

MINUTES

Regular Meeting of the Santa Cruz Division

Friday May 15, 2020 at 2:30 p.m.

Location: Online via Zoom

Meeting

A regular Meeting of the Santa Cruz Division of the Academic Senate was held Friday May 15th 2020, online using Zoom (video conferencing platform) due to social distancing policies in response to the current COVID-19 Pandemic. Chair Kim Lau called the meeting to order at 2:30p.m. with Don Potts serving as Parliamentarian. In response to the updated remote format, Chair Lau asked the body for approval that standard items in the call be voted on by Zoom poll. The body did not object to a motion that all legislation, referenda regarding bylaws, or resolutions from the floor would be voted by electronic ballot, distributed by email following the meeting. This change from regular practice was intended to ensure votes be cast only by those with voting privileges.

1. Approval of Draft Minutes

- a. There were no corrections to the meeting minutes of February 19, 2020. The Minutes were approved by Zoom poll, the results of which were 91 In Favor, 0 Opposed.

Elizabeth Abrams, Senior Teaching Professor for the Writing Program, rose to Point of Personal Privilege to propose the following resolution:

Be it Resolved:

That the Santa Cruz Division of the Academic Senate would like to express its deep gratitude to Professor Kimberly Lau for her leadership as Senate Chair over the last two years:

Chair Lau has been a principled and dynamic leader through two eventful years. She has been a steady presence through changes at the highest levels of campus leadership, and an ethical actor and guide throughout the annus horribilis 2019-20, which has (thus far) featured power outages, a lengthy wildcat strike, and a sudden plunge into remote instruction--and feverish planning for the future--in response to COVID-19.

Chair Lau has worked tirelessly in her role as chief representative of our system of shared governance. Neither "tireless" nor "representative" is a metaphor: she attended 6:00 and 7:00 AM meetings to provide Senate input on critical and timely matters facing the campus, and she instituted, at the beginning of her term, a Senate/Administration buddy system to introduce new administrators to shared governance; she and VC-IT Van Williams were the inaugural buddies. Chair Lau is also known and admired for her ability to separate her personal views, those of the various bodies she represents, and those to whom she is representing the views of others. She is principled and fearless, an advocate for the rights of faculty and staff, and a trusted partner across constituencies throughout the campus. (The jury is out on whether her delicious scones and cookies are an innocent offering to colleagues, or a devilishly clever means of winning hearts, minds, and stomachs).

Chair Lau has performed all her duties honestly, proactively, and with the best interests of the division always foremost. For this service, in the most difficult of times, the Senate thanks Professor Kim Lau.

Chair Lau stated she was flattered by this generous resolution.

Professor Abrams replied that ordinarily she would propose that we vote by acclamation; however, given the circumstances Professor Abrams proposed a vote by Zoom poll and asked senators to please feel free to clap for Chair Lau in the privacy of their own home. The resolution was approved by zoom poll with none opposed.

2. Announcements

a. Chair Kimberly Lau:

Chair Lau noted that this is her final Senate meeting as Chair and it's been quite a year. Over the course of this past year, we have often disagreed, with each other, with the administration, and with students; however, through it all we have spoken with candor and conviction. We have all acted with integrity and collegiality. We have approached problems with creativity and a collaborative spirit. Our differences and disagreements represent our abiding investments in—and our genuine care for—the values we believe we stand for at UCSC. Despite summer's approach, we're only now at the start of what promises to be a long and trying journey forward. We are living in a time of phenomenal uncertainty, and we already know the costs to personal and institutional well-being will be great and many. We are going to have to muster the same commitment and conviction, the same collegiality and creativity that has carried us through the past year if we are to ensure that UCSC remains the vibrant and vital university we know it to be.

Chair Lau encouraged the Senate to opt for generosity. She stressed that we will absolutely have a say in how we come out of this, and that we do not have to default to a diminished and depleted version of UCSC. Chair Lau took a moment to thank the Senate Staff: Matthew Mednick, Senate Director, who has provided wise guidance Senate chair, and the Senate Analysts—Esthela Banuelos, Vanessa Gordon, Rebecca Hurdis, Chad Silva, and Jaden Silva-Espinosa. She thanked the Senate leadership: David Brundage and Bruce Schumm. Additionally, she thanked the Santa Cruz Faculty Association (SCFA) and Faculty Organizing Group (FOG). Chair Lau also thanked Don Smith, GC Chair, Lindsay Hinck, CCI Chair, and Onuttom Narayan, CEP Chair. They have been working at a truly astounding level, essentially on call 24-7 since late February. Chair Lau noted that she has spent more time communicating with them over the past several months than with her own mother and 500 closest friends combined. Finally, Chair Lau thanked all of the Senate and stated she is proud to be a member of the UCSC faculty.

b. Chancellor Cynthia Larive

Chancellor Larive began her remarks by acknowledging the challenges we face, as aspects of our lives have been forced to intersect in unprecedented ways. She noted that many members of the Senate are balancing working from home while taking on the critically important roles of childcare and home school. She noted that faculty's dedication to students and our research, teaching and public service missions provide daily inspiration. She thanked all senators for all they do.

Chancellor Larive provided an update on and thanked those who participated in searches to fill administrative vacancies. Both the VCUR and CP/EVC positions are at a level that requires presidential approval and the Chancellor's recommendations are currently with the President's office. Once we have approval a campus announcement will be made about each decision. Jennifer Baszile has agreed to serve as the interim Vice Chancellor for the Division of Student Affairs and Success, she will start formally July 1. The Chancellor thanked Vice Provost for Student Success Jaye Padgett for all he has done for UCSC and our students over the past three years as vice provost. The structural change to a vice chancellor of Student Affairs and Success reinforces the importance of the student affairs efforts and is intended to refocus those efforts in ways that will improve the experience for our students.

The Chancellor announced that UCSC will nominate an Alumni Regent. Art Torres (Stevenson, 1968) has been selected for this important role. Art served in the California Assembly from 1974 to 1982 and in the State Senate from 1982 to 1994 writing bipartisan legislation in the fields of health care, education, the environment and human

rights. He served 12 years on the Senate Education Committee, as well as the Senate Select Committee on UC Admission. The Chancellor observed she was grateful that we will have Art's thoughtful voice on the Board of Regents at this critical time.

