

## ACADEMIC COUNCIL

**Minutes of Videoconference Meeting  
July 28, 2021****I. Consent Calendar**

1. Today's agenda items and their priority
2. Draft Academic Council Minutes of June 23, 2021
3. Simple name change: UCR Graduate School of Education
4. UCLA Master of Applied Chemical Sciences
5. UCSD Online Master of Data Science
6. UCOPE Waiver of Senate Regulation 636.C

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

**II. Senate Officer Announcements**

- o **Mary Gauvain, Academic Council Chair**
- o **Robert Horwitz, Academic Council Vice Chair**

July Regents Meeting: The Senate chair and vice chair presented the results of the systemwide faculty survey on online instruction to the Academic and Students Affairs Committee on July 22. The UCOP Office of Institutional Research helped organize the survey data, which are now on the UC Information Center website in a dashboard format that allows viewers to see results overall and by campus, and by gender, college/school, and job title. The survey revealed mixed sentiments about the shift to remote instruction during the pandemic, but 81% of instructors reported a preference for in-person instruction, and most opined that in-person instruction benefits students more than sole reliance on remote instruction. Respondents cited the loss of research time and opportunity as among their most significant concerns.

The Provost also led a presentation on findings from the 2021 UC Undergraduate Experience survey and the 2021 UC Graduate Student Experience survey. During this presentation, a chancellor noted that there had been a slight rise in student GPA this year, but failed to acknowledge how additional courses students took on a pass/no pass basis influenced this outcome.

The Regents approved a five-year cohort tuition plan that will take effect in fall 2022. The plan will increase tuition by the rate of inflation plus 2% for each incoming freshmen and transfer class, but then keep that rate flat for each cohort for six years. At the meeting, the Regents increased the rate of new tuition revenue directed for California student financial aid from 33% to 45%.

The incoming chair of the Regents Cecilia Estolano announced that her priorities will include increasing UC enrollment, strengthening equitable small-business procurement practices, and addressing the climate crisis. The Regents approved amendments to their *Policy on Affiliations with Healthcare Organizations that have Adopted Policy-Based Restrictions on Care*, to align with amendments approved in concept at their June 23 meeting. They also discussed UC's efforts to support undergraduate transfer from the California Community Colleges.

Several bills are coming forward at the California Legislature that would affect the UC if passed. The Academic Senate opposes California Assembly Bill 928, legislation that would require UC to accept Associate Degrees for Transfer, as an unacceptable intrusion into curricular matters that are in the faculty purview.

Climate Crisis Meetings: The Senate chair and vice chair held a series of meetings with faculty representatives from each campus to collect information about current campus activities related to the climate crisis and to brainstorm strategies for increasing the Senate role in addressing the crisis.

Re-opening: The Fall Re-opening Work Group is discussing the target percentage of vaccinated individuals needed to call a campus “fully vaccinated.” The Work Group is also reviewing models of campus reopening scenarios based on concerns about the Delta variant and discussing NPI requirements, including a possible universal masking requirement. Staff are increasingly interested in flexible hybrid work arrangements.

- Council members expressed concern that the University was disregarding CDC guidance about vaccination and herd immunity. They noted that UC’s use of a 75% criterion to determine a “fully vaccinated” campus was outdated and based on data prior to the emergence of the Delta variant. Council members noted that campuses may need to purchase voice amplifiers to support instructors if campuses require them to teach while masked, although it was also noted that some campuses plan to require only students to be masked in classrooms. Council members observed that the cohort tuition plan would increase financial burdens for middle class families and that a 45% return to aid policy will provide insignificant flexibility for campus budgets.

### **III. Representation of Opinions on Departmental Websites**

Several UCLA departments recently signed a coordinated political declaration about the Israel/Palestine conflict and announced their support on department websites. Some faculty have asked UCLA to remove the statements and questioned whether they are protected by academic freedom or should require additional administrative or faculty approval. There is also concern that their placement on UC websites could suggest broader Senate or University support. UCLA Chair White asked Council to consider the best process for systemwide examination of the issues.

UCAF Chair Soucek noted that some UCAF members are concerned that such statements could have a chilling effect on speech and may be inconsistent with academic freedom in the sense of the right of faculty to speak on an issue from a position of core expertise. Council members asked Chair Soucek to comment on the distinction between speech that is advisable and speech that is permissible. They also requested clarification on the distinction between department statements on political issues and statements by the Academic Council or University on issues such as DACA. Chair Soucek acknowledged that these are difficult distinctions and that statements from Council tend to address political issues that directly affect faculty interests.

