

**Minutes of Videoconference Meeting  
April 1, 2020**

**I. Consent Calendar**

1. Today's agenda items and their priority
2. Academic Council minutes of February 26, 2020
3. April 15 Assembly Agenda

**ACTION: Council approved the consent calendar.**

**II. Senate Officer Announcements**

- **Kum-Kum Bhavnani, Academic Council Chair**
- **Mary Gauvain, Academic Council Vice Chair**

March Regents Meeting: The Regents held their meeting in a remote online format to reduce risks associated with the COVID-19 virus. They postponed most scheduled action items, including a vote on moving to a cohort tuition model. They hosted a discussion about the current and historical use of standardized tests and their efficacy in admissions eligibility and selection.

**III. Response to COVID-19 Crisis**

Divisional Flexibility for Grading Options: In response to the COVID-19 emergency and the University's decision to move to remote instruction, Council endorsed and issued a UCEP letter in support of divisional flexibility for grading options during winter quarter and spring quarter/semester 2020. The letter notes that Senate Regulation 778 grants Senate Divisions broad authority to determine how letter grades and Pass/No Pass grades are applied on campus. UCEP is also assembling a campus survey on remote instruction practices in the context of COVID-19.

Temporary Modification of Admissions Requirements: Council endorsed three BOARS letters recommending additional flexibility in freshman and transfer admissions requirements due to the emergency: The letters 1) recommend temporarily suspending certain undergraduate admission requirements, including standardized testing; 2) encourage temporary flexibility in enforcing transfer admission requirements; and 3) confirm that UC should continue to award credit for scores of 3, 4, or 5 on AP exams, consistent with past years, although they will be completed as take-home exams with reduced content this year. The Regents approved the recommendations.

- BOARS Chair Comeaux noted that the temporary flexibility accommodates disruption in the educational system, and supports a fair process, given that students may be unable to meet all requirements because of family or personal issues, the cancellation or postponement of testing dates, or the cancellation of or changes to the grading format of high school courses. He added that under the "test optional" arrangement, students are still encouraged to take the SAT/ACT if they are able.
- Other systemwide committees are collecting information about the impact on COVID-19. UCORP is discussing its impact on research, including how campuses are managing access to labs to maintain the viability of ongoing research, and is developing guidance about how campuses should consider research expectations in the current situation. UCPB is collecting

information about the fiscal impacts of COVID-19. In addition, UCAP, in the context of COVID-19, will review existing and previous campus CAP statements on expectations for research, teaching, and service and asterisk them in personnel reviews. Members suggested UCAP could also review temporarily stopping the tenure clock for pre-tenure faculty, and develop a process for suspending sabbaticals due to an inability to do research. Council encouraged UCAP to develop systemwide guidance or principles.

- It was noted that faculty want to ensure students have academic support to carry them through the crisis successfully, and are also concerned about the health and safety of students, faculty, and staff. Some Council members expressed concern that allowing students in poor academic standing to take classes on a P/NP basis would be harmful in the long term.

Copyright Statement: A Council subcommittee drafted a statement emphasizing that emergency remote teaching measures during the COVID-19 emergency are strictly temporary and that copyright of course materials developed for remote teaching inheres in the faculty member or instructor.

**ACTION: A motion to approve the statement was made and seconded and passed unanimously.**

#### **IV. Systemwide Review of Standardized Testing Task Force**

Council reviewed comments from Senate divisions and committees to the report and recommendations of the Standardized Testing Task Force. Council members observed that there was consistent support for most of the recommendations, although less support for the nine-year timeline for developing a new suite of assessments outlined in recommendation 6.

