The Intersegmental Committee of Academic Senates is forming a special committee to
create an implementation plan for AB 928, a new law calling for a singular transfer pathway
from the California Community Colleges to UC and CSU.

Master's Degree Program Review: The Senate is working with the Office of the Provost on a
charge for a joint Academic Planning Council workgroup that will convene in January to
evaluate review processes for Master's degree proposals. The workgroup will be co-chaired by
CCGA Chair Kasko and include four other Senate representatives.

Entrepreneurship: Senate leadership have asked UCORP and UCAP to lead the Senate's
consideration of a recommendation from the Regents Committee on Innovation Transfer and
Entrepreneurship to include explicit recognition of innovation and entrepreneurship activities in
faculty promotion and tenure guidelines.

<u>Vice Chair Nominations</u>: Chair Horwitz invited Council members to nominate themselves or identify other Senate members who may be interested in the role of 2022-23 Senate vice chair. Council will interview candidates in March.

<u>Senate Meetings in 2022</u>: Several systemwide committees have expressed an interest in meeting at UCOP in-person in 2022. However, the UCOP office refurbishment project and ongoing public health cautions have pushed back UCOP's reopening, making it unlikely that UCOP could accommodate in-person Council or committee meetings until March or April.

III.   Systemwide Review of Presidential Policy on Integrated Pest Management

Council reviewed responses from Senate divisions and committees to the new Presidential Policy on Integrated Pest Management. The policy is intended to establish requirements for the implementation of an Integrated Pest Management Program at each UC location, as well as minimum requirements for, and oversight of, the use of pesticides systemwide.

Reviewers expressed support for the policy's goals to regulate UC's use of pesticides, establish uniform requirements and oversight across the UC system, better support sustainability, and minimize human and environmental hazards. There was general agreement that UC should maintain restrictions on glyphosate and other pesticides known to harm the environment and human health. Reviewers also noted areas of the policy that were overly general and insufficient to address all pesticide needs and risks at diverse campus locations and facilities. They recommended that the policy clarify requirements for the use of "target specific" pesticides; clarify the inclusion of microorganisms in the definition of "pests"; and add provisions to ensure the safety of campus subcontractors who do landscaping and pest management. Finally, Council members expressed concern that the policy could create a new unfunded mandate and wondered to what extent the policy would change pesticide use.

ACTION: The Senate letters and a cover letter summary will be sent to UCOP.

IV.   Systemwide Review of Revisions to Presidential Policy on Sustainable Practices

Council reviewed comments from the systemwide review of the revised Presidential Policy on Sustainable Practices. The revisions update the University's sustainability policies, goals, and procedures, including requirements for building design and efficiency, criteria for the purchase of carbon offsets, goals around sustainable transportation, and sustainability goals for UC Health locations. The revisions also add a reference to climate justice in campus climate action plans, and a new section on health and well-being.

Senate reviewers supported the revisions as a meaningful step toward stronger sustainability policies and practices, but also felt the policy did not go far enough to address the climate crisis, included insufficiently aggressive targets for eliminating fossil fuel use, overemphasized the use of carbon offsets, and lacked clear accountability and enforcement mechanisms. One particular concern related to UC's practice of purchasing carbon offsets as a long term strategy to reduce emissions, given that offsets are not well monitored and can be of dubious quality. Council members noted the following:

➢ The policy should prioritize the reduction of campus fossil fuel combustion and accelerate target dates for transitioning to renewable energy and moving to a carbon-free vehicle fleet.

- The goal of carbon neutrality may no longer be enough; the University should strive to become net carbon negative—that is, leverage its resources to help remove existing carbon dioxide from the atmosphere. UC should also leverage its leadership and expertise on climate and sustainability issues toward greater public support for sustainability actions.
- While reviewers agree with the goal to reduce single occupancy vehicle (SOV) trips to campuses, given the poor public transportation and affordable housing options in many UC campus communities, it is likely to be difficult to achieve. Moreover, additional SOV restrictions could disproportionately affect lower income students who are more likely to commute from far away.
- The fossil fuel industry uses biogas to extend the life of fossil fuel plants that should otherwise be retired. UC should be wary of this form of greenwashing.

ACTION: The Senate letters and a cover letter summary will be sent to UCOP.

V. Proposed Memorial to the Regents

The Senate's Climate Crisis Task Force sent Council a proposed Memorial to the Regents: "*The University of California Academic Senate petitions the Regents for investments in UC's infrastructure that will reduce on-campus fossil fuel combustion to 5% of current levels by 2030.*" The Task Force asked Council to recommend to the Assembly that it approve, and, in accordance with Senate Bylaw 90, initiate a systemwide faculty ballot on the proposed Memorial. Bylaw 90 instructs that written arguments in favor of and opposed to the Memorial should be provided to the Assembly in advance of its meeting.

