

ACADEMIC COUNCIL ANNUAL REPORT 2013-14

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The Academic Council is the executive committee of the Assembly of the Academic Senate. It acts on behalf of the Assembly on non-legislative matters, advises the President on behalf of the Assembly, and has the continuing responsibility through its committee structure to investigate and report to the Assembly on matters of Universitywide concern. The Academic Council held eleven regular meetings and several additional teleconferences during the 2013-14 year to consider multiple initiatives, proposals, and reports. Its final recommendations and reports can be found on the [Academic Senate website](#). Matters of particular import for the year include:

THE NEW UC PRESIDENT

President Janet Napolitano, who took office on September 30, joined most Council meetings to exchange views with Council members about a range of topics, including the University budget, transfer admission, diversity and campus climate, health care and benefits, and alternative revenue sources for the university. The President also spent a portion of each meeting updating Council on the progress of her own initiatives. On the whole, these dialogues were fruitful, informative, and candid, although there were also some challenges associated with helping the new president learn about shared governance as a core value that sustains the university. At the beginning of her term, the systemwide Senate office gave President Napolitano a [briefing booklet](#), which includes a primer on shared governance and a summary of the Senate's views on topics that were under active discussion at time, such as admissions, UCRP, total remuneration, graduate education, research, and budget rebenching.

BUDGETARY ISSUES

Monthly Briefings

Senior leaders from the Office of the Executive Vice President - Business Operations and the Office of Budget and Capital Resources joined President Napolitano and Provost Aimée Dorr regularly at Council meetings to provide high level updates about the progress of budget negotiations in Sacramento, UCRP funding, UC Path, the restructuring of UC's lease revenue bond debt, proposed performance outcome measures, the Governor's Innovative Grants Program, accountability reporting requirements, capital projects funding, enrollment planning, tuition policy, investment priorities, and other budget matters. Administrators briefed Council on their efforts to inform and educate legislators and Regents about UC's cost-saving initiatives, options for adjusting cost drivers and revenues, and the need for new revenue to maintain quality. A subset of Council members also participated in monthly budget briefing teleconferences for faculty and senior administrators hosted by Provost Dorr.

Recommendation to Borrow to Fund UCRP

In June, Council endorsed a [recommendation](#) from UCFW and its Task Force on Investment and Retirement (TFIR) to use a two-year internal borrowing mechanism to fund the Annual Required Contribution to UCRP to help ensure UCRP's long-term health. Council's letter to Executive Vice President Brostrom also expressed support for a borrowing plan proposed by the administration to

address UCRP's unfunded liability that was similar in concept to the TFIR recommendation. In July, the Regents approved the borrowing plan prepared by the administration.

Principles for Capital Outlay Program

In February, Council endorsed and forwarded to Executive Vice President Brostrom and Vice President Lenz a [letter](#) submitted by UCPB outlining principles that should guide the allocation of state general funds for capital projects funded under a new capital outlay process adopted in the 2013-14 state budget.

Enrollment Issues Work Group

The Senate Chair and Vice Chair and the chairs of BOARS and UCPB participated in a joint Senate-Administration Enrollment Issues Work Group which examined financial challenges associated with long-range enrollment planning and rebenching, as well as options related to the future of the referral guarantee and transfer admission.

FACULTY WELFARE ISSUES

Composite Benefit Rates

The Council leadership engaged the Office of the Chief Financial Officer (CFO) and other senior managers in ongoing discussions about Composite Benefit Rates (CBRs), various CBR models proposed by UCOP, and their impact on the availability of funds for sponsored research and graduate student support. These discussions culminated in an agreement reached at the May 7 Council of Chancellors meeting. Throughout the year, Senate leaders maintained that the rates originally proposed by UCOP would overcharge faculty summer salaries and grants, in part because UCRP contributions would be assessed against grants or contracts for compensation that is not covered by UCRP. Chair Jacob sent letters to President Napolitano in October and March expressing these concerns. The President responded by asking a joint Senate-Administration Advisory Group to model alternatives. The Advisory Group used data about employee categories, funding sources, and salary/benefits costs to build a model estimating how different CBR plans would shift costs across fund sources in relation to projected actual benefit costs for each, which helped illuminate a fuller range of possibilities for CBRs. The May agreement reflects much of what the Senate sought – more rates that account for a wider variety of employee types, separate rates for faculty on nine-month and summer salary, and added flexibility for campuses to determine the number of rates they use locally.

