

## ACADEMIC COUNCIL

## Minutes of Meeting

June 27, 2018

**I. Consent Calendar**

1. Today's agenda items and their priority
2. Draft Council minutes of May 30, 2018
3. UCSD Pre-proposal for a Seventh College

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

**II. Senate Officer Announcements**

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

UCOP Restructuring: Advisory Committees are considering [options from Huron Consulting](#) for the relocation of UC Health and the Division of Agriculture and Natural Resources (ANR). The Academic Senate's representatives to those Committees are, respectively, Vice Chair May and UCR Professor Mary Gauvain. In addition, Provost Brown has accepted many of [Council's recommendations](#) related to the composition of the new UC Education Abroad Program advisory committee. He agreed to include five Senate representatives on the committee – the UCIE chair and vice chair, a UCPB member, a UCEP member, and an additional at-large member. Chair White encouraged Council to reaffirm its prior [principles](#) for the interpretation of the Huron report in the context of these and other restructuring proposals.

Anti-Semitism Awareness Act: UCAF has alerted the Academic Council to the reintroduction of the Anti-Semitism Awareness Act, which Council addressed in a [July 2017 Statement](#). The bill has been reintroduced in substantially similar form, and while it includes provisions stating that it should not be interpreted to infringe on First Amendment rights, it does not include an explicit carve-out for academic freedom.

CSA Audit on Sexual Harassment Cases: On June 21, the California State Auditor (CSA) released a [report](#) on UC's responses to sexual harassment complaints involving faculty harassers and student victims at Berkeley, Los Angeles and Davis. The CSA found that the campuses did not consistently discipline faculty, especially those who were subjects of multiple complaints, took longer to discipline faculty compared to staff, and often exceeded investigation timelines. Board of Regents Chair Kieffer asked the Senate to implement the CSA's recommendations by July 2019, including its specific recommendation to further define Senate bylaws to specify timeframes for scheduling a disciplinary hearing before the Senate Privilege and Tenure (P&T) Committee and for issuing a P&T recommendation to the Chancellor. The CSA left open the overall duration of the P&T hearing process, but recommended 60 days to schedule a hearing following the date of the charge filed by the Chancellor, and 30 days to issue a report following the hearing's conclusion. Chair White emphasized that the administration's Title IX investigation process always precedes the Senate process, and that the Senate only advises the Chancellor on faculty discipline. Historically, a small minority of cases have gone through the P&T process.

- Council members agreed that Chair White should ask UCPT and UCRJ to examine the CSA recommendations on Council's behalf and suggested that those committees may wish to consider a guidance document rather than a bylaw change. The guidance document should also include guidance concerning timeline exceptions and a visual representation of the complaint and investigation process.

### **III. The Future of UC Press**

#### **○ Andrew Scull, Editorial Committee Chair**

Editorial Committee (EDIT) Chair Scull reported that his committee is concerned about a Huron Consulting proposal to transition UC Press operations and budget from UCOP to UCLA or to an independent non-profit 501c3 Foundation, potentially as soon as July 1, 2020. He noted that UC Press is the oldest, largest, and most prestigious public university press west of Chicago, and a vital scholarly resource, particularly for Humanities faculty. The Press has a \$20 million budget and 85 FTE, and its director has historically reported to the systemwide Provost. EDIT believes that moving the Press to UCLA could damage its functionality and reputation by diluting its systemwide character, reduce its reach and prestige, and hurt faculty in a broad spectrum of disciplines. It could also hurt the Press financially by forcing it to absorb additional costs for legal, HR, and other functions currently provided by UCOP.

- Council members agreed that UC Press plays a central role in UC's status as a world-class public research university, and expressed concern that moving its operations could harm its mission. They agreed to endorse the EDIT letter and to oppose moving the Press until the University had examined all organizational and fiscal consequences, identified advantages beyond those associated with making UCOP appear smaller, and given the Press Director time to develop a strategy for the Press's future operation and continued success outside of UCOP.

**ACTION: A motion was made and seconded to endorse the EDIT letter. The motion passed unanimously.**

### **IV. UC Recruit and Math Faculty**

- Susan Carlson, Vice Provost for Academic Personnel**
- Pamela Peterson, Executive Director & Deputy to the Vice Provost**

Math faculty at eight campuses sent UCOP a letter protesting its decision to run all UC faculty recruitments through the UC Recruit web portal as of July 1, 2018, noting that the decision would force Math departments to abandon their standard recruitment platform *mathjobs.org*, and would create extra work for job applicants, reference letter-writers, and math departments.