- Council members expressed support for the Memorial. They noted that UC faculty are eager to make a difference, that Universities exist to generate bold and imaginative actions, and that UC should be aggressive and forward-thinking. They also noted the need to balance principles with pragmatism that considers the cost of electrification, impacts on campus operating budgets, and trade-offs with other funding needs.

- Members noted that the new federal infrastructure bill may include climate-crisis-related funding opportunities. The State also is interested in addressing climate change. Members emphasized that UC should look beyond the short-term cost of change and consider the long-term costs of inaction.

- A member cautioned that individual campuses are already planning to retire their natural gas plants. There is risk that campuses may delay these efforts if it looks like a source of systemwide money for this purpose will become available in the near future.

- Members noted that the Regents are likely to take the memorial seriously, but will also seek more information about consequences and policy options.

ACTION: A motion to approve the memorial and forward it to the Assembly was made, seconded, and passed 19-0.

VI. UCIE Letter of Concern Regarding Presidential Proclamation 10043
- **Andrea Goldman, UCIE Member (UCLA)**
- **Julian Schroeder, UCIE Chair**

Council reviewed a UCIE letter asking the University to voice concerns about Presidential Proclamation 10043 (*Suspension of Entry as Nonimmigrants of Certain Students and*

Researchers from the People's Republic of China (PRC). Professor Goldman noted that the proclamation allows the US Department of State to deny new F or J visa applications or revoke existing visas from Chinese graduate students and researchers who previously studied or conducted research at Chinese universities that support PRC military initiatives or its military-civil fusion strategy. The program seeks to protect against intellectual espionage and the military application in China of US technologies.

Professor Goldman said UCIE acknowledges the legitimacy of national security concerns, but finds the policy misguided and discriminatory, because it targets students and researchers who have nothing to do with military defense technologies, enables the government to base visa decisions on national origin not evidence, stifles the free exchange of ideas, impairs science and technology research, and harms US-China relations. It could also create a "brain drain" by encouraging the best Chinese scholars to choose other countries over the US for training experiences. The policy may also spread fear among faculty and students of Chinese origin that they will be targeted. The UC system should voice concerns in the strongest terms.

➢ Council members noted that UC should not ignore threats from China and its repressive actions in Hong Kong and elsewhere, but agreed that the policy is too blunt of an instrument, is having a chilling effect on some faculty and graduate students, and could have reciprocal consequences for US students and researchers seeking academic and research connections in China. The policy appears to be linked to the larger China Initiative begun in 2018, which is contributing more generally to climate issues affecting Chinese scholars and faculty and undermining their contributions to UC campuses.

ACTION: Council will forward the letter to President Drake and consider the broader issues separately. A cover letter will circulate to Council for input.

VII.   Consultation with Ethics, Compliance, and Audit Services (ECAS)
     o **Alexander Bustamante, Sr. Vice President and Chief Compliance & Audit Officer**

SVP Bustamante and staff from the Office of Ethics, Compliance and Audit Services (ECAS) joined Council to discuss the role of ECAS. SVP Bustamante said ECAS is an independent arm of UCOP that reports directly to the Regents. It has the authority to initiate audits based on risk assessments in consultation with the Regents. It monitors compliance requirements, cybersecurity, and investigates UC Whistleblower Policy complaints and violations. ECAS has been working with Senate leadership on strategies for enhancing communication and transparency around compliance requirements, to better support faculty, save them time, minimize research disruptions, and improve their understanding of IT security regulations, conflicts of interest, and other issues. ECAS is developing a series of one-page briefings for faculty to communicate essential information on issues such as international collaborations.

➢ Council members thanked SVP Bustamante and ECAS for their efforts, but noted that many faculty nevertheless find it difficult to interpret compliance requirements and protocols, and feel the University is emphasizing a message of risk avoidance rather than support for faculty who are also challenged by diminishing administrative support and a growing number of liabilities they are asked to manage alone.
➢ A Council member encouraged ECAS to develop a whistleblower protection policy for UC Health personnel working in facilities with policy based restrictions on health care.

➢ SVP Bustamante acknowledged that federal research security compliance rules and guidelines frequently change and evolve. He emphasized that faculty's "safe harbor" is to fully disclose the nature of their research and affiliations to the University and on grant applications. He said the goal of ECAS is to protect faculty by ensuring they have relevant information and he invited input about how UC can improve messaging. He added that ECAS will monitor the implementation of the UC Health affiliations policy, and is developing a protocol for elevating whistleblower hotline complaints.

VIII. CCGA Recommendations on Remote Teaching by TAs
   o **Andrea Kasko, CCGA Chair**

Council reviewed a CCGA letter with recommendations for responding to requests from Teaching Assistants to move to a remote instruction format for reasons other than medical accommodation, including a lack of affordable housing or personal preference. Chair Kasko noted that some local Senates are delegating decision authority for such requests to departments. CCGA is concerned that dissimilar practices within campuses and across campuses for responding to requests could lead to uneven application of policy and create inequities.

