

ACADEMIC COUNCIL

**Minutes of Meeting
June 28, 2023****I. Consent Calendar**

1. Today's agenda items and their priority
2. Draft Council Minutes of May 24, 2023
3. Master of Climate Solutions SSGPDP at UC Berkeley

ACTION: Council approved the consent calendar.

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

Transfer: Following a unanimous email vote last week, the Council agreed to oppose California Assembly Bill (AB) 1749, which would require UC to give priority undergraduate admission to Associate Degree for Transfer (ADT) completers with a 3.0 GPA. Chair Cochran sent an opposition letter to the state Senate Education Committee. Council also endorsed a position paper on AB 1749 authored by Council's Special Committee on Transfer Issues, which was forwarded to the Senate Education Committee consultant. UCOP also submitted an opposition letter on AB 1749. Vice Chair Steintrager testified at an Education Committee hearing on the bill today in Sacramento. If enacted, AB 1749 would require many UC transfers to complete unnecessary extra coursework because ADTs incorporate CSU major prep vs. UC major prep; potentially set up others for failure because incoming UC students would potentially be under-prepared for UC majors; and further advantage already privileged students due to the reliance on GPA and geographic proximity to a UC campus for admission guarantees. It would require UC to collaborate with the California Community Colleges and CSU to create new ADTs that ensure transfers arrive at UC prepared to succeed.

The governor seeks a greater say in UCLA governance following UCLA's decision to join the Big 10 Conference. His May budget revise included a provision mandating UCLA's participation in the Transfer Admission Guarantee (TAG) program. In response, the Senate proposed an alternative systemwide admission guarantee based on completion of Cal-GETC and the UC Transfer Pathways, while also allowing for an ADT pilot program at UCLA. A decision on this proposal has been postponed until September.

Faculty Salaries: Earlier this year, Council supported a joint UCFW-UCPB letter requesting a competitive faculty salary program in the University's 2023-24 budget plan. Later the Council recommended applying the proposed 4.6% increase to all salary components, including on-, off-, and above-scale salaries. Most campuses have agreed to implement the 4.6% increase for off-scale and above-scale salaries. However, some campuses are still considering lower increases for these components.

Systemwide Workgroups: UCPB Chair Senear and past UCFW Chair Hollenbach will represent the Senate on a joint workgroup to establish principles for evaluating which set-asides from the central UC budget currently earmarked to support specific campus-based programs should be

retained or phased out. The Workgroup on the Future of Doctoral Programs at UC, co-chaired by UCSB Division Chair Susannah Scott, will host a systemwide meeting to discuss how UC should approach employment in academic work.

Online Degrees: Certain administrators and Regents seek faculty support for fully online undergraduate degrees developed by individual departments. Their objective is to increase access to UC-quality education for more students and promote campus autonomy in decision-making. Senate leaders are sharing the perspectives of the Council and faculty members who understand the challenges associated with developing a fully online degree that matches the quality of a residential degree earned at an R1 research university.

During the discussion:

- Council members expressed concern about AB 1749, stating that it would require students to take additional courses after transferring, potentially prolonging degree completion and reducing graduation rates. They also noted the potential for increased pressure on UC to create less rigorous majors that fulfill the requirements of existing ADTs.
- Council members noted that most students prefer in-person learning and that many online institutions are struggling to attract students. They suggested UCOP conduct a market survey to gauge demand and noted that significant additional resources would be required to provide quality online education and maintain a strong faculty-student relationship.

III. UCOLASC Issues

- **John Hildebrand, UCOLASC Chair**
- **Richard Schneider, UCOLASC Past Chair**

Statement on Retention of Author Rights: In 2013, the Senate passed an open access (OA) policy granting the University a non-exclusive license to make faculty-published scholarship freely available in the California Digital Library's open-access online repository. The policy is designed to support UC's public mission and to allow UC authors to retain copyright over their work. Since then, UC has been implementing open access agreements through negotiations with publishers. Recently, however, many publishers are requiring UC authors to sign "License to Publish" agreements, which contravene the spirit and intent of the OA policy by restricting the ability of authors to use their materials. These agreements essentially turn faculty authors into readers, as opposed to owners, of their own work.

