

MINUTES

Regular Meeting of the Santa Cruz Division November 19, 2004

Meeting

A regular meeting of the Santa Cruz Division of the Academic Senate was held Friday, November 19, 2004 at the Colleges Nine and Ten Multipurpose Room. With Secretary Loisa Nygaard present and Don Potts serving as Parliamentarian in place of Steve Thorsett, Chair Alison Galloway called the meeting to order at 2:35 pm.

1. Approval of Draft Minutes

Chair Galloway asked if there were any changes to the minutes of May 21, 2004. Professor Yellin asked that this item be postponed, since he had had trouble accessing the minutes. Chair Galloway denied his request, stating that no one else had reported problems with accessing the minutes. As there were no requests for changes, the minutes were accepted as written.

Professor Bob Meister moved to change the order of business so that the CPB report and the resolution would come after the EVC's announcements. The motion was seconded, but failed to carry by voice vote.

2. Announcements

a) Chair Galloway

Chair Galloway opened by welcoming new faculty. She stated that while it is customary for the Senate Chair to begin the first meeting by outlining events anticipated in the new academic year, this time around, a great deal has already happened. This fall the Senate has already reviewed two major sets of documents: the draft essays for the Western Associations of Schools and Colleges (WASC) accreditation process, and the preliminary draft of the Long Range Development Plan (LRDP). She warmly thanked the Senate committees for their rapid turn-around of these materials and for their thoughtful comments. The anticipated draft Environmental Impact Report (EIR) will not be issued until September 2005 in order to allow for adequate faculty and student input. The responses to the WASC essays stimulated a serious discussion of the academic planning process on this campus. Interim CP/EVC Delaney has organized committees to work on academic planning and is also developing procedures for the planning process, which will come to the Senate for review.

This year, the Senate will address the issue of faculty compensation. It appears that UCSC salaries are the lowest in the entire UC system. Lower salaries coupled with rising health care costs, retirement changes, high housing costs, and increased parking fees make compensation a pressing issue at this time on campus. There is also intense faculty interest in the transformation of the Information Technology (IT) systems taking place on

campus. IT is an integral part of faculty research and teaching, and the Senate will be closely monitoring developments in this area.

Chair Galloway reiterated that the Senate has shifted to circulating the CALL and other documents electronically rather than relying on paper. This change is being made for both budgetary and environmental reasons. While it may inconvenience some faculty, it has advantages as well, in that it not only saves paper but also allows for lengthier, more descriptive reports and for a fuller range of Senate documents to be made publicly available.

b) Acting Chancellor Chemers

Acting Chancellor Chemers addressed five topics: traditional campus philanthropies (the United Way and Second Harvest); budget issues; developments at the Silicon Valley Center; the Patriot Act; and the Long Range Development Plan (LRDP).

The United Way informed him that the per capita donations of UCSC faculty are the highest in the UC system. The United Way chapter in Santa Cruz is rated one of the best in the state of California. This year, they have a special "Above and Beyond Campaign," designed to benefit the family homeless shelter. Any donations that UCSC faculty designate for this campaign will be tripled through private donors and other community foundations. Faculty were also encouraged to contribute to the Second Harvest food drive.

Acting Chancellor Chemers attended the National Association of State Universities and Colleges meeting which included a session for university chancellors and presidents on coping with the budget crunch. It is clear that all public universities in America are affected, some much worse than we are. Campuses are trying to gain efficiencies and capacity in business services through consolidation and increased use of technology. UCSC must streamline systems, and he asked everyone for their forbearance and cooperation during this transition.

For many years, UCSC has been working to develop the capacity to deliver research, teaching, and service in Silicon Valley. A year ago, UCSC won a contract from NASA to establish a research center at NASA Ames. This ten-year contract is worth \$330 million and is the largest ever received by any UC campus. We have already processed about \$20 million in task orders. Our research center -- under the direction of Vice Chancellor for Research Bob Miller -- received a 92%-level performance review by NASA, which is very good indeed. We hope to build on the success of the University Affiliated Research Center and to develop other facilities and programs in Silicon Valley that will ultimately benefit UCSC. All future plans and programs will be brought to the Senate for consultation.