Vice Provost Carlson noted that the University implemented UC Recruit in 2011 to automate and streamline the faculty recruitment and application process, enhance UC's ability to gather consistent systemwide data on outcomes from searches, meet federal compliance requirements, track demographic data and progress on diversity, and inform diversity best practices. The systemwide migration to UC Recruit has been gradual, and Math is now the only discipline not fully using the portal. (Some math departments use UC Recruit, *mathjobs.org*, or a mix of platforms.) Math faculty have suggested to UC adding an automatic import feature from

*mathjobs.org* to UC Recruit to help UC collect needed demographic data, and UCOP is exploring this option with *mathjobs*.

- Council members encouraged UCOP to identify solutions that would be satisfactory to math departments. They noted that the common application system employed by *mathjobs.org* makes it easy for applicants to apply instantly to more than one institution where a job is fundamentally the same.

## V. Consultation with UC Senior Managers

- Janet Napolitano, President
- Michael T. Brown, Provost & Executive Vice President - Academic Affairs
- David Alcocer, Associate Vice President, Budget Analysis & Planning

State Budget: The final 2018-19 state budget provides UC with \$98.1 million in new ongoing funding, including a base budget adjustment of 2.7% and \$5 million to fund enrollment growth. Although the Governor was not willing to endorse additional permanent funding increases supported by the Legislature, his final budget included \$248 million in one-time funding increases, including \$105 million for general university needs, a portion of which UC will use to buy-out a planned in-state tuition increase, fund current overenrollment, and support new CA resident enrollment growth in 2018-19. The budget also provides Berkeley with \$25 million to address its operating deficit. (While the University welcomes this money, it emphasizes that the UC budget is best done as a whole so that individuals charged with managing the budget can direct funding to its best use.)

SVSH Audit: President Napolitano said she intends to fully implement the recommendations made in the California State Auditor (CSA) report concerning UC's responses to sexual harassment complaints.

July Regents Meeting: UCOP will brief the Committee on Audit and Compliance on UC's response to the new CSA audit on sexual harassment and UC's internal audit on cybersecurity. UCOP will brief the Academic and Student Affairs Committee on UC Press in celebration of its 125<sup>th</sup> anniversary; the experience of nonresident undergraduates; and "The Life of a UC Scholar" to raise awareness of what it takes to do original research. The full Board also will hold in-depth discussions on the 2018 Accountability Report and systemwide cybersecurity efforts.

Federal Issues: The University is waiting for the 9<sup>th</sup> Circuit Court of Appeals to rule on UC's lawsuit contesting the government's attempt to rescind the DACA program. UC is also studying how the Supreme Court decision to uphold the travel ban affecting seven countries will impact UC applicants. In addition, President Napolitano, the CSU Chancellor, and the CCC Chancellor issued a [joint statement](#) opposing the PROSPER Act, House Republicans' proposal to overhaul Higher Education, emphasizing that PROSPER would undermine the higher education segments' ability to provide affordable, accessible, and equitable pathways to success.

- Council members asked senior leaders about the status of UC Press and requested that they engage the Senate more fully in the review of proposals to reorganize academic programs housed in UCOP. They noted that UCOP manages functions that benefit the whole system and expressed concern that proposed changes reflect a reorganization of the entire University. They asked that decisions be guided by a clear strategic vision that addresses broader questions about UCOP's role, mission, and structure.

- President Napolitano and Provost Brown responded that UC Press has been given no directive either to move or to move by a specific date. President Napolitano said her vision for UCOP is to maximize its value to the system, focus its energy on the unique functions it performs best, and ensure it is the right size and has the right people to fulfill its core mission. She is assessing each Huron option based on its potential to strengthen the overall mission, its costs and benefits, and the capacity of alternative locations to manage functions as well or better than UCOP. She said she supports a healthy consultative process that focuses on UC's core mission.
- Council members from UCM and UCR noted that the UC Path roll-out on those campuses has included instances of paycheck discrepancies and other errors that are concentrated among graduate students. President Napolitano noted that the UC Path call center is equipped to handle individual problems, and she promised to follow-up with the UC Path Director to learn more about the nature and extent of the discrepancies.

## **VI. Shared Governance in Review of UCOP Reorganization**

Council reviewed a letter from UCPB expressing concern about a lack of shared governance in the process of evaluating potential changes to systemwide programs housed at UCOP. It was also noted that the Assembly of the Academic Senate at its June 13 meeting asked Council to request a systemwide Senate review of the final work products of the Advisory Committees on ANR and UC Health.

