Meeting Call for Regular Meeting of the Santa Cruz Division
WEDNESDAY, March 8, 2006 at 2:30 p.m.
Kresge Town Hall
ORDER OF BUSINESS

1. Approval of Draft Minutes
   Draft Minutes of November 18, 2005 (AS/SCM/274)

2. Announcements
   a. Chair Crosby
   b. Chancellor Denton
   c. Interim Campus Provost/EVC Kliger

3. Report of the Representative to the Assembly
   November 9, 2005 and February 8, 2006 Reports (AS/SCM/1482)

4. Special Orders: Annual Reports
   CONSENT CALENDAR:
   Committee on Research (AS/SCP/1480)

5. Reports of Special Committees (none)

6. Reports of Standing Committees
   a. Committee on Educational Policy
      i. Amendment to Regulation 6.2.2 on Minimum Academic Progress (AS/SCP/1478)

   b. Senate Executive Committee:
      i. Revision to Bylaw 7.4 (AS/SCP/1477)
      ii. Task Force on Tent University and Restructuring Emergency Response (AS/SCP/1479)

   c. Committee on Faculty Welfare
      i. Report on Faculty Concerns About Shifts in Benefits Policies (AS/SCP/1481)
      ii. Oral Report on Quality of Life Issues

   d. Committee on Planning and Budget
      i. Oral Report on Academic Planning

   e. Committee on Rules, Jurisdiction, and Elections
      i. Proposed Change to Bylaw 13.4 Revision to Member Voting (AS/SCP/1483)

7. Report of the Student Union Assembly Chair

8. Report of the Graduate Student Association President

9. Petitions of Students (none)

10. Unfinished Business

11. University and Faculty Welfare
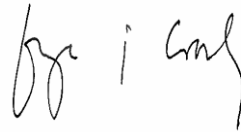
12. New Business

February 22, 2006

MEMBERS OF THE ACADEMIC SENATE

Dear Colleagues

Many important matters face us, and we are looking forward to addressing them at the Winter meeting of the UC Santa Cruz Division of the Academic Senate. The CALL for the meeting can be found at http://senate.ucsc.edu/meetings/06mar/A06mar.html . Issues concerning admissions, undergraduate education, graduate education, and the well being of faculty and staff will all benefit from close attention by all members of the Academic Senate as will some "house keeping" matters.

My colleagues on the Senate Executive Committee and I urge you to read the call carefully and to come express your opinions at our meeting on March 8.

Best Wishes,

Faye J. Crosby
Chair, Academic Senate

PROPOSED CORRECTIONS TO THE MINUTES
of the
Fall Quarter 2005 Meeting

The draft minutes from the November 18, 2005 Fall Quarter Senate meeting were distributed via email on February 7, 2006 and will be presented for approval at the next Senate Meeting on March 8, 2006. After being approved, these minutes will be posted on the Senate web site (http://senate.ucsc.edu/meetings.html).

Senators are asked to submit any proposed corrections or changes to these draft minutes to the Senate Office in advance of the next meeting, via EMAIL or in WRITING. All proposed changes will be compiled in standardized format into a single list for distribution as a handout at the next meeting.

This approach gives Senators an opportunity to read and review changes before being asked to vote on them; gives the Senate staff and the Secretary time to resolve any questions or inconsistencies that may arise; and minimizes time spent on routine matters during meetings. While proposed changes may be checked for consistency, they will not be altered without the proposer's approval. This approach complements, but does not limit in any way, the right of every Senator to propose further changes from the floor of the meeting.

To assist the Senate staff, proposed changes should specify:
       1. The location of the proposed change (e.g. item, page, paragraph, sentence…)
       2. The exact wording of existing text to be modified or deleted
       3. The exact wording of replacement or additional text to be inserted
       4. (Optional) The reason for the change if not obvious

Please submit all proposed changes to arrive in the Senate Office **no later than 12:00 noon on Monday, March 6, 2006.** They should be addressed to the Secretary, c/o Academic Senate Office, 125 Kerr Hall or via email to senate@ucsc.edu.

Deborah Letourneau
Secretary, Academic Senate
Santa Cruz Division

February 8, 2006

Report of the Representative to the Assembly of the Academic Senate

TO: Academic Senate, Santa Cruz Division:

I would like to report on the two meetings of the Academic Assembly that have occurred since the last meeting of our Division.

