

ACADEMIC COUNCIL

Minutes of Meeting

May 30, 2018

I. Consent Calendar

1. Today's agenda items and their priority
2. Draft Council minutes of April 25, 2018
3. Simple Name Change: UCR School of Business Administration to School of Business
4. 2018-19 Apportionment of Assembly Representatives (+1 UCSF; -1 UCLA)
5. Appointment of 2018-19 UCOC Vice Chair
6. Appointment of the 2018-21 Assembly Parliamentarian

ACTION: Council approved the consent calendar.

II. Declaration of Rights and Principles to Transform Scholarly Communication**o Richard Schneider, UCOLASC Chair**

UCOLAC Chair Schneider noted that UCOLASC members and other faculty have been working to transform scholarly communication from a subscription-based model to an open access model. The Academic Senate has supported these efforts. It passed an [Open Access Policy](#) in 2013 and also supported the [Presidential Open Access Policy](#) in 2015. The policies have been a success, but have not ended the expensive subscription-based model that extracts money from the university and provides large profit margins for commercial academic publishers earned through the free labor of faculty authors, editors, and peer-reviewers. UC pays subscription fees of between \$30 million and \$40 million to commercial academic publishers, five of whom control 50% of all published academic content. UCOLASC wants UC to divest from the subscription model and use the library subscription budget to fund open access publishing by UC authors through a variety of models. If such a strategy was implemented at scale, then much of the \$8 billion spent annually worldwide for subscriptions could be reinvested in open access publishing.

Chair Schneider asked Council to endorse 18 principles proposed by his committee to guide the University's future relationship with commercial publishers. UCOLASC believes the principles have the potential to transform the current system of scholarly communication from one that remains closed and unaffordable, to one that is more open, fair, transparent, and sustainable. UCOLASC is striving to change publisher behavior by linking these principles to subscription payments. The principles are not policy, but are an aspirational statement of intent to align University spending with our public mission, and specifically to make our taxpayer-funded research and scholarship freely and widely available. The principles remain neutral on the type of financial models that would ultimately be used to support open access publishing in lieu of subscriptions.

Several systemwide committees – UCORP, UCPB, UCAP, and UCAF – have already discussed the Principles and sent opinions to Council. The Committees expressed general support: UCAP, UCAF, and UCORP unanimously endorsed the Principles, although UCORP emphasized that not all publishers should be lumped together and that those who maintain high quality standards

and should be fairly compensated. UCPB also questioned UCOLASC's assumptions that an "author pays" model would uniformly reduce overall costs, and requested clarifications about its financial implications. Chair Schneider noted that the Principles do not specifically advocate for an "author pays" model. He encouraged faculty engagement on the topic of how best to redeploy money from subscriptions, and suggested that faculty evaluate the broad range of possibilities and models for supporting open access publishing as outlined in the "[Pathways to OA](#)" guide recently released by the UC Council of University Librarians. The Principles are designed to ensure that UC spends taxpayer money in the most ethically, morally, and socially-responsible way when entering into agreements with publishers.

- Council members expressed general support for the Principles as negotiating objectives but also observed that UC should not move to open access without broad buy-in from faculty, administrators, and other universities. They noted the importance of engaging the entire Senate in implementing the principles and giving faculty a role in contract negotiations. They suggested that the Principles include language pledging UC to indemnify faculty authors from additional or unforeseen costs resulting from open access negotiations with publishers. Several Council members noted that their committees and/or divisions would like a chance to discuss and opine on the Principles prior to a Council endorsement vote.
- Chair Schneider noted that there is an international movement to shift academic publishing to open access. He said other American institutions are looking to UC for leadership, because UC produces a significant proportion of publications in this country. He noted that as long as universities maintain the status quo subscription model, they will continue to be at the mercy of the big publishers. He added that faculty can also influence the discussion through their scholarly organizations. Finally, the UC Librarians support open access and want to facilitate faculty engagement in open access issues.

ACTION: A motion was made and seconded to circulate the Principles for systemwide review with a fall 2018 deadline, while UCOLASC also solicits comments from the University Librarians. The motion passed unanimously.