UC Care

Council discussed the implementation of UC Care, a new three-tiered “self-funded” Preferred Provider Organization (PPO) medical insurance plan for UC employees that was first offered during Open Enrollment for 2014. In October, Chair Jacob sent a [letter](#) to President Napolitano outlining concerns about a lack of Senate consultation in the development of UC Care as a replacement for some previously offered plans and about gaps in coverage under UC Care for employees at some campus locations and for faculty who regularly travel for extended periods of time for research. UCFW and its Health Care Task Force followed these issues closely, and will be monitoring the cost of UC Care and considering strategies for ensuring that the program provides equivalent options at all campuses in future years.

Total Remuneration Study

In July, Council reviewed an updated study of UC faculty total remuneration (the combined value of cash compensation, current health and welfare benefits, and retirement benefits) to assess UC's competitive position relative to the "Comparison 8" group of institutions. The study shows that the total remuneration position of UC faculty relative to faculty at the "Comparison 8" has declined since 2009, the time of the last study. Council members agreed that the results of the study should be disseminated widely and presented to the Regents and that the issue should be a high priority for the Senate next year.

GRADUATE EDUCATION ISSUES

Self-Supporting Programs Policy

The Academic Senate twice reviewed a set of proposed revisions to policies governing self-supporting graduate professional degree programs (SSGPDPs). Council forwarded Senate divisional and committee [comments](#) from the initial review to the Provost in February, and [additional comments](#) based on a new revision in July. Ultimately, Council endorsed the proposed revisions, despite serious misgivings that the proliferation of self-supporting programs risks undermining core academic programs and raising financial barriers to access to professional degree programs. Council's endorsement also rests on the understanding that CCGA will carefully document its reasons for finding that a "compelling case" has been made for each SSGPDP that it approves, and over time will derive principles and criteria from these case-by-case evaluations and codify them in its Handbook and other documents.

Professional Degree Supplemental Tuition Policy

The Senate reviewed a revised policy for proposing and approving Professional Degree Supplemental Tuition (PDST) and changes to PDST levels, and an accompanying set of Presidential Implementation Protocols for PDSTs. In February, Council sent the Provost [comments](#) from Senate divisions and committees and a letter requesting additional revisions. The letter reflects the substantive concerns expressed by reviewers about onerous reporting requirements, confusion about how to differentiate SSGPDP programs from programs eligible to charge PDST, and philosophical concerns about the impact of high-fee professional and self-supporting programs on access, diversity, and UC's public mission. A revised policy is expected to be distributed for systemwide review in fall 2014.

Doctoral Education Conference

On April 15, Vice Chair Gilly and Provost Dorr co-chaired a systemwide Doctoral Student Support Conference at UC Irvine that was organized in response to the Regents' request for actionable proposals and cost estimates for increasing the competitiveness of UC's financial support of doctoral graduate students. Conference participants expressed strong support for many ideas, including a proposal to eliminate nonresident supplemental tuition (NRST) charged to students in academic doctoral and MFA programs after the first year. Organizers intend to discuss the NRST issue and other proposals with the Regents in January 2015, after developing some of their operational components more fully and attaching a specific price tag to each.

Degree Approvals

Council approved a [Master of Applied Economics Degree at UC Los Angeles](#), and per Senate Bylaw 116.C, deferred to the Assembly the approval of a [Master of Finance \(MF\) degree at UC San Diego](#), and a [Master of Public Policy \(MPP\) degree at UC Riverside](#).

