Dear Susan,

As you requested, I distributed for systemwide Senate review the proposed revised Presidential Policy on UC Seismic Safety. Eight Academic Senate divisions (UCB, UCD, UCI, UCLA, UCM, UCR, UCSD, UCSB) and one systemwide committee (UCFW) submitted comments. These comments were discussed at Academic Council’s July 22, 2020 meeting and are attached for your reference.

We understand that the revisions update the Policy to better align with current California Building Standards Code requirements for new building constructions, and existing building retrofits, renovations, and repairs; they also clarify policy requirements and move some implementation procedures and content to the UC Seismic Program Guidelines.

Senate reviewers made several recommendations for additional clarifications, which we encourage you to consider and incorporate into the final version of the Policy. First, the Policy should acknowledge the need for campuses to implement regular seismic awareness education programs and training protocols that prepare students, staff, and faculty to respond to seismic events. In addition, individual reviewers with scholarly expertise in seismic issues recommend that UC significantly reduce the time that people are allowed to use UC facilities with Seismic Performance Ratings on the lower end of the scale, given the growing likelihood of a major seismic event within ten years. Also, the Policy should address potential conflict of interest by clarifying that outside experts who advise UC on seismic work or on seismic standards should not be affiliated with, or have a financial interest in, companies who would ultimately bid for the work.

Finally, some Council members, while recognizing the importance of seismic safety, wondered out-loud if UC is holding itself to higher seismic standards than strictly necessary.

Thank you for the opportunity to opine. Please do not hesitate to contact me if you have additional questions.

Sincerely,
Kum-Kum Bhavnani, Chair  
Academic Council  
cc: Capital Programs Design and Construction Director Friedman  
    Academic Council  
    Senate Directors
KUM-KUM BHAVNANI  
Chair, Academic Council

Subject: Comments on the Proposed Revised Presidential Policy, UC Seismic Safety, UC-CR-17-0324

Dear Kum-Kum,

On behalf of DIVCO, the Berkeley Division endorses the proposed revised Presidential Policy, UC Seismic Safety, UC-CR-17-0324, informed by the report of the Committee on Academic Planning and Resource Allocation (CAPRA). DIVCO endorsed the report, which is appended in its entirety, and supports the proposed policy revisions.

Thank you for the opportunity to comment. If you have any questions, please don’t hesitate to contact me.

Sincerely,

Oliver O’Reilly  
Chair, Berkeley Division of the Academic Senate  
Professor of Mechanical Engineering

Enclosure

cc: Jennifer Johnson-Hanks, Vice Chair, Berkeley Division of the Academic Senate  
Paul Fine, Committee on Academic Planning and Resource Allocation  
Jocelyn Surla Banaria, Executive Director, Berkeley Division of the Academic Senate  
Deborah Dobin, Senate Analyst, Committee on Academic Planning and Resource Allocation
June 17, 2020

PROFESSOR OLIVER O'REILLY  
Chair, Berkeley Division of the Academic Senate

Re: CAPRA comments on proposed revised Presidential Policy on UC Seismic Safety

I have had the opportunity to review the proposed revised Presidential Policy on UC Seismic Safety, and the document was sent to members for review. CAPRA did not discuss the policy, as the committee's last regular meeting was in early May and its summer meetings have focused on the campus' response to the COVID-19 pandemic.

CAPRA endorses the revised policy without comment.

Thank you for asking CAPRA to comment.

With best regards,

Paul Fine, Chair  
Committee on Academic Planning and Resource Allocation
July 16, 2020

Kum-Kum Bhavnani  
Chair, Academic Council

RE: Proposed Revised Presidential Policy on UC Seismic Safety

Dear Kum-Kum:

The proposed revised Presidential Policy on UC Seismic Safety was forwarded to all standing committees of the Davis Division of the Academic Senate. The Committee on Planning and Budget (CPB) responded.

CPB offers one recommendation and one comment: “First, since language about emergency response plans is being removed, information about emergency response plans should be easily accessible elsewhere (e.g., online). Second, CPB wonders how this policy will affect UC’s seismic expenditures, and wonders if it is still affordable for UC to require stricter seismic standards than California requires. Such a discussion is likely outside the scope of this policy, but CPB believes it is important to discuss.”

The Davis Division appreciates the opportunity to comment.