III. Senate Officer Announcements

- **Shane White, Academic Council Chair**
- **Robert May, Academic Council Vice Chair**

Faculty Salaries: The President has announced a three-year plan to reduce the 8.4% faculty salary gap between UC and the Comparison 8, starting with a 4% increase to the published UC base salary scales this year, for both general campus faculty and faculty in the Health Sciences Compensation Plan. A 4% increase to the scales is equivalent to a 3.1% overall salary spending increase. The plan does not mandate adjustments to off-scale salaries, although campuses retain the flexibility to do so. The Senate has already requested 2019-20 salary models to help committees define the parameters for year two and three of the plan before the 2019-20 budget development cycle is initiated.

Regents Meeting: Chair White's [remarks to the Regents](#) in May included several recommendations for improving faculty diversity, including rigorous accountability by administrators, the radical expansion of the President's Postdoctoral Fellowship Program, and allocating resources to the methods and programs known to be successful.

UCOP Restructuring: The President has charged two Advisory Committees with considering Huron Consulting's options for UC Health and the Division of Agriculture and Natural Resources (ANR). Each committee includes a single faculty representative – Senate Vice Chair Robert May on the UC Health Advisory Committee, and UCR Professor Mary Gauvain on the ANR Advisory Committee.

Market Research Nominees: The UCOP Division of External Relations is performing systemwide market research to help build greater understanding and recognition of UC's value and contributions to California. Chair White asked each Senate divisional chair to name two or three faculty with Senate experience who could effectively promote the incorporation of faculty perspectives into public messaging about the value of the University.

Health Services Committee: Professor Joel Dimsdale, the Senate's representative to the Regents Health Services Committee, has forwarded a letter from 7 faculty leaders in the University's 18 health sciences schools to Council requesting the creation of a new standing Senate Committee dedicated to addressing the needs of the health sciences faculty.

UC Recruit: Chair White was copied on a letter signed by mathematics faculty at eight UC campuses protesting a recent UCOP decision to run all faculty recruitments through UC Recruit as of July 1, 2018. Math faculty are concerned that the decision forces Math departments to abandon their standard recruitment platform, *mathjobs.org*, which they say helps them remain competitive.

IV. Consultation with UC Senior Managers

- **Janet Napolitano, President**
- **Michael T. Brown, Provost & Executive Vice President - Academic Affairs**
- **Nathan Brostrom, Executive Vice President and Chief Financial Officer**

State Budget: The State Senate and State Assembly agreed to \$172 million in additional ongoing funding for the University, including a 2.7% base budget increase (\$90 million), a \$70 million tuition buy-out, and \$10 million for additional 2018-19 undergraduate and graduate enrollment growth. The two houses differed on other elements of the UC budget, including UC's request to fund existing over-enrollment as well as enrollment growth in 2019-20. The Budget Conference Committee will meet next week to reconcile the different proposals. In addition, the State Senate approved the reversal of the \$40 million "Proposition 56 swap," which reduced UC's permanent general fund allocation in exchange for tobacco tax revenue intended to support UC medical education. The Assembly also promised \$120 million in additional Proposition 2 funding for UCRP if the University rescinds the defined contribution pension option for represented employees. Currently, it appears that the state will fund UCOP through a separate direct state appropriation; UC Path will be funded through a hybrid model that combines a direct state appropriation and a UCOP assessment on the campuses (on a revenue neutral basis).

The University recently went to market with \$2.1 billion in bond issues, including \$1.4 billion in general revenue bonds to support education and research projects at nine campuses, and \$700 million in Limited Project Revenue Bonds to support housing projects at seven campuses. Student demand for UC remains very strong, and rating agencies have reaffirmed UC's AA rating.

May Regents Meeting: The Compliance and Audit Committee discussed the one-year status report on implementation of recommendations from the California State Auditor (CSA) report on UCOP budget practices and expenditures. UC's independent consultant concluded that UC had satisfied progress requirements for the 10 CSA recommendations due April 30, 2018; however, the CSA appears to be holding UC to some of its 2019 benchmarks in 2018, a year early. UC is working with the CSA to avoid further misunderstandings and disagreements.

The Regents approved a fiscal year 2018-19 budget for UCOP, the final condition required for the release of funds sequestered by the Department of Finance. Discussion of the UCOP budget was supported by a clearer and simpler presentation format that enables a more effective evaluation of revenues and expenditures. The Regents also hosted presentations about the role of University Extension, UC's work and progress around online education, the University's financial aid strategy, and the final [report](#) of the Transfer Task Force.