UNDERGRADUATE EDUCATION ISSUES

Innovative Learning Technology Initiative

The Office of the Provost and Senate leadership collaborated on the [Innovative Learning Technology Initiative](#) (ILTI), UC's program to use the \$10 million the Governor asked UC to set aside from its state budget allocation for online learning technologies. Provost Dorr briefed Council regularly about the use of the monies to fund the development of systemwide online courses by UC faculty and a cross-campus online enrollment "hub," as well as a plan to distribute unspent money to campuses to support local online education activities. Council also discussed divisional concerns about cross-campus enrollment related to student privacy, faculty academic freedom, and the allocation of teaching credit, and UCEP Chair Labor briefed Council on UCEP's draft guidelines for systemwide course approvals. ILTI is currently funding 39 systemwide online courses that are available for cross-campus enrollment. UCOP will release a second RFP in the fall to support an additional round of course development, and a \$10 million set-aside for ILTI activities is expected to continue into the foreseeable future.

Blue Ribbon Panel on the Online Instruction Pilot Project

Council endorsed and forwarded to the Provost the final report of the Blue Ribbon Panel on Evaluation of the Online Instruction Pilot Project (BRP) and a [response from UCEP](#) to the report. The BRP was a special Senate Committee charged with evaluating the commissioned assessment of the Online Instruction Pilot Project (OIPP) by the UC Educational Evaluation Center (UCEC) at UC Santa Barbara. UCEP endorsed the BRP's main findings, and its conclusion that the UCEC's evaluation report did not provide sufficient information about student performance and learning outcomes for an appropriate evaluation of the OIPP program, now known as UC Online Education (UCOE). Council also endorsed UCEP's recommendation that OIPP/UCOE be integrated into the Innovative Learning Technology Initiative (ILTI) and that ILTI be held to a higher standard than OIPP/UCOE for ongoing evaluation. At the end of the year, Council learned that the Provost had combined UCOE and ILTI into a single organization.

Letter to WASC about the Role of WASC at UC Irvine

At the request of UCEP, Council [forwarded](#) a letter about new mandated measures in the WASC accreditation process from the Irvine Division's Assessment Committee to the WASC Senior College Commission President. The letter expresses concern that some of WASC's new reporting requirements around retention and graduation rates and the "public good" are redundant with the information the university already compiles and submits through existing mechanisms and encroaches on the faculty's prerogative to determine what constitutes "quality" in a degree. It urges against a "one size fits all approach" to reporting for for-profit institutions, and institutions like UC.

ADMISSIONS ISSUES

Transfer Action Team

BOARS Chair Johnson co-chaired with Student Affairs Vice President Judy Sakaki a Transfer Action Team (TAT), charged by the President with recommending ways to streamline and strengthen the transfer path to UC for California Community College students, increase the transfer graduation rate, and expand UC's reach into a broader range of community colleges. The chairs of UCOPE and UCEP also served on the TAT. Chair Johnson and Vice President Sakaki presented the [final report](#) of the TAT to the Regents in May and also briefed Council about the recommendations on May 28.

Statement on the Importance of Writing at UC

Council endorsed and forwarded to President Napolitano a joint "[Statement on the Importance of Writing at the University of California](#)" authored by BOARS and UCOPE. The statement references the redesign of the SAT, including changes associated with its writing portion, and notes that UCOPE and BOARS would be assessing the role of the new Essay section in providing guidance about appropriate UC preparation and the evaluation of students applying for admission.

Other BOARS Items

In November, BOARS submitted a [report](#) to the Regents about the impact of the new freshman eligibility policy implemented for students entering the university in fall 2012 indicating that the changes have allowed campuses to select a group of students who are more diverse and better prepared academically. In July, Chair Jacob forwarded to President Napolitano a [BOARS Statement on the Redesigned SAT Test](#), indicating BOARS' decision to adopt the new SAT as an acceptable admissions exam for 2016 admissions, and to continue requiring the Essay section of the exam.

RESEARCH ISSUES

Challenges in Supporting Multi-campus Research

In July, Council endorsed a [letter](#) from Chair Jacob to President Napolitano expressing concern about the impact of budget cuts on several systemwide research programs overseen by the Office of Research and Graduate Studies (ORGS). The letter notes that the systemwide research budget has been cut disproportionately to other general cuts for UCOP, and asks UCOP to make a strategic, ongoing commitment to fund systemwide faculty-led research at predictable levels, through the Portfolio Review Group (PRG) process for recommending levels of support for systemwide/multi-campus research and involving robust consultation with faculty from all UC campuses and with relevant systemwide Senate committees to ensure that research priorities are grounded in principles.