Acting Chancellor Chemers discussed his response to the senate resolution on the PATRIOT Act passed at the May 21, 2004 meeting. His decision on how to fulfill the intent of the resolution was based on legal advice and his own personal judgment. Many of the provisions of the resolution were illegal. The chancellor was also asked to take

some actions for which he/she has no standing before the law. Acting Chancellor Chemers expressed grave concern about provisions that encourage the chancellor to invade the privacy of members of the university community by monitoring subpoenas or requests for information. He also expressed concern about the potential politicization of the campus by the resolution. It is against Article Nine of the California Constitution for the campus to act in a partisan/political way. It also sets a bad precedent to encourage the chancellor to speak on behalf of faculty regarding political issues. The Acting Chancellor met with the Senate Executive Committee to explain his position on the PATRIOT act resolution. He reached an agreement with the Committee on Faculty Welfare and the Committee on Academic Freedom about the crucial areas in which the chancellor needs to act to protect the members of this community. First, Acting Chancellor Chemers pledged to develop a system to monitor subpoenas and other requests for information which will be sensitive to those that are inappropriate because they ask for categorical information or make other vague demands. Only such subpoenas will be brought to his attention as Acting Chancellor, and he will use whatever appropriate and legal powers at his disposal to block them. This will be done in such a way, however, that he will not see all the other subpoenas that come to the campus. Secondly, he will monitor any attempts to suppress faculty research or publications. Thirdly, he promised to monitor visa problems experienced by current or incoming students and to report on them to the Senate. He also promised to report to the Senate on requests for information coming to the campus that he deemed inappropriate and on any attempts to suppress faculty publication or research.

Acting Chancellor Chemers' final topic of discussion was the LRDP. He stressed that the LRDP is a land use plan, not an academic plan. It addresses the physical, financial, and environmental impacts of potential growth. Actual growth targets are set by the campus through a regular academic planning process that includes extensive Senate consultation, and such targets are ultimately determined by the Office of the President and the Regents. The LRDP creates a window for possible campus growth and then assesses the impact of that growth. The projected enrollment number is a ceiling, not a target. A large number is chosen for two reasons. First, we do not want to underestimate the potential mitigations that might be necessary, nor do we want to kid ourselves about the financial and environmental costs of development. Secondly, we do not want to limit ourselves in terms of where our growth might go. If we do not develop a new LRDP in a timely fashion, we will be forced by default to continue using the 1988 LRDP plan which limits student enrollment at 15,000 and will have no more choices or opportunities for planned growth.

c) Interim Campus Provost/EVC Delaney

Interim CPEVC Delaney stated that just over eight months ago, she was asked on short notice to consider stepping into her current position as Interim Campus Provost. She accepted the position because in her years of working and living on the campus, she has come to value and appreciate the hallmark characteristics of UCSC. These include the vibrant intellectual community, the quality of new faculty, the commitment of our faculty to undergraduate education, and the outstanding success we have had in growing our

research and graduate programs. We also have a proven record of successful multidisciplinary and interdisciplinary research.

UCSC has experienced a \$23 million permanent base budget reduction over the last few years. Despite the budget cuts, there have been significant campus accomplishments. The NASA Ames Research Center has achieved tremendous success within a short time. Applications to UCSC continue to increase, and we have once again become selective with our freshman admissions, accepting 70% of the UC-eligible students who want to come here. Of our 2004 entering class, one third of those who responded are first-generation college students, the first in their families to attend college; one fifth are from low-income families. Graduate enrollments have increased at UCSC while system-wide they have declined. In the last ten years alone, 16 new graduate programs have been approved.

