UNIVERSITY OF CALIFORNIA   **ACADEMIC SENATE**

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ACADEMIC COUNCIL

Minutes of Meeting
July 25, 2018

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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 School of Public Health

ACTION: Council approved the consent calendar.

II.   Senate Officer Announcements
- **Shane White, Academic Council Chair**
- **Robert May, Academic Council Vice Chair**

July Regents Meeting: Chair White's remarks to the Regents focused on the impact of the State's divestment from the University. The Regents voted to reduce tuition by $60 to reflect the elimination of a temporary tuition surcharge UC instituted in 2007 to recoup damages from a class-action lawsuit. The University is awaiting the Governor's choices to fill five open positions on the Regents, and the Chair of the Regents wants to maintain the stability and functionality of a Board that is focused on the betterment of the University and its academic mission.

Retiree Health: The Retiree Health Working Group's interim report found that no significant changes are needed to UC's retiree health care plan offerings or benefit design for 2019. This finding was based on an HR report that the cost increase for the program in 2019 will be no greater than 2.5%, significantly lower than the current working threshold of 4%. The report also found that UC should gradually reduce the employer contribution to the retiree health benefit for the 1,600 eligible retirees aged 65 and older who are not coordinated with Medicare, to levels comparable to Medicare-coordinated retirees. President Napolitano has accepted the findings and asked the Working Group to continue evaluating program design strategies through 2019.

➢ Council will thank the President for accepting the findings and request that the Working Group remain an active committee to fulfill its original charge to "design strategies to effectively manage costs to be able to sustain the benefits and evaluate the implications of the different options to both UC and retirees." Council noted that the Working Group will provide great value to the University by continuing to address the sustainability of the retiree health program and the issues listed in its interim report under "Further Considerations," through a final report. Council members were especially supportive of the recommendation to explore a mechanism to smooth premium increases.

ACTION: Council unanimously passed a motion to send a letter to the President.

III.   UC Path Update
- **Mark Cianca, Associate Vice President, Operational Services**
- **Dan Russi, Interim Executive Director, UC Path Center**

AVP Cianca and Executive Director Russi discussed the implementation of UC Path, the University's new systemwide payroll, benefits, and HR system. UC Path was deployed for UCOP employees in November 2015 and at UCR and UCM in December 2017. It will be deployed at UCLA and UCSB in September 2018, at UCI, UCB, UCD, and ANR in March 2019, and finally at UCSF, UCSD, and UCSC in September 2019.

Chair White noted that UC Path's original implementation plan did not fully appreciate some of the complexities in the academic environment. Regents and others have expressed concern about the project's escalating costs, implementation delays, and functionality. Faculty at UCM and UCR have noted that UC Path's roll-out on those campuses has included instances of payroll discrepancies concentrated particularly among graduate students who are in temporary positions or paid by multiple sources.

Mr. Cianca and Mr. Russi noted that UCOP was chosen as the first UC Path implementation site due to its highly uniform population of staff with consistent payroll outcomes; and UCOP's population encompasses about 90% of UC Path's total functionality. However, designers also anticipated the need to build more complexity into the system to address all academic pay components at large campuses. The accuracy of UC Path is better than 99%, but in specific cases it missed a requirement—for example, related to a student employee who takes a summer work break. UC Path is working with pilot campuses to address problems when they arise. Most problems have been fixed, but the goal is, of course, for 100% of employees to be paid correctly. A quality management system tracks each problem and its cause, and each deployment contributes to a body of knowledge that informs the next deployment. UCLA and UCSB teams are meeting with UCR and UCM teams to learn from their deployments, and Path is currently performing a fall 2018 simulation to identify potential problems in advance.

➢ Council members emphasized how critical it is for all UC employees, particularly those paid from multiple sources, to feel confident about being paid correctly and on time. They also urged the University to implement additional security measures like multifactor authentication for payroll and pension checks.

