UNIVERSITY OF CALIFORNIA   **ACADEMIC SENATE**
                               ACADEMIC COUNCIL

                                 Minutes of Meeting
                                   May 24, 2023

I.   Consent Calendar

1. Today's agenda items and their priority
2. Draft Council Minutes of April 26, 2023
3. UCOPE recommendation to establish two new methods for satisfying the Entry Level Writing
    Requirement (ELWR)
4. UCOPE recommendation to end 2017 pilot of the SAT Evidenced-Based Reading and Writing
    exam score for satisfaction of the ELWR
5. Master of Management SSGPDP at UC Davis
6. Forward UCPB Faculty Hiring Report to Provost Newman
7. Assembly Apportionment for 2023-24 (UCSF +1; UCLA -1)
8. 2023-24 UCOC Vice Chair
9. June 8 Assembly Agenda Topics

ACTION: Council approved the consent calendar.

II.   Senate Officers' Announcements
        o   **Susan Cochran, Academic Council Chair**
        o   **James Steintrager, Academic Council Vice Chair**

May Regents Meeting: The Regents gave provisional short-term approvals to several graduate
professional degree programs for proposed increases to supplemental tuition; discussed
systemwide efforts to improve UC employee compliance with mandatory online training
requirements; considered the potential leveraging of the UC Education Abroad Program and
other experiential programs to support UC's 2030 enrollment growth goals; and received a report
and recommendations from the Regents Task Force on Institutional Growth regarding the
University's aspirations by the year 2050.

Chair Cochran mentioned in her remarks to the Regents that some faculty would not receive the
same 4.6% salary increase as policy-covered administrators and staff. Some Regents are
concerned about the Senate's decision to implement a new regulation defining a campus
experience requirement and thereby prohibiting fully online undergraduate degrees.

Transfer: The Intersegmental Committee of the Academic Senates has approved final changes to
the California General Education Transfer Curriculum (Cal-GETC). The State Senate, while
finalizing details of the governor's budget, rejected a proposal to make UCLA accept Associate
Degrees for Transfer (ADTs) as a guarantee of admission. However, transfer legislation is being
considered that could significantly impact the University, potentially requiring UC campuses to
prioritize transfer students with ADTs and specific GPAs. Currently, UC uses a student-centered
approach for transfer admissions that includes a comprehensive review of general education and
major preparation. In contrast, the legislation would favor a specific group of students with high

GPAs alone. Its emphasis on a singular transfer pathway and reliance on ADTs could inadvertently raise admission requirements for the CSU.

Labor Issues: The University continues to address labor issues arising from the UAW strike. This includes grievance complaints from students who were striking from their positions as Graduate Student Researchers (GSRs) or Teaching Assistants (TAs) while also neglecting to complete academic coursework, resulting in some failing grades.

III.   **Five-Year MRU Reviews of UC Mexus and the Institute of Transportation Studies**
  o   **Cynthia Schumann, UCORP Chair**
  o   **Susanne Nicholas, UCORP Vice Chair**

UCORP conducted five-year reviews of two Multicampus Research Units (MRUs) in 2022-23: the UC Institute for Mexico and the United States (UC MEXUS) and the UC Institute of Transportation Studies (ITS). These reviews were carried out as specified by the Compendium, with participation from members of UCPB and CCGA who consulted with their respective committees. The role of the review committee, according to the Compendium, is to advise the Vice President for Research and Innovation on the MRU's purpose, current functioning, funding history, future plans, and ongoing development. The committee also assesses whether the unit should merge with another similar unit or be disestablished. The review of the ITS was led by UCORP Chair Schumann, while UCORP Vice Chair Nicholas led the review of UC MEXUS.

UC Institute of Transportation Studies (ITS)
ITS receives funding from state and research grants and operates across four campuses: Berkeley, Los Angeles, Irvine, and Davis. It has established a highly effective and internationally renowned research infrastructure, and plays a vital role in shaping technological advancements, infrastructure transformations, and transportation policies in California. The quality of research conducted by ITS is exceptional and has significant influence.

The review committee's report acknowledges the valuable contributions of ITS to UC's research, graduate education, and public service missions, and recommends the continuation of the MRU for another five years. The report also provides suggestions to enhance the operations and governance of the ITS, such as promoting more diverse and visionary leadership, and strengthening collaboration among the four main campus branches. The committee also encourages extending the reach of ITS beyond the four existing campuses.

UC Institute for Mexico and the United States (UC MEXUS)
In 2019, the University consolidated three systemwide UC programs related to educational and research activities with Mexico (UC MEXUS, President Napolitano's UC-Mexico Initiative, and Casa de California) under the umbrella of Alianza MX.

