

**Minutes of Videoconference Meeting
April 6, 2021**

Present: Sean Malloy (Chair, Merced); Kathleen McGarry (Vice Chair, Los Angeles); Holly Doremus (Berkeley); Bruno Nachtergaele (Davis); Alyssa Brewer (Alternate, Irvine); Tim Groeling (Los Angeles); Patricia LiWang (Merced); Katherine Kinney (Riverside); Kwai Ng (San Diego); Doug Steigerwald (Santa Barbara), Dard Neuman (Santa Cruz); Jennifer Grandis (San Francisco); Jazz Kiang (Graduate Student, Los Angeles); Bailey Henderson (Undergraduate Student, Berkeley); David Brownstone (TFIR); Eleanor Kaufman (Chair, TF-ANR); Mary Gauvain (Chair, Academic Senate); Robert Horwitz (Vice Chair, Academic Senate); David Alcocer (AVP); Seija Virtanen (Associate Director, SGR); Stefani Leto (Analyst)

I. Consent Calendar and Announcements

1. Approve the April 6, 2021 agenda and the minutes of the March 2, 2021 UCPB meeting

Action: UCPB approved the consent calendar

The Regents plan to discuss cohort tuition at the May meeting.

II. Update on SSGPDPs

- *Kathleen McGarry, Vice Chair*

Vice Chair McGarry reported that the Self Supporting Graduate Professional Degree Programs (SSGPDP) subcommittee continues investigating the financial and educational impacts of SSGPDPs on undergraduate education. The subcommittee is preparing a written policy regarding program changes and creating a list noting when self-supporting programs need to return to UCPB and CCGA for approval of changes. The subcommittee hopes to prepare a report for their parent committees by the end of the year.

III. Consultation with Senate Leadership

- *Mary Gauvain, Academic Senate Chair*
- *Robert Horwitz, Academic Senate Vice Chair*

Chair Gauvain and Vice Chair Horwitz reported that the Regents meeting included a report by Provost Brown and Vice President Brown on the economic impact of the UC on California, which was well-received.

The Feasibility Study Working Group is evaluating the possibility of using the Smarter Balanced Assessment as a replacement instrument for the SAT/ACT in admissions after the Regents suspended their use.

Senate leadership wants to survey UC instructors about their experiences with remote instruction. The Senate will distribute the draft survey to committees for feedback before it is circulated to campuses later this spring.

Senate leadership is working with the administration to develop systemwide guidance for campuses about fall reopening. Leadership emphasize that faculty should have a significant voice in planning. Areas of concern include the range of possible class formats; the need to open research and performance spaces on a faster timeline than classrooms; and operational issues such as the enforcement of mask and/or distancing requirements. Faculty should not play an ad hoc role in enforcement. A vaccine mandate is likely, and the Fall Capacity Reopening Group is expected to issue a statement in support of a mandate. Student vaccine compliance would be managed through blocks on class registration; faculty and staff mandates are a more difficult issue and involve medical privacy.

Council discussed affiliations between UC Health and hospitals that have religion-based restrictions on health care, at the last two meetings. It is unclear whether the Regents will take up the issue at the May meeting. Council will vote on the previous Council resolution at its next meeting.

A large data breach of file transfer software Accellion affected the University of California and many other institutions. It revealed weaknesses in University data protection. UC leadership urge all employees to participate in a free credit monitoring service offered by Experian, and to take other measures to secure their own and their beneficiaries' credit. Senate leadership is encouraging the administration to provide detailed and step-by-step instructions for engaging with personal data protection services.

The University and Senate continue to discuss Chegg, CourseHero, and other online study guide-type websites which facilitate cheating through uploads of faculty-written material such as tests as well as providing live help to students. Concerns regarding their effect on academic freedom and intellectual property rights continue. The Office of General Counsel is in discussions with Chegg management about these issues.

The University is offering employees a new, fossil-free fund as an option in the 403B plan.

Discussion:

- It was noted that websites that facilitate cheating will diminish the value of UC degrees. Student contributions of material to websites such as Chegg and CourseHero make legal action challenging, but working to make removing faculty-created content from the sites an automated process would help safeguard intellectual property. a UCPB member noted that currently, Chegg requires a separate request for removal of each item; he recounted that he had provided extra credit for some students to make those requests. It was noted that Chegg is cooperating with academic dishonesty investigations, but the University will have to work with more websites like these into the future.