November 9, 2005 Assembly Meeting via Teleconference

In his announcements, Chair Brunk stated that subsequent to the resignation of Provost M.R.C. Greenwood, the President has appointed Vice President of Academic and Health Affairs W. Rory Hume to be Acting Provost until a full search is completed. Professor Brunk also announced that there is a new procedure of the review of the California Institutes of Science and Innovation which will be implemented this year. Although this policy was reviewed by three committees of the systemwide Senate, there was concern expressed that it has never been reviewed by the divisions or by all Senate committees. This review procedure may be revisited after two years.

The Assembly then turned to three resolutions dealing with RE-61, entitled *Policies on Universitywide and Senior Leadership Compensation, and Procedures for Senior Leadership Compensation*, which was slated for final action by the Board of Regents at its November Regents meeting. Item RE-61 contains the following three recommendations to the Regents: (A) to work to achieve market parity for all UC employees over a ten-year period beginning in 2006-07; (B) to shift oversight of salaries for most of UC's senior leadership from the Regents to the administration and establish procedures for setting and determining senior management salaries; and (C) to augment the funding of salaries over $350,000 by means of private fund raising in order to achieve market comparability. It is noteworthy that this item contains no justification for why the adoption of a ten year plan to increase salaries should supplant the obligation of the President and the Regents to make UC salaries competitive as soon as possible. Also note that there is no funding mechanism identified beyond the Compact except for item C, which would benefit only 42 highly paid senior managers. Many members felt that there are much higher fund raising priorities within the University than raising the compensation of the highest paid administrators.

One resolution, the Academic Senate Resolution on University Salaries, had been placed on the agenda by petition of four members, Professors Pitts and Gerber of UCSF and Blumenthal and Williams of UCSC when it appeared that no other statement might be made by the Senate on this issue. Because the Academic Council subsequently placed two resolutions on the Assembly agenda, these four members withdrew their resolution.

Next, after several amendments were approved, the Assembly unanimously adopted the Resolution on Proper Compensation Priorities for the University of California. This resolution concludes that:

1. The Academic Senate supports increasing the salaries of all University of California employee groups to achieve market parity in as short a time as possible and without any decrease in total compensation; and
2. Priority should be given to the employee groups most proximal to the core teaching, research and service missions of the University of California; and
3. The Academic Senate supports the development of a rational transparent process of determining senior management salaries in a way that any ensuing salary increases are proportionate with those of other employee groups; and
4. Any planned compensation structures for senior management should be subject to full review by the Academic Senate and be instituted in a measured fashion, with transparency and accountability, and include appropriate consideration of performance (analogous to the Committee on Academic Personnel for faculty).

The Assembly then amended and adopted the Resolution in Opposition to the Use of Private Funds for Senior Leadership Salaries, which states "***NOW BE IT RESOLVED that the Academic Senate opposes RE-61, Recommendation C.***" The full text of these two resolutions is available at:
http://www.universityofcalifornia.edu/senate/reports/assembly.resolution.compensation.1105.pdf

Chair Brunk announced the formation of the Academic Council Science and Math Initiative Group, whose interim chair will be Berkeley Division Chair Alice Agogino.

In his report to the Assembly, University Committee on Faculty Welfare Chair Raymond Russell emphasized two key issues:
- Mercer Report: UCFW continues to have concerns about the Mercer Report on UC's total compensation, which was presented to the Board of Regents by Mercer Human Resources Consulting in connection with Regents' item RE-61. UCFW identified inaccurate assumptions reported by Mercer regarding calculations valuing UC's retirement benefits.
- UC Compensation: Substantial changes to employees' compensation packages are on the horizon, including the resumption of employee contributions to the UC Retirement Program (UCRP), expected as of July 2007, and UC's consideration of retiree health benefits due to a change in the Governmental Accounting Standards Board (GASB) accounting rules.

Finally, Michael Brown, Chair of the Board of Admissions and Relations with Schools, gave an update on two issues before BOARS:
- Admissions – Honors-Level Grade Bump: Chair Brown provided a brief timeline of the admissions studies conducted by BOARS over the past few years regarding the bonus point applied to student GPAs for certified honors-level courses used to determine UC eligibility. BOARS and related task forces of the Academic Council have analyzed extensive predictive validity studies, access and equity studies, and behavioral effects of the grade bump policy. On the basis of this information, recently at its November 4, 2005 meeting, BOARS approved a letter to be sent to campus admissions policy committees with the following recommendation: students' participation in honors-level courses, as one of many

possible indicators of academic rigor, have value that are supportable in selection, but not in eligibility. Supporting data analyses related to this topic will also be included in BOARS' letter.