Chancellor Larive advised that the budget for our auxiliary units, which are self-supporting, have seen significant losses since we started shelter in place. All sales and service operations are experiencing some degree of revenue loss including the Baytree Bookstore, Seymour Center, Arboretum, University Extension and Parking. Our largest auxiliary, Housing/Dining, is projecting a \$49M loss for Spring and Summer. Chancellor Larive commended the UC President's decision to wait until June 30th to proceed with any layoffs. As the UC System is the third largest employer in the state and UCSC as the largest employer in Santa Cruz County. CHES are actually experiencing additional costs due to COVID-19 mitigation (increased cleaning, prep of quarantine housing, installing plexiglass and other safety features). Student Health Services is also experiencing revenue loss, approximately \$1.5M through June 2020. Thus far our core budget has not been impacted as dramatically. We will not likely know the details of our core budget until fall. Statements of Intent to Register (SIR) for the next academic year are looking good for frosh, and it is likely that we will reach our enrollment target for California residents. We will see a significant drop in enrollment of new non-resident students, both international and out-of-state. It is not surprising that many families want their students to study closer to home right now. It is a concern that we could lose continuing students who may not matriculate because of financial reasons and to help out their families.

Santa Cruz will continue to enroll large numbers of 1st generation students, from diverse backgrounds and many from low-income families, consistent with our goal of educational access and our commitment to social justice. Though the data is still preliminary, it appears that we may have increases in the percentages of ABC and Latinx students in our incoming frosh class. This positive news is a direct result of collaboration between the Committee on Admissions and Financial Aid (CAFA) and the admissions/enrollment management team. The Chancellor acknowledged in particular work by CAFA chair David Smith, and committee members Carlos Dobkin and Laura Giuliano. This collaboration demonstrates the types of outcomes we can accomplish with faculty and administration working together in partnership towards a common goal.

The other main component of our core budget is the support we receive from the state. Governor Newsom's May budget revision, released yesterday, proposes a 10% decrease in state support for the UC system, though we will not know the final state budget until late summer. The cut to our state funding could be less if the Federal government decides to provide financial support to states, or bigger if the economic outlook worsens. A 10% permanent cut to the state component of our budget would translate to roughly \$20M for our campus.

To help the campus prepare for the possibility of a COVID-induced budget shortfall Chancellor Larive instituted a position management policy on March 27, 2020 which requires chancellor or EVC approval for a search to continue or be approved. Principal officers have been asked to closely monitor spending and to consider whether now is the time to make significant purchases. Since the shelter-in-place order, the pace of non-salary campus spending has decreased significantly, down 14% in March and 22% in April compared to the prior year. Current/proposed construction and maintenance projects are being reviewed to determine which are impacted by supply chain or contractor unavailability, and which may make sense to speed up to take advantage of less on-campus population and traffic. A financial tracking committee is collecting information from units regarding their COVID-19 response expenses and revenue losses to position our campus for any and every potential financial recovery option that may appear. The committee is currently focused on filing FEMA claims. For qualifying health and emergency protective expenses, UCSC could receive 75 cents on dollar. Health and Human Services has also announced other funding opportunities, most notably the CARES Act, which are being pursued. The CARES Act funding to UCSC is \$19.3M: half is direct student aid (cash in student's pockets), and half for costs incurred to support the institution's change in delivery of instruction. The student aid portion has mostly been distributed to eligible students, with a small portion being held back for summer students. The institutional portion must be spent by next May. Lori Kletzer is developing a spending plan and academic Divisions and other units with remote instruction costs have been asked to submit cost estimates.

Several weeks ago, thanks to the leadership of Sarah Latham and Kim Register, the Chancellor's Cabinet began planning to help unit leaders on how they could accommodate various impacts of COVID-19, and how they might implement different scenarios such as a 5, 10 or 15% budget cut. We are not implementing budget cuts at this time. As we plan for possible cuts though, everything is on the table. By next week we will have a webform posted on the website ucsc.edu/recovery that faculty, staff and students can use to make suggestions. As we look to the future we will strive to preserve our missions of research, teaching and public service, recognizing that our people are our most valuable resource. Decisions about whether non-represented staff will receive an annual merit increase or whether there will be range adjustments to the faculty salary scales will be made at the system level. Given our high cost of living and how hard everyone works, the Chancellor acknowledged how this is frustrating and disheartening. At this time the Chancellor did not know if there would be layoffs or furloughs as a result of the COVID-19 fiscal and service level impacts. The Chancellor announced that she is taking a voluntary 10% pay reduction.

She encouraged the Senate to keep looking ahead. Though we do not intend to emerge from this virtual reality as an online university, there are ways in which we might think more flexibility about teaching modes and the academic calendar, our student support systems, and ways to engage undergraduate and graduate students in research and creative experiences in our communities, field-sites, laboratories, stages or studios. As we recover from COVID-19, along with the critical mentoring that faculty provide, these hands-on experiences and the critical skills they develop will continue to be the powerful driver of the residential research university that is UC Santa Cruz. However, we should not focus our thinking about the return of UCSC to the way things were pre-COVID-19. We must think together about this opportunity to “turn” the university while staying true to our values.

c. Interim Campus Provost & Executive Vice Chancellor Lori Kletzer

iCPEVC Kletzer stated that she was grateful for the work of all faculty and staff to take our campus remote so quickly. The iCPEVC highlighted the remarkable efforts of those who are also caring for family at home while work has moved home too. The iCPEVC reflected on how the pandemic has made it unsafe for her to care for her elderly parents. She acknowledged the burden of those working and caring or educating their children at home during shelter in place. She thanked Chair Lau for her service. She noted the search for a Humanities dean is ongoing.

Regarding summer instruction, both remote and online, the iCPEVC asked the Senate to heed the call put out this week for faculty development of online courses. On planning for the road ahead the iCPEVC noted that that Chancellor Larive has appointed a Recovery and Resiliency Steering Committee to guide the work of two task forces to plan for the coming academic year. The focus of this group is to develop plans to return to our mission of being a full residential research university, recognizing that we will do this in a post-pandemic world. The iCPEVC was direct in her explanation of budget realities and necessary changes to come. She noted the issues are complicated and inter-related, and that leaders are striving to working flexibly, and within existing systems. As of today, fall enrollment for continuing students will start on June 17, however we must follow county and state public health directives. She emphasized that this is an uncertain time. This recovery process must be able to be responsive to changes in our external environment. For example, if infectious cases rise again as distancing directives are loosened, we must be able to back off recovery as conditions dictate.

