

Remarks to the UC Board of Regents

January 2022

Robert Horwitz, Chair of the Academic Senate

Thank you, Chair Estolano, and good morning Regents. The topic of the day on the campuses, not surprisingly, is the return to remote instruction. It is a big blow to faculty and students. At my home campus, UC San Diego, 93% of winter quarter courses were scheduled to be taught in-person. Now, faculty face the difficulty of teaching remotely for 4 weeks, then shift to in-person instruction – but with the uncertainty that things could change yet again.

I can tell you that it is hard to adjust one's pedagogy and change teaching modalities in mid-stream. It's far more work to plan a course this way, and little guarantee that hybrid pedagogy will succeed. I think my campus has done the right thing in allowing instructors to elect to stay remote for the entire quarter without having to obtain additional permissions from the Administration or Senate committees.

At the same time, any decision to remain remote wears on students, many of whom are drained and mentally exhausted by the nearly two years of the pandemic and remote instruction. Some are talking about dropping out for the quarter.

Faculty, soldiering on, are tired... as everyone is. I remind you all that UC faculty have no sick days. We have no substitute teachers, except friends and colleagues we can call on for a favor. We alone are responsible for our classes. Those with young children are particularly frayed. Let me share part of an email from a faculty member that came my way recently. This professor writes:

COVID cases are going through the roof in our city. This is being felt acutely in our children's schools, which resumed classes this Monday. In just over four days, the situation is chaotic.

Many of us, faculty, lecturers, staff and grads, have kids and are experiencing this new wave with a great deal of uncertainty and anxiety. We are in panic mode. We don't know when we will get an email saying that we have to quarantine due to a close contact and need to re-arrange our whole lives overnight, without any support. The level of uncertainty is simply unsustainable...

With this in mind, I would like to ask you to understand we simply cannot proceed with business as usual. The University has failed miserably over the whole pandemic in terms of providing support to folks with families. I know the Department's hands are tied in many ways. But many of us are at a breaking point and we need help.

I honestly don't know exactly what is feasible to do in practical terms. Perhaps, as a community we could create a pool of volunteers willing to sub for a class or a section

if someone suddenly needs it due to quarantines, is scrambling to re-arrange everything due to a close contact, or needs to find a test... (end quote)

The effort at community self-help is laudable, but it does not seem sustainable. We hope that Omicron fades quickly, as many of our epidemiologists predict. But there surely will be more variants, and we will likely face another surge next winter. We need to begin to change the horizon of our planning for these eventualities.

And, in my view, we need to extend to faculty and to UCOP administration and staff the same understanding that faculty have been asked to extend to students. There is an accelerating dynamic of expectations and additional work on faculty and on UCOP, which has been made worse during the pandemic. Everyone implores faculty to be understanding and cut some slack for our emotionally exhausted students; I would suggest that Regents and Legislators might consider doing similarly for faculty, administrators, and staff who have kept this institution running during very challenging times.

Let me convey what the Academic Senate has been doing since I spoke to you last.

1. Faculty Representative Cochran and I spoke to the Regents Committee on Innovation, Tech Transfer and Entrepreneurship last month. The Senate applauds Regent efforts to make it easier for faculty and students to pursue translational research and to file patents. Senate leadership testified that existing faculty personnel processes already take patent and entrepreneurial activity into account in tenure and promotion, and there is no need to rewrite the Academic Personnel Manual. Two key Senate committees – Academic Personnel and Research Policy – have independently come to the same conclusion. The Senate’s executive body, the Academic Council, will discuss the committees’ reports next week and will forward our formal recommendation to the Regents soon thereafter.

2. Senate leadership meets regularly with ECAS Senior Vice President Alex Bustamante. I’m happy to report that we have come to a meeting of minds that it is more effective if ECAS offers concrete help to faculty on their compliance reporting obligations rather than adopting the sometimes admonishing tone that had been used in the past. VP Bustamante came to Academic Council to describe the new approach. Council was pleased. And at the meeting, he was asked if ECAS could ensure the process whereby UC medical staff and trainees at the affiliated religious hospitals are able to file complaints without censure, retribution, or risk to their careers – probably some kind of whistleblower mechanism. Vice-president Bustamante said that ECAS would do so.

3. Because of inflation, retiree pensions are losing purchasing power. Last year the UCRP COLA increase was 2% but inflation is now running at 7%. A relatively small set of retirees who retired before 1988-89 are at risk of having their pensions drop below 75% of their purchasing

power starting point. We have asked UCOP to institute another COLA, and President Drake has indicated there will be movement on this front.

4. I have spoken to you of the faculty's frustration over the theft of their intellectual property by the external student tutoring services such as Chegg, Course Hero, and the like, and those business' leveraging of faculty lectures, course syllabi, exams, and paper prompts to facilitate student dishonesty. The Senate has asked for help here and frankly we've been disappointed.

In a recent moment of delicious, if also awful, irony, and no small amount of Schadenfreude on the part of the Senate, Chegg was sued by some of its investors. They allege that Chegg's rosy business projections were premised on the unacknowledged fact that students rely on its services to cheat. This fall's return to in-person instruction prompted a decline in the use of Chegg's services, and revenues dropped accordingly. The investors felt cheated. Think how faculty feel. We have asked OGC if the University can join the lawsuit in some fashion and, on another front, help create an automated take-down request system for stolen intellectual property.

Those who put hopes in online instruction and online degrees as ways to expand access to the UC should take note of the Chegg matter. There are all kinds of difficult issues to resolve regarding online instruction, but until we solve this one – the academic integrity problem that is deeply embedded in the modality – it seems unwise to bank on online education as a way to increase enrollments and expand access to the UC. If we cannot guarantee the integrity of online pedagogy, we are weakening and cheapening the UC "brand" (a term I normally decline to use). We will be shortchanging the people of California, who expect that a UC degree is of the highest quality and trust us to bestow degrees that reflect that.

5. Finally, I wish to take a moment to speak about the future. The pandemic has now dragged on for two years. Where there are standardized measures of academic achievement, evidence is emerging that students have suffered substantial learning loss. These losses do not have uniform impact; they are more burdensome for those children who are already disadvantaged. Estimates suggest that remote education operated at around 30-50% efficiency for K-12 students during school closures. We need to be prepared going forward to provide both our current students, who likely suffered similar challenges, and our future students the resources they will need to be successful at the UC and beyond.

I join the salute to Provost Brown and Regent Lansing.

Thank you for the opportunity to speak with you today.