

ACADEMIC COUNCIL

Minutes of Meeting
February 25, 2015

I. Consent Calendar

1. Approve today's agenda items and their priority
2. Approve draft Council minutes of January 28, 2015

ACTION: Council approved the consent calendar.

II. Announcements

- o *Mary Gilly, Academic Senate Chair*
- o *Dan Hare, Academic Senate Vice Chair*

Meaning of a UC Degree: The first in a series of presentations to the Regents about the nature of a UC undergraduate education, requested by Regent Kieffer, will occur in March when the Berkeley Chancellor and Senate Chair discuss the history of American higher education in the context of current efforts at Berkeley to re-examine the undergraduate curriculum.

UCACC: The Assembly of the Academic Senate has [approved a new bylaw](#) for the University Committee on Academic Computing and Communications (UCACC). UCOC plans to appoint a committee chair and vice chair this year, but the full committee will not convene until fall 2015.

Committee of Two: In addition to meetings between Governor Brown and President Napolitano, senior staff members from the Governor's Office and representatives from the Department of Finance are touring UC campuses. Campus Senate offices should ensure that faculty have a role in the visits. State officials need to be more informed about what faculty do, the importance of the research enterprise, and the need to maintain excellence.

Wisconsin Op-Ed: The Milwaukee Journal-Sentinel has published Chair Gilly and Vice Chair Hare's [opinion piece](#) about the Wisconsin Governor's plan to drastically cut the University of Wisconsin budget and deemphasize its research mission.

- o *Joel Dimsdale, Chair UCFW*

Anthem Data Breach: A cyber-attack has exposed and potentially compromised the personal data of many Anthem Blue Cross members, including UC students, faculty, staff, retirees, and their dependents. Anthem has a credit monitoring and repair [program](#) for concerned members.

UC Care HMO: A joint work group that includes members of the UCFW Health Care Task Force is investigating the feasibility of a proposed self-funded UC Care HMO plan, which some at UCOP believe could replace the Health Net Blue and Gold plan as soon as January 2016. UCFW considers this timeframe unrealistic, and is urging proponents to resolve UC Care's larger access and conflict of interest issues before adding the HMO component.

III. UCAF Statement on Civility

- *Kathleen Montgomery, UCAF Chair (phone)*

The University Committee on Academic Freedom is asking Council to endorse a UCAF statement emphasizing the primacy of academic freedom in the context of recent efforts by administrators to encourage “civil discourse” on campus, and UCAF’s concern that such appeals have the potential to chill free speech. UCAF Chair Montgomery noted that the statement is partly a response to the Berkeley chancellor’s September 2014 comments about civility and free speech on campus, and academic freedom issues at other universities. UCAF thinks the statement will have more impact if it is endorsed by a larger and more prominent body such as Council. UCAF is asking Council to endorse the statement and send it to the President with a request that she distribute to the campuses.

Discussion: A Council member asked that the reference to Berkeley be eliminated from the UCAF statement, and noted that the controversy there subsided after the chancellor clarified the intent of his original statement. It was noted that a UC Davis [policy statement](#) on freedom of expression has been endorsed by the ACLU, and that Provost Dorr recently clarified that the Regents [Policy on Course Content](#), which forbids “misuse of the classroom” and “political indoctrination,” applies to both faculty and graduate student instructors.

A member noted that other values and facets of university life, such as safety and civility, are important and should be honored at least as much as academic freedom, and that vitriolic speech inspiring violent demonstrations, for example, should not be tolerated. It was noted that the boundaries of “free speech”, “hate speech”, and “civil discourse” are ambiguous and thorny—free speech can make people uncomfortable for a variety of reasons. It was noted that civility and academic freedom issues arises frequently in connection to campus debates about Israel and Palestine.