The work of the first task force is divided into subgroups to define the stages and develop phased plans for delivery of the campus teaching, learning and research mission. The subgroups have faculty and staff, and the workgroup further includes Elizabeth Cowell, Sarah Latham, Kim Lau, and Kim Register.

The subgroups are:

- Instructional Delivery, Herbie Lee
- Research, Scott Brandt

- Graduate and Professional Program Support, Quentin Williams
- Undergraduate Programs, Richard Hughey
- Policy Review, Grace McClintock
- Residential Life/Housing, Sue Matthews
- Student Services and Student Affairs, Jaye Padgett and Jennifer Baszile
- Communications, Anna Finn

The second task force is focused on operations and employee recovery and resiliency and is chaired by Vice Chancellor for Business and Administration Sarah Latham. Sarah plays a critical role in the Recovery Academic group, to bridge to the operations concerns and expertise needed. Sarah's group has monumental tasks too: operational, facilities needs, and housing.

Next iCPEVC Kletzer was proud to announce that we have a diagnostic COVID-19 testing lab up and running on campus. Starting May 1, the UCSC Molecular Diagnostic Lab began operation for coronavirus tests for the UCSC Student Health Center and Santa Cruz Community Health, as a COVID-19 temporary testing site with approval from the California Department of Public Health. The campus will not be operating a testing site for the general public, however there are plans to use the lab for on campus testing in high volume in the future. Key faculty members in this effort are: Olena Vaske and Jeremy Sanford of MCD Bio, Michael Stone, Chemistry and Biochemistry, John MacMillan, Chemistry and Biochemistry and associate vice chancellor for research. All these principles have made an amazing effort to bring this testing center to operation. Dr. Elizabeth Miller, medical director of the UCSC Student Health Center and Isabel Bjork, Director of Operations, Genomics Institute, Sarah Latham and Scott Brandt have also collaborated to help establish the COVID-19 testing site. We are now working closely with county public health, and also working on a parallel track for community surveillance testing.

Finally, the iCPEVC noted recent faculty accolades: Martin Weissman, professor of mathematics, has been awarded a Guggenheim Fellowship for 2020. Francis Nimmo, professor of Earth and planetary sciences, has been elected to the National Academy of Sciences in recognition of his distinguished and continuing achievements. Enrico Ramirez-Ruiz, professor of astronomy and astrophysics, has been elected to the American Academy of Arts and Sciences, one of the nation's oldest and most prestigious honorary societies. To conclude her remarks iCPEVC Kletzer enthusiastically welcomed Dr. Carol Greider to our faculty in MCD Biology. Carol is currently a Professor in the School of Medicine and Director of the Department of Molecular Biology and Genetics at Johns Hopkins University. Dr. Greider was awarded the 2009 Nobel Prize in Physiology or Medicine for her pioneering work. We welcome her and look forward to her joining UCSC on October 1.

Question Period:

Chair Lau advised senators to use the Raise Hand Function, and staff will unmute them to ask a question.

Laurie Palmer (Professor, Art) commented that faculty are deeply concerned about the toll that the student conduct summons are having on our community, and that recently students are receiving summons as a result of deleting undergraduate grades from the Canvas grade book, even though teaching faculty are not required to use Canvas. Professor Palmer noted that like many faculty members, these students are experiencing chaos, disruption, and trauma resulting from COVID-19. Professor Palmer found the letter to administrators from Assistant Professors very moving and echoed the concerns it outlined. She advised faculty are spending hours writing letters on these students' behalf and attending zoom meetings to support them. Professor Palmer asked, in an effort to practice care for our community during this global pandemic, can these summonses cease immediately?

Chancellor Larive responded that the student conduct process must continue even in remote mode, as the campus is not closed. She noted it also important for students to be able to come through the process and see it resolved. The goal of this process is one of education and accountability. Summonses result from actions may have conflicted with the student code of conduct, and given this is not a process that Chancellor or iCPEVC are directly involved

in. However, she noted that senior leadership is having discussions with the union regarding some aspects of the summons. It is not yet not clear what the result will be from those discussions.

Zac Zimmer (Assistant Professor, Literature) inquired if there was a wider agreement for reinstatement for fired students that had been stopped at the local campus level. He asked that if the campus is not going to reinstate the dismissed graduate students, why not?

iCPEVC Kletzer responded that she did not know the source of the information he referred to, but that in fact there has not been any agreement of this kind, and there are no ongoing conversations about reinstating dismissed graduate students. There are unfair labor practices allegations currently under litigation, being handled at the systemwide level, however those will not likely be resolved until sometime in summer.

Camilla Hawthorne (Assistant Professor, Sociology) noted that the SUA Resolution in Support of COLA (passed at the Winter 2020 Senate Meeting) called for an end to the disciplinary action, and that this has been echoed in letters from departments, the UC Academic Council, CUCFA, the National Lawyers Guild and many other university members. Instead a new round of summons have begun, most recently directed at students that moved grades to another storage system. She asked if the UCSC administration is mandating that grades be kept on campus? If so why has it not been communicated explicitly and in such a way that the merits of this policy can be discussed? If this has not been done, she asked what is the basis for issuing new summons?

iCPEVC Kletzer first noted that the use of Canvas is more widespread now, due to remote teaching. She then answered that the deletion of grades from Canvas starting in Fall quarter was in fact a direct obstruction of administrative functioning of the university. The use of Canvas is not mandatory, however and this is a confounding of issues. Storing grades in a specific location of one's choice is not the same as directly removing them from another campus system.

Mark Anderson (Associate Professor, Anthropology) asked if administrators could clarify the status of students who were dismissed in Spring? Are they ineligible for Teaching Assistant positions permanently, and what is the process to become eligible in the future? The consequences of dismissal are enormous and may mean the end of these students' graduate career. We have not seen campus messaging clearly explaining this.

iCPEVC Kletzer responded that the students who were dismissed from Spring appointments are ineligible for future employment. There is not yet any process of reinstatement. While they carry the status of Spring dismissal, these students will still remain ineligible for TA or GSI positions.

Jessica Taft (Associate Professor, Latin American & Latino Studies) stated that these administrative actions are having a substantial negative impact on marginalized students. They feel as if these actions suggest they do not belong in the academy. Many have said the administrative response to student activism has caused them to consider leaving. How can this be reconciled with the UCSC diversity, equity and inclusion statements?