IV. Budget Consultation with UCOP

- *David Alcocer, Associate Vice President, Budget Analysis & Planning*

- *Kieran Flaherty, Associate Vice President and Director, State Governmental Relations*
- *Seija Virtanen, Associate Director, State Budget Relations*

Associate Director Virtanen reported that the legislature held budget hearings on the University's budget in March to discuss the 3% increase to the University's budget proposed by the Governor in January. Hearings will resume in May. The Governor has proposed five conditions for the full restoration of the University's budget: no tuition increase in 2021-22 (which the University had already planned); an increase in online course offerings by 10% over 2018-19's level; the development of a plan to close graduation gaps by 2025; the development of a dual admission plan for community college students; and the alignment of UC curriculum with employer requirements. None of the Governor's proposals include targeted funding. The state Senate opposes the proposal for increased online courses. The current dual admission plan was previously tried by the Regents and was unsuccessful.

State Government Relations staff continue to address the State Assembly Chair's proposal to limit percentages of non-resident students, ostensibly to preserve seats for California residents. Campuses currently over the 18% nonresident enrollment limit would be limited to 18%. Approximately 15% of UC's core budget currently comes from non-resident student tuition (NRST). Even the most limited of the proposals would create real cuts to campuses, for example, \$36 million would be cut from UC Berkeley should their non-resident student numbers be capped, even if the State fully funds replacement in-state students.

The University plans to request additional one-time infrastructure funding from the State, as revenue projections continue to increase. Such requests will require Regental approval.

In addition, the University hopes to receive Federal funds through President Biden's infrastructure plan UCOP is preparing a list of projects based on the Integrated Capital Asset Management Program's (ICAMP) priority rankings for quick initiation, should it receive such funding.

- A committee member asked whether the Assembly Chair knows of plans to replace funds lost from NRST, noting that during the last financial crisis, the Legislature encouraged the University to admit non-resident students as a source of funding.
- A concern was raised that the current increased numbers of applicants to UC, possibly due to the removal of the standardized testing requirement, will lead to greater absolute numbers of California students denied admission. This may, in turn, increase legislators' desire to manage the University's admissions processes. Legislators appear to believe that the University will manage to continue high-quality instruction through efficiency and efforts despite cuts to the NRST-funded budget.
- It was noted that Senator Scott Wiener's proposed legislation, Senate Bill 379, the Equitable and Inclusive UC Healthcare Act, would prohibit UC from affiliating with healthcare systems that include policy-based restrictions on care. The University has taken a "concerned" position on the bill, and urged people to focus on changing the religious-based restrictions themselves, rather than legislating against the University.

V. Campus Updates

Davis is reviewing a program designed to provide equitable access to textbooks through a flat fee to the book store, to determine if it is workable, equitable, and serves educational goals.

UC Irvine plans a two percent budget cut for the fall. Auxiliaries are at 40% capacity, rather than the zero percent expected. Hiring of new faculty remains slow.

Los Angeles will receive \$1.5 in PAC-12 funds as a result of their men's basketball team's strong performance in the 2021 NCAA tournament. The campus continues to plan for in-person instruction for fall 2021, including triple-occupancy dormitories. IT plans call for more centralization, with a "hub and spoke" design, while budget committee members have countered with proposals to preserve some local IT capacity. The budget committee has had four meetings and there are three proposals regarding faculty salaries, off scale salaries are only used for advancement and the campus created a blue ribbon panel to address the issue. A response to the Moreno Report is forthcoming.

Merced needs to enroll an ever-increasing number of students to pay campus debt, which cannot be refinanced due to an agreement providing fixed interest on the mortgage to the builder. Graduate student enrollment has been restricted, even if a unit has grant money. The changeover to the Oracle financial system has been problematic, although a new approach appears to provide improvements. Fall semester instruction should be fully in-person.

Riverside's Planning and Budget Committee continues to examine how cuts were implemented across campus and how any increased funds will flow back to affected units. The administration anticipates an eight percent cut over the next two years, without clarity about the use of any increased funding. The campus continues to discuss the deployment of one-time funds. Faculty and administration are working to identify any roadblocks facing students as they return to campus, including challenges around mental health and academic preparation.