Sincerely,

Kristin H. Lagattuta, Ph.D.  
Chair, Davis Division of the Academic Senate  
Professor, Department of Psychology and Center for Mind and Brain

Enclosed: Davis Division Committee Responses

c: Hilary Baxter, Executive Director, Systemwide Academic Senate  
   Michael LaBriola, Assistant Director, Systemwide Academic Senate  
   Edwin M. Arevalo, Executive Director, Davis Division of the Academic Senate
Kristin Lagattuta  
Chair, Davis Division of the Academic Senate

RE: Proposed Revised Presidential Policy, UC Seismic Safety

The Committee on Planning and Budget (CPB) reviewed the proposed revised Presidential Policy on UC Seismic Safety. CPB supports the revisions and offers two comments. First, since language about emergency response plans is being removed, information about emergency response plans should be easily accessible elsewhere (e.g., online). Second, CPB wonders how this policy will affect UC’s seismic expenditures, and wonders if it is still affordable for UC to require stricter seismic standards than California requires. Such a discussion is likely outside the scope of this policy, but CPB believes it is important to discuss.
June 17, 2020

KUM-KUM BHAVNANI
CHAIR, ACADEMIC COUNCIL

RE: PROPOSED REVISED PRESIDENTIAL POLICY ON SEISMIC SAFETY

The Irvine Division Council on Faculty Welfare, Diversity, and Academic Freedom and the Cabinet reviewed the Proposed Revised Presidential Policy on Seismic Safety.

The Irvine Division does not wish to opine on this issue. We appreciate the opportunity to review the proposal.

Sincerely,

James Steintrager, Chair
Academic Senate, Irvine Division

C: Hilary Baxter, Executive Director, Academic Senate
    Jeff Barrett, Chair Elect-Secretary, Irvine Division
    Kate Brigman, Executive Director, Irvine Division
    Gina Anzivino, Assistant Director, Irvine Division
June 23, 2020

Kum-Kum Bhavnani
Chair, UC Academic Council

Re: Proposed Revised Presidential Policy, UC Seismic Safety

Dear Chair Bhavnani,

Thank you for providing the Los Angeles Division with the opportunity to comment on the Proposed Revised Presidential Policy on UC Seismic Safety. Distributed to the committees of UCLA’s Academic Senate, the Executive Board discussed the proposed revised policy at its June 11, 2020 meeting. Members are supportive of the revised proposal.

As is our custom, we have included the statements from Senate committees that chose to opine.

Thank you again for the opportunity to comment on this important proposal. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Michael Meranze
Chair, UCLA Academic Senate

Cc: Hilary Baxter, Executive Director, Systemwide Academic Senate
    Joseph Bristow, Immediate Past Chair, UCLA Academic Senate
    April de Stefano, Executive Director, UCLA Academic Senate
    Mary Gauvain, Vice Chair, Systemwide Academic Senate
    Michael LaBriola, Assistant Director, Systemwide Academic Senate
    Shane White, Vice Chair/Chair Elect, UCLA Academic Senate
June 4, 2020

Michael Meranze, Chair
Academic Senate

Re: Systemwide Senate Review of the Revised Presidential Policy on UC Seismic Safety

Dear Professor Meranze,

At its June 1, 2020 meeting, the Council on Planning and Budget (CPB) reviewed the Proposed Revised Presidential Policy on UC Seismic Safety.

Although members commented that the changes were mostly editorial, one member raised a concern regarding the last paragraph on page 7 on the document: “The Program shall also include plans for a funding plan and schedule for all abatement and rehabilitation retrofit as needed for projects above and below the threshold for inclusion in the Capital Financial Plan. The Responsible Official shall incorporate any related capital costs into the Capital Financial Plan, as applicable. Facilities with SPRs of V, VI, or VII reflect conditions that need to be addressed. These facilities must be given high priority in campus capital planning and allocation decisions.” It is unclear whether this is a technical change or a policy change and where in the list of campus priorities these issues might rank.

Thank you for the opportunity to review and comment on the proposed revisions to the policy. If you have any questions for us, please do not hesitate to contact me at mcgarry@ucla.edu or via the Council’s analyst, Elizabeth Feller, at efeller@senate.ucla.edu or x62470.

Sincerely,

Kathleen McGarry, Chair
Council on Planning and Budget

cc: Joseph Bristow, Immediate Past Chair, Academic Senate
April de Stefano, Executive Director, Academic Senate
Elizabeth Feller, Analyst, Council on Planning and Budget
Shane White, Vice Chair/Chair-Elect, Academic Senate
Members of the Council on Planning and Budget
June 5, 2020

To: Michael Meranze, Chair, UCLA Academic Senate

From: Tzung Hsiai, Chair, Faculty Welfare Committee

Re: Proposed Revised Presidential Policy on UC Seismic Safety

At its meeting on June 2, 2020, the Faculty Welfare Committee reviewed and discussed the Proposed Revised Presidential Policy on UC Seismic Safety. Committee members expressed general support for the policy, and offered the following comments.