Chair Montgomery noted that UCAF considers freedom of speech, in the campus context, to exist under the broader umbrella of academic freedom. She said that UCAF is generally satisfied that APM 015, the Faculty Code of Conduct, provides adequate free speech and academic freedom protections for faculty. It was suggested that UCAF revise its letter and statement to address Council’s comments. It was thought that having a statement about academic freedom available for distribution on campuses in the fall when civility statements are generally made could be beneficial.

ACTION: Chair Montgomery will take Council’s comments back to UCAF, revise the statement, and resubmit to Council for consideration at a future meeting.

IV. Proposed Amendment to Senate Regulation 682

CCGA has proposed an additional revision to its [proposed amendment](#) to SR 682 in an effort to address an ambiguity Council noted in January. The proposed amendment would eliminate the requirement that a Master’s degree candidate file for candidacy in the academic term prior to the one in which the student anticipates completing work for the degree, allowing individual Graduate Councils to decide the timeframe for advancement to candidacy.

ACTION: A motion was made and seconded to approve the amendment. The motion passed unanimously with two abstentions.

V. Executive Session

Notes were not taken for this portion of the meeting.

VI. Consultation with Senior Managers

- Janet Napolitano, President
- Aimée Dorr, Provost & Executive Vice President, Academic Affairs
- Nathan Brostrom, Executive Vice President & Chief Financial Officer (phone)

President Napolitano

Committee of Two: Yesterday's C02 meeting touched on teaching costs, enrollment, underrepresented minority student recruitment, and transfer. The next meeting, in March, will focus on the research enterprise.

Transfer Streamlining: The difficulty and complexity of the transfer path to UC is an ongoing concern for students, state, and university officials. The President spoke with BOARS earlier this month about a plan to convene campus representatives to discuss the extent to which major preparation requirements for the most popular majors can be aligned, so that a single pathway to a particular major can suffice for all campuses. She expects the university to establish agreements for ten pathways by fall 2015, with ten more the following year.

UC Mexico: The UC-Mexico Initiative Board holds its inaugural meeting tomorrow in Ensenada. The Board includes U.S. and Mexican representatives from academia, the private sector, and foundations. The Initiative is led from UCR, but engages faculty from all ten campuses. It is intended to increase UC's connections to higher education in Mexico, leverage California and Mexico's shared history, culture, and heritage, and enhance collaboration on a range of issues and problems of mutual importance, including the environment, agriculture, and trade.

Global Climate Leadership Council: The President created the Climate Council to help steer UC's sustainability efforts to the goal of achieving carbon neutrality by 2025, and to connect those efforts with UC's research, teaching, and service mission. The President has approved funding for some of the most promising opportunities identified by the Council, including a new carbon neutrality student fellowship program.

Questions & Answers

Q: *To what extent will the transfer initiative affect enrollment?*

A: Today, transfers comprise 28% of UC's systemwide enrollments, just below the target ratio of one transfer for every two freshmen outlined in the Master Plan. As UC moves forward with the transfer streamlining initiative, the more direct question will relate to the budget—how many students is the state willing to fund? We do not have an answer to that yet. The Governor wants more students to complete their first two years at community college, but he has not proposed anything concrete.

Q: You recently announced a freeze on tuition for the upcoming summer session. Are you still committed to the 5% increase for fall if we cannot achieve a budget agreement with the state? How will a potential tuition buy-out be addressed in the context of rebenching?

A: I intended the announcement of the freeze as a sign of good will and faith in the budget process. We are holding to the 5% increase for the fall; however, I am hopeful that there will be, in the end, an agreement to buy-out the increase for California residents. We are also thinking about how different budget outcomes will impact rebenching and about the recommendations several chancellors have made for adjusting the rebenching formulas.

Q: I am concerned that the Governor does not understand or value the faculty role, and the amount of time we spend in teaching and research. He should also know that a three-year degree is impractical for most UC students. What are you doing to convince the Governor and Legislature that California needs a high quality four-year institution?