Chair Hildebrand and Past Chair Schneider asked Council to endorse a UCOLASC statement urging UC's Project Transform Negotiating Team to negotiate OA agreements that stipulate authors grant only "limited" or "non-exclusive" licenses to publishers. These principles have been adopted by institutions in over 38 countries. In the meantime, UC faculty authors are strongly encouraged to select the Creative Commons license known as "CC BY" license as the most consistent with the OA agreement.

ACTION: Council endorsed the statement and will forward it to President Drake and Provost Newman.

DEI Resource: UCOLASC asked the Academic Council to promote the distribution of the UC Office of Scholarly Communication's Diversity, Equity, and Inclusion (DEI) website as a

resource to support the UC community as it engages with DEI issues in scholarly communication.

ACTION: Council endorsed the request and will forward it to Vice Provost Haynes, Senate division chairs, UCAP Chair Dunn, and UCAADE Chair DeSipio.

IV. New Landscape for Managing Student Employees

- **Douglas Haynes, Vice Provost, Academic Personnel and Programs**
- **Amy K. Lee, Associate Vice Provost, Academic Personnel and Programs**

Leadership from Academic Personnel and Programs (APP) joined Council to discuss the faculty's supervisory role in managing academic student employees. They informed Council that starting in October, the University will expand leave reporting in local time and attendance systems to include graduate student researchers (GSRs) and teaching assistants (TAs). This expansion is in line with the new paid leave provisions outlined in the UAW collective bargaining agreement. Principal investigators and instructors of record will be responsible for approving timesheets and paid personal time off (PTO) and leave requests for GSRs and TAs, who will be required to obtain prior approval for leaves. Each UC location will be responsible for updating their systems to accommodate these changes.

UCOP is developing several guidance documents. These will provide suggested language for GSR positions and general work expectations for GSRs as both students and employees; address work management procedures specifically applicable to GSRs as employees; and clarify when a union representative may attend a meeting with a student who is also an employee.

During the discussion:

- Council members noted the difficulty of accurately determining student employees' presence at work, given the high level of autonomy granted to GSRs and TAs. They highlighted that faculty are expected to provide administrative supervision without the training and support typically provided to administrative staff. In addition, faculty often do not have control over the terms of employment for TAs, who are typically assigned by the department. Nonetheless, under the new system faculty would be responsible for time reporting, making it difficult for them to balance their roles as faculty and supervisors of student employees. .
- In response, APP leaders noted that UC locations are developing local systems and guidelines to define faculty's roles and responsibilities as instructors of record and will provide training to help them adapt. They clarified that student employees must obtain timesheet approval and provide advance notice for PTO and leave requests to their faculty instructor of record. Faculty should base timesheet approval on credible evidence, which could include reports from other students confirming a TA's presence. They should evaluate leave requests based on business needs and the student employee's accumulated PTO.
- They noted that APM 210 states the instructor of record's responsibility for supervising academic student employees is limited to the classroom; it does not transform faculty into a different type of supervisor under the Higher Education Employer-Employee Relations Act. Students can use their contractual PTO without needing to take a leave from their student status. Faculty can manage expectations and responsibilities through clear syllabi and regular check-ins.

V. Consultation with Senior Managers

- Michael Drake, President
- Katherine Newman, Provost & Executive Vice President, Academic Affairs
- Nathan Brostrom, Executive Vice President and CFO

Labor Update: The University is actively aligning its policies and practices to the new UAW contracts. It is developing best practice guidance on various complex issues, including the academic requirements for 299/599 courses, work performance management for student employees, and the employment of undergraduates for specific types of work.