The review committee found that UC MEXUS has been a productive program that facilitates important academic and cultural exchanges between UC and institutions in Mexico. It also provides funding for graduate students and post-docs across the UC system. However, UC MEXUS does not conduct its own research, and it may no longer meet the technical definition of

an MRU. A significant funding source for UC MEXUS was not renewed during the review period, which combined with the impact of the COVID-19 pandemic, has hindered the MRU's ability to sustain and advance its activities. The loss of funding from Mexico has resulted in a decline in awards and cross-campus collaborations. While UC MEXUS is a valuable asset to UC, it may not be suitable to continue as an MRU on a five-year review schedule. The University should explore ways to distinguish UC MEXUS from Alianza MX and assess whether the current financial model is the most effective for supporting the program in the long term.

ACTION: Council approved sending the reports to Vice President Maldonado.

IV. Systemwide Review of Proposed Presidential Policy on Responding to Immigration Enforcement Issues Involving Patients in UC Health Facilities

Council reviewed comments from Senate divisions and committees on a proposed policy establishing UC Health's cooperation with the California Values Act of 2018, which limits federal immigration enforcement actions at public institutions, including hospitals and health facilities, and prohibits the use of state and local resources to assist immigration enforcement.

Faculty reviewers endorsed the policy and its goal to protect UC Health patients from immigration enforcement and minimize assistance to immigration officials so as not to harm patient care. In addition to offering suggestions for small edits and typographical corrections, reviewers suggested that the policy could be more patient-centered by including stronger assurances that UC Health will protect vulnerable populations from immigration inquiries by proactively informing patients who are being sought by an officer. Additionally, reviewers suggested that the policy clarify its application at UC Health affiliate sites, explicitly address research operations conducted at UC Health facilities, and include protections for hospital staff who may encounter immigration officials.

ACTION: Council approved forwarding the Senate comments and a summary letter to Vice Provost Haynes.

V. Systemwide Review of Proposed Presidential Clery Act Policy

Council reviewed comments from Senate divisions and committees to the UC Clery Act Policy, issued as an interim policy in July 2022 to address UC's compliance with the federal Clery Act requirement that colleges and universities disclose data on specific crimes occurring on and around their campuses.

Senate reviewers supported the goals of the policy to increase the accuracy and transparency of campus crime and safety reporting. Reviewers also make several recommendations to further clarify and strengthen the policy. Many pertained to the authority and reporting role of the Campus Security Authority (CSA), and specifically which UC employees and campus volunteers are obligated to report as CSAs; what criteria determine a faculty member's eligibility to be a CSA; the distinction between the roles and jurisdictions of a CSA, a Confidential Resource, and a Responsible Employee; and the circumstances under which a CSA who is also a Confidential Resource must break confidence and report a crime to law enforcement. In addition, reviewers

recommend that the policy clarify the reporting responsibilities of unlicensed CARE advocates, detail the specific geographic conditions under which the policy applies, add a requirement for CSAs to inform victims about available confidential resources, expand the definition of hate crime to include more examples, and clarify the timing of the release of Clery Act notifications.

ACTION: Council approved forwarding the Senate comments and a summary letter to Vice Provost Haynes.

VI.   Proposed Revision to Senate Bylaw 182 (UCIE)

The University Committee on International Education proposed minor changes to Senate Bylaw 182 to align the language with currently used terms, titles, and practices.

ACTION: Council approved the revisions to Senate Bylaw 182 and will forward them to the Assembly for approval.

VII.   Consultation with Senior Managers
   o   **Katherine Newman, Provost & Executive Vice President, Academic Affairs**

UC Online: Rolin Moe has joined UCOP as the new Executive Director of UC Online. His responsibilities will include collaborating with campuses and the Senate to shepherd the UC Online cross-campus enrollment system into a sustainable state and assess student and faculty needs and expectations around UC Online courses.

Doctoral Education: Provost Newman said the Senate will be an essential partner in the joint Academic Planning Council Working Group on the Future of Doctoral Education. The working group will address principles for determining the optimal size of doctoral cohorts, strategies for preserving the faculty-student mentoring relationship in the context of unionization, and the alignment of doctoral training with labor markets and needs. She expects the workgroup's final report and recommendations to be shared, discussed, and debated on every campus.

Additionally, the provost is planning a systemwide Academic Congress on Innovations in Graduate Education on October 9 and 10 at UCLA. The congress will mobilize people across campuses to discuss issues and generate ideas. It will include break-out groups to enable field-specific discussions around specific issues in STEM, arts, and humanities.