IV.   Systemwide Review of Proposed New APM Section 675

Council reviewed responses from Senate divisions and committees to a proposed new APM section 675. The UCD School of Veterinary Medicine (SOVM) requested the APM to replace its 1968 salary plan for faculty and enable them to earn and retain outside non-clinical income up to $40,000 annually, similar to faculty on the Health Sciences Compensation Plan (HSCP). The 1968 plan supports 15% higher salary scales for SOVM faculty using a combination of state funds and funds pooled from non-state sources. Unlike HSCP faculty members, SOVM faculty members may receive off-scale salary augmentation, and unlike HSCP faculty members, SOVM faculty members accrue a UCRP entitlement based on their total salary. Several reviewers endorsed APM 675, but others expressed concern about creating a discipline-specific section in a policy manual designed to apply to large subsets of faculty.

➢ Council members noted that SOVM faculty elected not to participate in the HSCP in 1968 in exchange for a 15% higher base salary and a higher pension. It seemed to some members that the proposed APM section would inequitably provide the SOVM faculty with the most favorable features of both plans. Council members noted that the proposal raises broader questions about the limitations and inconsistencies of the HSCP and inequities experienced

by HSCP members. The University would benefit from a more informed and comprehensive study of all health sciences faculty salary issues that includes but is not limited to finding appropriate solutions to salary administration parity for SOVM faculty.

ACTION: Council declined to endorse the proposal and will refer the issue to UCFW and the Office of Academic Personnel for further study. Members emphasized that any study group convened to lead the effort should include a representative from the SOVM.

V.   **Consultation with UC Senior Managers**
   o   **Janet Napolitano, President**
   o   **Nathan Brostrom, Executive Vice President and Chief Financial Officer**

Reflections on the Year: President Napolitano thanked Chair White and Council members for their partnership on the issues and their service to the University during the 2017-18 academic year. The University began the year under intense scrutiny, and is in a better position today thanks to the efforts of the entire UC community. Still, more work is needed; UC received a significant infusion of state funding, but much of it was one time in nature. UC will continue to focus on relationship-building in Sacramento, especially with the incoming Governor, to gain support for a long-term funding plan. President Napolitano added that the University should never acquiesce its academic and research missions in the interest of political expediency.

Shared Governance: The President has responded to letters from the Academic Council and UCPB requesting that shared governance be more effectively engaged in the process of evaluating potential changes to systemwide programs housed at UCOP. She has asked Provost Brown to establish a plan for more robust consultative process with the Senate on UCOP restructuring.

UC Path: The President is aware of UC Path process errors affecting payments to some graduate students. She is committed to ensuring that the individual errors are addressed and that any system design flaws are corrected for the next phase of implementation at UCLA and UCSB.

Admissions: The President appreciates the Senate's positive response to her call to develop an admission guarantee for all qualified CCC students. The President met with the Joint Transfer Implementation Work Group that is currently assembling a detailed work plan and timeline for the initiative. She noted that UC offered admission to 137,000 students for fall 2018, including nearly 29,000 transfers, the highest number in UC history. The President has also asked BOARS to take a fresh look at the role of standardized admissions tests in UC eligibility and admissions, particularly the SAT, and whether any changes to policy or practice are needed.

Faculty Salaries: The President noted that the University made progress this year to close the faculty salary gap; she appreciates Council's letter outlining a plan for addressing the remaining gap; and she is committed to rebuilding competitive faculty salaries focused on the published salary scales.

Undocumented Students: The President said she appreciates the Senate's support for the University's efforts to protect undocumented students. As a result of UC's lawsuit, more than 117,000 DACA enrollees were allowed to re-enroll in the program nationally.

Pension Thefts: The President said that the incidents of pension payment theft noted by Council in a June 2018 letter reflected cases of identity theft, not a "hack" of UC's systems. UC has an

insurance policy covering theft, though it has a high deductible. Cutting a second check to the victims would be against policy, but HR and Risk Services are exploring options, including a policy change.

