

ACADEMIC COUNCIL

Minutes of Meeting

March 27, 2024

I. Consent Calendar

1. Today's agenda items and their priority
2. Draft Minutes of February 28, 2024
3. UCSD School of Computing, Information, and Data Sciences (SCIDS)

ACTION: Council approved the consent calendar.

II. Senate Officers' Announcements

- o **James Steintrager, Academic Council Chair**
- o **Steven W. Cheung, Academic Council Vice Chair**

March Regents Meeting: In his remarks to the Regents, Chair Steintrager emphasized the importance of respecting the authorities delegated to the Senate and urged the Board to commit to certain principles of shared governance. The Regents deferred action on a proposed Policy on Public and Discretionary Statements by Academic Units (formerly Policy on Use of University Administrative Websites) to their May meeting. The Senate's comments on this matter were acknowledged and discussed. The revised policy, incorporating elements of the Senate's 2022 recommendations regarding departmental political statements, is slated for systemwide Senate review in preparation for discussion at the April 24 Academic Council meeting.

In addition, a Senate panel presented to the Regents Academic and Student Affairs Committee the recommendations of the BOARS Mathematics (Area C) Workgroup (ACW) Stage 1 report, which primarily focuses on the types of high school math courses that can fulfill the recommended fourth year ("advanced math") of area C preparation. The ACW concluded that certain data science courses approved in area C and currently offered in high schools cannot substitute for Algebra II/Mathematics III or qualify as a more advanced math course. This decision has generated public interest, particularly regarding concerns about access for students who rely on data science courses to meet the area C requirement.

Other Updates:

- **AI Congress:** The systemwide Academic Congress on Artificial Intelligence (AI) held at UCLA on February 28-29 emphasized the potential of AI as a tool for teaching, learning, and administration.
- **IMOD Task Force:** The Presidential Task Force on Instructional Modalities and UC Quality Undergraduate Degree Programs is analyzing data collected from a faculty survey and using case studies to address task force charge questions.
- **ELWR Coordinating Committee:** The University Committee on Preparatory Education (UCOPE) reported to the Council about the establishment of an Entry Level Writing Requirement (ELWR) Coordinating Council. This council will advise UCOPE on the implementation and operation of campus writing placement mechanisms that fulfill the ELWR after the Analytical Writing Placement Exam was discontinued during the pandemic.

III. Office of Academic Personnel and Programs (APP)

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

APM 672 Review: APP is examining feedback from the systemwide review of proposed APM 672, codifying the Negotiated Salary Program (NSP) that has been operating on a trial basis for a decade. It offers eligible faculty the option to supplement their income through non-state resources. The Senate raised concerns about the potential exacerbation of salary inequities and the risk of faculty shifting focus away from teaching, mentoring, and service toward revenue-generating activities, as well as the lack of comprehensive data on the impacts of the trial program. While no decision has been reached regarding next steps, administrators when queried have suggested anecdotally that they have found the program to be an effective faculty recruitment and retention tool. Moreover, APP does provide Senate leadership with annual reports on the trial program that include some demographic utilization data.

State Legislation: The University is wary of Assembly Bill 1905, which could bypass Senate disciplinary procedures by eliminating the “retreat rights” of UC and CSU faculty who transition from administrative positions back to faculty roles following allegations of sexual misconduct. There is also concern surrounding Assembly Bill 810, which could impose a costly and cumbersome background check process for UC employment applicants, potentially hindering faculty recruitment efforts. Finally, revisions to APM 710 will be circulated for a 30-day review period in response to new California state law expanding paid sick leave.

Labor Updates: APP has invited the Senate to recommend individuals for a multi-disciplinary faculty consultation group that APP will assemble to aid in the development of the 2025 ASE/GSR contract bargaining plan. In addition, UC has reached a settlement with the UAW regarding the assignment of U grades to graduate students during the fall 2022 strike, extending the deadline, and will engage in mediation with the state Public Employment Relations Board (PERB) concerning Math Fellows.

During the discussion:

- Council members reiterated concerns about the lack of empirical evidence to support anecdotal claims regarding the recruitment and retention benefits of the NSP during its trial run. They stressed the importance of consistent data collection to assess various equity dimensions associated with the program, including its impact on graduate student support.