Research and Innovation: President Drake is forming an Entrepreneurship Network Council—a group consisting of UC administrators and private sector representatives to develop and support entrepreneurship opportunities at the campus level.

The University recently partnered with the governor's office on a statewide renewable hydrogen hub and is exploring funding opportunities from the Advanced Research Projects Agency for Health (ARPA-H), a new federal effort to inject resources into health technologies.

Discussion:
➢ Council members noted that most online education activities occur at the divisions, which are actively involved in developing new courses, streamlining course approval processes, and

identifying pedagogical training needs. Given these activities, they asked Provost Newman to clarify the role of UC Online in relation to the campuses.

➢ Provost Newman stated that UCOP should not drive the development of online courses but it can facilitate and support intercampus activities. This includes creating a directory of systemwide online courses available for cross-campus enrollment by UC students, organizing special systemwide initiatives such as expanding the use of online education to speed degree completion, and providing training and support for faculty interested in teaching online.

➢ Council members added that the University could use online education to help expand access to less commonly taught languages across the system. They also highlighted the need for closer collaboration between UC Online and the campuses on an array of issues, including promoting awareness of accreditation requirements for online education that can impact students' financial aid eligibility. Examples include the WSCUC requirement for a "substantive change" review and approval when a degree program is first designated as online, and federal regulations addressing minimum engagement requirements for students to receive financial aid. The Senate should better monitor compliance with these requirements as well as the quality of distance education courses and programs. They also recommended revising the Compendium to address online course approval more effectively.

➢ Provost Newman said online education will play a bigger role in the future and agreed that the University should not compromise on quality. She said it is a systemwide responsibility to help set overall quality standards, but that individual faculty and departments must define and maintain quality standards at the local level. Those standards should be independent of instructional modality and focus on scholarly objectives and innovation. She encouraged the Senate to see departments as drivers of curricular development and innovation, guided by peer review, student evaluations, and empirical data on student progression and satisfaction. UC should be at the forefront of educational innovation, and not merely follow trends. It should see accrediting agencies as valuable partners in supporting new approaches.

➢ Council members emphasized the need to maintain Senate authority and leadership on online education both at the campus and systemwide level. The Senate can provide checks and balances to ensure quality amid competing interests and the prioritization of enrollment and financial considerations. Members also noted several challenges to implementing fully online majors and degrees. These include the lack of departmental control over course modality in the first two years of a program, the additional attention needed to ensure academic integrity in online courses, and the significant financial investments that will be needed to support quality online degrees and programs. The University should also consider how the proliferation of online degree offerings could change the in-person nature of the University and create two distinct classes of students.

VIII. Office of Research and Innovation – Patent Policy
- **Theresa Maldonado, Vice President for Research and Innovation**
- **Scott Brandt, Associate Vice Provost for Research and Innovation**
- **Felice Lu, Research Policy Manager**

Council invited guests from the Office of Research and Innovation (R&I) to discuss faculty concerns about the proposed revisions to the Presidential Policy on Inventions, Patents, and Innovation Transfer, currently circulating for systemwide review. Vice President Maldonado said the revisions implement updates to the UC Patent Policy recommended by the Regents Working Group on Innovation Transfer and Entrepreneurship. The main changes are to streamline the policy and to transfer authority and accountability for innovation transfer and entrepreneurship to the campuses. R&I officials acknowledged that the policy revisions unintentionally removed language about the patent income and royalties that was important to faculty; however, faculty also misinterpreted some of the revisions. They emphasized that policy language about royalty distribution was moved to the guidelines and would not change current practices.

Discussion: Council members noted that the intention to maintain current practice is reassuring, but that guidelines, unlike a presidential policy, can be altered without undergoing a systemwide review. In addition, the systemwide policy could provide stronger assurances about the need for campuses to retain their current royalty practices, and also ensure that faculty on all campuses are treated similarly. In addition, there should be a time limit on how long the University can hold a potential patent in limbo while it decides whether to go forth with obtaining it. It is critical that innovators are able to move forward with their work. The policy should also incorporate more explicit language affirming the faculty's ability to engage in outside activities and establish connections with California companies.

IX. Proposed Presidential Policy on Inventions, Patents, and Innovation Transfer

Council discussed comments from Senate divisions and systemwide committees in response to the proposed revisions to the Policy on Inventions, Patents, and Innovation Transfer. Many Senate reviewers expressed support for shifting the administration of inventions and patents from UCOP to the campuses. However, reviewers also noted that decentralization could harm campuses, and expressed concern about the removal of language specifying the allocation of an additional 15% of patent net royalties to support research on the inventor's campus or laboratory; ensuring inheritance rights for patent income to the inventor's heirs; and affirming inventor ownership of patents resulting from permissible outside consulting activities. There were also concerns about the tax difficulties arising from requiring the annual distribution of royalties, and concerns that the policy was written to protect University interests but lacked sufficient provisions for inventor interests.