Members wondered how the current budget crisis resulting from the COVID-19 pandemic may affect planned and ongoing campus projects. Members also noted the importance of disseminating information about earthquake safety to members of our campus community.

Thank you for the opportunity to review and comment. If you have any questions, please contact us via the Faculty Welfare Committee’s interim analyst, Aileen Liu, at aliu@senate.ucla.edu.

cc: Shane White, Vice Chair/Chair Elect, Academic Senate
Joseph Bristow, Immediate Past Chair, Academic Senate
April de Stefano, Executive Director, Academic Senate
Aileen Liu, Interim Committee Analyst, Faculty Welfare Committee
Annie Speights, Committee Analyst, Faculty Welfare Committee
May 27, 2020

To: Michael Meranze, Chair, UCLA Academic Senate

From: Adriana Galván, Chair, Undergraduate Council

Re: Proposed Revised Presidential Policy on UC Seismic Safety

At its meeting on May 22, 2020, the Undergraduate Council reviewed and discussed the Proposed Revised Presidential Policy on UC Seismic Safety. Council members expressed general support for the policy, and have no additional comments.

If you have any questions, please contact us via the Undergraduate Council’s analyst, Aileen Liu, at aliu@senate.ucla.edu.

cc: Shane White, Vice Chair/Chair Elect, Academic Senate
Joseph Bristow, Immediate Past Chair, Academic Senate
April de Stefano, Executive Director, Academic Senate
Lené Levy-Storms, Vice Chair, Undergraduate Council
Aileen Liu, Committee Analyst, Undergraduate Council
June 12, 2020

To: Kum-Kum Bhavnani, Chair, Academic Council

Re: Review of Proposed Revised Presidential Policy on UC Seismic Safety, UC-CR-17-0324

Dear Chair Bhavnani:

The Proposed Revisions to Presidential Policy, UC Seismic Safety Policy, were distributed for review and comment to the UC Merced Senate Committee for Academic Planning and Resource Allocation (CAPRA), Faculty Welfare and Academic Freedom (FWAF) and to the School Executive Committees.¹

The purpose of this Policy states that it is to “provide an acceptable level of earthquake safety for students, employees, and the public who occupy University Facilities located in California.” At the June 3 Divisional Council meeting, a member of Council noted that a definition of an acceptable level of earthquake safety might be useful.

CAPRA² pointed out that mitigation of seismic safety issues should not be the only concern of construction, facilities, and maintenance, since other needs are more pressing at UC Merced and also speak to the issue of campuses fulfilling their mission. The committee’s memo is appended.

The Merced Division thanks you for the opportunity to opine.

Sincerely,

Tom Hansford
Chair, Divisional Council

CC: Divisional Council
Hilary Baxter, Executive Director, Systemwide Academic Senate
Fatima Paul, Executive Director, Merced Senate Office

Encl (1)

¹ FWAF and the School Executive Committees declined to comment.
² Memo is appended
CAPRA reviewed the proposed revisions to the UC Seismic Safety Policy. We have no comments on the revised policy. However, we do wish to point out that mitigation of seismic safety issues should not be the only concern of construction, facilities, and maintenance, since other needs are more pressing at UC Merced and also speak to the issue of campuses fulfilling their mission.

We appreciate the opportunity to opine.
June 24, 2020

Kum-Kum Bhavnani, Chair, Academic Council
1111 Franklin Street, 12th Floor
Oakland, CA 94607-5200

RE: [Systemwide Review] Proposed Revised Policy: UC Seismic Safety

Dear Kum-Kum,

The UCR Senate is pleased to provide the attached package of standing committee feedback on this proposed revised presidential policy on seismic safety. While I will refrain from reiterating the contents of the attached memos, I should emphasize that the Executive Council discussion paid close attention to the insights of the Chair of the Committee on Faculty Welfare, Abhijit Ghosh (Associate Professor of Geophysics Earth & Planetary Sciences). Prof. Ghosh happens to be an internationally recognized scholarly expert on earthquakes, and Executive Council engaged him in a detailed discussion of the potentially disastrous shortcomings of the proposed revised policy.

Prof. Ghosh stressed that a major element is missing from the proposed revised policy: a planning and pedagogical protocol for addressing and guiding on-the-ground human responses to seismic events. Engaging students, staff, and faculty in training and preparation for earthquakes can be a relatively inexpensive undertaking, and Executive Council agrees with Prof. Ghosh that the UC system must prioritize such institutional work. Put simply, What should we tell students/faculty/staff to do when the ground starts shaking?