- Several Council members pointed to findings in the report that the University uses standardized tests responsibly and appropriately by considering scores in context in a comprehensive review process that provides a broad view of academic promise; that standardized tests, used alongside other factors, have value above and beyond a single metric such as HSGPA; that pre-college factors, including A-G subject requirement availability and fulfillment, explain more variance in UC performance; and that the major barrier to college access is not the SAT/ACT, but access to high quality secondary education, guidance in college planning, and other preparatory resources. They noted that eliminating standardized tests would shift emphasis in admission decisions to HSGPA, which could exacerbate inequity in high school quality and A-G availability and lead to grade inflation. Some expressed concern that eliminating tests would do nothing to eliminate larger social inequities or improve under-representation of low-income, underrepresented minority, and other vulnerable populations, and in fact, could hurt those very populations by increasing inequities in the admissions process. These Council members urged faculty to support the work of the Task Force. Council members also expressed concern that not all campuses use holistic review.
- Other members noted that all comprehensive review criteria, including HSGPA, are considered in context. Some expressed concern that standardized tests are intrinsically discriminatory and advantage higher income students with access to test preparation. They noted that the STTF models did not consider other variables that may explain low scoring and poor UC outcomes, and they emphasized the value of UC's role in providing educational opportunity to a diverse population of students, in addition to predictive validity.

- Some campus reviewers expressed reservations about the recommendation to expand the ELC pathway, given that it would increase admission based on HSGPA and could burden campuses already at enrollment capacity. Chair Comeaux noted that any enrollment increases would likely be offset by updates to the statewide eligibility index (recommendation 1). Council members emphasized that the state should support any enrollment increase resulting from the expansion of ELC with additional funding.
- Council members strongly supported the STTF recommendation to expand student academic support services (recommendation 4), given that ELC students are more likely to come from vulnerable populations. They emphasized the need to ensure the University is accessible to a broad range of students, and for any assessment of students to be paired with strategies to strengthen student chances of success at the UC.
- Several Council members echoed comments expressed by reviewers about the feasibility of the recommendation to develop a new suite of assessments (#6), due to uncertainty about the nine-year timeline proposed for that effort, UC's capacity to develop the assessment, its expense, and concern that a new test could burden students who would need to take both a UC-specific test and the SAT/ACT for admission to other institutions.
- A member noted UCSC's suggestion that UC consider a student's ACT/SAT score to be the average of all their sittings of the exam, instead of the highest sitting.
- It was noted that many underrepresented UC-eligible students who apply to "flagship" UC campuses are referred to less selective campuses. A member suggested a lottery as a fair and equitable way to give all UC-eligible students a chance to study at any of the UC campuses.
- Another member suggested moving UC to an open admissions structure. This would require a systemic rethinking and transformation of the UC mission. Concerns include the high dropout rates experienced by European systems with open admissions, the effect on UC rankings, and its alignment with the California Master Plan that mandates that UC be a selective research university.
- A suggestion was made for Fall 2021 applicants to consider the test-optional policy during COVID-19 as a "natural experiment" on testing to help inform decision making; however, it was noted that those data are not a true "natural experiment" given the widespread impact along with many additional disruptive factors due to the pandemic. Council members also emphasized that the temporary measures implemented to address COVID-19 should be temporary, and not seen by the University as an opportunity to abandon the test.
- Members noted that the analyses employed in the report are powerful and it would be worth revisiting them in five years, and on a regular basis, to see if they still hold.

*(The following action occurred at the end of the meeting.)*

**ACTION: A motion was made and seconded to endorse the STTF report, with the recommendation that in five years the University revisit whether the added value of the SAT/ACT still holds, employing the methods used in the 2020 STTF report. The motion passed 12 to 2.**

## **V. BOARS Revisions to Admission by Exception Implementation Guidelines**

BOARS Chair Comeaux noted that BOARS has proposed revisions to the Admission by Exception (A by E) [guidelines](#) to clarify the interpretation of existing policy in response to an internal audit of UC undergraduate admission. A by E was intended originally as a means to admit residents who did not meet technical minimum admissions requirements. As nonresidents became a larger part of the admission pool, they were included in the A by E population for the purposes of calculating the percent allowed by policy. The revisions clarify that the 6 percent allowed should be inclusive of residents only; that 2 percent of the 6 allocated percent (one third) may include students with “special talents;” and that all A by E decisions must be approved by three individuals: the campus admission director, another member of senior leadership in admissions or enrollment management, and a member of the Academic Senate external to the admissions office. Chair Comeaux noted that BOARS will be working on a new A by E policy specific to nonresidents.