State Budget: The Legislature continues to support a five percent increase to the UC 2023-24 budget. Budget trailer bill amendments are currently under discussion. One proposed bill (Assembly Bill 1749) requires UC to prioritize the Associate Degree for Transfer (ADT) as the preferred method of transfer to UC. AB 1749 does not align well with UC's objectives. It would compel some transfers to take coursework to complete their ADT that is unnecessary for their UC major. This could make it more difficult for transfer students to graduate on time. These students would occupy slots as fifth-year students that could otherwise be filled by first-year undergraduates or other transfer students.

Meetings in Washington, DC: President Drake met with members of the California congressional delegation, Vice President Kamala Harris, and other officials to discuss strategies for enhancing college affordability through increased federal funding; carbon neutrality and decarbonization; basic research funding; and other related topics. Federal leaders recognize the transformative impact of higher education on communities and the nation. Provost Newman also traveled to Washington to engage with the Government-University-Industry Research Roundtable (GUIRR) regarding the rising cost of research.

Academic Affairs: Provost Newman announced that the Office of Academic Affairs has initiated a new strategic planning effort, which will gather perspectives from stakeholders on the office's work and suggestions for improvement. Academic Affairs is also establishing several Deans Councils to facilitate discussions among divisional leaders on campus activities and innovations. In addition, she noted that a report on UC's efforts to meet the budget compact goals for workforce training will be presented at the July 2023 Regents meeting. The report will emphasize the University's commitment to graduate training and research. Starting next year, research will be a standing topic on agendas for meetings of the Regents Academic and Student Affairs Committee.

Finance: CFO Brostrom noted that the University no longer expects the state to place a General Obligation Bond for higher education on the 2024 statewide ballot. UC will work with the state to explore alternative strategies to fund capital projects, such as lease revenue bonds, and seek funding opportunities for climate change initiatives through the Inflation Reduction Act. The Office of the CFO will issue a new refunding bond later this summer and is assembling a joint Senate-Administration Earmark Committee to review set asides holistically.

During the discussion:

- Council members thanked President Drake for opposing AB 1749. They emphasized the importance of faculty input in discussions regarding the evolving faculty-graduate student

relationship and overall labor negotiations. They asked UCOP to provide faculty with guidelines addressing their new role in supervising graduate student employees.

- UCEP Chair Cocco highlighted faculty concerns about the implementation of online education outside of UC and the potential for a decline in quality given that many programs (including UMass Global), rely on adjunct faculty rather than Senate faculty. Council members also raised concerns about how a proliferation of online degree programs could affect UC students planning to pursue academic graduate programs, especially those that require in-person research and laboratory experiences.
- Council members expressed concern about campuses' growing deferred maintenance and construction needs. They encouraged UCOP to support campus Senate involvement in local budget processes. They asked if the University planned to hold or increase the current 14% employer contribution to the UC Retirement Plan (UCRP).
- President Drake expressed support for engaging faculty in labor issues in partnership with Academic Affairs and Labor Relations. Provost Newman added that the faculty's responsibility for academic evaluation is a key principle in labor relations. She said that UCOP can provide guidelines that help campuses address the complexities of labor relations.
- President Drake acknowledged the value of experiential learning derived from a residential campus experience. He clarified that online courses are not expected to become the norm, but there may be certain courses of study where an online pathway can offer increased efficiency. Provost Newman stressed that faculty-defined quality should drive the development of new online programs. She emphasized that UMass Global, with its distinct mission and student population, should not serve as a model for UC. However, UC can be a leader in quality and should aspire to be at the forefront of ongoing changes in academia.
- CFO Brostrom expressed support for the involvement of campus Senates in local budget processes. Long-term budget solutions will require the involvement of a broad range of campus constituencies. He noted that the University currently is planning to increase the UCRP employer contribution rate to 15% on July 1, 2024, but a review of the funded ratio will determine UCOP's ultimate recommendation to the Regents.

VI. Meeting with UC State Governmental Relations

- **Kathleen Fullerton, Associate Vice President and Director, UC State Governmental Relations (SGR)**
- **Seija Virtanen, Associate Director, State Budget Relations, SGR**

SGR reports directly to President Drake and is the primary liaison between UCOP and the Legislature. SGR assesses UC's budgetary requirements and legislative priorities and advocates for or against proposed bills, as well as for UC's budget request to the state, which is approved by the Regents each November.