Council members observed that individual faculty have a right to speak on political issues, but that the University should also strive to be inclusive of different points of view. Some stressed that groups of faculty and the University are bodies with an institutional responsibility to remain neutral. It was suggested that disclaimers, at a minimum, should accompany such statements.

It was noted that UCB and UCD have established task forces to discuss guidelines for the use of UC websites to promote personal views and the parameters of appropriate political speech on those platforms. Council members agreed that systemwide guidance would be helpful to campuses and that this guidance would be informed by additional Council discussion in the fall.

#### **IV. Faculty Welfare Issues**

Housing Presentation: UCFW-TFIR Chair David Brownstone described several home buying assistance programs available to faculty. The Mortgage Origination Program (MOP) is a first deed of trust with an adjustable-rate loan requiring only 10% down payments. Faculty can also use the Supplemental Home Loan (SHLP) program for below-market-rate secondary financing to reduce down payments to 5%. However, SHLPs require campus funds and an assumption of liability by the Chancellor. Moreover, housing prices in coastal campus areas are too high for most faculty, and many will not qualify for a jumbo mortgage even with down payment help.

The most common form of faculty assistance is the Faculty Recruitment Allowance (FRA), a grant offered to faculty during recruitment that can be used to support housing costs. However, FRAs are campus funded, and may not be applied equitably across campuses and campus units.

All UC employees, with the exception of those living in Merced and Riverside, have access to Landed's shared equity program, which matches the employee's down payment up to 10% of the home value. In exchange, Landed receives a 25% stake in equity growth or loss. The program's advantages include no risk or cost to UC and no reduction in employees' ability to maximize the size of their first mortgage.

The Office of the CFO is exploring new approaches to supporting housing assistance through SHLP, including a Zero Interest Program (ZIP) that would provide a zero-interest loan with no monthly payment, a ten-year term, and full balloon payment of the principal due at the end of the term; and a Deferred Initial Payment (DIP) program with a deferral period of 3-5 years, no monthly payment due during the deferral period, and a higher amortization thereafter. ZIPs and DIPs could benefit employees with student loan debt that otherwise would present barriers to loan qualification.

Chair Brownstone observed that faculty may prefer renting, and it is not clear why UC should subsidize home ownership and not renting. FRAs can be used to pay rent, and UC could set up separate 503c organizations to build or purchase apartments that could be rented to faculty.

Faculty Housing Assistance: Council reviewed UCFW letters asking UC to consider additional measures to help faculty afford housing close to campus. The letters reflect UCFW's concern about the need for campuses to support and improve recruitment, retention, and morale. The letters recommend increasing transparency and publicity around existing opportunities for homeownership assistance, including MOP and down payment assistance. They also recommend that UC consider a new housing assistance benefit for faculty, additional shared equity and tax friendly housing assistance options, and rental support. Finally, they ask UC to monitor and combat disparate access to credit and homeownership opportunities across groups and types of faculty, by collecting and tracking data on usage of assistance programs across groups.

**ACTION: Council endorsed the letter and will send it to President Drake.**

Faculty Recruitment and On-Boarding: Council reviewed a UCFW letter asking UC to develop a standardized, systemwide, publicly available recruitment and on-boarding packet for new and prospective faculty. Council agreed that the packet could help increase equitable access to valuable information for faculty. The packet should include information about UC non-compensation benefits such as housing assistance programs, negotiable benefits, academic advancement practices, salary negotiation options, and available support services. It should also include information about the Senate and the nature and importance of UC shared governance, which could serve as a useful faculty recruiting tool.

**ACTION: Council endorsed the letter and will forward it to Vice Provost Carlson.**

## **V. Consultation with Senior Managers**

- **Michael Drake, President**
- **Michael Brown, Provost and Executive Vice President, Academic Affairs**

Budget: President Drake reported that the 2021-22 state budget provides UC with \$550 million in new ongoing support, including restoration of last year's \$300 million cut. It also includes several one-time allocations to Programs in Medical Education (PRIME), energy efficient and deferred maintenance projects, and student preparation programs. However, state support has been uneven and has not kept pace with enrollment. The new cohort tuition plan will help ensure stable funding for campuses, predictable costs for families, and increased affordability for students in the form of financial aid.