Executive Council also stresses Prof. Ghosh’s reminder that the UCR campus is the closest of any in the UC system to the San Andreas fault. Further, according to the best earthquake research, our area is at least 12 years overdue for a major quake. Thus, it is not feasible for the proposed policy to allow 10 years between building assessments. In fact, this would be dangerous.

The UCR Division happily and urgently transmits this alarmed consultation to the UC Senate and UCOP and looks forward to a significant response.

Sincerely yours,

Dylan Rodríguez
Professor of Media & Cultural Studies and Chair of the Riverside Division

CC: Michael Labriola, Assistant Director of the Academic Senate
    Hilary Baxter, Executive Director of the Academic Senate
    Cherysa Cortez, Executive Director of UCR Academic Senate Office
June 12, 2020

To: Dylan Rodriguez  
Riverside Division Academic Senate

From: Abhijit Ghosh, Chair  
Committee on Faculty Welfare

Re: Proposed Revised Policy on UC Seismic Safety

The Committee of Faculty Welfare (CFW) discussed the University of California Seismic Safety policy on May 12, 2020. The CFW welcomes the updates of the technical seismic engineering standards.

The updated policy, however, completely ignores the human component of seismic safety. During shaking due to an earthquake, even if a building remains standing, how people in that building react to the shaking can determine the human casualties. For example, if hundreds of students in a large lecture hall start running to exit the room during shaking, it may cause a stampede even though the structure remains undamaged. This document should be augmented by incorporating regular seismic awareness programs for all campuses and/or facilities. For example, just like a fire drill, an annual earthquake drill can be made mandatory. This is particularly important given that we live truly in an earthquake country.

The policy indicates that facilities with Seismic Performance Rating (SPR) of V, VI, or VII can be occupied 10 more years (till December 31, 2030), with provisions for extension of that time period. Allowing students and employees to use known seismically weak and outrightly dangerous facilities seems too risky given that a magnitude ~8 earthquake in California is overdue. In other words, we are expecting a large damaging earthquake at any time now. The CFW understands that some time would be required to seismically retrofit the facilities or make alternative arrangements, but it recommends significantly expediting the process and reducing the time period (10 years) people are allowed to use facilities with SPR of V, VI, or VII.

Moving SPR to facility manual is fine, but the CFW recommends keeping it here as well in the form of an appendix for quick reference. In addition, adding a weblink to the facility manual in this document for easy access would be helpful.
Planning & Budget

May 19, 2020

To: Dylan Rodriguez, Chair
Riverside Division

From: Harry Tom, Chair
Committee on Planning and Budget

Re: [Systemwide Review] Proposed Revised Policy: UC Seismic Safety

Planning & Budget (P&B) reviewed the proposed revised policy on UC Seismic Safety at their May 19, 2020 meeting. P&B did not identify any financial impacts and was supportive of the revised policy.
June 11, 2020

To: Dylan Rodríguez, Chair
    Riverside Division

From: Sally Ness
    Chair, Committee on Physical Resources Planning

Re: Systemwide Review: Proposed Revised Policy: UC Seismic Safety

The Committee on Physical Resources Planning reviewed the Systemwide Review: Proposed Revised Policy: UC Seismic Safety at their June 11, 2020 meeting and is supportive of the revised policy and does not have any further comments.
June 9, 2020

Professor Kum-Kum Bhavnani
Chair, Academic Senate
University of California
1111 Franklin Street, 12th Floor
Oakland, CA 94607

Re: UC Seismic Safety Presidential Policy

Dear Professor Bhavnani:

The proposed revisions to the UC Seismic Safety Presidential Policy were circulated to Divisional standing Senate committees for review. A response was received from the Committee on Campus & Community Environment (CCCE). The proposed revisions and committee response were discussed at the Divisional Senate Council meeting on June 1, 2020. Senate Council unanimously endorsed the revisions to the UC Seismic Safety Presidential Policy.

Sincerely,

Maripat Corr, Chair
San Diego Divisional Academic Senate

Cc: Steven Constable, Vice Chair, San Diego Divisional Academic Senate
Ray Rodriguez, Director, San Diego Divisional Academic Senate
Hilary Baxter, Executive Director, Systemwide Academic Senate
July 17, 2020

To: Kum-Kum Bhavnani, Chair
   Academic Council

From: Henning Bohn, Chair
       Santa Barbara Division

Re: Proposed Revisions to Presidential Policy, UC Seismic Safety Policy, UC-CR-17-0324

The Santa Barbara Division delegated to its Council on Planning and Budget and Committee on Research Policy and Procedures the review of the proposed revisions to the UC Seismic Safety Policy.