A: The Governor likes to challenge assumptions and thinks the burden of proof is on the university to explain the importance of our mission. The next Committee of Two session, on research, will be a great opportunity to explain how the UC research mission contributes to the state's economy. We will also point out that UC faculty have higher teaching loads than our competitors and discuss the research opportunities lost with even higher loads. The Governor is also concerned about cost. Our disagreement with him is that not all cost is waste and higher education costs should be viewed as an investment—with some returns not visible right away. We need strong and persistent voices speaking up for UC in the legislature and the public. In a recent Field Poll about spending priorities for the state budget surplus, 36% percent of respondents selected higher education as an area where surplus revenue should be spent. I pointed out that the Texas Governor has proposed an increase to the University of Texas budget with the expressed intent of knocking UC out of the top ten—this threat is starting to wake some people up.

Currently, about 3% of UC students graduate in three years. I want to make greater use of summer session to increase that number, but I recognize that there will be only a small cohort of students, at least at first, who want to do that and for whom it will be possible. Most students want to spend four years in college, and students should have the time and opportunity to grow, mature, and explore different learning paths.

Q: I am concerned that giving campuses strict resident freshman enrollment targets has made admissions offices more conservative. We are putting many students on wait lists, which could encourage talented students to commit to another university before they hear from UC.

A: UC receives so many applications that I wonder if wait lists will really lead to a diminution in quality. The fact is that if we want to save money for reinvestment in the academic enterprise, we have to be cautious about admitting students for whom we do not receive state funding.

Q: Some of my colleagues are concerned about administrative “bloat.” I have not seen UC make a convincing case for the increase in Senior Managers. I think this hurts us in Sacramento and within our own ranks.

A: We need to be leaner, but part of this is perception, not reality. A recent Public Policy Institute of California (PPIC) [report](#) on higher education costs found that between 2006 and 2011, the number of senior managers decreased and per student administrative costs declined;

that California's public universities are doing a better job of controlling administrative costs than the private universities; and that tuition increases have been driven by state budget cuts, not administrative bloat. One critical issue not addressed in the PPIC report is increased regulatory overhead and the fact that a significant portion of administrative work relates to compliance with federal or state reporting requirements.

EVP and CFO Brostrom

UC Path: UC Path has been more difficult and costly to implement than first imagined; however, project leaders believe it has turned the corner and now expect a go-live date for UCOP in September 2015. UC Path will consume its original \$221 million budget by the end of summer, and its final budget will depend on how quickly the common payroll system is implemented on other campuses. UCOP is exploring ways to shorten the overall timeline by combining subsequent implementation cohorts.

Budget Hearings: EVP Brostrom [testified](#) before the joint Assembly Committee on Legislative Audit on February 11, in follow-up to a 2011 state audit that investigated inequities in per-student funding across UC campuses and called for greater transparency. He reported on the progress of the rebenching initiative, which is designed to resolve the historical differences that arose as a result of budget allocation practices that rewarded older campuses with higher levels of graduate student enrollments. On February 18, he spoke at the Assembly Budget Subcommittee 2 on Education Finance, in response to critiques about employee compensation and the UC pension. He noted there that compensation growth has been driven largely by growth in the health sciences and at the medical centers, and is not reflected in the general fund. He also described UC's efforts to restore the health of UCRP and the importance of the pension to UC competitiveness. President Napolitano, CSU Chancellor White and CCC Chancellor Harris will make a joint presentation to the Assembly Budget Subcommittee next week.

UC Care: The senior vice president for health sciences and services has presented initial ideas for the UC Care HMO to the President, and will be developing a business plan and recommendation by May. The goal is to provide equivalent care and coverage to Health Net Blue and Gold and to move to self-insurance through the UC medical centers.

Provost Dorr:

Faculty Engagement Plan: Provost Dorr and Chair Gilly crafted their joint letter to faculty on faculty engagement to avoid language that might imply a request to engage in advocacy. Instead, the information and resources included with the letter are intended to help faculty who do want to take an active role in advocacy.