Multi-Year Planning: CFO Brostrom reported that UCOP will be developing a systemwide plan outlining the financial resources needed to support enrollment and degree production over the next four years. The plan will ask campuses to consider their enrollment and degree production capacity, and will also assess UCOP's capacity to boost access through systemwide programs like the transfer guarantee, and to address unfunded liabilities and capital needs through new asset management strategies. UCOP hopes the initiative will help the University secure state support for UC's operating budget and capital needs.

➢ Council members encouraged UC leaders to hold the state to its funding obligations and to emphasize to legislators who want to outsource UC lower division education to the community colleges that upper division education carries higher costs. Members also encouraged UC to work toward greater equity of per-student support across campuses; one member suggested that UC redistribute nonresident tuition revenue to smaller campuses. CFO Brostrom observed that rebenching has helped equalize per-student *state funding* across campuses. He said he would support a reassessment of the rebenching formula and weighting, but would oppose socializing nonresident tuition revenue.

➢ A Council member noted that one of University's key achievements this year was its successful bid for continued management of LANL. The member also expressed concern about the anti-science movement within the government and in the larger society, and noted that UC is uniquely positioned to promote scientific integrity, due to the stature and the strength of its scientific community.

➢ A Council member noted that successful faculty diversity pipeline programs like the President's Postdoctoral Fellowship Program are worthy of further investment.

VI. Update on Graduate Student Unionization
   o **Susan Carlson, Vice Provost for Academic Personnel**
   o **Pamela Peterson, Executive Director & Deputy to the Vice Provost**

Vice Provost Carlson and Executive Director Peterson noted that the University expects to begin negotiations around the unionization of UC graduate student researchers (GSRs). Graduate deans have expressed a strong interest in having faculty participate on the GSR bargaining team in the event GSRs submit a petition for unionization. Traditionally, the graduate division or academic personnel office has asked emeritus faculty or faculty in administrative leadership roles to serve on contract bargaining teams. For example, two Senate faculty members served on the UC postdoc bargaining team, and two associate deans are serving on the UC Teaching Assistant bargaining team.

VII. Religious Objections to the Provision of Health Care

Council members reviewed a letter from UCFW alerting Council to questions and concerns raised by UCSF faculty about the UCSF medical center's new relationship with a religiously-affiliated health care system. UCSF is concerned that the health care system places restrictions on some services in ways that do not align with UC's public mission and philosophy.

UCSF is already partnered with a Catholic hospital, as Mercy Medical Center Merced (part of Dignity) hosts a UCSF/Fresno Family Practice Residency program. It is also the only local hospital for UCM faculty living in Merced.

Council members noted that there is a movement at the federal level to reinforce individuals' right to make decisions about goods and services based on individual religious values. Members agreed that the UCFW Health Care Task Force should review the UCSF matter and its implications for UC and make recommendations through UCFW as appropriate.

VIII. Proposed Policy on Disclosure of Financial Interests and Management of Conflict of Interest in Private Sponsors of Research and Revised APM 028
   o **Timothy Miller, Research Policy Analyst, ORGS**
   o **Mark Morodomi, Senior Counsel, Public Accountability & Governance**
   o **Ellen Auriti, Senior Counsel, Educational Affairs**

Consultants from the Office of Research and Graduate Studies and the Office of General Counsel discussed a proposed Presidential Policy describing 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.

Consultants noted that the policy is the University's implementation of a State-mandated requirement for PIs originating from the Fair Political Practices Commission. It establishes a process by which the University reviews what researchers are disclosing and decides to conduct a substantial review. The policy is not intended to increase the disclosure or review burden. In fact, its aim is to be less restrictive than current practice, to give campuses greater flexibility in the conduct of their reviews, and to quicken turnaround by allowing more reviews to be conducted by qualified individuals – the Designated Campus Reviewer (DCR), rather than Independent Substantive Review Committees (ISRC).