The primary legislative topics of interest to UC this year relate to labor, the California Environmental Quality Act (CEQA), and transfer admission. First, several bills have been introduced that pertain to UC's labor contracts. Assembly Constitutional Amendment (ACA) 6 proposes that UC adopt the same labor standards as those provided to state employees. Senate Bill (SB) 27 establishes enforcement mechanisms for UC's labor contracting policies. UC is opposed to ACA 6 and has taken an oppose-unless-amended position on SB 27. SGR is also

collaborating with the Governor's office on a CEQA reform bill in response to the recent use of CEQA to block the People's Park project at UC Berkeley. Finally, SGR wants to improve the Legislature's understanding about the implications of AB 1749, a bill that requires UC to accept Associate Degrees for Transfer. AB 1749 passed the state Senate Education Committee today and is set to progress to the Senate Appropriations Committee.

UC bases its annual budget request on mandatory cost obligations and other factors such as proposed enrollment growth and campus priorities. The governor's decision to include a 5% base budget increase for UC for 2023-24 reflects his view that the University is critical to an educated workforce that fuels the state's economy. The University also successfully removed some onerous budget reporting language and obtained additional funds for student services, mental health, and housing, as well as for several campus-specific projects.

During the discussion:

- Council members encouraged SGR to advocate in Sacramento for additional graduate student funding, noting the increased costs associated with the UAW contracts and plans to reduce graduate enrollment on certain campuses due to rising expenses. They also sought information about the state's commitment to supporting UC in its decarbonization efforts and any opportunities available to faculty at the new UC Center in Sacramento (UCCS).
- SGR responded that UC's advocacy around graduate education receives a mixed response in the Legislature, which generally considers graduate enrollment to be a UC responsibility. The budget compact includes increases to graduate enrollment; however, these targets were set before the UAW contracts were signed, and the state budget deficit makes additional funding unlikely. SGR noted that the governor is interested in climate change issues and has proposed a climate bond that could benefit UC. However, given the state's financial situation, climate funding is currently a lower priority. Lastly, SGR noted that UCCS can facilitate connections between legislative members and UC policy experts.

VII. CCGA Guidance on Directed Studies Courses

o Erith Jaffe-Berg, CCGA Chair

Council reviewed a draft set of systemwide guidelines for directed studies courses, commonly referred to as 299 or 599 courses. These courses are classified as research or independent study and offer students the opportunity to conduct research under the guidance of a professor. Typically, these courses are required for completing a thesis or dissertation.

The guidelines aim to clarify the academic and mentorship expectations of directed studies courses to help differentiate between graduate students' academic work and work covered by employment contracts. The guidelines aim to serve as a general reference for campuses, achieving a balance by not being excessively detailed or prescriptive. They are designed to be flexible and applicable to various situations. They emphasize that instructors are responsible for setting academic expectations for directed studies courses. In addition, they highlight the importance of clear communication throughout the course, starting with the syllabus, to prevent any confusion between a student's academic work and their employment obligations.

- During the discussion, Council members expressed support for the document and also provided suggestions for clarifying the advice regarding ways to distinguish between the

activities graduate students undertake for 299/599 course credit and their employment responsibilities.

ACTION: CCGA will amend the guidelines to address comments and bring the revised document to the July Council meeting.

VIII. Online Majors and Programs

o Melanie Cocco, UCEP Chair

Standardized Terminology Guide: UCEP and CCGA collaborated on a standard terminology guide for distance education courses and programs. The guide does not aim to replace existing campus terms and definitions. However, inconsistencies in definitions of terms such as “hybrid,” and “asynchronous” across campuses has caused confusion. The guide provides standardized definitions, drawing from accrediting agencies and federal guidelines, to bring clarity and uniformity to these terms.