**ACTION: A motion was made and seconded to endorse the UCPB letter and appoint a Council subgroup to write a separate letter further articulating concerns about shared governance and requesting the systemwide review. The motion passed 17 to 1.**

## **VII. Faculty Salaries**

In May, the President 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 in the 2018-19 academic year. (Closing the gap completely over three years would have required 5.6% annual increases.) UCFW requested budget models and worked with UCPB, UCAP, and UCAADE to define options for fully addressing the remaining gap in 2019-20 and 2020-21, settling on a model for closing the gap with 8.2% increases in each of those years. Chair White asked Council to endorse and send the plan to the administration before initiation of the 2019-20 budget development cycle to ensure it is included in early budget projections. The plan will also clarify that an 8.2% increase to the scales constitutes a 6.3% increase in the total faculty salary spend.

**ACTION: A motion was made and seconded to endorse the UCFW plan. The motion passed unanimously.**

## **VIII. Transfer Task Force Report and Recommendations**

- **Jim Chalfant, Former Senate Chair and Transfer Task Force Chair**
- **Monica Lin, Associate Director of Undergraduate Admissions**

The Joint Senate-Administration Transfer Task Force's May 2018 [report](#) included five core recommendations: to: (a) Convene a Joint Transfer Work Group to guide the implementation of transfer initiatives and monitor and report on success; (b) Initiate a research initiative on transfer preparation and advising needs to better inform communication and policy-making; (c) Convene faculty workgroups to consider revising and expanding the transfer pathways; (d) Create a systemwide admission guarantee for transfer students who complete coursework in a UC Transfer Pathway with major preparation and overall GPA above some minimum to be determined; and (e) Create a pilot program for Associate of Science degrees in Chemistry and Physics. The Task Force employed qualitative and quantitative research to inform its work and collaborated with CSU and CCC faculty colleagues, who have expressed strong support for the recommendations.

In April, Council [endorsed](#) BOARS' plan to develop a policy framework for the systemwide transfer guarantee. BOARS Chair Sanchez noted that his committee is now examining demographic data and simulations for how a guarantee may affect enrollment, diversity, and student success outcomes. It was noted that the Task Force report does not call for a significant change to admissions procedures. The Task Force assumed that campuses will continue to use comprehensive review to admit transfers, and that individual campus Transfer Admission Guarantee (TAG) programs will remain in effect. The A.S. degrees for UC admission will not be held to the 60 unit cap associated with the legislatively mandated associate degrees that guarantee admission to CSU.

**ACTION: A motion was made and seconded to endorse the Task Force report. The motion passed unanimously.**

**IX. Systemwide Review of Proposed Presidential Policy on Disclosure of Financial Interests and Management of COI in Private Sponsors of Research and Revised APM 028**

Council reviewed comments from Senate divisions and systemwide committee to the proposed Presidential Policy on Disclosure of Financial Interests and Management of COI in Private Sponsors of Research, and revised APM 028. The policy describes requirements for making and reviewing disclosures of financial interest reported on the State of California form "Statement of Economic Interests for Principal Investigators" (Form 700-U), relative to grants, gifts, and income from private, non-government sponsors of research.

Several reviewers expressed concern that the minimum thresholds for disclosing a gift (\$50) or income (\$500) are too low, and represent an unnecessarily onerous administrative burden, though it was also noted that UC does not set the State-mandated thresholds and has no control over them.

**ACTION: Council agreed to defer making a recommendation and instead invite a representative from the Office of Research to clarify concerns and questions in July.**

**X. Barriers to Online Education**  
○ **Ellen Osmundson, Director, Innovative Learning Technology Initiative (ILTI)**

Innovative Learning Technology Initiative ([ILTI](#)) Director Ellen Osmundson noted that ILTI is the University's program for using the \$10 million UC was asked to set aside from its annual state budget allocation for online learning technologies beginning in 2013. The program was designed to help students access high demand courses, satisfy degree requirements, and achieve more timely graduation. Through an annual competitive RFP process, ILTI awards funding to faculty to develop new online and hybrid courses and enhance existing online courses. The ILTI catalog now includes over 300 courses. As systemwide courses, they are available to students enrolled on all UC campuses through a [cross-campus enrollment system](#) launched in 2014. UC has enrolled over 100,000 students in courses funded by ILTI; however, fewer than 5,000 students enrolled on a different campus from where the course is offered.

