

ACADEMIC COUNCIL
Minutes of Meeting
Wednesday, June 24, 2009

I. Announcements**▪ Mary Croughan, Academic Council Chair**

1. **MRPI competition update.** President Yudof's report to the Academic Assembly outlines the process that was used in the MRPI competition. The results will be announced in the next week. Existing MRUs fared pretty well; 67% of those applying for funding were funded. Our email vote on Council's draft letter didn't get enough responses for approval (there were no objections but less than a majority voted). Chair Croughan asked to add approval of this letter to the Consent Calendar.
2. **Regents' Task Force on Re-envisioning the University of California.** As you recall, we were asked by the President to form a Senate Task Force on this subject, but Chair Croughan and the President decided that it requires a broader scope, but with heavy Senate involvement. It will include representatives from all UC employee groups, students, colleagues from CSU and CCC, and experts in higher education. It will produce a vision of how to redesign the University while maintaining quality, affordability and access, and fulfilling our mission.
3. **President Yudof's responses to Academic Council letters.** The President will endorse Council's recommendation, put forward by UCAAD, to add "gender identity" to the UC diversity statement. The President has invited Mary Croughan and Bob Anderson, Chair of UCFW's Task Force on Investments and Retirement, to make a presentation to his finance workgroup on post-employment benefits on the need for a rapid restart of contributions to UCRP. The President also will refer our analysis to the University's actuaries for inclusion in their annual presentation to the Regents in November on the valuation of UCRP.

▪ Harry Powell, Academic Council Vice Chair

1. **Update on LBNL issues and director search.** There has been an augmentation in funding due to the federal economic stimulus package, but this also has generated new work to meet compliance requirements. To reduce opposition to new construction from nearby residents, LBNL will add needed space by tearing down old buildings and replacing them, rather than expanding. Vice Chair Powell reported that he serves on the search committee for a new laboratory director; interviews will be held in October.
2. **Update on the Intersegmental Coordinating Committee.** ICC, a group of faculty and administrators from the public sector, will meet next week. Chair Powell will report at the next meeting.

▪ Martha Winnacker, Academic Senate Executive Director

1. **Report on ICAS meeting.** ICAS addresses matters of academic importance to all three segments, such as transfer support through articulation and intersegmental faculty cooperation, and preparatory education. It met on June 4. Next year Harry Powell will serve as its chair. All of the Senates oppose the textbook affordability bill that would require faculty to justify adopting new editions. CSU's Senate passed a resolution on encouraging CSU campuses to honor students affected by Executive Order 9066. The revised Intersegmental General Education Transfer Curriculum standards were published, and ICAS statements on competencies expected for "college readiness," are becoming influential in discussions about setting national standards.

II. Consent Calendar

1. **Approval of the May 27, 2009 Minutes**
2. **Cancel the July 8 Academic Assembly Meeting**
3. **Approve a special Academic Council teleconference on July 8**
4. **Amend sections of the APM to conform to APM 035**
5. **Approve amendment of the *In Absentia* Registration Policy**

ACTION: The consent calendar was approved, with the following modifications: removal of item 3 (which was later approved as part of the discussion of Item V), and the addition of the letter on the MRPI competition referenced in item 1 in the Announcements.

III. Agenda

ACTION: The agenda was approved, with the addition of discussion of Consent Calendar item 3, and the withdrawal by UCORP's Chair of item XIII, Stewardship of Research Data.