Several Senate reviewers expressed concern that the minimum thresholds for disclosing a gift ($50) or income ($500) on form 700-U are too low, and represent an unnecessary administrative burden. However, consultants clarified that the disclosure thresholds for form 700-U are controlled by the state, are beyond UC's control, and cannot be changed. The Policy's most significant new provision is to allow for disclosures below a specified threshold to be reviewed by the individual DCR. UCOP, in consultation with campuses, set the minimum income threshold to mirror's NSF's COI policy threshold of $10,000, the highest among federal agencies. However, the Policy gives the campuses the flexibility to set a lower threshold. In addition, it allows a past decision about a substantially similar gift or income to forego a second full committee review.

➢ Council members expressed appreciation for the information, and support for the revisions. They noted that some of the original Senate comments reflected some misunderstandings, but the comments also included helpful suggestions for improving the policy that should be taken into consideration as it is finalized.

ACTION: Council unanimously passed a motion to endorse the policy and forward comments to UCOP.

IX.   UCEP Issues
   o **Ed Caswell-Chen, UCEP Chair**

1.   Proposed Model Systemwide Policy for Posthumous Degrees

Council reviewed a recommendation from UCEP that all UC campuses consider adopting a policy to regulate the awarding of posthumous baccalaureate degrees within a model systemwide framework provided by UCEP.

ACTION: Council passed a motion to affirm the framework and send it to campuses.

2.   Student Mental Health Support Services

Council reviewed a UCEP letter asking President Napolitano to (1) prioritize funding for mental health services; and (2) advocate for permanent state funding augmentations sufficient to meet increasing student demand for mental health services. Council members agreed that mental and behavioral health problems impede student progress and success, can impact classroom learning and campus safety, and are significant issues for both undergraduate and graduate students. They added that faculty have a key role to play in supporting student mental health; however, not all faculty may be equipped to identify students in distress, best react to their needs, or be able to provide optimal direction to appropriate resources. UC would benefit from a coordinated initiative focused on faculty training in this area. Members suggested an effort involving UCEP, UCFW, and the UCOP Offices of Academic Personnel and Student Affairs that is informed by campus Disability Resource Centers.

ACTION: Council unanimously passed a motion to endorse the item.

3.   Training for Teaching Assistants (TAs) and Graduate Student Instructors (GSIs)

Council reviewed a letter from UCEP summarizing its investigation of GSI and TA training. UCEP found substantial variation in the availability and use of training across campuses, and recommended that each campus administration work with their Academic Senate and Center for Teaching and Learning (CTLs) or Office of Instructional Development (OIDs) to (1) develop minimum standards for required campus-level training; (2) ensure that adequate resources for training are provided; and (3) offer additional training in pedagogy for graduate students interested in pursuing teaching careers. UCEP also recommended that campus departments offer additional, discipline-specific GSI training programs, including faculty-led apprenticeships and "augmented TA" positions; incentives to promote faculty involvement in training; and incentives to encourage graduate students to teach in summer. UCEP emphasized that the recommendations are not mandates to campuses, but rather best practice recommendations for improving the quality of undergraduate instructional delivery. Council requested that UCEP edit the letter to include additional examples of training possibilities.

ACTION: Council passed a motion to endorse and forward the edited recommendations to Provost Brown and IRAP Vice President Brown with a request to share it with campus Centers for Teaching and Learning and Offices of Instructional Development.

X.   UCAADE Diversity Recommendations
   o **Tanya Golash-Boza, UCAADE Chair**

1. **Joint Recommendations from UCAADE and UC Systemwide Equal Employment/ Affirmative Action Officers Group**

UCAADE and the Systemwide Equal Employment/Affirmative Action Officers Group authored a set of joint recommendations for the use of Statements on Contributions to Diversity, Equity, and Inclusion for UC academic positions. The recommendations include requiring statements on diversity, equity, and inclusion from all applicants for faculty positions; providing clear written guidance about how to prepare a statement; creating a rubric to evaluate the quality of statements; using campus visits to assess faculty candidates' willingness and ability to promote an inclusive environment and interact with diverse students; and otherwise maintaining high expectations of faculty finalists' contributions to diversity, equity, and inclusion.