The Council on Planning & Budget (CPB) noted that the proposed revisions 1) move policy implementation procedures to the UC Facilities Manual, 2) update the technical seismic engineering standards to reflect current California Building Code, and 3) reorganize sections for clarity. The revisions also clarify that all retrofit and abatement projects require a funding plan and schedule, including incorporation into the Capital Financial Plan when applicable. Upon discussing these revisions, CPB had no objections to the proposed changes.

While the Committee on Research Policy and Procedures (CRPP) did not find significant problems with the proposed revisions, members expressed that they lacked the appropriate background to provide a detailed critique of the policy. Notably, members were unsure how the policy would apply to buildings on the UCSB campus. Concern was also expressed regarding how the economic impacts of the current pandemic will affect plans and budgets for retrofitting. Members were surprised that a UC faculty member who is also a California-licensed structural, civil, or geotechnical engineer can be hired for various roles and recommended the use of evaluators/assessors who are unaffiliated with the University. The committee also asserted that UC Seismic Policy efforts should include a risk or emergency communication plan for UC administrators, faculty, students, and staff; it was noted that the UCOP website contains a section for Systemwide Crisis and Emergency Management, but lacks an active link to the communications plan referenced therein.

I wish to add two notes of concern as divisional chair. First, there is a troubling inconsistency between the two lead paragraphs of the policy text in Section III. Whereas the first paragraph calls for an acceptable level of safety and for weighing the probability and gravity of potential injury against practicality and cost of remediation, the second paragraph imposes absolute standards of seismic safety that must be met “notwithstanding any other provisions of this Policy” by December 2030. In effect, the second paragraph makes the first paragraph moot. The proposed policy would commit the University to meet ambitious safety standards regardless of cost, i.e., regardless of the damage that the mandated expenses may cause to the mission of the University. Given the
economic impacts of the current pandemic and the often extremely high cost of seismic retrofits, the University should carefully study the financial consequences prior to adopting this policy.

A second concern relates to the policy’s silence on possible conflicts of interest. Section II specifies that the Component Engineer of Record, the Consulting Structural Engineer, the Engineer of Record, and the Independent Seismic Peer Reviewer must not be UC employees (with the exception of faculty who are appropriately licensed). It should be made clear that outside experts who advise UC about the need for seismic work must not be affiliated with, or have a financial interest in, companies bidding for the work or working as contractors. Similarly, UC should ensure that outside experts who advise UC on policies setting seismic standards (notably, members of the UC Seismic Advisory Board) are not affiliated with or have a financial interest in companies involved in seismic work generated by the standards they helped develop.
KUM-KUM BHAVNANI, CHAIR
ACADEMIC COUNCIL

RE: Proposed Revised Presidential Policy on UC Seismic Safety

Dear Kum-Kum,

The University Committee on Faculty Welfare (UCFW) discussed the University of California Seismic Safety policy on July 10, 2020. UCFW members welcome these updates of the technical seismic engineering standards.

The updated policy, however, completely ignores the human component of seismic safety. During shaking due to an earthquake, even if a building remains standing, how people in that building react to the shaking can determine the occurrence and the severity of human casualties. For example, if hundreds of students in a large lecture hall start running toward the exit during shaking, it may cause a stampede even though the structure remains undamaged. This document should be augmented by incorporating regular seismic awareness programs for all campuses and/or facilities. For example, just like a fire drill, an annual earthquake drill could be made mandatory. This is particularly important given that most UC campuses are located in areas where earthquakes risks are very high.

The proposed policy indicates that facilities with Seismic Performance Rating (SPR) of V, VI, or VII can be occupied 10 more years (till December 31, 2030), with provisions for extension of that time period. Allowing students and employees to use known seismically weak and clearly dangerous facilities seems too risky given that a magnitude ~8 earthquake in California is overdue. UCFW members understand that some time would be required to seismically retrofit the facilities or make alternative arrangements, but we recommend significantly expediting the process and reducing the time period (10 years) people are allowed to use facilities with SPR of V, VI, or VII.

Including SPR in the facility manual is fine, but the UCFW recommends keeping it here as well in the form of an appendix for quick reference. In addition, adding a weblink to the facility manual in this document for easy access would be helpful.

Thank you for helping advance our shared goals.

Sincerely,

Jean-Daniel Saphores, UCFW Chair