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Academic *Senate*

WINTER NEWSLETTER 2008

GREETINGS FROM THE ACADEMIC SENATE:

Dear colleagues and friends,

It is time for the winter edition of the Academic Senate Newsletter for UCI. This issue contains a first report of the work of the Ad Hoc Committee on Shared Governance that Senate Chair Tim Bradley called together to follow up on some issues that had come up in the context of the Chemerinsky hiring and that seemed to have more general relevance for UCI, beyond the immediate implications for our nascent Law School. Another pressing issue is the question how budget cuts at the State level will affect the UC system and UCI in particular. And finally, several of our councils have written about the major issue/s they are currently working on.

Best wishes for a successful winter quarter and a good transition to spring!

Jutta Heckhausen
Chair Elect of the Academic Senate
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SENATE ELECTIONS OF OFFICERS AND COUNCIL MEMBERS

You should have received an e-mail on February 1 listing the candidates for Chair Elect, Council on Academic Personnel, and Committee on Committees. These candidates have been selected and vetted by the current membership of the Committee on Committees. The ballots will be distributed by e-mail to the all Senate members on March 3. Voting will be by electronic ballot using your UCI Net ID and password. Paper ballots can be provided by request. Questions can be addressed to senate@uci.edu.

DIFFICULT DECISIONS ABOUT BUDGET CUTS

As most of us have heard, the State of California is experiencing a budget crisis. In this overall crisis, the Governor is still trying to hold up the promises included in the Compact with the University of California. As a consequence, the Governor's proposed budget calls for funding the Compact with UC, and then takes that as a base for a 10% cut in funding. Since the budget was raised prior to being cut, this amounts to a cut of about 5% in UC's budget relative to last year (2007-2008). This is not the final word since the Legislature is responsible for passing the final budget. The Governor's budget does, however, provide the starting point for further discussion.

Possible mitigation of the cuts will most likely involve raising student fees. Similarly, the Regents might choose to admit fewer students, thereby reducing the University's costs. However, this would also result in losing the additional revenue from student fees.

Absent those fixes, the University's budget might have to be reduced by 5%. It is unclear how those cuts would be instituted. EVC & Provost Gottfredson has formed a Budget Work Group to advise him on how to make decisions about these budgetary cuts. This group includes the Chair and Chair Elect of the Academic Senate, the Chair of Planning and Budget as well one additional faculty member outside of the Administration, along with several administrators. The Budget Work Group will discuss general principles of budget cut priorities and the question of which areas should be fully or partially protected from the cuts.

The Office of the President has indicated that, in their opinion, three areas deserve to be protected from the budget cuts. These are 1) funding for further growth of Riverside and Merced campuses, 2) faculty and staff salary increases, and 3) funding for graduate students.

COMMITTEE ON SHARED GOVERNANCE

On October 9, 2007, the Senate Cabinet of UCI decided to put together an Ad Hoc Committee on Shared Governance, and asked Chair Bradley to select a set of members who would bring both administrative (ideally as a Dean) and Senate experience to the table. A specific issue to be addressed in detail was the administrative procedures used in the process of selecting and reviewing Deans. The Los Angeles Times published excerpts of a contract between the Bren Foundation and the higher administration of UCI that stated:

- **Donald Bren Grant Agreement 3.4**

As a courtesy, the UCI Chancellor together with the chair of the Law School dean search committee will, during the course of the current and future dean searches, periodically and confidentially consult with a Foundation representative regarding the status of the dean search including information on the background and qualifications of the leading candidates being considered by the search committee.

- **Donald Bren Master Endowment Agreement 10.3**

As a courtesy, UCI shall provide DBF with periodic reports on the selection process and the progress of the search. Such information shall be provided to DBF for information purposes only.

These consultations between the Bren Foundation and UCI about the selection of the Dean of the Law School, in the view of the Senate, seem to violate the principles of academic freedom. Accordingly, Chair Bradley stated in his letter to Chancellor Drake and EVC/Provost Gottfredson:

We feel that it is not appropriate for the Foundation or any donor to influence the hiring of academic personnel at the University. While the selection committee is free to seek the opinion of outside

experts during the selection and interview process, consultation with such individuals is predicated on their expertise in the field and their knowledge of the academic credentials of the candidate. It is inappropriate for an individual to assume that role on the basis of the financial considerations they have provided to the University.