UCOP Restructuring: The President has empaneled Advisory Committees charged with sending her recommendations for relocating UC Health and UC ANR outside of UCOP, due before the November Regents meeting. In addition, UCOP will be considering several other restructuring options: (1) combining the UC Mexico Initiative, UC Mexus, and Casa de California into a single entity and location; (2) transitioning the Innovative Learning Technology Initiative to a campus; (3) and creating two new departments in the Division of Academic Affairs – one focused on supporting and promoting scholarship and publication across the UC system, and one focused on supporting and facilitating instructional and curricular programs.

DACA: Earlier this month, UC attorneys presented oral arguments before the 9th Circuit Court of Appeals during a hearing on UC's lawsuit against the government over its attempt to rescind the DACA program. In January, a judge had ordered the government to maintain the DACA program for the duration of UC's lawsuit.

Provost Brown: Provost Brown said he looks forward to reviewing Council's recommendations on the draft Charter and MOU for UCEAP's operation by UCSB. He said he wants to maintain and advance the systemwide character of UCEAP so it can continue to grow as a systemwide program that is more closely connected to the campus curriculum and to UC's internationalization strategy. He also noted that the new faculty salaries plan is just the beginning of a multi-year effort to close the gap.

- Council members requested broad faculty engagement in the review of organizational changes that affect the teaching and research missions. They observed that Senate representation on the Advisory Committees is limited and that a November timeline could be too brief for a thorough evaluation of the Huron options. They noted that the Committees should consider not only how realignments of ANR and UC Health would affect the budget, but also how they would impact the academic mission of those programs. They noted that a piecemeal approach focused on individual programs may not adequately address broader questions about the overall mission and structure of UCOP.
- The President clarified that Huron's options deal primarily with the organization of the President's office. Huron recommended separating only the small part of the UC Health operation housed in UCOP that serves the medical centers. UC Health believes that it is unable to appropriately staff its operation and compensate employees within the constraints of the UCOP budget. The ANR Advisory Committee will take a comprehensive look at

ANR's size and functions and whether it would be more effective as a stand-alone entity. The President noted that there will be an opportunity for broad faculty engagement; however, she wants to keep the organization of the Advisory Committees small and agile.

V. UCRS Advisory Board Representative

The Senate office solicited nominations of candidates to fill an upcoming vacancy on the UC Retirement System Advisory Board left by Professor David Brownstone, whose two-year term is scheduled to end on June 30, 2018. The position is normally four years, but Professor Brownstone was appointed to serve two years when Professor James Chalfant left after 2 years to become Senate chair. Vice Chair May asked Council to let Professor Brownstone continue to complete a normal four-year term, extending to June 30, 2020.

ACTION: Council voted to extend Professor Brownstone's term on the UCRS Advisory Board to June 30, 2020.

VI. UC Education Abroad Program

A Council subcommittee that includes the UCEP, UCIE, and UCPB chairs sent a letter to Council recommending changes to a proposed Charter and MOU for UCSB's operation of the UC Education Abroad Program (UCEAP) effective July 1, 2018. Provost Brown met with UCIE, UCPB, and UCEP to discuss the changes proposed to UCEAP's governance structure, including replacing the existing "Governing Committee" that reports to the UC Provost, with an "Advisory Committee" that advises the Provost and UCSB Chancellor.

The subcommittee was concerned that the structure of the new Advisory Committee reduced representation from six to three. It noted that UCEAP is an academic program that requires substantial Senate involvement and oversight. It proposed an alternative structure with seven Senate representatives: two UCIE members, one UCEP member, one UCPB member, and three at-large members with UCEAP experience, and with an administrative representative from each of the ten campuses. It recommended an assessment of the new structure in two years.

ACTION: A motion was made and seconded to endorse the letter and forward it to the Provost. The motion passed unanimously.

VII. UCSF Request for Variance to SR 780

The UCSF division requested a variance to [Senate Regulation 780](#) to accommodate a proposed pass/no pass grading system in the UCSF School of Pharmacy (SOP) for a new three-year PharmD degree program that uses a competency-based curriculum.

ACTION: A motion was made and seconded to endorse the request for variance and forward it to the Assembly for approval. The motion passed unanimously.