COVID: The increasing number of Delta variant cases makes vaccination more important than ever to the safe reopening of campuses. The University is monitoring the situation and will comply with county and state public health orders. UC also expects to mandate indoor masking and other safety measures.

### Discussion:

- Council members asked President Drake to comment on the status of the Gold Book revisions, and specifically the proposal for Systemwide Response Teams. President Drake responded that some outcomes from the Gold Book review depend on bargaining with the police union, but that almost everything in the Gold Book is on the table and the review will not affect the more transformative work being done around the campus safety plan.
- Council members thanked the President and Provost for responding to concerns about the pandemic's impact on faculty career and research progress. They noted that some faculty continue to struggle with poor morale, and that the University could help faculty catch-up on research by funding teaching release. Provost Brown responded that the Task Force on Mitigating Covid Impacts is preparing recommendations for supporting faculty. He said he expects the impact on faculty research to persist for at least five years, and he hopes that CAP evaluations will consider faculty performance in this context.
- A Council member observed that state dollars are a small portion of UC's overall budget, and that the cohort tuition plan appears to be, at best, revenue neutral for campuses. UC should make long-term budget stability a priority. President Drake noted that he was disappointed by the Regents' increase of return to aid to 45%, but said the cohort tuition plan will generate funding for campuses over time, and that UC is engaged in ongoing negotiations with the

state for substantial multi-year increases. Provost Brown added that UC's state advocacy message emphasizes the need to support inclusive student access to UC, and also the campus they attend and the quality of their education they receive there after they are admitted.

- Council members noted that a contract dispute between Anthem Blue Cross and Dignity Health was impacting health care access for UCM and UCSC employees. They asked President Drake to make credit monitoring a standard part of UC benefits. They also encouraged UCOP to plan for a COVID resurgence, to work with the Senate on any proposal to expand enrollment, and to implement enhancements to ILTI's governance structure, including by adding a faculty leader to ILTI. President Drake responded that UC is following the contract dispute and developing guidance for affected UC PPO members. UC is assessing the status of several legal issues associated with the data breach before adopting a long-term solution. The Provost said he wants UC to think about instructional design and innovation more broadly, not just from an online degree perspective.
- Members expressed concern about the Provost's proposal to remove the systemwide Senate's authority over master's degree programs, but also support for sharpening systemwide standards for self-supporting programs and clarifying how campuses use profits. The Provost responded that he wants to work with the Senate to identify common goals and strategies for improving master's program reviews.

## **VI. Executive Session**

*Notes were not taken for this portion of the meeting.*

## **VII. Financial Support for Campus Admission Offices**

- **Eddie Comeaux, BOARS Chair**

Council reviewed a BOARS letter asking the University to increase budget and staffing support for campus admission offices. The letter notes that the workload of admission staff has increased significantly as applications to UC rose following the elimination of the standardized testing requirement and as public scrutiny of admission practices increased. Additional support and resources are needed to fund training for readers of the applications. These funds will also enable continuation and development of the innovative outreach and data analysis activities that help UC admission professionals understand the local context of applicants they are reviewing.

**ACTION: A motion to approve the letter was made, seconded, and passed unanimously.**

## **VIII. Report from ACSCOLI**

- **Michael Todd, Chair, Academic Council Special Committee on Lab Issues**

ACSCOLI was established in 2007 as a successor to the Academic Council Special Committee on National Labs. The committee includes 12 faculty representatives, including members of UCORP and UCPB. ACSCOLI's charge is to provide broad-based Senate oversight of UC's relationship with three Department of Energy Laboratories: Lawrence Berkeley, Lawrence Livermore, and Los Alamos. ACSCOLI's charter asks the committee to advise the President and the Regents on policies relating to the labs, including the dispersal of UC's share of management fees; promote greater intellectual exchange and connections between the labs and UC faculty, researchers, and students; determine unmet educational needs that joint collaborations can address; stimulate faculty interaction in research collaboration with the labs; assist the labs in

their research and programmatic review procedures; share Senate procedures and faculty expertise in the personnel review process; work with Technical Staff Members to address issues of interest; consult with relevant Senate committees on major policy issues; and advise Council on the desirability of UC continuing its relationship with the labs.

ACSCOLI recently created a standardized comprehensive checklist used in quarterly consultations with the UCOP Office of the National Labs (ONL) about the status of each lab. The committee also initiated and developed a joint-appointment framework for UC faculty and Lab employees; provided guidance to UCOP on strategic investment of lab management fees and performance reviews/metrics for the UC Lab Fees Research Program; and created with the ONL a detailed white paper that explains UC's relationship with the labs framed in terms of UC's mission statement on public service.