Initial discussions with Chancellor Drake indicate that he views the contract between the Bren Foundation and UCI as worthy of revision.

The Ad Hoc Committee is now in the process of discussing some requirements and desiderata for procedures to be adhered to when Academic Deans are hired and reviewed. The Ad Hoc Committee will discuss these procedures with Chancellor Drake and EVC & Provost Gottfredson.

ACADEMIC ASSEMBLY RESOLUTION ON LIMITING UC'S ROLE IN MANUFACTURING NUCLEAR WEAPONS

At its January 30, 2008 meeting, the Assembly of the Academic Senate adopted, by an overwhelming majority, the following resolution to be submitted for consideration by President Robert C. Dynes and for presentation to The Regents:

RECITALS:

1. In 2003, Congress enacted legislation requiring that the federal contracts for the three University-managed National Laboratories, which had been managed continuously by the University of California since their beginnings some 50-65 years ago, be competed.
2. The 2004 Academic Senate faculty opinion survey showed strong faculty support for UC's efforts to compete for the Laboratories, however, the survey was conducted before it was learned that UC was surrendering a previously held right to terminate unilaterally its management of the Laboratories and was tying itself to contracts whereby the term could be unilaterally extended by Department of Energy/National Nuclear Security Administration (DOE/NNSA) for up to 20 years.
3. The production at Los Alamos of plutonium "pits," which are essential components of nuclear weapons, was originally introduced as a scientific and engineering pilot project to explore the potential for the development of pit production technologies.
4. The Los Alamos National Security Limited Liability Company, of which UC is a partner, has the prospect of becoming the nation's sole manufacturer of plutonium pits.

WHEREAS THE ACADEMIC SENATE:

- has grave concerns about UC's role in managing the Los Alamos National Laboratory under the current contract; and
- has learned that the Prime Contract for Los Alamos allows for the possibility of the DOE/NNSA increasing the number of plutonium "pits" to as many as the DOE/NNSA deems necessary, beyond any UC-imposed limits;

THEREFORE BE IT RESOLVED THAT:

1. The President, or the President's designee, should carefully monitor the level of production of plutonium pits at the labs, as well as any role of the labs in the oversight and management of such

production, and issue a report on the results of this monitoring on an annual basis to the Academic Senate; and

2. If the level of production of plutonium pits at the labs can not be accurately reported to the Academic Senate for any reason, UC should reassess its participation in the management of the pertinent labs; and
3. Should any National Laboratory managed by UC directly or through a lab-management partnership begin either to produce or to manage the production of plutonium pits for any purpose beyond current low levels, or for the purpose of nuclear warhead replacement or production, UC should reassess its participation in the management of that Laboratory.

REPORT FROM THE U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS

The U.S. Department of Education, Office for Civil Rights (OCR), has completed its investigation of the complaint against the University of California, Irvine. OCR investigated whether the University discriminated on the basis of national origin, in violation of Title VI of the Civil Rights Act of 1964. Title VI prohibits discrimination on the basis of national origin in federally assisted programs and activities. The complaints alleged that Jewish students at the University were subjected to harassment and a hostile environment based on their national origin. OCR concluded that there is insufficient evidence to support the complaint's allegation that the University failed to respond promptly and effectively to complaints by Jewish students that they were harassed and subjected to a hostile environment. Accordingly, OCR has closed this complaint.

NEWS FROM THE COUNCILS AND COMMITTEES

Council on Faculty Welfare

The Council on Faculty Welfare (CFW) has recently received the data Academic Personnel makes use of in its analysis of equity issues (available on the web at <http://www.ap.uci.edu/Equity/index.html>). We hope for a Cabinet level discussion of how the Senate should undertake its own analyses. We will meet with EVC & Provost Gottfredson and VP Killackey in mid-April to follow up with:

- Gender and Pay equity issues as well as
- the implementation of the new faculty salary scales and
- at a meeting CFW held last summer with various members of the Irvine Campus Housing Authority (ICHA) and the University Hills Homeowners Representative Board (HRB) to explore, with the central administration, ways to improve the management of the staff of the Sales Office and the responsiveness and transparency of ICHA as well as the logistics whereby would-be residents and actual residents of University Hills can find, move up to, or swap houses in the development.