IV. Proposed Revisions to APM 285, Lecturer with Security of Employment Series

Council reviewed comments from Senate divisions and committees to the proposed revisions to APM 285. The revisions address the Academic Council’s proposed renaming of the “Lecturer with Security of Employment” (LSOE) title series to “Teaching Professor,” with corresponding changes in the Senate bylaws. There was general support for the change as a positive step to better recognize the status and contributions of these faculty. Several divisions expressed a preference for “Teaching Professor” over the proposed APM change to “Professor of Teaching,” and those campuses will continue to have the option to use the working title “Teaching Professor.”

ACTION: A motion to endorse the proposed revisions passed unanimously.

V. Consultation with Senior Managers

- Michael V. Drake, President
- Katherine Newman, Provost & Executive Vice President
- Nathan Brostrom, Executive Vice President & Chief Financial Officer

Legislative Meeting: President Drake’s meeting with State legislative leaders focused on budgetary concerns and campus climate. While legislators support the University and governor’s compact, there are worries that the state budget might not recover sufficiently to support the deferred 10% compact increase payment by 2025. Concerns were also raised about campus climate, particularly following incidents affecting Jewish students, faculty, and staff. President Drake emphasized that the University condemns all forms of bigotry and is committed to safeguarding students from threats and discrimination. He noted that some incidents reflect a lack of education on antisemitism and its historical context. He paraphrased Clark Kerr’s quote: “The University is not engaged in making ideas safe for students. It is engaged in making students safe for ideas.”

Regents Website Policy: President Drake expressed support for developing guidance regarding public and discretionary statements by academic units on department websites. He believes that the UC community largely governs itself appropriately and favors enabling language over more restrictive measures.

Innovation and Entrepreneurship: Provost Newman mentioned UC’s transition to a new patent tracking system, which offers customization for individual campus needs and will generate savings over the next few years. She also noted that a campus-led committee is exploring topics such as proof-of-concept investments in early-stage transformational research by faculty, graduate students, and post-doctoral scholars, and that the state has allocated funds to support international UC postdocs in starting commercial ventures in California.

State Legislation: The University opposes a proposed State Assembly constitutional amendment (ACA) related to labor standards, citing concerns about its potential impact on the University, and noting that its goals can be addressed through individual statutes or collective bargaining. Another ACA addressing employment opportunities for undocumented students has raised concerns about its conflict with federal law. UC is exploring alternative avenues of support for undocumented students, such as financial aid and fellowships with experiential learning opportunities.

Online Education Congress: Provost Newman shared a draft framework for the upcoming systemwide Academic Congress on the Evolution and Possibilities of Online Education, scheduled for May 1 at UCLA. The congress will feature research focused on learning theory, persistence, and motivation, and include sessions on e-learning theory, academic integrity, instructional design; the potential of online modalities to increase transfer admission opportunities; and a first report from the Presidential Task Force on Instructional Modalities.

Undergraduate Admissions: President Drake highlighted the record number of applications UC received for fall 2024-25 that include gains in diversity and transfer applicants. In addition, since the elimination of the standardized testing requirement in 2020, admission offers increased for every ethnic group and declined for international students, with no change in persistence rates between 2019 and 2023. Provost Newman mentioned plans by Academic Affairs to track outcomes, including graduation rates and progression through majors.

Budget Issues: Despite the state’s deferral of the 5% compact increase, UC plans to maintain the 2024-25 salary program. Strong portfolio performance, a healthy funded ratio of 87% for the UC Retirement Plan, and a high staff vacancy rate will help mitigate the budget impact. The Regents have asked for data about the competitiveness of UC nonresident tuition. The University is also in the second year of a five-year phase-in of modifications to the UC Budget Allocation Model (previously known as “rebenching”).

