

## UNIVERSITY COMMITTEE ON EDUCATIONAL POLICY

## Videoconference Minutes

Monday, February 7, 2022

**Attending:** Mary Lynch, Chair (UCSF), Katheryn Russ, Vice Chair (UCD), Dana Carney (UCB), Katie Stirling-Harris (UCD), Melanie Cocco (UCI), Kathleen Bawn (UCLA), Ryan Baxter (UCM alternate), Bryan Wong (UCR), Daniel Dubin (UCSD alternate), Dana Rohde (UCSF), David Paul (UCSB), Tracy Larrabee (UCSC), Todd Greenspan (Director, IRAP, UCOP), Ethan Savage (Analyst, IRAP), Ellen Osmundson (Program Director, UC Online), Robert Horwitz (Chair, Academic Senate), Susan Cochran (Vice Chair, Academic Senate), Brenda Abrams (Principal Policy Analyst, Academic Senate)

**I. Consultation with the Academic Senate Office**

- *Robert Horwitz, Chair, Academic Senate*
- *Susan Cochran, Vice Chair, Academic Senate*

In December, Academic Council endorsed the Memorial on climate crisis to the Regents and it will be considered by the Academic Assembly this week. The divisional Senates will then vote on the Memorial. Chair Horwitz has discussed the Senate's concerns about the theft of faculty intellectual property by third-party social learning websites with President Drake and the Regents. If UC cannot address the violations of academic integrity occurring in the online domain, it will be difficult to ensure the integrity of online undergraduate degree programs. Senate leadership recommended that the Regents join the lawsuit recently filed by Chegg's investors, even if this is limited to filing an amicus brief. The idea of creating an automated institutional takedown request system for stolen intellectual property posted on these websites, based on the Digital Millennium Copyright Act, is still under consideration by UC Legal. Regent Park has asked the UC Office of the President (UCOP) to report on intellectual property theft and cheating to the Regents' Academic and Student Affairs Committee in March.

UCOP's Chief Operating Officer (COO), Rachel Nava, met with Academic Council in January to discuss concerns about staff who do not want to return to campus. The campuses are grappling with returning to in-person instruction this week. The Regents received the results of a UC Staff Association survey, which showed that 43% of staff say they are considering leaving UC. There are types of staff that can work remotely without it being problematic but Council talked to COO Nava about the need for different policies for faculty- and student-facing staff. At the broadest level, UC has to address the need for a post-pandemic social contract between students, faculty and staff to figure out their mutual obligations and how to re-establish an intellectual community.

The Intersegmental Committee of the Academic Senates (ICAS) is working on establishing the singular General Education pathway required by Assembly Bill 928 for students transferring from the California Community Colleges (CCC) to the California State University (CSU) and UC systems. ICAS has created a special committee comprised of faculty representatives from the three segments along with student advisors. There is a tight timeline for completing this work and if ICAS does not approve a plan, administrators from each segment will be responsible for devising the pathway. The senates of each segment will need to approve the proposed pathway and Chair Horwitz noted that the law does not provide any flexibility around getting this work done by May 2023. ICAS recently met with the staff of various legislators who were receptive to the recommendation that the ASSIST transfer articulation website should be overhauled. This effort will require a major investment to make the website user friendly so students are much better able to navigate the transfer process.

Governor Newsom's budget proposes a five-year compact with UC involving a 5% annual increase to the permanent budget for five years as long as UC increases enrollment. The budget requires the campuses over the 18% maximum threshold for non-resident students (UCB, UCLA and UCSD) to decrease the enrollment of these students to the cap, but they will be reimbursed by the state. The President has established an enrollment management workgroup comprised of the chancellors to consider how to increase enrollment by 20k students at all campuses by 2030 (16k undergraduates and 4k graduate students). There will not be a new campus to accommodate this growth, and the alternatives include expanding summer session, taking advantage of an underutilized CCC or CSU campus, and increasing online instruction.

Last month's Regents meeting featured a presentation by California Competes, a non-profit that looks at higher education and workforce development. A California Competes' survey on demand from adults 25 years or older for a UC education found high demand, with three-quarters of Latino adults reporting they want an education in an exclusively online modality. In spite of flaws in the survey, it will be used by Legislators and Regents committed to expanding access to 1<sup>st</sup> Generation students and students from underrepresented groups and who believe that online instruction is the primary way to accomplish this goal. Since it will be difficult for most campuses to grow physically, the UC administration will seek to grow by increasing the use of online instruction.