Proposed Revisions to the Compendium

The Senate reviewed a set of proposed revisions to the *Universitywide Review Processes for Academic Programs, Academic Units and Research Units* (the "Compendium"). In June, Council sent a [letter](#) to the Provost summarizing Senate committee and divisional responses. The letter expresses support for the proposed changes to four of the five areas of the Compendium covered in the revision, but requests additional changes to Section V on "Research Units," to clarify the Senate's role in determining which Multicampus Research Program (MRP) proposals receive funding, as well as clearer definitions to clarify the relationship between MRPs and MRUs, describe how they may interact, and provide a rationale for each category of organized research.

Guidelines on University-Industry Relations

In July, Council sent a letter to the Provost [expressing concern](#) about UCOP's [decision](#) to rescind the 1989 Guidelines on University-Industry Relations, including Section 13, which barred the University from investing directly in companies that commercialize research and technology originating at UC. Council's letter notes that the latter is a substantive policy change with significant implications for faculty and that the Senate was not adequately consulted or invited to review the change, and that a set of proposed replacement guidelines are considerably narrower in scope and leave important issues unaddressed.

CAL ISI Reviews

UCORP led the Senate's efforts to analyze the external academic reviews of three California Institutes for Science and Innovation (Cal ISIs). Several divisions also participated in the review of one or more Cal ISIs. Council forwarded comments to the Provost and Vice President for Research and Graduate Studies on the external reviews of the [Center for Information Technology Research in the Interest of Society \(CITRIS\)](#); the [California Institute for Information Technology and Telecommunications \(CalIT2\)](#) , and the [California NanoSystems Institute \(CNSI\)](#) .

DIVERSITY ISSUES

Moreno Report

In October, President Napolitano tasked a special Administration-Senate working group to respond to a report from a panel headed by former California Supreme Court Justice Carlos Moreno, which addressed complaints of racial bias and discrimination affecting UCLA faculty. The Moreno Work Group was co-chaired by Chair Jacob and Provost Dorr and included several other Senate members: Vice Chair Gilly (ex officio), UCAP Chair Green, UCAAD member Nuru-Jeter, and UCPT Chair Lansman. Senate Executive Director Winnacker was also closely involved in efforts to research Senate and campus administrative structures for handling incidents and writing the Work Group's [final report](#). In that report, the Work Group endorses some of the Moreno Report's recommendations for addressing complaints and incidents of discriminatory behavior, including better recordkeeping systems and a central discrimination office on each campus that can serve as a gateway for complaints and that has authority to conduct investigations on a full range of issues affecting students, faculty, and staff. In response, President Napolitano issued a [letter](#) to chancellors requesting that they implement measures recommended in the Work Group report.

Faculty Salary Equity Study

UCAAD Chair Roxworthy and Vice Provost for Academic Personnel Carlson briefed Council on campus plans for implementing former President Yudof's mandate that campuses define a campus-based methodology for assessing salary equity on the basis of gender and ethnicity, conduct a study at least once before 2015, and develop remediation plans as necessary. At the request of UCAAD, Council sent President Napolitano a [letter](#) conveying UCAAD's concerns about a lack of local Senate involvement in the development of campus-based salary equity studies and/or remediation plans, and asking the President's help in communicating the importance of that involvement to campus leadership.

Proposed Outreach Program to HSIs and TCUs

Council [endorsed a proposed program](#) that is intended to increase the representation of Chicano/Latinos, American Indians, and Alaska Natives in UC graduate programs. The Hispanic

Serving Institutions (HSIs) & Tribal Colleges and Universities (TCUs) initiative was originally developed by former UCAAD Chair Manuela Martins-Green after Regent Fred Ruiz visited that committee and encouraged UCAAD to consider best practices for increasing faculty diversity.