During the discussion:

- Council members stressed the importance of supporting the safety and free speech rights of all UC community members around the Middle East conflict, emphasizing inclusivity and respect for diverse perspectives.
- A Council member asked about the status of state funding for a medical education building at UC Merced.
- A Council member highlighted the need for Senate participation in planning for the next round of contract negotiations with the UAW.
- President Drake affirmed the University’s commitment to fostering an inclusive community where diverse viewpoints are respected. He added that the University is the living evolution of a diverse community where people with different views are challenged to live together.
- President Drake affirmed the University’s commitment to developing a medical enterprise at UC Merced, with CFO Brostrom adding that the Legislature provided debt service for the project and two other state-approved capital projects, enabling UC to issue bonds to continue progress.
- Provost Newman expressed support for more robust and meaningful faculty engagement in planning for the upcoming academic labor negotiations that open in June 2025.

VI. Improving the Voice of Health Sciences Clinical and Adjunct Faculty in Shared Governance

○ **Steven Hetts, UCSF Division Chair**

UCSF Division Chair Hetts presented an initiative aimed at enhancing the representation of non-Senate health sciences faculty in shared governance by expanding Senate membership to include Health Sciences Clinical and Adjunct faculty. Key points from his presentation included:

- UC faculty have unequal opportunities to participate in shared governance. Health Sciences Clinical and Adjunct faculty are important and growing groups (26% of total faculty) but are not Senate members.
- Senate membership would provide these faculty with access to shared governance channels, offering a pathway for advocacy. Inclusion acknowledges their vital contributions to research, teaching, and service, elevates their status as mentors, and addresses concerns of burnout and low morale.
- These faculty are younger and more diverse, and include more women compared to the overall faculty. A more inclusive Senate can advocate more effectively, align with diversity, equity, and inclusion (DEI) principles, and enhance competitiveness in faculty recruitment and retention

efforts. The Senate benefits from a larger, more diverse pool of faculty to address the growing scope of issues faced by the University and Senate.

- UCSF challenges assumptions that these faculty do not fulfill the tripartite mission of research, teaching, and service, or perform high-quality research and educational work compared to ladder-rank faculty. In fact, there is considerable overlap between faculty series, and academic evaluation processes are comparable. Simply switching a Health Sciences Clinical or Adjunct faculty member's employment classification to a Senate title series is not a viable option on most campuses.
- UCSF also challenges concerns that Senate membership for health sciences clinicians could overrun the Senate, lead to Senate membership for unionized faculty, and lead to the collapse of shared governance.
- In 2013, UCSF began allowing faculty from all series to vote on most issues. However, to comply with systemwide Senate regulations, some votes from Health Sciences Clinical and Adjunct series faculty are advisory and reported separately.
- UC Health convened a Special Committee for Health Sciences and Clinical Affairs to explore options for improving the representation of Health Sciences Clinical and Adjunct faculty in institutional decision making. It recommended full Senate membership and a new standing Senate committee dedicated to clinical affairs.

Proposed actions:

1. Establish a systemwide Senate Clinical Affairs Committee (UCCAC) and recommend that each campus create a local Clinical Affairs Committee.
2. Issue a Memorial to the Regents requesting amendments to Regents Standing Order 105.1 to include Adjunct and Health Sciences Clinical Assistant Professors, Associate Professors, and Professors appointed at more than 50% time to the Academic Senate.

During the discussion:

Support for Inclusion: One Council member spoke in favor of Senate membership for Health Sciences Clinical and Adjunct faculty as well as for Cooperative Extension specialists.

Concerns Raised: Other members expressed apprehension that expanding Senate membership to thousands of new faculty could overwhelm the Senate and negatively impact campus dynamics. They noted that many Health Sciences Clinical and Adjunct faculty may not wish to adhere to Senate merit and promotion criteria, and those who want Senate membership can move to the Clinical X series. Issues of burnout and low morale are not limited to non-Senate faculty but persist throughout the health profession at UC and elsewhere. There are alternative administrative structures that could positively impact shared governance on matters of primary concern to clinicians – location-specific health sciences operations and UC Health priorities - without expanding Senate membership to Health Sciences Clinical and Adjunct faculty.

VII. Presidential Policy BFB-BUS-50: Controlled Substances Use in Research & Teaching

Council reviewed comments from Senate divisions and committees to the revised Presidential Policy BFB-BUS-50, which clarifies UC's compliance standards around federal and state laws governing the use of controlled substances in research and teaching. While there was overall support for the revisions, reviewers highlighted areas needing further clarification. These included protocols for monitoring and securing controlled substances within Principal Investigators' (PI) labs, accountability standards, expectations for researchers collaborating with individuals in foreign countries, and clarification regarding licenses for Schedule II-V controlled substances.