People have assumptions that online instruction is cheap and that remote instruction went well during the pandemic, but these assumptions are not borne out by data the Senate has repeatedly shared. Good online education requires significant investment, both in faculty time and in technology, and there may be little or no cost savings if online instruction is funded properly. Last year's Senate survey of faculty about life during the pandemic revealed that upwards of 70% of instructors felt students were less engaged and did not learn much. The 2020 UC Undergraduate Experience Survey found that the majority of students were dissatisfied with remote instruction. Chair Horwitz added that studies are starting to be released that show, at the kindergarten to 12<sup>th</sup> grade level, there was significant learning lost during the pandemic and there is little reason to believe that university students did much better. Institutional Research and Academic Planning presented data to the Regents showing that retention rates of students from underrepresented groups and 1<sup>st</sup> Generation students are falling. Vice Chair Cochran is revising the Senate survey so it can be administered again this year and the aim will be to disaggregate the pandemic experience from the online teaching experience.

The governor's budget includes the provision that UC double the student credit hours generated by online undergraduate courses. Increasing the number of online courses will not be difficult but fully online undergraduate degrees (OUDPs) is an issue that has vexed the Senate for the past several years. The feedback from the systemwide review of the report from the Online Undergraduate Degree Task Force suggested support of the second option as long as the online degrees meet all of the ordinary expectations for a UC degree. Chair Horwitz indicated that, per the Compendium, once the first OUDP is approved by the systemwide Senate, the divisions will handle subsequent proposals for these programs.

**Discussion:** UCSC's registrar has reported to the divisional Committee on Educational Policy (CEP) that the campus is over capacity. The only way to increase enrollment would be to use OUDPs. Members suggested that the Senate could run experiments on the online courses that have been offered but Vice Chair Cochran underscored that the concern is with online degree programs.

## II. Key Questions about Online Undergraduate Degree Programs

Senate leadership participated in UCEP's discussion about questions related to fully online undergraduate degree programs at UC. Chair Horwitz shared that, during a discussion about OUDPs at the last Council meeting, it was agreed that UCEP will inform the campuses with proposals in the pipeline that Council is not yet ready to approve or deny any fully online undergraduate degree programs at this time. UCEP and Council must first decide upon a firm and comprehensive set of guidelines that address fundamental issues and principles along with questions about operations. Chair Horwitz is framing this as the considerations planning phase before Council makes decisions about online degrees. UCEP is at the tip of the spear as it is in the best position to work through many of the questions to be answered. The Committee on Planning and Budget and the Committee on Academic Freedom will need to weigh in on funding and intellectual property issues.

Members received a set of questions from Chair Lynch and Chair Horwitz to take to their divisional CEPs and Undergraduate Councils (UGCs). The questions include: How UC quality will be ensured? Who will teach and how will team teaching be handled? Should there be a limit on the number of students per class, per major? Should there be a minimum faculty/ student ratio and should the ratio match the in-person ratio of the proposing unit? What are the rights of students? Will they have the right to change majors, like their in-person compatriots? Will they have access to advising, labs, sports facilities, mental health counseling and the like? How is a department going to address pedagogical needs for growth through real time interaction with other students, faculty, and diverse populations to allow students to develop skills for leadership and the workplace? If there is no easy way to guarantee that the quality of the online degree is as good as the in-person degree, should the degree be designated as an online degree? Given the assumption that online degree programs will increase accessibility to UC on the part of students from socioeconomically disadvantaged and underrepresented groups, how can UC avoid creating two sets of student populations that track to economic and social advantage?

These questions and more have to be carefully weighed before UCEP approves the first fully OUDP in the system. UCEP is the key group to answer these questions. Chair Lynch remarked that committee members are in the best position to know about proposals for OUDPs being readied for submission to UCEP. Members should discuss the questions with their divisional committees and be prepared to share the feedback when UCEP meets on March 7<sup>th</sup>, and this information will then be reported to Council in late March. The goal will be to have a framework or set of principles based on recommendations from the campuses by May to inform UCEP and Council deliberations.

UCEP members should give their divisional committees the questions from Chair Horwitz and Chair Lynch and get concrete answers to them. It may be helpful to think about the elements of OUDPs in terms of non-negotiables. Chair Horwitz emphasized that certain questions are crucial and the Senate cannot move forward unless there is agreement on the operational issues.