ACTION: Council approved forwarding the Senate comments and a summary letter to Vice Provost Haynes.

X. Technical Revision to Senate Regulation 479 (Cal-GETC)

At its December 2022 meeting, the Assembly approved a proposed new Senate Regulation 479 creating the California General Education Transfer Curriculum (Cal-GETC). The systemwide Senate office has proposed amendments to SR 479 to align with the new Cal-GETC Standards governed by the Intersegmental Committee of the Academic Senates. The amendments include technical updates regarding the GE transfer curriculum requirements for California Community College students planning for transfer admission to UC and CSU. The majority of strikeouts under section 479.D reflect the fact that the new Cal-GETC Standards prohibit partial Cal-GETC certifications and Cal-GETC for STEM certifications.

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

XI.   Reports from Senate Division Chairs

➢ Individual campus Senates are hosting forums to discuss the future of online education in the context of access, equity, and quality. Administrators increasingly see online education as a solution to enrollment and classroom capacity pressures. Faculty are eager for more information about online teaching opportunities; however, some are concerned that online degrees may reflect a lower-quality education. Various efforts are underway to better account for the number of online courses being taken and taught, as well as quality and outcome measures.

➢ Campus Senates are also investigating the factors behind grade inflation, providing faculty with guidance on model syllabi that separate the educational and research aspects of graduate student researcher work, and guidance on addressing the use of ChatGPT and other AI platforms.

➢ Faculty are advising on plans to add graduate student housing, campus electrification cost studies, and financial sustainability initiatives; pushing to address staff shortages that burden faculty, and working with Disabled Students Offices to balance accommodation requests with faculty needs.

➢ At Davis, a Sustaining Research and Teaching Task Force will discuss and define the future of the campus in a broad review of its various missions and functions. Faculty at Merced are concerned about the lack of Senate involvement in the review of a new BS to MD Pathway. Some but not all campuses have committed to a 4.6% increase on total faculty salaries. Campuses are seeing evidence of more faculty burn-out and disengagement.

XII.   Consultation with Office of Procurement
   o **Paul Williams, Associate Vice President & Chief Procurement Officer**

Associate Vice President Williams joined Council to discuss questions and concerns raised by the Senate during the recent review of Presidential Policy BFB-BUS-43 Purchases of Goods and Services; Supply Chain Management.

AVP Williams acknowledged that some faculty are frustrated with the Small Business First program waiver process. He expressed his support for the program and said the University's commitment to supplier diversity aligns with its mission to support small and diverse businesses.

He highlighted the important role small businesses played during the pandemic in ensuring supplies and emphasized that small business often offer better service and more competitive pricing.

He said the Office of Procurement currently lacks data showing widespread service delays or premium payments due to the program, but it plans to collect and analyze data to validate these assumptions. The recent revisions to BUS-43 were limited to clarifying the policy, but systemwide Procurement wants to investigate ways to improve the waiver process and address any overly cumbersome elements that may hinder purchasing. To facilitate this, the office has hired a new staff member to oversee the supplier diversity program and analyze the impacts of the waiver.

➢ Council members expressed appreciation to AVP Williams for committing to a review of the program's effectiveness. They raised concerns that campus or systemwide data may not accurately reflect the challenges faced by individual faculty members who struggle to obtain lab equipment from small businesses and are burdened by the waiver process. They also noted that the quality, experience, and expertise of procurement support vary across campuses. In addition, they encouraged AVP Williams to visit the campuses and meet with rank-and-file faculty. They further suggested the establishment of a systemwide dashboard that would allow faculty to easily track their waiver requests, and a support hotline to expedite time-sensitive concerns.

➢ In response, AVP Williams acknowledged the need to consider the individual end user experience. He said the faculty's concerns align with work planned or underway to improve the waiver process and optimize the overall procurement process. He recognized that the self-service procurement model currently being used includes compliance steps that can be challenging for faculty to navigate. As a solution, he expressed the office's intention to introduce a more automated process that integrates guidance and instructions into the buying tool. AVP Williams expressed his gratitude to the faculty for their patience and partnership and confirmed he and his staff will follow up on the invitation to visit the campuses and learn directly from faculty about their questions and challenges.

XIII. **Executive Session: Labor Update**
  o **Melissa Matella, Associate Vice President, Employee & Labor Relations**
  o **Amy K. Lee, Associate Vice Provost, Academic Personnel & Programs**
  o **Allison Woodall, Deputy General Counsel**

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