Chancellor Larive took the floor to answer that students are clearly not being punished for activism; rather because their actions may have been in conflict with the student code of conduct. She stressed that sanctions have been applied equally based on behavior: there is no demographic profiling in determining who receives a summons. She then stressed that this is a trying time for us all, and at times it can seem difficult to visualize the path to a better place for our campus. She stressed that seeing students demoralized is not the outcome we want. The Chancellor recognized that some students might feel that way. She expressed her own sadness over losing those students. Associate Professor Taft added that it makes her sad as well.

Sam Creighton (undergraduate student) observed that administrators have emphasized that the University must adapt and that life is not "business as usual." However, punishment, mainly to students of color, is consistent with

what has been seen and done in the past. How is it that those that have power get a pass during these hard times, and those with the least power continue to get the blunt end of the stick?

iCPEVC Kletzer responded that the student conduct process is meant to be a developmental process, not a punishment. It can potentially bring students back into the community. It should create a dialogue about modes of activism that are consistent with the code of conduct. Recognizing that the student conduct process may create great anxiety and fear, it is not a mechanism of punishment. While she recognized that it is very trying for those involved, the process, started before the pandemic, has at its core the objective of due process. Therefore, it needs to continue to completion to allow them to respond.

Muriam Haleh Davis (Assistant Professor, History) appreciated this moment to talk about accountability and values. However, she noted that she has been a member of this community for 3 years, and is now starting to question those values. In light of the article in VICE News that UCSC campus police used military equipment to surveil student activity and possibly also faculty, funded in part through the department of Homeland Security, she asked how is peaceful activism being linked to terrorist activity? How can I assuage my students they should not fear being socially or politically active? She asked, as a Muslim-American, that she would like reassurances that I am not going to be at risk for surveillance by UCSC or other government agencies.

Chancellor Larive responded that this recent article had a bold headline, and very suggestive lead in, but that this was not consistent with much of the later content. The Chancellor stated that there was no tracking of students or faculty. The police did use trackers to know the location of other on-duty officers. Our campus is 2,000 acres, understating the location of officers was important. The article also pointed out the potential for a visit by Vermont Senator Bernie Sanders, and that this would have required additional crowd control. Striking students have been active on social media, which was followed by administrators to help plan for operations. She also noted that the campus needed to rely on “mutual aid” from other agencies during that strike, as campus police are not staffed for large crowds. The Chancellor could not speak to the actions of agencies outside UCSC. The Chancellor highlighted the intention to keep people safe, including protestors. Her take-aways from this experience are a need to think together, administrators, faculty and students, about how we can better support free expression in ways that do not escalate. Faculty are key to that conversation. It is a major problem when we close campus entrances and city roads. She then thanked Professor Haleh Davis for her statement and added that she would like to do things differently in future.

Chair Lau advised that there would be a limit on the remaining time for questions in order to complete the agenda. She requested that those without floor privileges alter the senate officers out of respect for our process.

Gina Langhout (Professor, Psychology) returned to the topic of Student conduct issues. She pointed out that in the academic integrity conduct process, due process is considered being notified within five working days of a potential violation. Professor Langhout asked why are students now receiving conduct summons four and a half months from the possible violation date? Why is there a difference between the two processes?

iCPEVC Kletzer was not able to explain why there was a difference in the time period. She agreed that a 4 months delay is significant. She noted that the process does require the gathering of evidence. Professor Langhout noted that it seems like students had received letters in their employment files before the summons went out. iCPEVC Kletzer clarified there are different processes for withholding/ submitting grades and for grade deletion; the administration looked at the withholding of grades versus the deletion of entered grades differently.

Amy Mihyang Ginther (Assistant Professor, Arts) had a follow-up question related to the use of Canvas for grades. She noted that she does not post grades on Canvas, and that it is important for junior faculty to understand regulations. She asked what are the repercussions for faculty not using Canvas, noting that there are faculty that have not posted grades on canvas that were given to them by their students.

iCPEVC Kletzer again stated that the use of Canvas is not mandatory and there are no repercussions for those not using it. She disentangled some of the issues by explaining that the instructor of record can choose to use Canvas or not. However, when the deletion of already posted grades happens, an issue arises. There is a separate issue, relating to the fundamental responsibility of posting of grades via AIS to student's records. She clarified that the withholding of information, trying to slow down the posting of grades, is a separate issue which does not have to be related to Canvas.

Mayanthi L Fernando (Associate Professor, Anthropology) thanked the Chancellor and iCPEVC Kletzer for this conversation. She stated that the campus justification for disciplinary actions was not sufficient, stating that it is standard procedure for many faculty and TAs to download information and use this in many other platforms. It is unclear what conduct is being called into question and what evidence the campus is using. How are students (that supposedly deleted grades) being identified? It seems as if any students who downloaded grades during a specific time frame are receiving a summons, and that there is a sense students are being called in to prove that they *did not* withhold grades, rather than putting the onus on campus to prove they did. She noted that it seems as if the net is really wide here.

iCPEVC Kletzer responded that she would try to provide an answer, but could not speak to every aspect of a complex question. First, she challenged the idea that this was impacting many students. Out of 770 TAs in the Fall quarter, 70-80 summons have been delivered: relative to total TAs, this is not a sizable number. She also noted that Canvas itself records who was in the program, so this is not arbitrary. ITS staff has helped to understand the path of Canvas activities and records. Finally, regarding the idea students are being called in due to downloading, she stressed that it is easily possible to download and not delete something from Canvas; these are not the same activities.

AM Dark (Assistant Professor, Games and Playable Media) noted that in the context of conduct summons, when a policy disproportionately impacts people of color, it is a policy that is harmful. She spoke of her own experience as a faculty observer at recent student demonstrations. Professor Darke related her experience when police action escalated and she tried to leave, relating that she and another faculty member of color were told to stay, while an older white woman was escorted across the street. She claimed that Police were instructed not to let them leave. She stressed that if a policy has a negative outcome it needs to be reconsidered. The suggestion that these policies are about bringing students' back to values is in contrast with those students losing housing and health care as a result of dismissal.