A second set of joint recommendations focuses on best practices for a new or expanded Equity Advisor program. Equity Advisors are tenured faculty appointed to focus specifically on improving faculty hiring processes. They support departments in developing goals for searches, serve as a consultants to search committees on search and evaluation processes, and actively monitor processes and outcomes. The recommendations are intended to be a minimum baseline for an effective program across campuses.

➢ Council members noted that some international applicants may not be socialized to diversity discussions and expectations in American universities, and that graduate students and younger faculty may also benefit from additional guidance about expectations. Members asked UCAADE to soften a suggestion that faculty applicants could be disqualified based on a weak diversity statement, and noted that local departments may be better equipped to appoint Equity Advisors compared to a central committee. Finally, division chairs requested the opportunity to circulate the recommendations to their campus committees for review and feedback. It was also noted that the recommendations will not be effective without buy-in from a broad range of constituencies.

2. **Recommendations for Enhancing Faculty Diversity**

UCAADE submitted recommendations for enhancing faculty diversity at UC using Senate-led initiatives, administrative accountability, and additional funding for proven methods. UCEP noting that the recommendations may also help support an advocacy effort around more State funding for faculty diversity initiatives.

➢ Council members agreed that the University needs all three areas working together to move the needle on faculty diversity. There was a request to add the vice provost for academic personnel and the vice chancellor for equity and inclusion to the list of accountable administrator positions. Individual members noted that diversity problems are discipline-specific, and suggested that the Senate reopen debate on a proposal to add contributions to diversity to the APM as a fourth criterion for promotion and tenure. It was agreed that UCAADE should refine the recommendations for "funding needs" to highlight those expected to have the most impact, and that the three UCAADE documents would be more effective as a single package.

ACTION: UCAADE will make revisions based on feedback, and all three documents will be circulated to division chairs for campus review.

XI.   Academic Analytics

o **Michelle Yeh, UCAP Chair**

Council reviewed a letter from UCAP expressing concern about campuses' use of Academic Analytics, a service that collates quantitative data on faculty research productivity. Two UC campuses are subscribers to the service, and two others are considering subscriptions. Administrators say the service will be used to identify faculty worthy of awards. UCAP is concerned about the quality and cost of the service and opposes its use in any personnel-related assessments or decisions.

ACTION: Council voted unanimously to endorse the UCAP letter.

XII.   Sexual Harassment/Sexual Violence Policy

Council discussed plans it outlined for moving forward on Chair Kieffer's request to the Senate to begin the process of implementing recommendations from the CA State Auditor for improving UC's responses to sexual harassment complaints. A working group consisting of incoming and outgoing UCPT and UCRJ leaders has been formed to create a policy that implements the recommendations. Council also received as information comments from Senate agencies submitted in response to the Senate Office's request for feedback on "how to define a reasonably prompt timeframe to complete a P&T hearing or an early resolution in an SVSH matter."

XIII.   UCORP Letter on Drone Policy
o **Jeffrey Richman, UCORP Chair**

Council reviewed a letter from UCORP summarizing the committee's understanding of how UC's new Policy on Unmanned Aircraft Systems (UAS) was reviewed and its recommendations about moving forward. The Senate reviewed the policy in 2017 and expressed significant concerns. UCOP revised the policy in response to those concerns and approved the final policy in February 2018, but without recirculation to the Senate, leading individual faculty to express strong objections to certain provisions. A UAS Advisory Committee is now being formed to study how well the policy is working. UCORP made several recommendations about the composition and scope of that Committee, including the need for Senate representation and a request that the results of the study be reported to UCORP in spring 2019.

ACTION: Council voted unanimously to endorse the letter.

Meeting adjourned at 4:00 pm
Minutes prepared by Michael LaBriola, Principal Committee Analyst
Attest: Shane White, Academic Council Chair