#### **IX. Revisions to APM 210 (Mentoring)**

##### **➤ Susan Tapert, UCAP Chair**

Council reviewed UCAP's recommendation to update APM section 210 with new language describing the consideration of mentorship in the file review process for the Professor, LSOE, and Health Sciences Clinical series. UCAP worked closely with CCGA on the revisions, and also received feedback from UCAADE and UCAF.

The proposed text includes a definition of mentoring and guidance about how to judge the effectiveness of mentoring. Much of the new text links mentorship to teaching, but the text is also careful to distinguish mentorship focused on scholarly activity reported under Teaching from mentorship focused on non-scholarly support more appropriately reported under University and Public Service. The proposed changes also suggest new language stating that mentorship activities can vary across disciplines and should be evaluated based on the standards of the discipline. There is also a note that mentorship may be counted as creative work if the mentorship leads to original scholarship by the mentee.

- Council members expressed general support for the revisions. They also noted that it can be difficult to quantify and judge mentoring activities, but there are similar challenges in describing service activities, and it will be up to candidates to present compelling evidence in the file provided to CAP. Individual members also expressed some hesitation about encouraging non-academic mentoring explicitly in the APM, and about taking credit for a mentee's scholarship, but agreed that the systemwide review would enable a full discussion of these and other issues. Members also noted that in some fields women and faculty of color perform a disproportionate amount of academic and non-academic mentoring.

**ACTION: Council will ask the Office of Academic Personnel to initiate a systemwide review of the proposed revisions.**

#### **X. Proposed Presidential Fee Policy for Graduate Students *In Absentia* Registration**

Council reviewed comments from Senate divisions and systemwide committees to the proposed Presidential Fee Policy for Graduate Students *In Absentia* Registration. The current policy allows graduate students to conduct research and training activities related to their degree program outside of California with an *In Absentia* status and pay 15% of Tuition and the Student Services Fee. The policy allows Graduate Deans to grant special exceptions to the requirement

that students be located “outside of California.” The revised policy would permit Deans to establish “a local campus region” as a new geographical limit on *In Absentia* registration, rather than limiting eligibility to students outside the state.

- Council members noted that the review would have been informed by data on the number of students with *In Absentia* status each year, an estimate of the number of students who would be eligible to apply for *In Absentia* status under the revised rules, how the University calculated the 15% figure in 2009, and on what basis that figure is still relevant in 2021.
- Members agreed with reviewers who suggested that the proposed definition of “local region” should not be decided by a single Dean, as outlined in the policy, but based on input from the broader campus community, including departments and graduate students.

**ACTION: Council will send a summary of comments to Vice Provost Carlson.**

## **XI. Reports from Division Chairs**

Division chairs discussed local efforts to organize faculty around the climate crisis. These efforts include engaging faculty through new Senate working groups and committees, and strengthening Senate connections with existing joint and administrative advisory committees. They reported that faculty on these groups are discussing ways to integrate climate and sustainability issues into teaching across the curriculum, seeking common ground across faculty groups with different perspectives and approaches to the problem, and passing resolutions related to fossil free campuses and other sustainability initiatives.

Division chairs reported on issues associated with campus re-openings. They noted that campuses are still planning for mostly in-person instruction, but new fears about the virus, uncertainties about enforcement of the vaccine mandate, and classroom masking requirements are leading more faculty to request remote teaching accommodations and more staff to request remote work arrangements. Campuses want to approach these requests strategically and equitably. Campuses are also discussing strategies for reintroducing faculty and students to campus life, assisting faculty in re-centering their research, and helping junior faculty ramp-up their research. It was noted that a UCR program permits any assistant professor to apply for a \$15k grant or one year of GSR support funded from federal stimulus money.

Division chairs noted several other issues of interest and concern, including UCOP’s response to the data breach, budget cuts affecting core academic programs, the relationship of the general campuses to the medical center, and the nature of shared governance in Schools of Medicine.

*Division chairs and other Council members thanked Chair Gauvain and Vice Chair Horwitz for their outstanding leadership as Senate chair and vice chair.*

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Meeting adjourned at 4:00 pm  
Minutes prepared by Michael LaBriola, Assistant Director  
Attest: Mary Gauvain, Academic Council Chair