**ACTION: A motion to endorse revisions and post this information on the BOARS website was made and seconded and passed unanimously.**

## **VI. Consultation with UC Senior Managers**

### **o Michael Brown, Provost and Executive Vice President, Academic Affairs**

Provost Brown thanked Senate divisions and the systemwide Senate for its speedy and decisive actions in response to the COVID-19 emergency. He noted that the University is in a challenging situation and that faculty and administrators are working in common cause to mobilize all possible resources to ensure that students are safe and can continue their degree progress.

Provost Brown expects a flat state budget, other revenue shortfalls, and a possible recession in the coming year that could force layoffs. He noted that EVCs are considering strategies for protecting the University as well as options for lowering the cost structure to minimize layoffs, such as a tax on higher wage earners. Furloughs are not currently under consideration; however, the faculty salary program is a likely casualty of the crisis. He asked Council members to consider the broader picture and avoid an over-focus on the fiscal situation.

Provost Brown noted that the University does not want to portray the temporary suspension of the standardized testing requirement as a “test optional” policy. It does want to encourage students to take the SAT/ACT if they can, understanding that there are circumstances in which opportunities to take tests have been interrupted or removed, while not penalizing students who have taken or are in the process of taking tests.

- Council members encouraged the University to protect lower paid staff members, non-ladder rank faculty, clinical faculty, and faculty funded primarily from research grants; to avoid across-the-board faculty salary cuts and furloughs; and to consider a systemwide extension of the “tenure clock” for junior faculty now experiencing additional personal and familial commitments and research challenges.

## **VII. Systemwide Review of BOARS Recommendation to Eliminate the SAT Essay and ACT Writing Requirement for Undergraduate Admission**

Council reviewed comments from Senate divisions and systemwide committees to BOARS’ recommendation to eliminate the SAT Essay and ACT Writing requirement for undergraduate admission. BOARS made the recommendation after finding that no UC campus uses the tests in admission decisions, and that UC campuses represent 9 of only 12 U.S. institutions that still

require one of the tests. The requirement has become a time and cost burden for students. There was strong and consistent support across divisions for the recommendation.

**ACTION: A motion was made and seconded to approve the BOARS recommendation and forward it to the Assembly. The motion passed unanimously.**

### **VIII. Executive Session: Nominee for Academic Senate Representative to Regents Committee on Health Services**

Council discussed the qualifications of nominees in executive session.

**ACTION: Council selected Professor Bindman of UC San Francisco as its nominee.**

### **IX. UCFW Issues**

**QLACs:** Council reviewed a recommendation from UCFW and its Task Force on Investment and Retirement (TFIR) to support a proposal from the Office of the CIO to add qualified longevity annuity contracts (QLACs) to the UC Retirement Savings Program Pathway fund. QLACs are a type of deferred annuity funded with an investment from a qualified retirement plan. They offer additional guaranteed income later in retirement, as drawdowns can only begin at age 78.

**ACTION: A motion was made and seconded to approve the recommendation. It passed unanimously.**

**Paid Family Leave Proposal:** Council reviewed comments from UCFW in response to a proposal for paid family leave generated by the UC Working Group on Equitable and Inclusive Paid Family Leave. UCFW strongly supports the principle of a comprehensive paid family leave program for faculty and staff, but also has questions and concerns about how the Working Group proposal would be structured. It would ask the Working Group to address those questions before it supports the proposal fully. These include clarifications about how the proposal addresses the needs of both faculty and staff equitably; how it interacts with current policies on short-term or supplemental disability; how it would apply to faculty on soft money; the accrual of UCRS credit while on leave; and how it would help standardized practices across campuses.

**ACTION: Chair Bhavnani will forward UCFW's comments to the members of the Working Group on Paid Family Leave.**

**Child Care Access:** Council reviewed a UCFW letter expressing concern about the high cost of on-campus child care and long waiting times to access child care on some campuses. The letter noted that the situation affects the welfare of UC families and particularly women, and it asked UC to provide more equitable options for affordable child care on or close to campuses, especially at UCSC, where no child care is available. In the letter, UCFW also suggested expanding philanthropy and exploring partnerships with the private sector, in addition to building more child care facilities.

- Council members agreed that child care is critical to supporting a diverse and productive faculty. They made several editorial suggestions, including framing the issue in the context of COVID-19 and not emphasizing any single UC campus.