CCGA's letter affirmed that UC is primarily a residential university. It recommended that campus Senates establish pedagogy as the main consideration on which to base decisions about converting a course to a remote modality, as well as clear policies and procedures that prevent disparities across departments in TA access to non-medical accommodations. The letter also acknowledged that graduate students are disproportionately affected by the affordable housing shortage and urged UC to invest in graduate education and affordable housing.

➢ Council members expressed support for clear, consistent, and equitable policies across campuses. They also observed that graduate students have fewer resources to help with housing costs compared to other types of instructors, but emphasized that remote instruction should not be the solution to a problem that has nothing to do with curriculum. Members also opined that online education has been a burden for many students and eroded their college experience. They advised the Senate to be vigilant about the potential for a slippery slope toward much greater numbers of online courses adopted for non-pedagogical reasons.
➢ Members also raised questions about who has the authority to determine course modality on different campuses and what will determine a pedagogical need. Finally, there was concern that TAs should not be singled out, given that similar requests also come from ladder rank faculty, Unit 18 lecturers, and other types of instructors.

ACTION: Council endorsed the letter. The recommendations will be sent to local Senate leadership for transmission to campus undergraduate and graduate councils.

IX. Student Letter on Asynchronous Instruction on Election Day
   o **Esmeralda Quintero-Cubillan, UCSA President**
   o **Bilen Michael, UC WeVote Chair**
   o **Salih Muhammad, Statewide Organizing Director**
   o **Cole Murdoch, Campus Action Chair**
   o **Raina Zhao, Campaigns Chair**

A UC Student Association delegation proposed that UC establish Federal Election Day as an annual day of asynchronous instruction. They noted that classroom and work obligations are

barriers to student participation in elections. At UC, student voter turnout in 2016 and 2018 was below the overall population average. It declined between 2016 and 2018, but increased in 2020 in conjunction with the move to remote instruction during the pandemic. The delegation proposed that eliminating live in-person or Zoom lectures and labs, assignments, and exams on Election Day would increase student voter turnout and also inspire broader student engagement in the electoral process—for example, as poll workers and volunteers. The change would also reduce equity gaps by inspiring Students of Color in particular. Several universities have adopted Election Day as a holiday or day of service.

➢ Council members thanked the students for their analysis and enthusiasm. They noted the lack of data showing how the experience of a day-off at other universities influenced turn-out and engagement, or how instructional mode was a factor in higher UC student turnout in 2020. They noted that the move to universal absentee balloting in California and strong interest in the 2020 election were the most likely factors behind the higher turnout. Moreover, a new California law maintains universal absentee balloting on a permanent basis. This will remove a major barrier and support higher student voter turnout and engagement.
➢ Council members noted that the 2018 decline reflects a typical drop in interest in mid-term elections. Members also questioned how the proposal would reduce equity gaps in student voter turnout, and noted the potential for disparate impacts across disciplines where asynchronous instruction is more or less of an option in educational delivery.
➢ UC Davis' MLK Day of Service and Celebration encourages campus community members to honor the Martin Luther King, Jr. holiday not as day-off but as a "day-on" in service to the local community.
➢ Students emphasized that the larger goal is to increase student engagement in electoral and civic activities, not just to increase voting turnout.

ACTION: Senate leadership will send a letter to the students.

X.   **BOARS Undergraduate Admissions 101**
          o **Madeleine Sorapure, BOARS Chair**

Chair Sorapure summarized UC's undergraduate admissions policies and processes. BOARS is guided by the Regents Policy on Undergraduate Admission, which seeks to enroll a student body that demonstrates high academic achievement or exceptional personal talent and encompasses the diversity of California.

Freshman Admissions: The California Master Plan asks UC to make room for the top 12.5% of California residents in the statewide high school graduating class. UC's Entitled to Review (ETR) policy guarantees an application review to residents with a minimum 3.0 high school GPA in the 15 A-G subject courses. Students earn an admission guarantee if they are deemed "Eligible in the Local Context," by completing the ETR requirements with a GPA that places them in the top 9% of their high school class, or "Statewide eligible" by ranking in the top 9% of students statewide on an index combining high school GPA and number of completed A-G courses. Eligible students who are not accepted to a UC campus of choice receive a referral offer to UC Merced. Campuses may enroll up to 6% of new students who do not meet the minimum requirements, with 4% designated for disadvantaged students.

All UC campuses use comprehensive review to evaluate candidates against 13 factors that target academic achievements, talents, and learning context. Most campuses use a holistic assessment of all factors to select candidates. BOARS policy requires nonresident undergraduates admitted

to a campus to "compare favorably" to the California residents admitted to that campus based on high school GPA, first-year UC GPA, persistence and academic probation rates. In Fall 2020, UC received 172,000 unduplicated applications, double that of 2010, and triple compared to 2000.