During the discussion:

- Council members emphasized the importance of implementing the policy in a manner that does not strain campus resources or unduly burden faculty researchers and staff. They also referenced previous requests to UCOP to include a resource needs assessment in any proposed policy.

ACTION: A motion to endorse the policy and forward comments from the systemwide review to Chief Risk Officer Confetti, was made, seconded, and passed unanimously.

VIII. Executive Session: Nomination of 2024-25 Vice Chair

ACTION: Council selected Professor Ahmet Palazoglu of UC Davis as its candidate for 2024-25 vice chair. The nomination will be forwarded to the Assembly of the Academic Senate for consideration at the April 18 meeting.

IX. Executive Session: Selection of Nominee(s) for 2024 Oliver Johnson Award

ACTION: Council voted to name Professor Kum-Kum Bhavnani of UC Santa Barbara and Professor Mary Gilly of UC Irvine as co-recipients of the 2024 Oliver Johnson Award. The selections will be forwarded to the Assembly for ratification on April 18.

X. 2024 Total Remuneration Study

Council reviewed a draft letter originating from the UCFW Task Force on Investment and Retirement asking UC Human Resources to ensure that the methods and comparators for the upcoming 2024 Total Remuneration Study for faculty are the same as those used in the 2009 and 2014 studies, to enable direct comparisons and determine how UC's competitiveness was affected by adopting the 2016 Retirement Tier and its PEPRA (California Public Employees' Pension Reform Act) cap.

ACTION: A motion to endorse the letter and forward it to Vice President Lloyd passed unanimously.

XI. Recommendation to Change Default Retirement Choice Option

- **John Heraty, UCFW Chair**

UCFW Chair Heraty brought forward a request for Council to reaffirm a November 2022 request made to President Drake to change the default pension option from "Pension Choice" (Defined Benefit) to "Savings Choice" (Defined Contribution) for new UC employees entering the 2016 UC Retirement Plan tier. The President previously declined to make the change. TFIR's analysis

indicated that the default “Pension Choice” is not the optimal financial option for most new UC employees. While Pension Choice is beneficial for long-term UC employees, Savings Choice may be more advantageous for those leaving before 10-20 years of service.

Council agreed that before sending another letter to the president regarding this recommendation, Chair Steintrager should seek additional clarification from the president about the reasoning behind his earlier decision.

XII. Proposed Policy on Posthumous Degrees

- **Melanie Cocco, UCEP Chair**
- **Dean Tantillo, CCGA Chair**

Council reviewed a draft policy and proposed Senate regulation, proposed by UCEP and CCGA, concerning the awarding of undergraduate and graduate degrees to students who die prior to the completion of the degree. In April 2019, the Assembly endorsed a similar systemwide policy and recommended it to the president as a Regents policy; however, the policy was put on hold to allow for additional consideration before circulating it for systemwide Senate review. UCEP and CCGA asked the Council to circulate the new proposal for such review and comments.

ACTION: Council approved circulating the policy for systemwide Senate review.

XIII. Reports from Senate Division Chairs

- Campuses are reassessing their “time, place, and manner” policies following disruptions by student demonstrators at political events and protests.
- UCR is advocating for the adoption of a local version of the UC Davis Equitable Textbook Access program to maximize benefits for students.
- Berkeley faces a significant backlog of faculty promotion cases that have completed the CAP process and await administrative action.
- The Davis Senate is conducting a survey among faculty to identify specific challenges associated with the campus’s transition to Oracle financial software.
- UCSC faculty are concerned about the administration’s decision to halt faculty hiring in response to a budget deficit, prompting the Senate to collaborate with administrators on developing a sustainable budget model.
- Several campuses are advocating for Senate involvement in academic and facilities expansion planning. The UCLA division is soliciting feedback from faculty regarding adjustments made to courses due to decreased Teaching Assistant support, while UCM is reassessing its budget model for temporary academic support.

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