ORGS Vice President: The Provost is writing a job description for the Vice President of Research and Graduate Studies that maintains the position's traditional focus on research and graduate studies.

UC Observatories: The Provost has initiated a search for a permanent UCO Director. In October, UCOP rescinded a decision to pull all funding from Lick Observatory, which would have required Lick to become self-supporting by 2018; however, it also made clear that Lick must do more to diversify its budget model with funding from other sources.

VII. Total Remuneration Update

o Susan Carlson, Vice Provost, Academic Personnel

Council reviewed options for distributing a 3% faculty increase included in the 2015-16 budget. The options are being discussed by a joint work group consisting of the UCPB, UCAAD, UCFW, and UCAP chairs, the Berkeley and Santa Cruz vice provosts for academic personnel, and the San Diego associate vice provost for academic personnel. The work group is also discussing long-term solutions to the overall faculty total remuneration gap.

Vice Provost Carlson noted that the work group has considered two options for a 3% increase to the total faculty salary payroll on July 1: 1) increase both the on-scale and off-scale components of faculty salaries, and 2) increase the on-scale component of faculty salaries only. The former would increase each faculty member's total salary, and the pay scales, by 3%, while the latter would increase the on-scale component of salary, and the pay scales, by approximately 3.5%. Option 2 would also require an additional systemwide or campus-based plan for adjusting the salaries of 920 Above Scale faculty. Option 1 would slightly increase the inequities associated with salary inversion and compression (when faculty at a lower rank/step have a higher or nearly as high salary as faculty at a higher rank/step); and the "loyalty penalty" (salary differences at the same rank/step due to a recent recruitment or retention action). Work group members agree that faculty salary competitiveness is at the center of maintaining quality, but they differ on the details of the options and on the desirability of absolute consistency across campuses. (It was noted that a decision for non-represented staff has already been made—funding equivalent to 3% of the salary pool will be sent to the campuses to allocate flexibly.)

Discussion: A Council member noted that Option 2 would help close the total remuneration gap, since faculty with off-scales are already closer to market, while Option 1 would exacerbate pay scale inequities. Another noted that Option 1 has the benefit of simplicity and assumes that faculty with off-scales have them for a good reason. A member urged caution about a universal approach to Above Scale faculty, as campuses have different criteria for advancement to this level. It was suggested that the Above Scale problem could be solved by building periodic imputed salary increases into the base salary of Above Scale faculty based on a typical one-step increase. It was noted that the "loyalty penalty" has to be addressed over the long-term, and that the effort to close the gap should be considered in the context of the recent salary equity studies, and the problems identified in those studies, which will also require funding.

An informal poll of Council members revealed support for Option 2.

VIII. Revision to APM 210-1-d

In January, Chair Gilly charged a work group, consisting of the chairs of BOARS, UCAAD, UCAP, UCEP, and the UCSD division, to discuss improvements to the wording of APM 210-1-d based on the systemwide responses to an earlier set of [proposed revisions](#) that the Senate [rejected](#) in December.

UCAP Chair Knapp noted that the work group based its efforts on an understanding that Senate respondents supported the aims of the rejected revision – to eliminate ambiguities in language describing how CAPs should assess faculty contributions to equal opportunity and diversity.

There was broad agreement on two points: first, that faculty efforts in promoting equal opportunity and diversity should be evaluated and credited on the same basis as other contributions, but should not be understood to constitute a “fourth leg” of evaluation, along with research, teaching, and service; and second, that these contributions should not receive more credit than others simply on the basis of their subject matter. The subcommittee sought to align the language with the aims, and to communicate the original intent of the language—to ensure that faculty contributions to diversity and equal opportunity receive proper credit, “due recognition” (but not extra credit), in the review process.

Discussion: Council members expressed support for the revisions. It was agreed that Vice Provost Carlson would send the revisions to campuses for a final, 60-day review after she receives a letter from the Senate summarizing its goals for the final language.