Chancellor Larive thanked Professor Darke for her comments. The Chancellor noted it may seem trivial to some, but we have continued to provide health insurance for dismissed students through summer. We also recognize that we do see more daily trauma and inequities impacting people of color as COVID-19 continues. She stressed again that this is a difficult period for our campus, however the Chancellor did not think that interference in the student conduct process is the right thing to do. She noted the summons are not from herself or iCPEVC Kletzer, but part of an independent process, and felt it important to let the process move ahead. Chancellor Larive recognized the strained tension between the University and graduate students, and stated she would like to explore how we can better support them. She noted that this is complicated by union issues, but there is a desire to work together to get to a better place.

Maureen Callanan (Professor, Psychology) was glad to hear iCPEVC Kletzer mention the restorative aspects of the student conduct process. She asked that given those values of community, if the iCPEVC sees a way towards looking at reinstatement?

iCPEVC Kletzer explained her intention to be able to work together, and work better, around activism in the future. Regarding the employee aspects of reinstatement, she noted only that the campus is in conversation with UAW

about the summonses, that she could not promise a quick resolution around reinstatement. She acknowledged the significant costs to dismissed students.

Jennifer Gonzalez (Professor, History of Art/Visual Culture) thanked all for their comments and added that she was concerned about the lack of a clear reinstatement process. She suggested that it would be important to look at how other campuses reinstate dismissed students, and come up with a road map, if not provide a time frame. Professor Gonzalez then yielded the rest of her time to Professor Hershatter.

Gail Hershatter (Distinguished Professor of History) made a request, in consideration of these extraordinary times. She asked that the administration take restorative actions. She noted that the student conduct process is bumpy and inaccurate, but that under other circumstances it might be understandable to let it take its course and proceed. However, Professor Hershatter urged administrators to make decisions in these times about which essential services are going to be a priority. She said that letting things proceed “as usual” is creating new problems, in ways it might not in ordinary times. Professor Hershatter hoped this would be taken into account and that action would be made to help the campus move forward successfully. Chair Lau asked if the Chancellor and iCPEVC would take that as a comment and not respond, and the administrators agreed.

Grant McGuire (Associate Professor, Linguistics) noted that during this meeting there had been several comments about the use of a militarized police force, that many found disconcerting and problematic. He then noted that over a year ago, the Report of the Presidential Task Force on Policing mandated that each campus have a police advisory board, in part to create standards for policing these events. Professor McGuire asked what was the status of that mandated board?

The Chancellor responded that she was not aware of this report. However, the idea of an advisory board aligned very well with the intent of what was discussed earlier, to create a group to look at policing policies. She noted that this was not something which was in place at UC Riverside, which has a different level of activism. She appreciated this comment.

Chair Lau closed the comment period noting that iCPEVC Kletzer was hosting office hours regularly where other questions could be asked.

3. Report of the Representative to the Assembly (none)

4. Special Orders: Annual Reports

Chair Lau invited CFRL Chair Seth Rubin to present the CFRL annual report. CFRL Chair Seth Rubin announced that CFRL enthusiastically nominates Jennifer González as the Faculty Research Lecturer for the 2020-2021 academic year. Professor González is Professor of History of Art and Visual Culture (HAVC) and Digital Art and New Media, and she currently serves as Faculty Co-Director of the Arts Division's Institute of Arts and Sciences. She dissects performance art, installation work, digital art, and arts-activism, discussing representations in relation to race, gender, and history. Professor González was selected by the CFRL for her high caliber research—which has earned her national and international recognition—and the exemplary model she upholds as a scholar-teacher-cultural worker. She was also selected because her work is timely and addresses some of our most pressing collective social challenges. She uncovers the social inequities of the past and prepares our future, interrogating the seismic shifts and needed recalibrations in 21st century American visual arts.

Professor González’s publications provide a crucial roadmap to the vibrant and burgeoning Latinx arts in the US, placing this work in historical and transnational frames. Books include *Subject to Display: Reframing Race In Contemporary Installation Art* (MIT Press, 2008) and *Pepón Osorio* (University of Minnesota Press, 2013). Professor González recently served as editor-in-chief for *Chicana and Chicano Art: A Critical Anthology*, (Duke University Press 2019), named one of the “Best Art Books of the Decade” by *ArtNews* magazine. She has published articles and essays in numerous scholarly and art publications. She has presented lectures all over the country from the LA County Museum of Art and the Getty Foundation, to the Whitney Museum in NY, where she presents regularly in the Whitney Independent Study Program. Her work has been supported by the Ford Foundation, American Association of University Women, Whitney Museum for American Art, and American Council of Learned Societies, among other institutions.

At UCSC she has been a department chair, graduate commencement speaker, and won Excellence in Mentoring and Excellence in Teaching awards. She teaches us the eye-opening art of seeing. We are proud to nominate Jennifer González as 2020-2021 Faculty Research Lecturer.

Chair Lau noted the many “applause” reactions and that we look forward to the lecture next year. The nomination was approved by zoom acclamation.

CONSENT CALENDAR:

a. Committee on Committees 2020-21 Roster (AS/SCP/1967)

Chair Lau invited Committee on Committees Chair Micah Perks to present the 2020-21 Senate Committee Roster. Chair Perks thanked everyone who heeded the call and agreed to serve next year. The roster was produced and noticed in the meeting call. Any changes made to the roster after this meeting will be available for review at the Fall 2020 Meeting. Chair Perks asked if there were any questions, corrections or comments, there were none. A vote was held using an online poll the results were: 114 In Favor, 0 Opposed.

Chair Lau advised the next items will be voted on after the meeting, by electronic ballot. During the meeting Chair Lau encouraged discussion, questions and amendments to these items, prior to vote.

b. Committee on Development and Fundraising Legislation to Amend Bylaw 13.14, the Charge of the Committee on Development and Fundraising (AS/SCP/1968)

Chair Lau welcomed Committee on Development and Fundraising Chair, Susan Gillman to present the three changes to bylaw 13. 14. The changes are designed to codify the membership of the committee, to identify a floor of at least 6 members, which gives the possibility for increased membership in future. It helps to define the divisional representation, and provides specific inclusion of provostial representatives to sit with the committee.

