UNIVERSITY OF CALIFORNIA **ACADEMIC SENATE**

ACADEMIC COUNCIL

Minutes of Meeting
May 22, 2024

I. Consent Calendar

1. Today's agenda items and their priority
2. Draft Minutes of April 24, 2024
3. UC Irvine School of Population and Public Health
4. UC Davis Master of Engineering in Medical Device Development
5. Appointment of 2024-2027 Senate Secretary/Parliamentarian Katherine Yang
6. 2024-25 Assembly apportionment
7. Revised Chancellor Review Criteria
8. New UC Transfer Pathways in Chemical Engineering, Data Science, Statistics, and Earth Science/Geology, and updates to existing Pathways in Mathematics, Physics, and Chemistry

ACTION: Council approved the consent calendar.

II. Senate Officers' Announcements

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

May Regents Meeting: The Regents discussed various topics, including campus engagements with students who have established encampments to protest the war in the Middle East, concerns about campus safety and violence, efforts to reach negotiated resolutions with the protestors, and a potential strike by UC academic workers authorized by the UAW.

The Chief Investment officer reported to the Regents Investments Committee that UC's retirement, endowment, and working capital portfolios were performing well. UC Investments signaled that it is taking seriously calls from student protestors for divestment from weapons manufacturers and businesses with ties to Israel, noting that it considers environmental, social and governance (ESG) factors as part of its sustainability strategy. Senate leadership noted to Council that the Senate can help shape that approach so that faculty voices are heard.

The Regents deferred their discussion of a proposed policy on Public and Discretionary Statements by Academic Units to their July meeting. The Board appointed Janet Reilly as its next chair and Maria Anguiano as the next vice chair, with both beginning their tenures on July 1, 2024 for 1-year terms.

UC Budget: Governor Newsom's 2024-25 May budget revision proposes a $137 million (2.9 percent) cut to the UC budget for 2024-25. In addition, a 7.9 percent base budget reduction for most state agencies in 2024-25 will apply to the UC budget beginning in 2025-26. This reduction could be smaller if 2025-26 revenues are higher than expected.

Faculty Engagement Survey: The systemwide Senate will pause the administration of a planned survey of faculty on topics related to their engagement due to concerns that recent events – including the UAW-authorized strike and protest encampments – could distort the survey data.

During the discussion:

- Council members noted that discussions between administrators and student protesters, some of which promised a review of campus investments as a negotiation point, were conducted without consulting the Senate.

III. Systemwide Senate Review: Proposed Revision to Senate Regulation 424.A.3

Council reviewed comments from Senate divisions and committees to a proposed revision to Senate Regulation (SR) 424.A.3 presented by the Board of Admissions and Relations with Schools for a second systemwide Senate review. The proposed amendment introduces an A-G ethnic studies requirement (Area H) for freshman admission to UC. The addition of Area H aligns UC with the state's new ethnic studies graduation requirement for all public high school students (Assembly Bill 101) by incorporating Area H into the existing A-G subject requirements. It does not increase the overall number of required courses in the A-G pattern but stipulates that at least one course used to fulfill another A-G area must be an approved half-unit course in ethnic studies. The proposal was revised in response to Council's comments following a Senate review in 2020-21. It includes an updated set of course criteria and guidelines for Area H, developed by BOARS' Ethnic Studies Implementation Workgroup, outlining UC's expectations for Area H.

Reviews from Senate divisions and systemwide committee were mixed. Advocates highlighted the curricular benefits of ethnic studies, its positive impact on the educational experience for prospective students, and its role in academic preparation. They also noted that the updated proposal addresses previous concerns about accessibility and student readiness. Others expressed concerns that many high schools might be unable to offer a course meeting the Area H criteria, impacting student access and UC admissions offices by requiring greater use of the admission by exception process. There were also concerns about the potential misalignment of Area H criteria with the state's own model curriculum for ethnic studies and the proposed subject requirement's redundancy with the AB 101 mandate; the creation of a "two-tiered system" for resident and non-resident applicants who may not have access to ethnic studies courses; doubts about the necessity of an ethnic studies requirement for academic success at UC; and concerns about the politicization of the ethnic studies curriculum.