ILTI has been investigating barriers to students' ability to enroll in and gain credit for ILTI courses. It found that campus Registrars and academic advisors are involved in the approval of ILTI courses for cross-campus enrollment; that campuses are more likely to accept a given cross-campus course for unit credit than to satisfy GE and major requirements; and that students are sometimes denied a request to enroll in an ILTI course because online courses are perceived as lower quality, even though Senate Committees on Courses review and approve them. In 2016, Director Osmundson asked UCEP to investigate opportunities for modifying nine policies and campus practices ILTI identified as potential impediments to cross-campus enrollment in UC online courses – for example, a requirement that students take at least 12 units before enrolling in a course based at another UC campus.

UCEP Chair Caswell-Chen noted that UCEP evaluated the potential barriers in 2017. It identified some opportunities for change, but found that the policies and practices were not real barriers nor were they driving the low cross-campus enrollments. Rather, the issues resulted from a range of unique circumstances and sound curricular expectations on individual campuses that do not prevent students from taking online courses. For example, a student's home campus may deny a cross-campus enrollment request if the course is also available on the home campus. Moreover, [Senate Regulation 544](#) currently permits simultaneous enrollment in cross-campus courses. This year, UCEP followed up with a set of recommendations for instituting a student-friendly petition process to address cases in which a student has been disallowed from enrolling in a course on another campus for any reason. UCEP believes there are many excellent online courses, and wants students to succeed and graduate in a timely fashion.

- Council members expressed general support for the UCEP letter. Chair White encouraged UCEP to further examine the utility of barriers and practices that impact students' ability to take online courses. One example given was a funding disincentive: the home department may not receive credit for a student who takes a course offered by another campus. It was noted that unless automated, a petition process could involve significant delays that may impact a student's ability to seamlessly access needed courses. It was suggested that UCEP and ILTI work together on a communication and education strategy about online education directed at faculty.

**ACTION: A motion was made and seconded to endorse UCEP's letter and send it to 1) the Provost requesting its distribution to University Registrars and academic advisors, and 2) to Senate divisions, requesting its distribution to Senate Undergraduate Councils and Committees on Educational Policy. The motion passed unanimously.**

## **XI. Report of the UCFW "Gold Book" Task Force**

In 2017, UCFW initiated a Public Safety Task Force to review the UC Police Policies and Administrative Procedures manual (the “Gold Book”) and other systemwide public safety directives to identify best practices for all UC campus police departments. The final task force report recommends specific changes to the Gold Book that increase transparency and consistency and align UC policing policies and practice with current public safety best practices appropriate to a university environment. It also recommends the creation of independent Public Advisory Boards (PABs) on each campus to review complaints and provide independent oversight and accountability. The report compliments the big picture focus of a Presidential Task Force on Universitywide Policing created by President Napolitano in March 2018 led by Senior Vice President and Chief Compliance & Audit Officer Alexander Bustamante.

- Council members expressed strong support for the report and agreed that policing policies and practices should reflect the unique needs of a University environment. One member noted that a PAB may not be suitable for every campus and could reduce the Chancellor’s authority and accountability on campuses with positive police-community relations. It was noted that the PAB is not intended to replace the Chancellor’s authority but to provide community-based accountability that reflects broad input from students, faculty, staff and others.

**ACTION: A motion was made and seconded to endorse the report and forward to President Napolitano. The motion passed unanimously, with one member abstaining.**

## **XII. Proposed Senate Committee on Health Sciences**

Elected health science faculty leaders from UCD, UCSF, UCLA, UCI, and UCSD asked Senate leadership to establish a new Senate standing committee dedicated to addressing the needs of the health science faculty. Their letter argued that the Senate’s current configuration does not provide a formal structure to ensure that decisions affecting health science faculty are made with shared governance consultation. The situation contributes to low morale and high attrition rates.

Some Council members expressed support for the new committee as a way to advance the cause of health science faculty, but others noted that the charge and mandate of the committee is unclear and morale and retention problems are not unique to the health sciences. Senate Chair White and Vice Chair May acknowledged that health sciences faculty are not always well-integrated into general campus life, leading some to feel disenfranchised. However, they expressed caution about changing the Senate’s established committee structure, noting that it is organized to serve all faculty, no matter their discipline, and includes mechanisms to address specific interests and faculty welfare issues. They suggested that it could be more effective to encourage existing Senate committees to be more sensitive to health sciences issues or to empanel a shorter term task force to consider the issues driving the request.

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