IV. UC's Communications Strategy: Lynn Tierney, Associate Vice President for Communication

ISSUE: Chair Croughan introduced Lynn Tierney, the University's new Associate Vice President for Communications. She was in charge of communications for the Port Authority of New York on September 11, 2001, and subsequently was the Assistant Administrator for Communications at the Federal Aviation Administration. AVP Tierney stated that President Yudof arrived in the midst of the restructuring at UCOP (including the Strategic Communications unit) and a severe budget crisis. He charged Strategic Communications with fundamentally changing the University's approach to communications and envisioning a communications program to reconnect with the people of the state of California and to promote the magnificence of the university. Through restructuring, nine communications units from throughout UCOP were consolidated. Strategic Communications is in charge of all external and internal communications, from the pre-application phase for students to employee retirement. AVP Tierney stated that she has been lucky to hire talented journalists, designers, and marketing and communications professionals from the *Los Angeles Times*, *Newsweek* and other venues. The unit currently is examining the best methods to address a variety of audiences. For

example, some of UC's stakeholders, such as students and applicants, may respond better to the use of new media than to traditional print sources. Tierney noted that UCOP's printing budget has been cut by \$350K. She stated that UC needs to become more savvy about delivering information. The ultimate goal is to renew pride in UC.

DISCUSSION:

Q: What progress has been made on bolstering UC's reputation so far, and what is the longer-term strategic plan to do so?

A: The plan is to connect more directly to the citizens of California. In the past, UC's external communications have been largely reactive. We plan to build knowledge about the university. For example, there is a group of coordinators in Marketing whose job is to dig up stories about what is going on in research and find appropriate venues to get the stories out.

Q: Is there an overarching philosophy, concept or strategy?

A: We're working on a strategic planning exercise now. The message is that the University is in peril. Motivation is more urgent. We plan to reach out more broadly than before and to communicate in very different ways. For example, we plan to bring the message to community organizations.

Comment: The University's relationship with alumni is a key underutilized resource. Also, UC's branding is inconsistent and is too decentralized.

Q: We have heard many of these things said before. What are the specific accountability measures for your operation?

A: We will have a strategic communications plan finished by January with metrics by which the unit should be measured. We also will produce interim reports along the way.

Comment: President Yudof has asked us all to be advocates for UC in our capacity as private citizens. Central direction regarding the best way to do this would be helpful. We do not always know what we can say.

V. Revised SOR 100.4

ISSUE: Based on Academic Senate, administration, and staff input, President Yudof revised the proposed Standing Order of the Regents authorizing him to suspend some Human Resources policies and enact furloughs and/or salary cuts in the case of a financial emergency. The implementation plan also was revised according to the comments received. The revised versions will be presented to the Regents for action in July.

DISCUSSION: Several Council members raised issues of clarification with language in the documents.

ACTION: Chair Croughan will communicate Council's ad hoc comments on the revised version to the President, and will urge him to make the changes requested.

VI. Consultation with the Office of the President – Senior Managers

- Mark Yudof, President
- Lawrence Pitts, Interim Provost
- Katherine Lapp, Executive Vice President, Business Operations

President Yudof

- President Yudof noted that he just returned from Washington, D.C. He spoke to Berkeley Professor Christina Romer, Chair of the Council of Economic Advisers, about doing a study of the University's impact on the economy and on the nation's economic recovery.
- President Yudof stated that he hears that the faculty is divided on furloughs versus salary cuts, but that the staff overwhelmingly supports furloughs.
- The most controversial issue is regarding whether those employees paid from research grants and contracts should take a pay cut. There is a strong equity argument that two people doing the same job, but who are funded from different sources, should be treated equally. There is an equally strong argument that salaries should not be cut if the funds can not be used to reduce the University's budget gap. Implementation also would be difficult because different funding agencies have different rules. The University still needs to clarify the legal requirements that apply to LBNL employees.
- President Yudof stated that it is his intention to protect employees' retirement and preserve service credit calculations at any pre-reduction salary base. However, the Board of Regents may see this as an opportunity to reduce liability. He noted that it would be extremely helpful to have a statement from the faculty on this issue.