Not only do we face physical planning challenges, but we must also continue to sustain and enrich our academic excellence. The 2004-05 enrollment, including summer session, is expected to be about 14,525 students, of which approximately 9% are graduate students. The campus will soon reach the enrollment ceiling set in the previous LRDP plan of 15,000. Almost fifteen years ago, we made an agreement with the community that we would undertake additional environmental analysis before we grew beyond that number. The Office of the President's enrollment projections for UCSC in 2010 (using the 1999 enrollment plan) is 17,215, including state-funded summer enrollments.

So what does this mean for UCSC? One possible scenario that CP/EVC Delaney is discussing with Vice Chancellor Hernandez is to maintain frosh admissions at a relatively constant level while increasing the number of transfer students admitted. Accepting more transfer students would allow us to bring in students who are motivated and who can join upper-division courses where there is still a capacity. Transfer students succeed at the same rate as native UCSC students. On the graduate level, we anticipate real growth of approximately 20-25 newly admitted graduate students per year, resulting in total graduate growth (including continuing students) of approximately 100 students per year.

Discussions with the UC Office of the President indicate that we will receive funding for state-supported summer school over the next three years, including a buy-out of about 260 FTE in 2005. We now accommodate about 640 student FTE in the summer, of which this past summer only 81 were state-supported. By 2006-07, UCOP will have bought out about 600 summer FTE for us. This does not mean that we will go to full year-round operation for every department or program, and there are creative mechanisms available to deal with summer enrollment. But this does imply that some of our future budget allocations from UCOP, including faculty FTE, will be related to state-funded summer enrollments. The expectation is that UCOP will increasingly ask us to show how we are promoting the participation of ladder-rank faculty in state-funded summer instruction.

We are evolving from a small to a medium-sized research university, with all the growing pains that entails. State projections indicate that there will be an increase in the number of students who are prepared for admission to UC, and as a state-funded research institution, we have a moral responsibility to the people of California to provide them with the opportunity for a university education. We have established principles for academic program growth and development with different constituencies on campus. We have long argued as an institution that we need to grow strategically and with an academic vision, in ways that highlight what makes us unique and distinguished. The WASC accreditation process and the LRDP are two parts of the academic planning framework. The LRDP and the Environmental Impact Report (EIR) give us the legal authority to build and implement an academic plan. As UCSC continues to grow, we will need to balance the distribution of resources between faculty growth, graduate student support, instructional needs, research support, academic support staffing, and infrastructure needs.

3. Reports of the Representative to the Assembly (AS/SCP/1439 and AS/SCP/1441)

The reports were received without comment.

4. Special Orders: Annual Reports

CONSENT CALENDAR

Chair Galloway introduced the consent calendar, explaining that anyone wishing to pull a report from the consent calendar for discussion might do so. The Reports of the Committee on Academic Freedom and the Committee on Academic Personnel were pulled.

Items that remained on the consent calendar and were received without comment were the reports of: the Committee on Admissions and Financial Aid, the Committee on Affirmative Action and Diversity, the Committee on Computers and Telecommunications, the Committee on Education Abroad, the Committee on Educational Policy, the Committee on Emeriti Relations, the Committee on Faculty Welfare, the Graduate Council, the Committee on the Library, the Committee on Privilege and Tenure, and the Committee on Teaching.

Committee on Academic Freedom Annual Report (AS/SCP/1432)

Professor Joel Yellin remarked that he had been unable to attend the Spring Senate meeting and wanted to comment briefly on the PATRIOT Act Resolution. He expressed his appreciation for the reaction of the Acting Chancellor, stating that the latter had saved the university from potential public embarrassment. Professor Yellin remarked that the proposed PATRIOT Act Resolution was not only illegal under Article Nine of the state constitution, but also had considerable ethical and moral content in that put the university in the position of taking an explicit partisan political position which could have affected the internal operations of the campus, particularly in the area of academic personnel review. He also claimed that neither the introduction to the resolution nor the resolution itself was consistent with the actual content of the PATRIOT Act legislation.