**Discussion:** A primary reason many students attend UC is for the chance to have a research experience but it is not entirely clear how this would work in an online degree program. Chair Lynch commented that programs that involve a laboratory application would have to design a different set of criteria to demonstrate that the same application can happen in a real time lab versus using some degree of simulation. Some graduate programs have moved forward with simulation but this can be a weak application of what happens in real time. Vice Chair Russ mentioned that deans are talking about online degree completion programs through UC Extension. Vice Chair Russ added that Vice Chair Cochran recently shared data reported to the Carnegie Foundation on online programs at various universities. Arizona State has the widest array of these

programs which they report under a separate designation from their regular degrees. In the feedback on the report from the Online Undergraduate Degree Task Force (OUDTF), divisional senates took the position that online degree programs at UC need to be interchangeable with in-person offerings, but Vice Chair Russ posited that this might not be possible. As UCEP explores the details of online degrees it seems unlikely that UC can offer the exact same experience as in-person degrees across all disciplines. Vice Chair Russ thinks UCEP may want to preserve the option to have a separate degree designation for online degrees.

The UCSC faculty designing the Creative Technologies online degree program wanted to attract the kind of students who want to work online. UCSC faculty agreed that OUDPs will be expensive and that online degree programs should not be pursued unless they can be done well. It was also agreed that the experience for the online students should be as good as it is for in-person students in terms of the availability of mental health support, transportation, career services, and interactions with others in a lab. UCSC's CEP is enthusiastic about the Creative Technologies plan as are people who work on diversity, equity and inclusion (DEI) issues because of a perception that online degree programs will increase access for underrepresented groups.

The UCSB representative has discussed the principles for OUDPs with the divisional UGC and shared the OUDTF report and feedback from the systemwide review of it. The pandemic has hardened opposition to and skepticism about OUDPs. The UGC's main concerns centered around issues of equity and whether online degrees can offer a UC experience. Even if the online degree is branded as a regular degree, students in an OUDP will know it is different and will want to pay less since they will not receive the same experiences or services they would get on campus. In addition, some campuses may be better placed to offer OUDPs than others, particularly if some kind of co-curricular experience is to be preserved.

The UCD UGC has also discussed the draft principles for OUDPs and, as with UCSB, the experience of the pandemic has caused optimism about online education to wane. Vice Chair Russ observed that UCEP may be asked to approve a minor in Native American Studies within the next year. Chair Lynch stated that the goal is develop a structure for considering OUDPs. The pandemic has provided information about exactly what the Senate does not want OUDPs to be.

The UCI Business School's pilot of an online degree in Business Administration has not been vetted by the UCI CEP because the pilot was coming to an end of its three years and, since it started in 2019, it only had the fall and winter quarters before the pandemic restrictions took effect. It is not clear to the CEP how the COVID-19 restrictions effected local students who might have come to campus. The Business School's online program is a two year program for a small number of transfer students (under 200 students) and the students must meet a strict requirement for a number of math courses. The students in this program would never have been admitted to the in-person program because it is significantly oversubscribed and the Business School can only admit a very small number of the students who apply. One question UCI's CEP asked about the Business School's pilot was about the fees students would pay. If the fees will differ from the regular fees, the president or Regents would need to establish a new policy.

Chair Horwitz explained that UCEP should determine if there is a good reason to approve a proposal like UCSC's which is very specific, small and tightly organized in comparison to the proposed UCI Business School OUDP. Once UCEP approves the first OUDP, the systemwide Senate will have no way to control the proliferation of these programs. If the UCSC proposal is solid and defensible, the systemwide Senate needs to create guidelines and criteria the campuses will be advised to follow so proposals that are not put together well cannot proceed. Vice Chair Cochran

suggested that it will be helpful for UCEP to identify policy issues outside of the Senate's control in order to highlight any changes the administration will need to make if administrators want to have OUDPs at UC. Chair Lynch will prioritize the questions for consideration by divisional CEPs and UGCs and will also send questions related to systemwide administration to Director Greenspan and Analyst Savage.

### **III. Consent Calendar**

**Action:** UCEP's December 6, 2021 videoconference minutes were approved.

### **IV. Senate Regulation Loophole Related to Online Courses and Degrees**

- *Kadee Russ, Vice Chair, UCEP*

Vice Chair Russ explained that a 2011 ruling by the Committee on Rules and Jurisdiction (UCRJ) suggested that the previous residency requirement seemed to include online and in-person courses within the definition of residency as long as some unit at a particular campus had approved them. For example, a course approved by the relevant UCLA senate committee is considered to be a UCLA course that counts for any residency requirements for students at that campus. This interpretation was formalized last year when the Assembly approved an amendment of Senate Regulation (SR) 610 proposed by UCEP that explicitly defines residency as independent from the place where the student is taking the course. Therefore, residency is not dependent on the physical location of the student or on the modality of the course, only upon the location where the course was designed and approved. This means that remote courses are interchangeable with in-person courses that have the same number.