Transfer Admissions: The Master Plan asks UC to maintain a 60:40 ratio of upper- to lower-division students, which corresponds to a 2:1 ratio of new resident freshmen to new resident transfers. UC requires transfer students to complete a seven course pattern, along with at least 60 semester- (90 quarter) units of UC-transferable credit with a 2.4 minimum GPA for residents and 2.8 for nonresidents, and any other courses required for specific UC major preparation.

Several programs are available to California community colleges (CCC) transfers. The UC Transfer Pathways identify a common set of lower-division prep courses for 20 of UC's most popular majors. Forty percent of UC's admitted CCC transfers complete a Pathway. In addition, six UC campuses offer Transfer Admission Guarantees (TAGs) to specific majors upon completion of specific preparation requirements. Prospective transfers may also complete the Intersegmental General Education Transfer Curriculum (IGETC), a set of courses that satisfy general education requirements for both UC and CSU. UC has been criticized for its "transfer maze," and for maintaining different transfer requirements from CSU. However, UC transfer students perform as well or better compared to four year students; and transfers who complete TAGs and Pathways are admitted at higher rates and have shorter time to degree. UC and CSU are discussing potential adjustments to IGETC that will increase alignment between the segments as part of the implementation of Assembly Bill 928. AB 928 directs UC and CSU to develop a singular transfer pathway. UC transfer applications doubled during the last 20 years, but nine feeder CCC campuses account for more than one-third of all transfer enrollments. UC is working with the CCC to improve outreach and advising and build a culture of transfer at other CCCs.

BOARS is monitoring the effects of the elimination of standardized testing on application and admissions outcomes and the effects of the pandemic on outcomes, to determine if any changes to policy or processes are necessary.

XI.   Online Degree Program
  o **Mary Lynch, UCEP Chair**

UCEP is developing principles to guide its consideration of several upcoming proposals for fully online undergraduate degree programs. The Committee's review will be informed by Senate comments on the report of the 2019 Online Undergraduate Task Force, which expressed cautious support for proceeding with experiments around online programs that meet expectations for a high-quality UC degree.

UCEP's draft principles included the following: 1) UC students who participate in online undergraduate programs should have the same opportunities as residential students for education, financial aid, career advising, psychological services, technical support, and research; 2) if physical access to a required resource cannot be arranged for online students, there should be no online degree in that field; 3) campuses should not pursue online degree programs as a solution to financial or space constraints; and 4) online degree programs must demonstrate excellence and should be assessed for educational success and adherence to UC ideals.

Chair Lynch noted her personal experience with quality online and hybrid degree programs and said she takes a moderate stance with regard to their benefits and future role at UC. She said a key question is how online undergraduate programs can support educational equity and academic integrity, and facilitate the same learning experiences that occur on-campus beyond the classroom. She said UCEP is also discussing the impact of the pandemic on faculty and student views about online programs; the financial and human resources required for quality online programs, the role of Artificial Intelligence, options for content delivery, and WASC requirements. UCEP will approach each program review cautiously and would appreciate guidance from Council on the scope of the review and a framework for assessing quality.

➢ Council members questioned the premise that an online degree could be designed to provide the same opportunities and experience as an in-person degree. They emphasized that a quality online degree will involve trade-offs and deliver a different experience than a quality in-person degree; that "quality" will mean different things in these contexts; and that the University should not use online degrees to expand access to an education that it understands to be of lesser quality.
➢ Council members cited several benefits of residential education: access to internships, professional networking opportunities, and the development of social capital in students. Members emphasized the need for accurate resource assessments of proposed programs, ongoing oversight of programs, and long-term assessments of student outcomes and success.
➢ Members expressed concern about the potential for financial considerations to drive academic decisions about online education. The Senate should trust faculty to make good choices about course design, but some administrators and politicians may see online programs as an easy way to increase revenue or expand enrollments.

XII.   Division Chairs Reports and Issues

Campuses are implementing a variety of programs to help faculty recover professionally from the effects of the pandemic. One example is a UCLA program targeting faculty who were impacted by caretaking responsibilities, which provides faculty with grants to help them restart research programs. However, there are concerns on some campuses that departments and CAPs are not implementing recommendations from the report of the Mitigating COVID-19 Impacts on Faculty Working Group, including the use of Achievement Relative to Opportunity principles in personnel cases.

Individual campuses are also discussing proposed revisions to general education requirements; the issue of academic freedom as it relates to the promotion of diversity, equity, and inclusion principles in teaching; staff telework arrangements; the lack of affordable housing for students, faculty, and staff; changes to student teaching evaluation guidelines; and strategies for enhancing the effectiveness of Senate committees.

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