Chair Steintrager recommended that Council take more time to deliberate on these questions and concerns with the help of the faculty disciplinary experts who developed the criteria, UCOP admissions and high school articulation staff, intersegmental colleagues, and others. He noted a historical parallel with a previous proposal to increase the number of science courses required for the Area D ("Science") requirement, which involved several years of consultation and discussion. He proposed that Council discuss the matter again in June and July to reach a decision on next steps by the end of the academic year.

During the discussion:

- Council members expressed support for Chair Steintrager's proposal for additional informed discussion about the concerns raised in the review.
- BOARS Chair Knowlton recommended consultation with the CSU about how Area H may affect access to the CSU campuses.
- Executive Director Lin offered that the UCOP high school articulation office could identify current high school ethnic studies courses approved for A-G that faculty disciplinary experts could review to determine whether those courses align with the proposed Area H criteria.

ACTION: Council will continue discussion in June.

IV. Report of the UC Systemwide Advisory Workgroup on Students with Disabilities

Council reviewed comments from Senate divisions and committees regarding the report of the UC Systemwide Advisory Workgroup on Students with Disabilities. The report examines the experiences and needs of students with disabilities and makes recommendations for policies, programs, services, and campus culture improvements. The Senate provided input on several specific recommendations affecting faculty.

ACTION: Council agreed to send a summary of comments from the review to Vice President & Vice Provost Gullatt in Graduate, Undergraduate and Equity Affairs.

V. Consultation with Senior Managers

- **Michael V. Drake, President**
- **Katherine Newman, Provost and Executive Vice President**

Campus Protests: The University is monitoring student protest encampments and a strike by academic workers called by the UAW. The University considers the strike unlawful and has filed for injunctive relief with the California Public Employment Relations Board. Efforts are underway to resolve these issues while minimizing educational impacts. President Drake will meet with several student groups this week to discuss campus climate issues.

Budget: In response to a challenging state budget deficit, the governor has proposed a cut to the UC budget for 2024-25. Despite this, the governor remains supportive of long-term compact funding. Both the governor and the Legislature recognize UC's role in the state's recovery while acknowledging fiscal realities. The University is committed to moving forward with a salary plan for faculty and non-represented staff.

Legislation: The University opposes Assembly Constitutional Amendments (ACA) 6 and 14, which would intrude on its constitutional autonomy and potentially hamper its ability to serve its missions efficiently. ACAs are not subject to a governor's veto. UC is monitoring and collaborating with the authors of Senate Bill 1287 (Glazer) related to student codes of conduct and Assembly Bill 2925 (Friedman) related to anti-discrimination training.

Academic Affairs: Provost Newman thanked the systemwide Senate for its guidance to faculty on several issues related to the potential UAW strike, including maintaining academic continuity. She announced a reorganization of the UCOP Office of Academic Personnel and Programs into two units: one focused on academic personnel and the other on faculty affairs and academic

programs. This reorganization aims to enhance visibility and support for systemwide programs and enable a more effective and nimble organizational structure around academic labor.

Academic Congress: The May 1 congress on the future of online education addressed various questions about online learning, including how other universities are handling online learning, what constitutes "UC quality" online education and the resources needed, the value of online learning for specific populations, and how learning theory can support both online and in-person pedagogy. As a follow-up, Provost Newman plans to discuss UCOP support for campus experiments. Future congresses will focus on Hispanic-Serving Institutions, research, and academic freedom.

During the discussion:

- A Council member inquired about potential disciplinary actions for student protestors, noting some faculty's preference for waiving such actions. Another member sought clarification on the interpretation of the Regents' amendment to UCOP's May 9 guidelines on disciplinary actions, which affirmed that amnesty is inconsistent with due process for individuals cited for UC policy violations. Concerns were also expressed about the heavy police presence at graduation ceremonies, which could intimidate undocumented students and their families.

- President Drake responded that each campus protest situation is unique, but all encampments violate established UC content-neutral policies. As a first step, the University requests encamped protestors to decamp voluntarily. Arrests occur only if encampments escalate to disrupt University operations or threaten safety, following additional guidance, warnings, and reminders. The University ensures due process for any protestor cited for conduct violations and aims to resolve cases with compassion and issue sanctions commensurate with violations. The University supports freedom of speech and there are countless ways to protest lawfully, but unlawful, disruptive protests are unacceptable. He noted UCOP's May 9 guidelines support campus autonomy and flexibility, while the Regents' amendment aims to ensure meaningful consequences. He said he understands undocumented students' feelings of discomfort, but the police focus is solely on maintaining peace and safety, without regard to immigration status.