**ACTION: Council approved sending a modified version of the letter to President Napolitano.**

**X. Executive Session: Nomination of 2020-2021 Senate Vice Chair**

**ACTION: Council selected Professor Robert Horwitz of UC San Diego as its candidate for 2020-21 Vice Chair. The nomination will be forwarded to the Assembly of the Academic Senate for consideration at the Assembly's April 15 meeting.**

**XI. Executive Session: Selection of Nominee(s) for 2020 Oliver Johnson Award**

**ACTION: Council voted to name Professor Robert Powell of UC Davis and Professor Manuela Martins Green of UC Riverside recipients of the 2020 Oliver Johnson Award. The names will be forwarded to the Assembly for ratification on April 15.**

**XII. Update on Extending Faculty Diversity Task Force**

o **Kimberly Lau, Chair, Extending Faculty Diversity Task Force**

Earlier this year, Chair Bhavnani charged a Task Force to develop best practices and creative solutions for extending faculty diversity through hiring and retention, and to offer ideas for improving campus climate. In addition to Chair Lau, the Task Force includes UCR Chair Dylan Rodriguez, UCPB Chair Sean Malloy, Lok Siu (UCB), Matthew Bucknor (UCSF), Jean Beaman (UCSB), and Elizabeth Abrams (UCSC). The Task Force decided to focus on three general areas related to retention: campus climate; research, intellectual engagement and belonging; and Senate/administrative leadership. It will report at the May Council meeting.

**XIII. UCPB Letter on Graduate Student Funding**

o **Sean Malloy, UCPB Chair**

Council reviewed a UCPB letter discussing structural issues affecting the financial security of UC graduate students that pre-date the UCSC wildcat strike and threaten the University's graduate education and research mission. The statement describes the important principle of supporting graduate students, notes that the crisis affects graduate students differently by campus and field, and touches on conditions contributing to the crisis such as high housing costs, a lack of adequate state support, and over-enrollment. It emphasizes that graduate students do not have access to Cal Grants or other forms of financial aid that help undergraduates, and that attracting and retaining high quality graduate students supports faculty research, UC campus rankings, and UC's mission of training the next generation of scholars and teachers. It notes that full funding of graduate students is crucial to meeting UC's undergraduate education mission, and to achieving UC's diversity goals, as housing and food insecurity have a disproportionate effect on underrepresented and low-income students. It notes that any solution should account for students serving as Research Assistants, whose salaries are similar to those for Teaching Assistants, but funded by faculty grants. The letter encourages the University to improve on past efforts to obtain state support for graduate students and suggests a longer-term study about these issues.

- Council members noted that the COVID-19 crisis could worsen economic conditions, and create additional financial hardships for graduate students and constraints on funding. Members also noted that the converging crises make it even more important to support the future of graduate education. Members would also emphasize that graduate training is an important service the University performs for the state and the world, urge UC financial

planners to be mindful of graduate students during the crisis, and to push for increased graduate student in UC's state appropriation.

**ACTION: A motion to approve the statement was made, seconded, and approved in a unanimous vote.**

**XIV. Additional Discussion of COVID-19**

Council discussed the need for contingency planning in the event that remote instruction becomes the normal mode of teaching for an extended period of time—through the summer, or even into fall 2020. It was noted that extending this mode of instruction for very long could dramatically change the academic character of the university, and also the fiscal structure, given that campus budgets and instructional models depend on residential education. There was also concern that if fall 2020 convenes in person before the epidemic is fully resolved, a second round of infections could lead to additional disruptions. It was noted that campuses should track remote instruction outcomes and student experiences to help assess its shortcomings and benefits. The Senate also should emphasize that one-time flexibility in regulations should not be considered indefinite. In addition, many faculty are concerned about the functioning of research, particularly government-funded research; and it was noted that institutional support will be needed to address the loss of funding and productivity. Members agreed that intercampus coordination and communication will be critical until the crisis is resolved.

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Meeting adjourned at 4:30 pm  
Minutes prepared by Michael LaBriola, Principal Committee Analyst  
Attest: Kum-Kum Bhavnani, Academic Council Chair