VIII. UCFW Issues

o Roberta Rehm, UCFW Chair

1. Cybersecurity Improvements for Payroll & Pension Access

UCFW asked Council to endorse a letter urging the University to implement cybersecurity improvements for payroll and pension access following the theft of a pension payment from an emeriti faculty member. UCFW noted that although the incident may reflect an identity theft and not the breach of a UC firewall, there have been three similar instances in recent months. It also observed that UC does not require multi-factor authentication (MFA) for access to all of its HR portals. UCFW recommended implementing MFA to confirm a user's identity for all computing processes that allow changes to salary/pension information, as well as other minimum security standards to protect employees and retirees.

- Council members noted that although retirees as a group may be less tech-savvy and more prone to identity theft, employees and retirees of all ages can fall victim to phishing and other forms of cyber-attack. And while cybersecurity education and training are important, the University should consider the incident in the context of data security, and implement the additional security measures recommended by UCFW. UC should also offer low-tech solutions for receiving payments, where appropriate, to accommodate less tech-savvy members. Finally, as an act of good will, the University should reissue stolen pension checks.

ACTION: A motion was made and seconded to endorse and forward the letter to UCOP administrators. The motion passed unanimously.

2. 2018 Faculty Salary Actions – SOE Faculty

UCFW asked Council to endorse its request to President Napolitano to clarify how Senate faculty in the Security of Employment (SOE) series will be treated in her plan to increase the Senate ladder-rank faculty salary scales by 4%. The President's letter announcing the plan did not mention SOE faculty specifically, but noted that salaries for "other non-represented faculty" will increase 3%. UCFW noted that while SOE faculty currently do not have a ladder-rank scale, they should be included in the 4% plan, because they will become ladder faculty after final approval of the recent [revisions to APM 285 and APM 210-3](#). There are fewer than 300 SOE faculty across the UC system.

- Council members agreed to recommend that their SOE faculty colleagues have access to the full 4% salary increase.

ACTION: A motion was made and seconded to forward a revised letter to the administration. The motion passed unanimously.

IX. Retiree Health

o Robert May, Academic Council Vice Chair

Vice Chair May reported that the Retiree Health Working Group is meeting to develop recommendations to ensure the long-term financial viability of the retiree health benefits program. The Senate continues to believe that retiree healthcare costs are manageable and that UC should do whatever it can to maintain the 70% floor for employer contributions to retiree health care.

The Working Group has been modeling cost scenarios that limit annual retiree health spending increases to 4%. Some models also depart from the current understanding that the 70% floor applies only to the medical part of the benefit. However, the Regents policy does not specify that

the 70% floor must apply only to the medical premium, and a small surcharge on the dental premium, which is currently free, could help maintain the 70% floor. The Senate representatives and most of the other members of the Working Group are committed to ensuring a robust and viable retiree health benefit going forward.

Consultants to the working group recently revised a prior assumption for 7% medical inflation next year to 3-4%. This cost increase is more manageable than anticipated, which means that UC will maintain the 70% floor in 2019.

X. Campus Issues

SSGPDPs: Several Senate divisions are discussing the increasing number of self-supporting graduate and professional degree programs (SSGPDPs). Campuses are turning to SSGPDPS as a revenue strategy to help offset the decline in state support. The proliferation of SSGPDPS is creating some tension between administrators, who want SSGPDPS evaluated and approved quickly, and faculty, who want to ensure their academic quality and integrity. Faculty are concerned that SSGPDPS could divert resources away from the core mission of the University and are not always affordable and accessible to diverse populations. At Irvine, where the largest increase in SSGPDPS has occurred, the Senate has been developing guidelines and procedures for assessing their educational, financial, and diversity outcomes. Council members suggested that the systemwide Senate also do more to assess approved SSGPDPS.

Overcrowding: Senate divisions are increasing their involvement in enrollment management and space planning discussions, following several years of significant undergraduate enrollment growth. Campuses face growing challenges around housing, classroom space, and instructional resources needed to accommodate the new enrollments, as well as intensifying resistance to growth from local communities.

Campus Senates are also discussing strategies for addressing the needs of undocumented students, the implementation of new systemwide SVSH policies, and upcoming reviews of the general education curriculum.

Meeting adjourned at 4:30 pm

Minutes prepared by Michael LaBriola, Principal Committee Analyst

Attest: Shane White, Academic Council Chair