ACTION: A motion was made and seconded to approve the revision and ask the Office of Academic Personnel to distribute it for final systemwide review. The motion passed unanimously. A letter from Chair Gilly will be drafted and sent to Vice Provost Carlson.

IX. Report from UCOLASC and CDL on Open Access Policy Implementation Progress

The University Committee on Library and Scholarly Communication (UCOLASC) forwarded Council a 6-month implementation review report for the [Open Access Policy](#) the Senate adopted in 2013. The report was written by the California Digital Library (CDL), the UC Office of Scholarly Communication, and librarians from the three implementation pilot campuses—UCI, UCLA and UCSF. UCOLASC notes that the policy roll-out has been successful and supports expansion to all ten campuses. It also asks Council to emphasize to UCOP the need for continued funding to support systemwide implementation.

ACTION: A motion was made and seconded to send a letter to UCOP in support of continued funding for implementation. The motion passed unanimously.

X. Proposed Revisions to Bylaw 182, University Committee on International Education

- Bjorn Birnir, UCIE Chair

UCIE has proposed amendments to Bylaw 182 that would formally expand the committee’s charge from Education Abroad Program oversight to an advisory role on a broad range of systemwide international issues and activities, reflecting the committee’s current engagement in those activities. UCIE will coordinate its engagement on specific issues, as needed, with Senate committees that have overlapping charges.

Action: A motion was made and seconded to send the revision to Bylaw 182 for systemwide review. The motion passed unanimously.

XI. Transfer Streamlining Initiative

UC wants to make the transfer process easier and more transparent for California Community College (CCC) students who want to prepare for multiple UC campuses in the same major. The recent [Transfer Action Team](#) (TAT) report notes that too many students prepare for a major at one campus and find that they need extra courses to be prepared for admission in the same major

at another campus. It recommends aligning the preparation requirements for specific majors across campuses to make it easier for students to prepare simultaneously and be competitive for admission at multiple UC campuses. UCOP has gathered information about similarities and differences in pre-major requirements for 21 popular majors, and now wants to bring together key individuals from those majors to explore the degree to which they can resolve differences and align prerequisites. BOARS endorsed the process and its members are gathering information about the appropriate faculty and administrators responsible for determining transfer preparation expectations. Provost Dorr and Chair Gilly also sent a request to campus administrators for that information. Provost Dorr is funding the effort.

Discussion: A member noted that there is already a great deal of alignment and it may be possible to resolve remaining issues without convening the groups. Another member expressed concern that the process will not adequately involve the Senate. Chair Gilly noted that faculty will lead the decision making process, and no group will force a department to change its transfer requirements. Provost Dorr noted that the meetings will allow faculty to compare curricular requirements with their campus colleagues and to review alignment with the CSU Transfer Model Curriculum. The initiative will help transfer students, ensure that transfers arrive at UC better prepared, and demonstrate UC's commitment to transfers.

XII. New Business

Carbon and Senate Travel: UCSD Chair Boss distributed an analysis of the carbon generated by faculty who travel to UCOP for Senate meetings, based on calculators on the [Native Energy](#) and [International Civil Aviation Organization](#) websites, the online schedule of Senate meetings, and an assumption that northern campus faculty drive and southern campus faculty fly to meetings. The analysis estimates that Senate travel generates more than 100 metric tons of carbon emissions annually. The Senate may want to consider ways to reduce its environmental impact, particularly given the President's goal of achieving carbon neutrality by 2025.

It was noted that the systemwide Senate is encouraging committees to hold more videoconferences in place of in-person meetings, if possible; however, the videoconferencing technologies currently available at UCOP are limited in function and quality. In addition, teleconference meetings tend to be less effective and productive than in-person meetings, particularly in ensuring strong Senate influence in policy conversations.

Meeting adjourned at 4:00 pm

Attest: Mary Gilly, Academic Council Chair

Minutes prepared by Michael LaBriola, Principal Committee Analyst