- Council members encouraged Provost Newman to use the Academic Affairs reorganization to improve academic labor negotiations and clarify responsibilities around graduate students' roles as academic workers and students. They also asked how she would quantify the success of the academic congresses.

- Provost Newman emphasized the importance of appropriately dividing labor in the new complex environment and noted that the reorganization of Academic Affairs can potentially serve as a model for campuses to align their highly variable corresponding structures. The congresses are an opportunity to explore issues and mobilize thinking on policy issues. Their impact can be measured by generating and advancing new ideas that inform policy and related requests for resources. She invited faculty to contribute ideas for increasing the impact and success of these systemwide convenings.

VI. 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**

Vice Provost Haynes announced that he will step down from his position and retire from the University effective July 1. He expressed his appreciation to the Council, stating it has been inspirational to work with the faculty on a common vision.

On March 25, Provost Newman issued the revised Academic Personnel Manual (APM) 210, which elevates the consideration of mentoring in the criteria for appointment, promotion, and appraisal for several academic series. On May 1, she announced a title change for the "Lecturer with Security of Employment" (LSOE) series to "Professor of Teaching." Locations may continue to use "Teaching Professor" as a working title. Finally, new guidelines for APM 016, requested by the UC Regents, will take effect in July 2024. They state that when a regent recommends the dismissal of a faculty member with tenure or security of employment, the chancellor should also impose suspension without pay.

VII. Systemwide Senate Review: Proposed Academic Senate Statement on UC Quality

Council reviewed feedback from Senate divisions and committees to a proposed Academic Senate statement on UC quality, titled "Characteristics of Educational Quality at the University of California," presented by the University Committee on Educational Policy (UCEP).

The reviews were mixed. While many expressed general support for the initiative, others were unclear about the statement's purpose and intended audience. Nearly all reviewers provided specific suggestions for clarification and improvement. In addition, several reviewers highlighted the stark contrast between the aspirations outlined in the statement and the current reality of budget constraints and structural issues affecting educational quality on campuses. Concerns were also raised about the lack of attention to graduate education, non-Senate faculty, academic freedom, online education, artificial intelligence, grade inflation, and other contemporary issues.

UCEP Chair Cocco noted that UCEP will revise the statement to incorporate the many helpful comments. However, she emphasized that some suggestions and issues raised were beyond the scope of the statement, which is intended as an aspirational set of values, not a policy document.

ACTION: Council agreed to return the statement to UCEP for further consideration.

VIII. Revisions to Regents Policy 4400

Following a report to the Regents from the Systemwide Advisory Workgroup on Students with Disabilities, the UC Graduate and Professional Council President proposed amendments to Regents Policy 4400 – the UC Diversity Statement – to incorporate language about disability. The policy originated in 2006 with the Academic Senate as a statement proposed by the University Committee on Affirmative Action and Diversity (UCAAD) and approved by the Senate. The Statement was expanded to include gender identity in 2009, an addition also approved by the Senate. UCAADE has reviewed and endorsed the current revision.

ACTION: Council endorsed the revisions and will forward to Assembly for approval.

IX. Five-Year Review of the UC Humanities Research Institute MRU

- **Susanne Nicolas, UCORP Vice Chair**

UCORP led a five-year review of the UC Humanities Research Institute (UCHRI) multicampus research unit as specified by the Compendium, with participation by members of UCPB and CCGA, who consulted with their respective committees.

UCORP Vice Chair Nicolas, who led the review, noted that UCHRI uses foundation funding to support collaborative and interdisciplinary research for humanities faculty and graduate students across UC campuses. The review identified both strengths and weaknesses in UCHRI's multicampus operations, future goals, budget, administration, and governance. It praised UCHRI as a model for leveraging the collective strength of the UC system and noted its accomplishments despite challenges like leadership changes and COVID-19. A key concern is the decline in regranting proposals, underscoring the need for additional funding. Recommendations include enhancing leadership stability, transparency, diversity efforts, and communication of funding criteria. The review committee endorses UCHRI's continuation for another five years, with securing Mellon Foundation funding and appointing a permanent leader as top priorities.

ACTION: Council endorsed the report and will forward to Research and Innovation Vice President Maldonado.