Elizabeth Abrams (Professor, Writing Program, Provost Merrill College) asked why the provost role is designated as “sits with ” rather than act as formal member with voting rights? CDF Chair Gillman answered that it is based on the Council of Provosts’ definition, and noted it is a technical issue as Provosts are defined as an administrative group. RJ&E would need to clarify further. Chair Lau clarified that standing provosts do in fact currently serve on committees, in their faculty role. The administrative designation is a holdover from when Provosts had more authority over the curriculum, and the academic organization of the campus was fundamentally different. Chair Gillman advised CDF is happy to make that change if needed. Chair Lau asked that the Senate in the future clarify “provost” role for all committees.

c. Committee on Educational Policy Legislation to Amend Bylaw 13.18, Committee on Educational Policy and remove Bylaw 13.26 Charge of the Committee on Preparatory Education (AS/SCP/1969)

Chair Lau invited Chair of COC, Micah Perks, to present these changes. Chair Perks advised that this legislation amends bylaw 13.18 and disbands CPE (bylaw 13.26). This change was proposed by COC in concurrence with CEP. This change consolidates all purview and responsibilities from CPE to CEP. It also requires that a CEP representative attend system wide UCOP meetings.

Elizabeth Abrams (Professor, Writing Program, Provost Merrill College) asked why remove CPE and add its duties to the overflowing agenda duties of CEP? In this case she noted there are distinct system wide committees that correspond to each. Professor Abrams was specifically interested in how this affects incoming freshmen and transfer students?

COC Chair Perks noted that in recent years CEP duties have been reduced by creating CCI. Chair Perks respectfully disagrees that CEP has an overflowing agenda and that CPE was not able to be fully staffed in previous years. COC wanted to consolidate the duties so that there is less need to recruit people to serve. With the duties reassigned there is also more certainty that someone would be formally tasked to sit on UCOP.

CEP Chair Narayan commented that CEP has been functioning under this structure for the past 2 years. Despite a change in the catalogue system and an unusual year, CEP was able to keep up with their agenda. He added that UC Merced has a committee structure that does not map to this system exactly, and that the campus is not beholden to mapping our committees exactly to the system wide structure. CEP member, Ronnie Lipschutz (Professor, Politics) noted that he did not recall this being addressed during a CEP meeting this year and asked Chair Narayan to comment. CEP Chair Narayan explained that the redistribution of CPE responsibilities had been discussed by CEP two years ago. It was not discussed this year because CEP had been tasked by COC to take up CPE's role previously, while CPE was unstaffed, CEP was able to complete the workload.

Debra Lewis (Professor, Mathematics) observed that in her time as CPE Chair, there was much to do. She did recall that for a time CPE did not have an analyst, which prevented the committee from meeting. There had been issues with communication flowing from CPE to CEP in the past without CPE's knowledge. Professor Lewis advised there were issues of territory overlap with CEP. Professor Lewis added that the explanation of why this change is happening, gives the impression that this assessment was made long ago. However, some areas of CPE's oversight that Professor Lewis saw as important to address are: testing, writing exams, and math placement, all of which are important issues with regards to equity.

Elizabeth Abrams (Professor, Writing Program, Provost Merrill College) added that CPE is a committee that's workload is cyclical. It is a small committee that occasionally must grapple with very serious issues. Professor Abrams recalled that when Professor Lewis was chair there was a major overhaul that CPE was involved in. As former chair of COC, Professor Abrams acknowledged it is hard to get people to serve. She stated that more discussion of the roles these committees perform is needed prior to this legislative change. Maureen Callanan (Professor, Psychology) added that in 2018 added that there had been discussions as to whether it was better to have a larger committee making these important decisions. Judith Habicht Mauche (Professor, Anthropology) added that as a current member of COC and former CPE chair, she had been reluctant to eliminate CPE. However, it has a charge and duty which has not been functioning well for years. She has been persuaded CPE is not likely to be reinvigorated. Alternatively, if it is consolidated under CEP, a member will be formally tasked with attending systemwide committee meetings and accomplishing the tasks that require attention. Professor Abrams and Professor Lewis added that the math department and writing program should be consulted on this. They questioned whether further discussion was needed and this item should be tabled. Chair Lau advised Chair Perks that she could elect to move forward with the vote or table the item. Chair Perks advised that she hoped she had not mischaracterize the committee, but was concerned that when important issues come up regarding Preparatory Education, it should be handled by a larger committee like CEP. Chair Perks stated that her main goal was that the committee not stand empty next year, and felt the UCOP committee needed to be staffed. Chair Perks then elected to move forward with the vote.

Meeting extension vote. At this time Chair Lau proposed that the meeting be extended to 5:30. Parliamentarian Don Potts advised a vote was needed. A Zoom poll was run and the majority voted to extend meeting time. 73 In Favor, 7 Opposed.

d. Committee on Faculty Welfare

i. Oral Report: Salary, Promotion, Inequities, and COVID

Committee on Faculty Welfare Chair Grant McGuire provided a presentation regarding the long-term consequences of policies regarding COVID-19 on faculty and the ongoing issue of salary compression. He noted that opportunities for professional development will certainly be curtailed during the pandemic. The inability to travel and present at conferences will cause delays in research for many, and result in less recognition within their field. For senior faculty this may be less of a concern but is significant for junior faculty, as the time from research to publication is long. CFW points out that the consequences of COVID-19 related interruption will vary by discipline, and that faculty with child or elder care responsibilities will likely face additional challenges. He also noted that CAP has a limited ability to help broader groups impacted in this way, as it works on individual cases. He also noted that it may be hard to quantify the gap in professional development, as UC memory of these impacts may be short. CFW wonders how UC will look back on gaps in CVs from this time. CFW therefore proposes a joint Senate-administration taskforce to study these impacts, to assess inequities and try to find solutions. CFW is particularly concerned junior faculty will be left behind.

Second, CFW has worked on the continuing issue of salary compression and inversion. UCSC now ranks 7th out of 9 among the campuses in faculty above scale compensation, and senior faculty receive lower off-scale pay when compared to more junior faculty, a long term trend that is accelerating. He stressed that CFW annual reports have noted this for a long time, so it is not a new development, nor the result COVID-19. Of all UCSC salaries only 7.5% are above scale. He cited a previously conservative campus culture regarding promotion and tenure, as an important factor in this. He also noted that the special salary practice, which has many benefits, may also be negatively impacting salary compression, and increased competition for junior faculty may be an additional factor. He noted that one option to address this is through the Career Equity Review process, however the effect would be limited. The largest problem is that Career Equity Reviews are not systemic, and only address specific cases. A system-wide scale adjustment by UCOP would be beneficial, and he noted that the current UC President is supportive, however in light of possible budget cuts this seems unlikely.