In principle, any academic program can create a virtual or hybrid version of every single one of its courses required for a degree and effectively have an online degree program that has not gone through any review or approval process. This loophole is significant, and students could take only these online courses to earn a degree although the program was not been approved as an OUDP. Vice Chair Russ explained that a substantive review process by the WASC Senior College and University Commission (WSCUC) would be triggered for the first five undergraduate programs that could permit students to take 50% of their courses online to complete a degree. The vice chair noted that this is outlined in the Compendium.

There are a couple of potential ways to close the loophole. UCEP could propose another amendment to SR 610 but this solution may not be supported because the recently revised language is clear, succinct, and consistent with a long-standing interpretation of the regulation. Another option is to create a regulation similar to the Pass/No Pass option whereby any programs offering more than X number of its required courses for a major online would be considered to be an online degree and should undergo any special campus or systemwide processes needed for approvals and reviews of online degrees. Vice Chair Russ noted that these ideas have not been assessed by UCRJ at this point and other ideas about closing this loophole are welcome.

**Discussion:** Chair Lynch commented that UCEP does not currently have a sense of how many programs might be taking advantage of this loophole, although this could occur with the UCI Business School's online program. UCEP could wait to see what unfolds after a review by WSCUC is triggered or the committee could work on a policy that will close the loophole. In earlier discussions about OUDPs, it was suggested that the committee consult with WSCUC, which is reportedly in the process of changing its definition of online degree programs. Chair Lynch asked Vice Chair Russ to prepare a memo to UCRJ requesting guidance on this matter.

## **V. Consultation with Institutional Research and Academic Planning**

- *Todd Greenspan, Director, Academic Planning, IRAP*
- *Ethan Savage, Analyst, Academic Planning, IRAP*

IRAP understands that online instruction is expensive, a point that has been emphasized in presentations to the Regents throughout the pandemic. IRAP is working on two items for the March 16 Regents meeting. One presentation will focus on academic integrity and the second presentation will be about innovations in grading and assessments. The chancellors' discussions about increasing enrollment by 20k students have touched on the benefits of online courses, particularly in summer, as a way to improve graduation rates and free up seats for new students. In addition to online courses, strategies for reaching President Drake's goal by 2030 include a mix of traditional and non-traditional enrollments such as increased use of summer session and increasing the number of students who graduate in four years rather than six. The state and the Regents want UC to grow by more than 20k students, but the president is setting conservative growth targets.

Governor Newsom allocated \$15M to UC for degree completion or certificate programs and the first request for proposals (RFP) for this funding was issued in 2019. In the first round, UCM, UCLA, and UCSB received awards and UCSD received \$200K for market demand research. Approximately \$5M from the original funding is still available, so UCOP issued a second RFP. The proposals are due February 18<sup>th</sup> and IRAP will staff a committee that will decide which proposals get funded. The proposal review process will have a short turnaround time because these were one-time funds available through 2024. Analyst Savage would like three members of UCEP to participate on the proposal review committee. Chair Lynch and the UCI representative volunteered to participate in this process and Chair Lynch would like the UCR and UCSF representatives to work on this as well.

## **VI. Consultation with UC Online**

- *Ellen Osmundson, Program Director, UC Online*

In August of last year, the Innovative Learning Technology Initiative (ILTI) became UC Online and moved from the Provost's Office to the Graduate, Undergraduate and Equity Affairs unit of Academic Affairs (GUEA). Previously, the initiative was managed by the provost, the chair and the vice chair of systemwide Senate and the three senior leaders of UC Online. The new advisory committee will have two campus representatives along with Vice Chair Russ, Chair Horwitz and Vice Chair Cochran and a former registrar. The advisory committee will offer recommendations not policy, but Director Osmundson stressed that the Senate on each campus will make decisions about online courses and the direction for online education.

Director Osmundson described the rubric created by the instructional design and faculty support group to help faculty with the evaluation of their courses from the perspective of DEI. UCEP has received a set of documents that includes background information on how the dimensions in the rubric were identified and suggestions for how to use the rubric. In the past, UCEP discussed having a document that could be used across the campuses so committees on courses or UGCs had responses to the same set of questions, but this was not created since campuses were devising their own questionnaires. Elements of the DEI rubric could be added to the campus evaluation forms.