UCAAD Recommendations for Local Diversity Committee Empowerment

At the request of UCAAD, Council sent a letter to Senate divisions asking them to review UCAAD's May 2005 best practice [recommendations](#) for increasing the visibility, authority, and status of local diversity committees. UCAAD is concerned that the recommendations have not been implemented to a sufficient degree on some campuses, and that diversity committees and concerns continue to be marginalized.

GOVERNANCE

Senate Bylaw 55

The Senate reviewed two versions of a San Diego division proposal to amend [Senate Bylaw 55](#) to explicitly permit the Senate members of an academic department to extend advisory voting rights on personnel cases to non-Senate faculty colleagues in that department. The proposal would require approval of the concept by the division, a two-thirds vote of the department's Senate faculty holding the rank of Associate Professor or above, with the non-Senate faculty votes reported separately to the Committee on Academic Personnel, and reconsideration of the privilege after a year if requested by a Senate member of the department. The amendment was intended to address equity and disenfranchisement issues arising from the large and growing number of non-Senate faculty on UC campuses, especially at the medical centers who support UC's teaching mission substantially, but lack the privileges and protections of Senate membership. Council voted not to endorse the amendment, in part because it became clear during the systemwide review that many departments already allow non-Senate faculty to cast advisory votes on personnel cases and report them separately to their CAPs. Instead, Council directed the Chair Jacob to issue a general letter to faculty indicating that the "advisory vote" mechanism is available, if the University Committee on Rules and Jurisdiction (UCRJ) agreed. UCRJ opined that the Senate Bylaws do not prohibit the solicitation and collection of non-Senate advisory votes as long as the mechanism is approved by the Senate members of the unit and the opinions are tabulated and submitted to the CAP separately from the Senate member vote. The chair's [letter](#) was issued in August.

Senate Bylaw 155 – University Committee on Computing and Communications

A year ago, Council recommended to the Assembly that the University Committee on Computing and Communications (UCCC) be disestablished and parts of its charge reassigned, due to a lack of clarity about its purpose; however, the Assembly instead asked the University Committee on Committees (UCOC) to update UCCC's bylaw (155) to render the committee more directly useful to the Senate and the university. In May, Council approved UCOC's proposed amendment to Bylaw 155 and charged UCOC with populating UCCC for 2014-15, with the understanding that the revised UCCC charge will be placed on the Assembly agenda for final approval next year. Chief Information Officer Andriola also joined Council to discuss the scope of issues on which he wishes to seek advice from a revitalized UCCC and/or other Senate committees.

OTHER BRIEFINGS

Communications Survey: In October, Director of Marketing Communications Jason Simon briefed Council on the results of a survey about perceptions of the University commissioned by UCOP's External Relations and Communications office, which found that both alumni and the general public view the University positively.

Robinson-Edley Report: In November, Associate Vice President of Communications Lynn Tierney briefed Council on a draft of a final report detailing campus implementation actions for the September 2012 "Robinson-Edley" review of policies and practices regarding the University's response to demonstrations and civil disobedience.

Graduation Indicators: In February, Vice President for Institutional Research and Academic Planning Pamela Brown joined Council to present an analysis requested by the Regents of the factors associated with bachelor degree completion and time-to-degree rates.

OTHER ISSUES

UC International Engagement Vision Statement

In July, Council endorsed and forwarded to President Napolitano a "[UC International Engagement Vision Statement](#)" authored by the University Committee on International Education. The goal of the Statement is to provide the administration with a clear, value-based framework for thinking about international engagement and developing new international initiatives.

UCAF's Public Records Act/Freedom of Information Act Toolkit

At the request of UCAF, Council forwarded to Senate divisions a "[toolkit](#)" of materials assembled by UCAF to help faculty respond to Public Records Act (PRA) and Freedom of Information Act (FOIA) requests. The toolkit originated at UCLA, but Council agreed the documents would be helpful to faculty on all campuses who face information requests about their research that sometimes include documents and other material that faculty have assumed could remain confidential.