X. University Committee on Educational Policy Issues

- **Melanie Cocco, UCEP Chair**

Proposed Amendments to Senate Regulations 900 and 902

UCEP proposed replacing the term "Probation" in Senate Regulations 900 and 902 with "Academic Notice," as the designation given to undergraduates who fail to meet minimum standards for academic progress as defined in the regulations. The proposal originated with the UC Undergraduate Academic Advising Council as a way to help support students experiencing academic difficulty by removing the stigma and association with criminality attached to the word "probation."

ACTION: Council endorsed the revisions and will forward to the Assembly for approval. The vote was 17 in favor and 1 opposed. There was one abstention.

California Community Colleges Baccalaureate Degrees & Duplication of UC Degrees

UCEP recommended a process to enable divisional Senate committees on undergraduate education to provide campus administrators with independent 30-day duplication reviews of bachelor's degree programs proposed by the California Community Colleges.
If possible, Senate committees should discuss proposals during their regular meetings with vice provosts and deans for undergraduate education (VPDUEs). If the Senate committee cannot respond within the 30-day limit, the campus VPDUE should proceed without Senate input.

Members noted that it would be difficult for nine Senate divisions to conduct a review within 30 days. Chair Steintrager added that the proposal falls within UCEP's purview to determine but that he would confer with UCEP and UCOP administrators on the best way forward.

XI. CCGA Statement on Faculty Responsibility for Graduate Students

- **Dean Tantillo, CCGA Chair**

Council reviewed a Coordinating Committee on Graduate Affairs (CCGA) statement concerning the role and responsibilities of faculty in guiding graduate students and assessing their academic progress. The statement emphasizes that UC faculty have plenary authority over all graduate programs, degrees, and courses. This authority includes setting disciplinary and interdisciplinary standards and overseeing and assessing the academic progress of the students they advise. Council members expressed strong support for the statement and recommended that CCGA consult with UCOP Academic Personnel and Programs and UC Legal.

ACTION: Council will conduct an electronic vote on the statement pending a review by UC Legal and Academic Personnel and Programs.

XII. UCACC Response to President Drake on Information Security Investment Plans

- **Kyaw Tha Paw U, UCACC Chair**

Council reviewed a letter from the University Committee on Academic Computing and Communication (UCAAC) outlining several concerns about a recent request to campus chancellors for an updated information security investment plan. Chair Paw U summarized several of these concerns:

- Faculty were not consulted about the new measures described in the letter, the scope and timelines for implementation, or consequences for non-compliance.
- The letter proposes corporate cybersecurity models that are unsuitable for UC due to high costs and logistical issues. UCACC emphasizes the challenges of implementing these models, especially with existing BYOD (bring your own device) policies.
- New email restrictions proposed by campuses in response to the letter could disrupt faculty workflows and productivity, and mandates for Endpoint Detection and Response (EDR) and tracking software could affect their academic freedom and privacy.
- Many faculty rely on legacy systems that may not be able to comply with new standards. UCACC calls for exceptions for these systems.

ACTION: Council endorsed the letter and will forward to President Drake.

XIII. Reports from Senate Division Chairs

- Nearly all campuses have been dealing with student protest encampments. Most have been peaceful, but others have included incidents of vandalism, violence and arrests. Following an incident at UCLA in which 200 people were arrested, separate faculty votes of no confidence and censure of the UCLA chancellor were held, but both failed. The UCSD division is currently considering a no-confidence vote against its chancellor.
- Individual campuses have been negotiating with protestors on some of their demands and requests, and are engaged in contingency planning for canceling classes and moving to limited operations or fully remote instruction if protests or strikes close the campus. Some Senate divisions are involved in these administrative discussions and decisions, while others

feel that shared governance has not been respected. There are also concerns on individual campuses about regental overreach, both regarding the protests and more generally.

- The threat of a strike is also causing concern. Divisions are discussing the implications of faculty participating in a sympathy strike that may ultimately be deemed illegal.
- Some faculty would like to relax the Senate's requirement for a final exam in response to protests and the strike. There was a suggestion to develop a systemwide policy related to contingency plans and emergency authorizations regarding courses and exams.
- Division chairs noted several major new capital projects on campuses, including the groundbreaking of a medical education building at Merced and the approval of a new student housing project at Santa Barbara.

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