Recommendations for Online Majors and Programs: UCEP developed a set of recommendations for online undergraduate majors and programs. The recommendations highlight the need for online programs to offer an engaging learning experience and to meet the same quality standards as in-person programs. The document includes two sections. The first presents overarching principles for online majors and programs, focusing on student engagement, learning assessment, equity, quality, and academic integrity. The second provides specific recommendations to campuses for planning and evaluating proposals for online majors. The document highlights the importance of providing students enrolled in online programs opportunities to live on campus and engage in research, and emphasizes the need for online programs to collect and report data on student outcomes and undergo peer review.

UCEP aims to update both documents regularly to adapt to new technologies and circumstances.

UCSC Creative Technologies BA: UCEP endorsed UC Santa Cruz’s proposal to establish a Creative Technologies Bachelor of Arts degree. Initially proposed as a fully online degree, the program has been modified to include in-person course options to fulfill the campus experience requirement outlined in Senate Regulation 630.E. The upper-division coursework comprising the major is fully online.

ACTION: Council endorsed UCEP’s approval of the BA in Creative Technologies and will transmit its endorsement to the UCSC division chair with a copy to Provost Newman.

ACTION: Council endorsed the principles for online education with minor revisions discussed in the meeting. It agreed to forward them to the divisions and to ask Provost Newman to forward to the vice provosts and deans of undergraduate education.

ACTION: Council endorsed the standardized terminology guide with revisions discussed in the meeting. It agreed to send the guide to the divisions and to Provost Newman for forwarding to the graduate deans.

IX. Academic Council Special Committee on Laboratory Issues (ACSCOLI)

o Michael Todd, ACSCOLI Chair

Chair Todd noted that the Council established ACSCOLI in 2007 with the purpose of advising it and the UC administration regarding the oversight of three Department of Energy laboratories: Lawrence Berkeley, Lawrence Livermore, and Los Alamos. ACSCOLI also advises UC on the distribution of its portion of net management fee funds, evaluates the benefits of UC's continued management of the labs, and promotes collaboration and intellectual exchange between the labs and UC faculty/students. ACSCOLI consists of 12 faculty representatives, including members of UCORP and UCPB. Its current charter is in effect until 2028.

At each meeting, ACSCOLI engages with the vice president for national laboratories on topics such as management, safety/security, contract status, and scientific quality/strength and integrity. The committee held its spring 2023 meeting at the newly renovated UC-Livermore Collaboration Center, where it met with Lawrence Livermore National Laboratory leadership to discuss strategic priorities, and toured the National Ignition Facility and Advanced Manufacturing Center. This year, thanks to ACSCOLI's advocacy, joint faculty appointments between UC and the labs were established. The committee also provided guidance on the strategic allocation of management fees in the UC Lab Fees Research Program (LFRP) and implemented performance reviews/metrics to ensure the LFRP adequately considers both faculty and lab priorities and needs in research and development. ACSCOLI also initiated discussions on a "master agreements" framework between campuses and the national labs to facilitate collaborations.

X. Reports from Senate Division Chairs

- Individual campuses are discussing budget deficits, administrative initiatives to assess and promote efficient workspace allocation, faculty intellectual property rights over materials used in online courses, staffing shortages, and Senate Bylaw 55 voting rights.
- Senate divisions have assigned task forces and work groups to discuss strategies for adjusting to the new labor contracts, faculty and staff morale, and waning funding for campus libraries. Several campuses recently decided to extend the 4.6% faculty salary increase to total salary after originally announcing that the increase would apply to just the base salary.
- Division chairs discussed practices for onboarding new administrators into shared governance and strategies for enhancing relations between the Faculty Executive Committees and deans.
- Chancellor Christ has announced her retirement from UC Berkeley effective 2024.

XI. Executive Session: Academic Senate Representative to UC Retirement System (UCRS) Advisory Board

ACTION: Council selected UC San Diego Distinguished Professor David Kleinfeld for a 4-year term beginning July 1, 2023 to fill the upcoming vacancy created by Henning Bohn's completion of his term as Academic Senate representative on the UCRS Advisory Board.

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