- Eligibility in the Local Context (ELC) Study: BOARS implemented an extensive ELC study in 2001 looking at actual data concerning how students admitted under the ELC policy have performed, and also analyzing data to determine whether the ELC policy should be extended, cut back or remain as presently written. BOARS' recommendations on this issue are expected to be finalized in the upcoming months.

February 8, 2006 Assembly Meeting via Teleconference

President Dynes was unable to attend this Assembly meeting because he was testifying at hearings in Sacramento on University Compensation. As is his custom, he submitted a written statement to the Assembly, located at
 http://www.universityofcalifornia.edu/senate/assembly/feb2006/president.rep.pdf   and Acting Provost Rory Hume was present to answer questions.

The Assembly's first action was to elect, by acclamation, Professor Michael Brown (UCSB and current BOARS chair) as the next Vice Chair of the Academic Senate. His term begins September 1, and one year later, he becomes Chair of the Senate.

Next, the Assembly approved a Memorial to the Regents on Nonresident Tuition for Graduate Students. This memorial was approved by the Davis Division for transmittal to the other divisions. An amendment from the Berkeley Division to limit this memorial to graduate students beyond the first year was rejected by the Assembly. Since the Assembly approved the Memorial, it will be submitted for a mail ballot of all UC Senate faculty. If approved, it will then be formally sent to the President for submission to the Regents. The key statement in the Memorial is ***"The Academic Senate of the University of California requests that the Regents of the University of California structure and advocate a budget for the University that eliminates non-resident tuition for academic graduate students."***

Then, after approving some amendments, the Assembly adopted a set of Compensation Principles for transmittal to the Board of Regents. These principles are located at
http://www.universityofcalifornia.edu/senate/assembly/feb2006/assmb.comp.principles.0206.pdf
These principles are intended to guide the University to avoid the kind of controversy in which UC now finds itself. The four approved principles are:
1. Transparency: The University's internal and external constituents should know what the abiding compensation policies and practices are, and those policies and practices should closely correspond.
2. Fidelity to Shared Governance: With respect to personnel policies and practices, the Regents and the Academic Senate have important complementary roles to play in the review, consultation, and approval processes, and those roles should be respected.

3. Fairness within the context of the entire University of California community: Personnel policies and practices should be those that inspire faith in the institution and confidence that the entire community is being treated justly.
4. Merit: Beyond cost-of-living and "Comparison Eight" adjustments, which should be implemented in a manner consistent with the preceding principles, compensation for all employee groups should be based on performance, as assessed in fair, valid, and transparent ways.

As a part of the document, the Assembly also approved a list of specific recommendations to the Regents. I shall list three of them here:

- We strongly encourage the Regents to develop policies that firmly establish total compensation levels for leadership that are appropriate for a public trust and to act promptly to identify and remedy any areas where practices do not correspond to policies.
- We recommend that compensation increases for the University's leadership should not lead that of the faculty and other staff of the University of California.
- As is consistent with its role in shared governance, we call for sustained scrutiny by the Academic Senate, acting through the Academic Council, of systemwide and Office of the President compensation, perquisite, separation, and leave policies and practices. The Academic Senate already reviews and comments upon academic personnel policies and practices. However, there is an apparent need for Academic Senate consultation, drawing upon its expertise in performance-based compensation reviews, in the areas of *non*-academic personnel policies and practices.

The other recommendations can be viewed at the above website.

Respectfully Submitted;
REPRESENTATIVE TO THE ASSEMBLY

George Blumenthal

23 February 2006

COMMITTEE ON RESEARCH
Annual Report 2004-2005

To the Academic Senate, Santa Cruz Division:

The following describes the activities of the 2004-2005 UCSC Committee on Research (COR).

I. COR Activities

COR Budget

COR base funding was increased in 2004-05 by a permanent $36,550 allocation resulting from an increase in campus indirect cost recovery funds. Although COR funding was substantially increased in 2001-02 and again in 2002-03, and has been further increased in the last three years due to increased indirect cost recovery, the effects of State budget cuts in 2001-02 and 2002-03, faculty growth, and inflation have left per capita funding at a level only marginally higher than the low point in 1999-2000.