Chair Lynch asked how long UC Online courses are offered and Director Osmundson explained that requirements of receiving funding is that the course has to be offered a minimum of five times during the academic year (three times per year at semester campuses) and be open to cross campus enrollment. Approximately 500 courses are part of the UC Online catalog including courses designed and developed using UC Online funds as well as those funded by the campuses. Of the

\$76M in funding UC has received from the state over the past ten years, 48% of that money has been used for course development. When the initiative started in 2012-2013, fewer than twelve students took courses at other UC campuses and in the 2020-2021 academic year (excluding summer) over 4k students took cross campus courses. From 2013-2014 through 2021, the number of students enrolled in UC Online courses grew from 5k in the first year to 17k students in the second, to over 120k in 2021. The agreement UC Online has with the campus registrars prohibits the program from accessing student demographic information.

**Discussion:** Students are only permitted to take one course at another campus in an academic year but they are able to simultaneously take an online course at their home campus. Director Osmundson hopes that UC Online provides more seats in more courses during the academic year and offers high quality learning experiences that give students the opportunity to interact in quality ways with faculty and other students.

## **VII. Report on the UC Online Advisory Committee Meeting**

- *Kadee Russ, UCEP Vice Chair and Advisory Committee Member*

The UC Online Advisory Committee came about following the systemwide review of the report on restructuring the ILTI and it is the successor to the ILTI Steering Committee. The Advisory Committee has more Senate representation than the previous committee as it includes the chair and vice chair of the Senate and the vice chair of UCEP. The other representatives are faculty who were heavily involved with online instruction and campus administrators who support online instruction. The members are very concerned about quality. It is not yet clear how the Advisory Committee's input will be used.

Yvette Gullatt, the Vice Provost for GUEA, ran the first Advisory Committee on January 31<sup>st</sup> but someone else will be enlisted to facilitate future meetings. The restructuring report discussed hiring a faculty director for UC Online but this has been postponed because of budget concerns. There is some confusion about the provision in the governor's budget about increasing the use of online courses, but the Advisory Committee believes that the requirement is to double the number of student credit hours generated through undergraduate online courses by 2030 compared to a pre pandemic baseline. The Advisory Committee was also confused about what a UC Online designated course is and the committee would like to see the demographics of the students making the most use of these courses.

UC Online is already funding the development of online minors including one in Education and one in Native American Studies, even though the Senate has not yet approved an online degree program. Vice Chair Russ remarked on the importance of UCEP developing the criteria for evaluating OUDPs. There is an open question about whether an online minor would constitute a degree program on par with a major and, if it does, this would be the first undergraduate degree program in the system. UC Online has shifted to giving block grants to campuses, which UCEP supported, but the concern is that on some campuses these monies are not distributed through the colleges in the same model as other funding for academic units. This funding often goes through Centers for Teaching and Learning instead of through regular campus planning processes that support integration and long term department and program planning by the deans. One issue is that the funding UC Online provides is not tracked at the campus level and deans on the campuses have no idea how this money is distributed into their academic departments. This situation should be addressed before the dollar amounts grow even larger, and the lack of transparency is concerning.

**Discussion:** Information about how many students complete the UC Online courses is needed. Vice Chair Russ noted that other concerns are related to the sustainability of funding for faculty and teaching assistants and the need to formalize policies for updating courses.

### **VIII. Update on UCEP's Review of the Natural Reserve System California Ecology and Conservation Systemwide Field Course**

The UCI and UCSB representatives were assigned to handle the seven year review of the Natural Reserve System's California Ecology and Conservation (NRS CEC) systemwide field course. The reviewers indicated that the CEC course is a great immersion course that gives students access to natural park resources unique to California. The materials provided to UCEP for the review raised additional questions for the director and coordinator of the course. The questions include: how many applications they get from each campus; how many students from each campus are enrolled; how the fellowship funds are distributed by campus; how admissions decisions are made; and how are decisions made about who is admitted if the course is oversubscribed.

The CEC course is an expensive program and fundraising efforts are critical to ensuring that lots of students have access, but the reviewers want more details about their ongoing fundraising efforts. The course requires that students are in good standing and have at least a 2.5 grade point average (GPA), but reviewers are not sure if the GPA requirement is permitted. Another question is whether the amount of time Unit 18 lecturers spend in the field is permitted by the lecturers' contract. Finally, the reviewers would like information about the CEC's training on sexual harassment and about how sexual harassment and sexual assault in the field is handled. Reportedly, there is a significant problem with sexual assault and harassment in Ecology and one study showed that 20% of field scientists had experienced assault while in the field and 66% reported harassment.

The goal is to complete the review of the course no later than UCEP's June meeting and Chair Lynch would like the reviewers to update the committee in March.

### **IX. Member Items/New Business**

There were no Member Items or New Business.

### **X. Executive Session**

There was no Executive Session.

Videoconference adjourned at: 1:45 PM  
Minutes prepared by: Brenda Abrams  
Attest: Mary Lynch