Interim Provost Pitts:

- Interim Provost Pitts stated that student employees, including residents and post-doctoral fellows, will not be included in the pay cut.
- He noted that the intent is to include LBNL employees in the cut because they are covered by UCRS. However, the University is still discussing the matter with DOE (LBNL employees were not included in the pay cut in the 1990s).
- Summer salary is not covered by UCRS, but at the same time, it is part of one's salary. There is divided opinion on whether the pay cut should be applied to summer salaries.

Q&A

Q: Asking researchers on grants to take a cut is unfair; you wouldn't expect those funded by state revenues to take a cut if soft money decreased.

Comment: All categories of Senate members should have an 8% cut. Either we stand together or we do not.

Comment: The X and X Prime portions of clinical faculty's salaries represent what clinical faculty get for teaching and doing University work, even though it is paid for with clinical funds, not state funds. The rest of their salary is generated from their private practice. The deduction of salary from the X and X prime portions represents the clinical faculty being in solidarity with the rest of the faculty.

A: I understand that every argument has some basis in equity.

Q: Will you have the authority to make cuts without getting union approval?

A: No, but if they do not agree, we will have to lay people off to achieve the same level of sacrifice from all employee groups.

Comment: At UCR there is a lot of support for greater progressivity. Also, the athletic departments should share in the pain.

A: We are examining the effect of more gradations. All auxiliary enterprises will take a cut. It may be possible to use funds from some auxiliary enterprises for general campus purposes (not medical centers or research grants, but student services, etc.).

Q: During the budget cuts in 1993, the NIH stated that that there could not be a variation in salaries. Have you sought their advice?

A: We found that statement. The University's federal governmental relations unit is conferring with federal funding agencies. If the law is clear one way or the other, we will follow the law.

Q: At UCI, we were planning to use the savings from the hospital to offset reductions in the campus operational budget. I was surprised to hear you say that clinical income would remain at the hospitals. There must be a strong justification for returning the dollars to the medical centers and not to other auxiliaries. Medical centers are in the black while the campuses are in the red.

A: Interim Provost Pitts stated that this issue is still under discussion. Jack Stobo, SVP of Health Sciences and Services, is working on an alternative plan. Layoffs would jeopardize clinical services. The medical centers are all in the black, but not by much. They also are confronting the need to provide the employer's portion of retirement contributions without any state funds and they are facing severe cuts in Medi-Cal reimbursements.

President Yudof added that in a recession, it is likely that medical centers will serve fewer patients and income will decline.

Q: Will those in the START program have to take the same cut? Many of them are part of START because the departments' budgets were tight. Also, what happens to their benefits if they drop below 50%?

A: We have not addressed this yet, and need to.

Q: Will the salary reduction constitute a restatement of the salary scales? Will it apply to summer salaries?

A: No. It should be as temporary as possible. That is an advantage of furloughs. For the moment, summer salaries have been excluded from the cut because they are not part of UCRS. However, faculty on 9-month salaries or research grants may think this is unfair because their total annual salary is being cut.

Q: The 8% cut would apply only to UCRS covered compensation portion of salaries. How will those who have a mixed source of salary be handled?

A: This is still under study.

Comment: Furloughs are more visible than salary cuts. A salary cut means we are delivering the same services for less money.

VII. General Discussion. Council members discussed in detail the three furlough/salary reduction options presented by President Yudof. Council members noted the lack of detail, data, and analysis (for example, would it apply to summer salaries, non-state supported salaries, etc.). Division and committee chairs described faculty sentiment of their constituents. While opposed to all three policies, most would prefer furloughs over salary reductions and more progressive gradations. Everyone strongly supports protection of retirement benefits. They felt that furloughs should be held on non-holiday days in order to interrupt services and to have a visible effect. Faculty were more split over the issue of applying furloughs or salary cuts to those employees on non-state fund sources, but strongly felt that graduate student employees, post-doctoral fellows, and other trainees should be exempt.