Chair Lau opened the floor to questions, there were none. Chair Lau added that the Academic Recovery subgroup has recommended longer term investigation of the impacts of COVID-19 on faculty success. SEC will also be bundling all COVID-19 related letters to submit to the administration.

e. Committee on Teaching Legislation to Amend Bylaw 13.30, Charge of the Committee on Teaching (AS/SCP/1970)

Committee on Teaching Chair Maureen Callanan explained that as roles and titles change, particularly in ITS and CITL, these updates will allow COT to have more flexible options. Using general consultations in place of the previous “sits with” designation for specific titles will facilitate more flexibility. She also noted that the faculty improvement grant no longer exists, and so the section regarding this should be removed. The changes will also help to clarify current practices around evaluating teaching. There were no questions from the floor regarding these changes.

5.Reports of Special Committees (none)

6.Reports of Standing Committees

7.Report of the Student Union Assembly Chair (none)

Davon Thomas SUA president, noted that it is important that any police advisory committee be independent from the police department. President Thomas also read from the *SUA Resolution to end the use of ProctorU*. President Thomas advised that ProctorU, an internet-based test monitoring service, threatens the privacy of students at UCSC and does not adequately protect student data. ProctorU actively provides student data to third parties for analytical purposes, and some of these third parties are not located in the United States and thus are not limited by domestic laws protecting data privacy and usage. Finally, ProctorU has updated its terms of service to obfuscate the ways that it uses collected data. The SUA Resolution asks that the University of California, Santa Cruz terminates its contract with ProctorU at the earliest possible date, mandate that its faculty to end the use of ProctorU, and that the Student Union Assembly stands in support of the divestment of ProctorU in all the UC campuses. President Thomas added that STEM students in particular have expressed their dissatisfaction with privacy practices of ProctorU, and that there is a working group at UC Santa Barbara looking into alternatives. President Thomas requested a grace period for students and asked that more research into ProctorU's privacy practices be done. As online testing will be common, it is important we consider student's privacy.

Chair Lau opened the floor to questions. A professor (unidentified), thanked President Thomas for raising the issue. She has heard from undergraduate students that there are issues with privacy and accessibility when using ProctorU. She hopes that the administration will look into better options for remote education. Herbie Lee, Vice Provost of Academic Affairs, advised that ITS has vetted ProctorU's privacy practices and it has in fact met campus standards for data use and access. Other options are not currently sanctioned. While the use of ProctorU is not promoted, it is an option left to individual professors. Debra Lewis (Professor, Mathematics) mentioned that her experience trying ProctorU was not satisfactory for her students. She inquired if there was a resource where anonymous student experiences are catalogued, as this would be helpful. She thanked the SUA for addressing this. President Thomas will compile anecdotes he has received and they will be made available to faculty. President Thomas concluded by thanking the faculty for supporting students.

8. Report of the Graduate Student Association Co- Presidents

ceded to Taylor Wondergem, PhD Candidate UCSC

We've been delegated this time by the GSA, but this statement was written by a group of autonomous student workers. We recognize the University of California, Santa Cruz is built throughout stolen land, in a redwood forest on the unceded territory of the Amah Mutsun Tribal Band and is genocidal in its keeping with the logics of settler colonialism and chattel slavery.

The administration at UCSC has consistently violated the university's own code of conduct, completely bypassing any semblance of due process, and utilized repressive surveillance and policing tactics resonant with those of the Cold War era. Despite the resolution passed by The Academic Senate to halt all discipline and widespread—local and national—faculty condemnation, the administration has left not even a facade of shared governance, enacting draconian measures of punishment and political repression. We are in the midst of a global pandemic, cities and states have closed courts and halted criminal proceedings, yet the UC's disciplinary hearings have continued unrelenting. The new wave of student conduct summons for the removal of grades from canvas to local storage systems issued in the last few weeks must be understood in context with yesterday's initial distribution of extreme punishment in the form of "conduct resolutions." We recognize this haphazard roll out of unfounded conduct charges as a way to further punish and intimidate students and workers, and a mechanism through which to continue targeting students of color, particularly undocumented students. Some of these students have received up to 4 summons and have now been subjected to punishments including multi-year suspensions, loss of housing, loss of access to campus facilities, and mandated community service.

While these disciplinary measures are unconscionable within the context of a global pandemic, the resolutions distributed to undocu collective members on May 14 only affirm the quotidian violence with which the university regularly treats its "diverse" students. The university embraces "diversity" insofar as it admits students of color only

to tokenize them - as evidenced in admissions brochures and to boost its enrollment numbers so as to qualify as a "hispanic serving institution." The undocu collective have been punished for organizing to demand basic resources and material support, like housing, which the university should have always provided and have now mandated further dispossession instead.

How can UCSC afford to spend \$300,000 a day on riot geared police officers and yet be unable to supply neither housing nor tuition costs to undocumented students? This is racism. Abolitionist scholar Ruth Wilson Gilmore defines racism as "the state-sanctioned or extralegal production and exploitation of group- differentiated vulnerability to premature death." These are inseparable- the availability of the funds for mass presence of riot gear police and the university's translation of the demand for housing by undocumented students into further punishment. The university is designed to dispossess, to exploit, and to accumulate.

The administration has refused to halt or revoke any of these measures even after students submitted grades. Perhaps most troubling is the involvement of the "Demonstrations Operations Team" (DOT) whose role remains opaque at best. Ostensibly charged with "coordinating the campus' specific operational planning and response needs related to campus activism," we have no information about who team members are and little to no knowledge about their budget, surveillance activities, oversight role, or involvement in issuing summons. DOT has worked with UCPD and UCSC administrators to identify and bring charges against select individuals for allegedly violating the Code of Student Conduct while protesting. Multiple summons identify students of color engaged in the right to free speech and peaceful assembly as "intimidating," "aggressive," and "threatening," racialized language historically used to criminalize and dehumanize Black Indigenous POC. In another example, an undergraduate student who is also a US military veteran is identified as being "very aggressive" "frightening" and "wearing military fatigues." In the specific summons referenced, this person was acting in a de- escalatory role, but a racialized reading of his masculinity makes only "aggression" visible. Evidently, the mere existence of students of color on campus is threatening to the administration.