Santa Barbara's budget committee's main goal is to develop a plan to eliminate structural budget deficits by beginning a careful discussion of revenues by source and how the campus can increase them.

Santa Cruz continues to plan for possible in-person instruction in fall, 2021. Faculty believe that at least partial continuance of remote meetings will help increase options for campus Senate service.

San Diego has found that the administration is quick to disseminate information regarding budget cuts, but restoration of funds is not met with the same level of communication. The campus is experiencing challenges implementing a change in their financial system, with specific challenges to users' ability to learn a new system online, as well as a hard transition without overlap of old and new systems. Faculty want online learning options to remain as long as possible for international and out-of-state students who may not have the ability to return to campus, even though planning continues for a return to in-person teaching. Graduate student housing costs have increased between 40-70%. The campus wants to house 50% of students, and has built additional housing, but paying for additional construction requires raising rents, to a much higher extent than normal because earlier increases were deferred. Students were not informed of this change early

enough to decline admission, and the campus has promised to grandfather students on the housing wait list at the old housing costs. Students entering after September will pay more.

The Task Force on Investment and Retirement's (TFIR) representative to UCPB reported that TFIR spoke with the CIO, and the Investment Office does not plan to change portfolio weights, which are currently \$9b in short term bonds and \$1b in cash. The task force has ongoing concerns regarding the tool provided to help faculty and staff choose between pension and savings choice plans. A decision so complex requires expert advice, and TFIR has called on the administration to provide free financial counseling for faculty and staff making the choice. There is a low cost fossil free fund available that is general, compared to other, targeted 403b funds.

The undergraduate student representative updated UCPB on continued efforts to increase Pell Grants and oppose cohort tuition plans. Students oppose cohort tuition and maintain that tuition increases should not be routinized.

- A member suggested that UCPB take up the issue of indirect cost recovery. The complex issue could benefit from consultation with the Research and Innovation office and the Office of the Chief Financial Officer at an upcoming UCPB meeting.

VI. TF-ANR Update

Chair Malloy provided an update on the Task Force on Agriculture and Natural Resources (TF-ANR), which met in March and discussed the longstanding question of the appropriate parent committee for the task force should be. Near the beginning of this year, Senate leadership asked to speed up the timeline for decisions regarding the task force, including an option to sunset it completely.

TF-ANR Chair Kaufman noted ongoing discussions with the Governing Council and ANR VP Humiston, and gave a brief update on the work of the AES/non-AES integration working group. She reported on the directions provided by Senate leadership to ANR: to discuss whether UCPB wants to keep the task force; a following directive to reflect on what the task force has accomplished overseeing ANR's budget since its move to UCPB; and finally a request to detail how the task force works with the ANR Governing Council.

Since the task force's charter was written before the inception of the Governing Council, Chair Malloy requested input regarding whether it needed rewriting. Feedback from UCPB members is requested prior to the upcoming TF-ANR meeting with leadership, and hopes are that the meeting will address leadership's concerns. Task force leadership welcomes this discussion with leadership and their interest in the task force. All UCPB members present supported continuation of TF-ANR as a task force reporting to UCPB. Chair Malloy will prepare a summary of UCPB's position for the upcoming April meeting.

VI. Systemwide Senate Review Items for Optional Comment; SSGPDP proposals

The following actions were taken:

1. Professor Newman will determine if UCPB will comment on the Proposed Presidential Policy on Classification of Gifts and Sponsored Awards
2. Chair Malloy will review the Presidential policy on Native American Cultural Affiliation and Repatriation (v. 3) to determine if UCPB will respond
3. Professor Ng will determine if UCPB will respond to the Proposed Revision to Senate Regulation 610 (Defining Residency)
4. Professor Grandis will review the Proposed Revisions to Presidential Policy: UC Health Participation in Activities under the End of Life Option Act
5. Professor LiWang agreed to review UCSF Master's of Science (MS) Degree Program in Health Data Science (MiHDaS) for the May UCPB meeting.

The meeting adjourned at 2:31 pm
Prepared by Stefani Leto, Analyst
Attest, Sean Malloy, Chair