VIII. Education Abroad Program Update

ISSUE: UCIE Chair Lobo and Senate Associate Director Giedt reported that the recommendations of the Joint Senate-Administrative Task Force on EAP protect the health of EAP's academic programs. The mission statement now includes a statement that UCEAP is an academic program in the first paragraph, which has been the Senate's position. UCIE will continue to be involved in UOEAP, including the budget process. UOEAP will be relocated to a campus. The number of study centers will be reduced, but not as drastically as previously proposed. UC faculty participation and oversight of study centers will be maintained. There are three possible models: the traditional model of resident study center directors; non-resident study center directors who travel to sites for orientation, etc., but return to their home campuses; or providing stipends, but not salary, to faculty who wish to do sabbaticals at a particular location. The largest change pertains to course articulation. Previously, UOEAP determined unit credit for each and every course (although departments verified and approved their quality); this was very expensive. The new plan is to have home campus departments complete course articulation for major requirements. UCIE supports this approach. A governance committee also will be appointed, including significant Senate participation. The governance committee is charged with devising a viable budget and will appoint a budget working group; we need Senate representatives on the governance committee and budget working group. One unresolved issue is how reciprocity students are funded. Currently, EAP pays \$2K for each reciprocity student. Is this enough to provide services that reciprocity students need?

DISCUSSION: Chair Croughan thanked the Senate representatives on the joint task force (UCSB division Chair Joel Michaelsen, UCIE Chair Errol Lobo, UCIE member Ian Coulter, UCPB member Bjorn Birnir, and Senate Associate Director Todd Giedt), UCIE members, and the many study center directors who wrote advocacy letters and provided a helpful set of talking points. She noted that it was a major philosophical shift for the Administration to recognize EAP as an academic program, and this is due to Senate input. A member stated that the faculty members chosen to represent the Senate on the governance committee should be familiar with the history of EAP and have the ability to

understand budgets. Another member stated that a document should be produced that explains to department chairs how to assess courses.

IX. Reports on Cross-Campus Salary Comparisons

ISSUE: UCAP's Chair, Steve Plaxe, stated that UCAP is interested in asking the Institutional Research and Academic Personnel units at UCOP to collect, analyze and distribute faculty salary data in order to facilitate cross-campus comparisons. He amended the action requested to having Council ask each divisional and systemwide committee chair to convey to UCAP the types of reports and data that would be useful for salary analyses.

DISCUSSION: Chair Croughan asked if UCAP could provide some suggestions, such as a list of potential variables. Chair Plaxe said he would forward the salary analyses done at UCSC and UCD. In response to a question from a Council member, Chair Plaxe clarified that this data would be used for internal purposes.

ACTION: Council unanimously approved forwarding UCAP's request for data parameters to all divisional and systemwide committee chairs.

X. UC Seminar Network

ISSUE: Systemwide responses to UCORP's proposal to establish the UC Seminar Network have been received.

DISCUSSION: UCORP's Chair Jim Carey stated that the paper distributed is a concept paper, not a formal proposal; it will be followed by a true proposal addressing many details, including intellectual property issues. He agreed that speakers should have to opt in. He noted that according to the IT people he consulted, the cost estimates in the paper are accurate. The license costs \$50,000, but is campus-wide, so the average cost to departments would be \$150. He acknowledged that many webinars and other uses of technology are being used throughout the University, and that UCORP aims to develop a coherent framework and infrastructure for these efforts, as well as to build on them. He noted that at UC Davis, broadcasting has not inhibited speakers. He also argued, in response to several critiques, that the University can not stop progressing due to budget cuts; other universities are pursuing this and UC should take the lead. A Council member supported bringing what's currently happening into a pilot project, and stated that the cost analysis was not clear enough.

ACTION: Council unanimously approved a draft letter to UCORP requesting that it revise its concept paper and develop a proposal based on Senate comments.