CFW member Paul Ortiz spoke to Professor Yellin's comments. He stated that the Committee on Academic Freedom (CAF) and the Committee on Faculty Welfare (CFW) had jointly sponsored the resolution and had arranged for it to be vetted by a number of faculty and legal experts. Both committees met with Acting Chancellor Chemers this fall and were impressed with his immediate and positive response to the resolution. The Acting Chancellor supports the intent and spirit of the resolution and understands the significance of a resolution that was passed unanimously by the Senate. CAF and CFW will continue to monitor the implementation of the resolution and will meet with a new incoming chancellor to ensure its continuing implementation. Professor Ortiz disagreed with Professor Yellin's characterization of the resolution and stated that the focus was not on politics but rather on the issue of academic freedom.

Committee on Academic Personnel Annual Report (AS/SCP/1434)

Professor Joel Yellin commented on the statement in the CAP Report that it would be helpful if in department letters gave explanations for negative votes or abstentions. Professor Yellin observed that this desire for information is inconsistent with the provisions in the rules of order for secret ballots. The rules of order also say that abstentions cannot be reported. Former CAP member Barry Bowman stated that departmental letters often supply no information as to why no-votes occurred. CAP was simply asking for additional information on no-votes to the extent that it is available. Sometimes departmental letters state that no reason was given for negative votes, and that is fine. But CAP suspects that such reasons were at times part of the discussion of the case, and in those instances the views of those voting "no" not only can but should be incorporated into the letter.

Professor Bowman also noted that the report shows that, out of 252 cases, there were 40 disagreements with the Administration. For most of these 40 cases, CAP recommended an increase that was not approved by the Administration.

Professor Bowman then went into the issue of faculty compensation at UCSC. According to an AAUP study, UCSC ranks at the bottom of the pay scales at all levels, Assistant, Associate, and Full Professor. A very detailed study by UC Davis showed that, even after extracting professional schools from the calculations, UCSC has the lowest salaries in the UC system, and the situation has been getting worse over the past several years. A second concern is that junior faculty are being hired, often with few or no publications and sometimes without degrees, at salaries that are significantly higher than those for some full professors. This, coupled with the denial of small additional merit sums by the administration, is causing a serious morale problem among senior faculty.

5. Reports of Special Committees (none)

6. Reports of Standing Committees

a. Committee on Committees:

Additional Nominations 2004-05 (AS/SCP/1447)

The Committee on Committee's slate of additional nominations, with the following addition, was approved by voice vote:

Committee on Planning and Budget: Karen Ottemann (fall quarter)

Dean McHenry Award (AS/SCP/1410)

COC Chair Carol Freeman explained that for the last six years, the University of California Academic Senate has asked each campus for a nominee for the Oliver Johnson Award for Distinguished Service in the Academic Senate. Whether or not our nominee wins the UC-wide award, she or he receives the Dean McHenry Award for distinguished leadership in the UCSC Academic Senate. The winner of the award this year is Professor Carolyn Martin Shaw, whose nomination was greeted with enthusiasm and approved by acclamation.

b. Committee on Planning and Budget (2003-04)

Report on the Strategic Futures Committee/Long Range Development Plan Process and the Future of Enrollment Growth at UCSC (AS/SCP/1430)

Former CPB member Susan Gillman stated that the main gist of the report is to call attention to the need for campus planning. A campus-wide plan would help us determine an acceptable level for growth and provide a framework for future development.

c. Committee on Faculty Welfare – Oral Report on Housing

CFW Chair Roger Anderson stated that more housing will be necessary if the campus is to continue to attract faculty. Projected housing needs assume that 2/3 of incoming faculty will want on-campus housing and that a certain amount will go to non-senate faculty and staff. Assuming we do grow to 21,000 students by 2020, the projected demand is for an additional 330 units. Faculty housing as sited in the draft LRDP requires a north loop road. The funding for this major infrastructure project is not identified, throwing into serious question the financial feasibility of building more housing. It is important that any new housing be phased in rather than sold all at once, so that units will be available to meet ongoing demand.