We have made a recommendation, that the Cabinet has approved, that the Chancellor write an annual memo to the Deans and Chairs, reminding them of the rights of Emeriti Faculty and encouraging the support of those who remain professionally active with campus resources, including space.

We will be making recommendations to the Cabinet concerning the desirability of the administration's planning some on campus housing for retirees.

Council on Educational Policy

A responsibility of the Council on Educational Policy (CEP), working together with Graduate Council (GC) and the Academic Program Review Board (APRB), is to conduct reviews of Schools and of some programs. GC and CEP are responsible for drafting the charge relating to the external review committee as it relates to undergraduate education. It also reviews the report of the external committee, and reviews the responses of the Departments and Schools. We have so far reviewed School responses to external reviews in the School of Physical Sciences, the School of Humanities, and the School of Social Ecology. The School of Biological Sciences will be reviewed this spring.

This year, our primary considerations are the following.

1. Faculty must be involved in the reviews, including seeing the external reports before Departments and Schools send their responses. It would even be nice for faculty to see the documentation that is provided to the review committee. Let us always remember that undergraduate education is the responsibility of the faculty.
2. We should focus not on evaluating the quality of a program, but on how to improve it. And we should not view a primary purpose of the reviews to be justifications for new FTE. So, for example, rather than asking if students are taught well, we should ask what changes would make instruction better. Instead of asking how many more faculty a School needs, we might ask what courses should be added were the School to get more faculty.

Graduate Council

Graduate Council continues to explore ways in which to increase and optimize graduate student support. At its January 17th meeting, the Council met with Executive Vice Chancellor and Provost Michael Gottfredson to discuss this issue. The EVC & Provost described the challenges faced by the campus in increasing graduate student support especially in light of the current state budget situation, but also reaffirmed the campus's commitment to growth of graduate programs.

Graduate Council has submitted a proposal to establish a Campuswide Policy for Parental Accommodations for Research Doctoral Students. Graduate Division is already implementing the policy that allows research doctoral students, who are undergoing childbirth or coping with other serious parenting demands, additional time to meet established deadlines for passing preliminary and/or qualifying examinations and completing their dissertations. An additional policy, proposing that research doctoral students who are supported by teaching assistantships and/or graduate student research appointments and are expecting the birth or adoption of a child be excused from regular duties for a period of six weeks without loss of financial support, is currently under review.

The Academic Council has distributed their response to the Competitive Graduate Student Financial Support Advisory Committee's "Final Committee Report and Recommendations to the Provost." Links to their response and the Final Report are provided below:

"Final Committee Report and Recommendations to the Provost" from the Competitive Graduate Student Financial Support Advisory Committee:

<http://www.ucop.edu/sas/sfs/docs/gradcommittee2006.pdf>

Academic Council Response to the Report:

<http://www.universityofcalifornia.edu/senate/committees/council/gSac.report0806.pdf>

Council on Research, Computing and Libraries

In November and December, 2007, CORCL members unanimously and strongly approved the renewal of the campus center, Learning through the Arts and the establishment of an organized research unit, the Molecular and Mitochondrial Medicine and Genetics (MAMMAG). Currently, the review of the proposed MAMMAG ORU is being discussed by the Senate Cabinet. The Immigration, Population and Public Policy and the Spinal Cord Injury/Neural Regeneration (formally Reeve/Irvine) renewal reviews are ongoing and are currently in the hands of *ad hoc* internal committees. External reviewers' comments have already come in for Immigration. CORCL reviewers will discuss these renewals at a meeting over the next few months.

Council on Student Experience

In addition to receiving monthly updates from Student Affairs, The Teaching, Learning and Technology Center, and the Division of Undergraduate Education, CSE is addressing two student experience issues during Winter Quarter, 2008. First, CSE members have suggested to administrators involved in biking at UCI that a Masters or Ph.D student do a dissertation or thesis proposal on bike route plans on campus. This is an excellent project for a student as it is a cheap, efficient, and superior way to get the problem solved; the student proposal could be funded through UROP. Chief of Police, Paul Henisey, will bring this concept to Stacey Murrin, Steve White, and Paige Macias to see if the plan is feasible. Second, CSE invited Professor Jack Sklansky to present a proposal that would promote more polite and less heated "civil" discourse between students on campus. Once a formal proposal has been written and approved by CSE, it will be passed up to Cabinet.