REVIEW OF ADMINISTRATIVE PROPOSALS AND INITIATIVES

The Senate reviewed two formal policy proposals from the administration in addition to those recorded above. In June, Council [expressed support](#) for a set of proposed modifications and the four-year renewal of the Proposed Revised UC Policy on Supplement to Military Pay. Council also expressed [substantial concerns](#) about a set of proposed revisions to UC Policy on Copyright and Fair Use, noting that the policy eliminates the detailed guidance regarding the limits of "Fair Use" and the scope of instructor liability at the university contained in the 1986 policy.

REVIEW OF THE ACADEMIC PERSONNEL MANUAL (APM)

The Senate reviewed several proposed modifications to the Academic Personnel Manual. In February, Council [endorsed](#) a set of proposed revisions to APM 025 (Conflict of Commitment and Outside Activities of Faculty Members) and APM 670 (Health Sciences Compensation Plan); and the proposed new APM 671 (Conflict of Commitment and Outside Professional Activities of HSCP Participants). Council also [endorsed](#) a set of Proposed Revisions to the APM 600 series and

[requested](#) additional changes and clarifications to a set of proposed revisions to APM 035 and the President's Policy on Sexual Harassment and Sexual Violence. Finally, in June Council expressed [substantive concerns](#) about and requested a second round of review of a set of Proposed Revisions to Whistleblower Protection Policy and APM 190 Appendix A2.

SENATE POSITIONS ON STATE AND FEDERAL LEGISLATION

The Senate office sent comments about several bills to UCOP's Issues Management, Policy Analysis & Coordination unit. The position of the Senate on these bills was as follows:

- A Concerned position on SB, 1196 which would require UC to develop and annually report on five year plans to meet attainment goals to be developed by the Governor.
- A Support position on AB 2350, which seeks to increase the number of women in graduate-level academic programs by raising the awareness of pregnancy discrimination and by seeking to protect the rights, under federal Title IX standards, of pregnant graduate students.
- A Neutral position on SB 1200, which calls on UC to develop guidelines for high school computer science courses that satisfy the mathematics (area "c") requirement for UC admission.
- A Neutral position on AB 1764, which would authorize the governing board of a school district that requires more than two courses in mathematics for graduation to award a pupil up to one mathematics course credit for successfully completing an approved computer science course as long as it complies with UC's guidance on "a-g."
- An Oppose position on AB 1834, which would create collective bargaining rights for UC's graduate student researchers.

TASK FORCES AND SPECIAL COMMITTEES

Council members participated on the following task forces and special committees:

- Academic Planning Council
- Academic Planning Council Task Force on International Activities
- California Open Education Resources Council
- Chancellor Review Committees
- Enrollment Issues Work Group
- President's Sexual Violence and Sexual Assault Response Task Force
- Professional Degree Supplemental Tuition Working Group
- Regents Task Force on Divestment in Fossil Fuel
- Search Committee for a new Senate Executive Director
- Senate-Administration Work Group on the Moreno Report
- Total Remuneration Steering Committee
- Transfer Action Team
- UCSF and UCI Chancellor Search Committees

RELATIONS WITH OTHER GOVERNING BODIES

The Board of Regents: The Academic Council Chair and Vice Chair executed their roles as faculty representatives to the Regents throughout the year, acting in an advisory capacity on Regents' Standing Committees, and to the Committee of the Whole.

ICAS: The Senate Chair and Vice Chair and the chairs of BOARS, UCOPE, and UCEP attended meetings of the Intersegmental Committee of the Academic Senates (ICAS), which represents the faculty Senates of the three higher education segments.

ACKNOWLEDGEMENTS

We express our sincere gratitude to all members of the University of California Office of the President for their hard work and productive collaboration with the Academic Senate over the past year. In particular, we thank these senior UC managers who, as consultants to the Academic Council, were vital to our meetings: President Janet Napolitano; Provost and Executive Vice President Aimee Dorr; Executive Vice President-Business Operations Nathan Brostrom; Vice President-Budget and Capital Resources Patrick Lenz, and Vice Provost for Academic Personnel Susan Carlson

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Mary Gilly, Vice Chair

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Donald Mastronarde, CCGA
Emily Roxworthy, UCAAD
Harry Green, UCAP
Timothy Labor, UCEP
J. Daniel Hare, UCFW
Robert Clare, UCORP
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