7. Report of Student Union Assembly Chair (none)

8. Report of the Graduate Student Association President

Kai Pommerenke stated that the GSA appreciates the efforts made by VCR and Graduate Dean Miller and others to raise external funds to compensate for the increase in graduate student fees. GSA representatives had a productive meeting with Acting Chancellor Chemers which alleviated some of their concerns about caps to health-care benefits. Graduate students are still concerned about the proposed extension of parking enforcement hours on campus that will diminish their ability to work in the evenings. There appears to be ambivalence on the part of the university about the status of graduate students working as graduate student researchers over the summer. They fall into a legal limbo and are considered neither graduate students nor staff. They are not, for example, eligible for bus passes. Another ongoing problem is that graduate students are unable to afford to live on campus, which is evidenced by the fact that undergraduate students occupy spaces in graduate housing. Kai thanked the faculty for their continuing support of graduate student issues.

9. Petitions of Students (none)

10. Unfinished Business (none)

11. University and Faculty Welfare (none)

12. New Business

a. Resolution Submitted by Professor Bob Meister (AS/SCP/1446)

Professor Bob Meister introduced a list of co-endorsers or co-sponsors of the resolution. He moved the resolution, which was then seconded. He next made a formal motion for a substitute resolution that incorporated revised language he had received from a number of senators. Chair Galloway read the proposed substitute resolution:

RESOLUTION:

WHEREAS, the most recent academic planning exercise did not yield either a prioritized set of campus academic plans or criteria for evaluating divisional plans in light of campuswide programmatic needs and financial constraints, and

WHEREAS, rapid growth in enrollments over the past six years in the absence of such academic plans has led to highly unfavorable trends in infrastructure (as measured by CPEC standards) and the graduate-to-undergraduate student ratio, and

WHEREAS, the absence of such academic plans makes it difficult to assess the extent to which growth beyond 15,000 students will amplify or ameliorate these unfavorable trends, and

WHEREAS, the comments by Senate Committees on the draft LRDP Report and the final SFC Report have raised serious concerns about the adoption of a 21,000 student enrollment cap by the administration, and

WHEREAS, this decision was made during a hiatus in campus leadership that is expected to end with the appointment of a new Chancellor, and

WHEREAS, it is unwise for the campus to go forward with a new enrollment cap prior to the appointment of a new Chancellor who may prefer a number higher or lower than 21,000, based on completion of our academic planning process,

THEREFORE BE IT RESOLVED, that the UCSC Division of the Academic Senate

RECOMMENDS that adoption of any increase in the campus enrollment cap be delayed until such time as appropriate Senate committees have reached agreement with the incoming campus administration about the planning conditions (programmatic, infrastructural, and environmental) under which growth beyond the present cap would improve the quality of the campus as a whole, and

INSTRUCTS the Chair and Vice-Chair of the Division to inform the Acting Chancellor and Interim CP/EVC in writing of the Senate's recommendation, and to report their

response to the Division as an agenda item for discussion and possible action at its next regular meeting.

Professor Meister stressed that his resolution is not anti-growth but neither is it necessarily pro-growth. Whether UCSC gets better or worse by growing larger depends on how effectively we use new undergraduate enrollments to build programs that will attract non-state funding. This in turn will allow us to improve the balance between graduates and undergraduates as well as the campus infrastructure. In the absence of solid academic planning, the previous burst of campus growth that started in 1999 did not move us any closer to fulfilling our announced long-term objectives, such as increasing the percentage of graduate enrollment. So whereas other campuses may have benefited from enrollment growth because plans were in place for program development, this campus suffered dramatically. For example, UCSC in this period fell even further behind other UC campuses in the ratio of available facilities to need.