XI. Principles for Non-Resident Undergraduate Enrollment

ISSUE: In February 2008, UCOP began assigning separate enrollment targets to campuses for state-supported and non-resident undergraduates, and set a budgetary minimum of non-resident tuition that each campus is expected to generate. UCOP also changed the budgetary structure whereby these funds no longer are retained centrally, but each campus is responsible for generating and using non-resident enrollment funds. Some campuses are considering increasing non-resident enrollments as a strategy to raise revenues and mitigate budget shortfalls. In response, BOARS developed principles

to guide decisions regarding the selection and enrollment of undergraduate non-residents, which were sent for systemwide review.

DISCUSSION: BOARS Chair Hurtado stated that there is no existing policy document outside of the Master Plan on non-resident enrollment. Last year, it was treated as a budgetary issue, but it impinges on the Senate's role in determining who we teach. BOARS' intention is not to halt growth in non-resident students, but to establish some guidelines so that fiscal concerns do not predominate in the selection and growth of non-resident students. Because of the financial pressures to increase non-resident enrollment as a source of revenue, the Senate should adopt a policy. Merit, not fiscal considerations, should govern decisions. Also, an expansion of the number of students at UC would result in a decline in quality. Of the systemwide responses received, general support was received for the guidelines with four supporting a cap policy or reasonable limits, two expressed support but wanted revisions on two of the guidelines, and three were opposed. Chair Hurtado suggested revising the proposal to include a cap or to begin discussions about that possibility. .

A Council member stated that the University should encourage non-resident enrollment growth with a cap, but should not reduce service to Californians. Another member noted that the unintended consequences of an expansion of non-resident enrollment could be a public or legislative backlash. A divisional chair noted that there was vigorous opposition to BOARS' proposal at a faculty town hall meeting on his campus. A Council member stated that it is not appropriate to take a position before some significant issues are addressed. He argued that admitting out-of-state students could provide more funds that could improve academic quality for all students. Another member said that he could not endorse a cap, given state funding, and advocated that adding a cap would be a substantive change to the proposal that should be thoroughly vetted. A divisional chair noted that one justification for increasing the numbers of non-residents is there is significant unfunded enrollment on growth campuses. UCPB's chair stated that because of the fiscal issues, UCPB would not support BOARS' proposal, particularly with a cap.

ACTION: Council approved a draft letter to BOARS summarizing the systemwide review comments (one abstention).

XII. ACSCOLI At-Large Members

ISSUE: Due to the recent appointment of Larry Pitts as Interim Provost and Dan Simmons' election as Vice Chair of the Senate, at least one and possibly two new at-large members are needed for ACSCOLI. Suggested nominees will be presented.

DISCUSSION: The Senate office presented names of potential candidates from a past list put forward by UCOC and the divisions. After a brief discussion, a motion passed unanimously to table the item until the July Council meeting to allow time to gather more background information on each nominee. Chair Croughan asked division chairs to do due diligence and vet candidates from their campuses. Council members suggested that the Senate office confirm the willingness to serve of all those on the list and to provide a current membership list with their terms of service.

XIII. Stewardship of Research Data

This item was withdrawn from the agenda.

XIV. Executive Session

Minutes were not taken for this portion of the meeting.

XV. Report of the Stewardship Review Task Force

ISSUE: At a special teleconference in May 2009, the Academic Council formed a Task Force to examine Academic Senate participation in the process of stewardship reviews of Chancellors. The Task Force's recommendation was distributed prior to the Council meeting.

DISCUSSION: Daniel Simmons, the Chair of the Task Force on Senate Stewardship Review of Chancellors, presented the Task Force's recommendations. One of the major recommendations is that documentary evidence, alone, is not sufficient, and that interviews with broader groups of faculty should be considered.

ACTION: Council unanimously endorsed the recommendations of the Task Force to change the procedures governing the Senate's stewardship review of Chancellors.

XVI. New Business

Meeting adjourned at 4:30 p.m.

Attest: Mary S. Croughan, Academic Council Chair

Minutes prepared by Clare Sheridan, Senior Policy Analyst