Operating a surveillance dragnet of social media accounts, campus footage, and emails, personnel in the Office of Student Conduct and Community Standards have charged students with "lewd and disorderly conduct" for activities that include doing the limbo and eating allegedly unpurchased pie. One graduate student has been threatened with sanctions for merely writing an email threatening to protest a campus event. An undergraduate received a summons for a personal Instagram post — one calling out the white supremacist violence on the UCSC campus. Indeed, the policing and surveillance work targeting and monitoring students is deeply disturbing, resonant with COINTELPRO the notorious FBI counterintelligence program targeting and terrorizing leftist social political movements in the late 1950s through 1971. We now know that UCSC Police Department tapped the California National Guard and California Emergency Services personnel to enhance surveillance operations targeting the strike. National Guard personnel provided so-called "friendly force trackers"— command and control platforms originally designed to track both friendly forces and enemy combatants in military combat- to monitor strike activities such as pickets and marches. Additional emails with UCPD show that Cal Office of Emergency Services routinely collected information from student social media accounts and utilized an information- sharing portal created by the FBI, called LEEP, to "monitor events" during the strike.

Categories of student/worker have been stretched to the advantage of maximum punishment in the handout of conduct violations, most recently addressing workers under the catchall 'student' in order to leverage more punitive measures and avoid recourse through labor law protections. Student conduct violations include allegations of both "theft" and "forgery". Some graduates with little to no involvement in these actions have been accused of misconduct, some graduates have received confidential documents intended for other recipients. The university's negligence and directed targeting have caused immeasurable harm to already vulnerable graduates and undergraduates and demonstrate administration's blatant misconduct.

In an open letter to UC President Janet Napolitano and UCSC administrators, the National Lawyers Guild cited numerous violations of students' due process rights, and invoked the illegality of the university's use of the Student Conduct Code in a labor dispute. UAW 2865, the union representing UC's graduate student employees, has filed Unfair Labor Practice (ULP) charges against the university for unlawful punishment and surveillance of union members engaged in protest and employment activities. We are, again, calling for the end to all disciplinary procedures, including reversal of resolutions already distributed. We uplift those demands already made by The People's Coalition and the Undocu Collective. We urge the administration to reverse its decision to sanction the denial of campus housing, resources, and funds to undocumented students. Dismantle DOT, get cops off campus, and reallocate that money to support the "diverse" student population the university so loves to exploit. Reinstate all fired workers and stop intimidating lecturers. And as always, provide a cola to every student and worker on this campus. We see this as bare minimum moves of support and just to read from a relevant section of the student code of conduct- section 104.20 Each Chancellor may appoint faculty, student, or other advisory committees, or hearing officers, as specified in campus regulations, but the final authority for administration of student discipline rests with the chancellor. Thank you.

Chair Lau noted that this was an incredibly powerful statement. She noted that there was unfortunately not time for questions. We could, however make contact information available so the GSA can field questions by email.

9. Petitions of Students (none)

10. Unfinished Business (none)

11. University and Faculty Welfare (none)

12. New Business

The following resolution was moved from the floor by Deborah Gould (Associate Professor, Sociology) and Gina Langhout (Professor, Psychology).

a. Faculty Senate Resolution: An Ethical Response to The Budget Crisis

- Whereas the state of California has deemed teachers and those employed in the educational sector to be essential workers amid the COVID-19 pandemic;
- Whereas lecturers teach over 30% of undergraduate student credit hours across the UC system;
- Whereas UCSC has a vital role to play in the COVID-19 recovery and in stabilizing our local community, in particular through teaching our students, conducting research, offering community and campus testing, and providing stable employment for campus employees;
- Whereas UCSC's responses to COVID-19's economic consequences cannot be primarily managerial but first and foremost must be guided by the progressive values UCSC proudly proclaims;
- Whereas UCSC cannot function without the labor of its teachers, teaching assistants, represented and non-represented staff, dining hall workers, researchers, librarians, bus drivers, grounds crew, custodians, and other workers;
- Whereas Santa Cruz is [one of the top-five least affordable cities for renters in the United States](#) and is in the least affordable county for renters in the state of California;

Whereas top administrators at [Harvard](#), [Stanford](#), the [University of Kansas](#), and elsewhere have taken large salary cuts in response to the COVID crisis;

Be it resolved that:

1. UCSC's budget must be transparent, clearly describing all revenues and expenditures;
2. During the coming budget crisis, staff and faculty—both Senate and Unit 18 lecturers—shall be consulted regularly about proposals for layoffs and salary cuts;
3. A moratorium should be placed on creating new upper administrative positions (e.g. Vice Chancellors);
4. If cuts are deemed necessary by UCSC, they should not come at the expense of UCSC's existing workforce but should start with temporary cuts to UCSC's highest salaries, and should be steeply progressive;
5. UCSC must commit to preserving job continuity. This year's lecturers should be offered reappointment no later than June 30, 2020 (with additional hirings through Fall, as necessary) and ensured continuity of benefits during summer months.

Professor Gould further explained that this resolution grew out of a desire to help develop principles to guide budget decisions during COVID-19. Professor Langhout added that these values should be taken into account in developing such principles, as they are vitally important to provide security to the most vulnerable among us. Staff, Lecturers and Faculty must all be involved in budget decision making. Professor Gould also emphasized the importance of transparency within the budget.

Chair Lau opened the floor to questions:

Elizabeth Abrams (Professor, Writing Program, Provost Merrill College) expressed her gratitude for the resolution. As a member of a program that is largely lecturers, she commended their inclusion. Jennifer Gonzalez (Professor, of History of Art and Visual Culture) also commended the resolution, and further noted the opportunity for faculty to think about ways in their own divisions and departments to engage in budget discussions. Elizabeth Abrams (Professor, Writing Program) asked for clarification regarding the recommendation for salary cuts at the highest level in an effort to prevent layoffs. She specifically asked if cuts would be envisioned for everyone? Susan Gillman (Distinguished Professor, Literature) saw this resolution as forward thinking. She noted that this difficult time may present an opportunity for a more activist budget.

Parliamentarian Don Potts confirmed no second needed as the resolution was brought forward by two senators.

Chair Lau advised voting on this will be distributed electronically with all legislative items including proposed bylaw changes. Chair Lau extended additional thanks to David Brundage for serving as Senate Chair next year. Chair Lau thanked everyone and adjourned the meeting. There was zoom applause.

The Meeting was adjourned at 5:33 p.m.

ATTEST: Matthew McCarthy, Senate Secretary

August 19, 2020