Professor Meister noted that the Senate in its response to the proposed LRDP raised some serious concerns about the plan. Passing this resolution, he declared, would make it clear to the campus administration that they have proceeded with the LRDP over Senate objections and would communicate the Senate's conviction that enrollment should not be further increased until there is a plan for growth.

Speaking for the Resolution

Onuttom Narayan	Helene Moglen	Ronnie Lipschutz
Roz Spafford	David Swanger	Liam Welcher, SUA rep
Susan Gillman		

Points raised for the Resolution

The Student Union Assembly (SUA) voted to support the resolution in its original form and supports the idea of providing a viable, low-cost public education to as many students as possible. SUA did not take issue with the number 21,000 but did object to the manner of consultation because, as the official body representing undergraduates, the SUA should have been consulted in a decision of this magnitude.

Passing this resolution would allow for the kind of Senate consultation that is necessary. The resolution stresses the need for academic planning before growth occurs. The current 10-year plans do not appear to have the status of an overall academic plan. Over the past 15 years, the kind of academic planning necessary to guide growth simply did not take place.

There are not sufficient courses for the first-year students we have now. Teaching has become more difficult, and students face new obstacles to their own learning. We may be producing more graduates, but we need to look at the quality of the education students are receiving and at our own commitment to undergraduate education. The resolution will help ensure that teaching and educational conditions will improve as we grow. We need to put planning in the forefront, not enrollment numbers.

Speaking Against the Resolution

Paul Koch	John Isbister	Manuel Pastor
Geoffrey Pullum	Bill Doyle	Kathy Foley

Points raised against the Resolution

Several senators agreed with Professor Meister's historical analysis but did not accept the conclusions he drew from it or support the resolution he proposed. Many universities without an academic plan have achieved greatness, and they are all larger than UCSC. Bigger campuses have greater resource flexibility and can weather financial hard times with less damage to their core mission.

The resolution states there is a hiatus in leadership, which is not true. Interim CP/EVC Delaney, it was reported, once looked a group of faculty in the eye and said firmly, "We are all interim." Waiting for permanent leadership before deciding on a campus plan would be a very bad idea.

We must also think about how this resolution will be interpreted off campus, especially system-wide and by the legislators. UCSC has a responsibility to move forward and provide access to a University education for future students. Current population pressures require that UCSC increase future enrollments; we need to plan for that now or possibly risk having resources withheld.

Professor Helene Moglen made a motion, which was seconded, to amend the resolution by deleting the modifier "incoming" before the word "administration."

The amended resolution was approved as a substitute for AS/SCP/1446 by voice vote.

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WHEREAS, the absence of such academic plans makes it difficult to assess the extent to which growth beyond 15,000 students will amplify or ameliorate these unfavorable trends, and

WHEREAS, the comments by Senate Committees on the draft LRDP Report and the final SFC Report have raised serious concerns about the adoption of a 21,000 student enrollment cap by the administration, and

WHEREAS, this decision was made during a hiatus in campus leadership that is expected to end with the appointment of a new Chancellor, and

WHEREAS, it is unwise for the campus to go forward with a new enrollment cap prior to the appointment of a new Chancellor who may prefer a number higher or lower than 21,000, based on completion of our academic planning process,

THEREFORE BE IT RESOLVED, that the UCSC Division of the Academic Senate

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INSTRUCTS the Chair and Vice-Chair of the Division to inform the Acting Chancellor and Interim CPEVC in writing of the Senate's recommendation, and to report their response to the Division as an agenda item for discussion and possible action at its next regular meeting.

Professor Allen Van Gelder made a motion to stop debate which passed by show of hands, 54 in favor to 24 against. After an inconclusive voice vote, the revised resolution was voted on by a show of hands and failed to pass, with 27 in favor and 50 against.

Adjournment: 5:05 pm.

ATTEST:

Loisa Nygaard
Secretary
December 14, 2004