COR Grants Program

The committee devoted substantial attention this year to its grants programs. Having realized that many faculty were unaware of the Special Research Grants (SRGs), the committee publicized the program more widely. This was successful, as more than twice the number of applications was submitted in 2004-05 than in the previous year. COR established a subcommittee which took concrete steps towards an electronic application process, to be implemented in 2005-06. In preparation, COR applications were stream-lined so as to eliminate attachments, the subcommittee outlined goals for the new process, and, in the late Spring, an initial consultation with IT took place.

COR revised the SRG reporting form in the hope of receiving more useful information about how SRGs enhance the research activities of both individual faculty and the campus community.

For conflict of interest reasons, the committee voted unanimously that members of COR during any academic year will be ineligible to submit SRG applications during that year. Although there is some concern that it will be more difficult for COC to recruit members for COR, the committee suggested to COC that it consider past recipients of SRGs, who have low priority for receipt of a subsequent SRG for a period of five years.

Review of Organized Research Units

Member John Thompson represented COR at the closure meeting for the five-year review of the Institute for Marine Science (IMS). The five-year review of the Santa Cruz Institute for Particle Physics (SCIPP) came due in 2004-05, but was postponed. COR

recommended to VCR Miller that the review be scheduled for the 2005-06 academic year.

Since 2000, authority for ORU reviews has devolved to the campuses, with each campus expected to put in place an ORU review policy. COR worked with the Office of Research to draft a policy. A draft ORU Guidelines document approved by COR was distributed in late Spring by the Office of Research to the Deans for comment. Under the draft guidelines, relevant committees of the Senate are consulted on the draft charge, and COR is consulted on the slate for review committee members.

Other Activities and Pending Matters

The committee consulted with a number of administrators and administrative committees during the year. The VCR attended most of COR's regular meetings (5 out of 7), reporting on current research activities and issues. COR met several times with Caitlin Deck, Compliance Officer, on issues related to export control, research integrity policy, and training for new PIs. Earlier in the year, it met with representatives from IT for a briefing on the centralization process. COR consulted with the chair of the Senate Committee on Computing and Telecommunications concerning the advisability of a COR representative on the Information Technology Committee. The Campus Provost/EVC subsequently approved addition of a COR representative to this committee. However, it was not feasible to appoint a member during the current year.

COR worked with the Senate Committee on the Library on issues of common concern. The two committees cosponsored the *Senate Forum on Scholarly Publishing* held in May and COR reviewed the draft Senate Resolution on Scholarly Publishing.

The committee responded to requests from the Divisional Senate for comment on the *Academic Council Resolution on Restrictions* on *Research Funding Sources*, on *Senate Regulation 600B*, on *Systemwide Strategic Directions for Libraries and Scholarly Information at the University of California,* on *Interdisciplinary Activities at UC,* the *LRDP,* and the *WASC Report.* It responded to requests from the Office of Research for nominations for the UCSC Institutional Review Board (IRB) and for representatives to the systemwide research compliance advisory committee.

The chair received a query from a faculty member concerning difficulties in obtaining reimbursement of payment for copyright permissions. After consultation with several campus business offices, it was determined that because such payments are taxable, they must be made to the copyright owner directly by the University and reported on a 1099 form to the IRS.

COR was concerned about the low visibility of Arts, Humanities, and Social Science research on the campus Research webpage (http://www.ucsc.edu/research/). The COR chair met with Vice Chancellor for University Relations Ron Suduiko and Associate Vice Chancellor for Communications Elizabeth Irwin to discuss possible solutions. COR members in Arts and Social Science also brought the issue to the attention of their deans'

offices to encourage better communication between divisional research support staff and University public relations.

II. Allocation of COR Grant Funding

A major activity of COR is to evaluate proposals for scholarly travel, research and other scholarly activity. COR funds support all areas. This year, COR maintained the level of funding available under the Special Research Grants (SRG) program at $15,000 for individual proposals and $20,000 for collaborative projects. Over all three of its grant programs (FRG, SRG, Scholarly Meeting Travel), COR awarded a total of $503,213.

Special Research Grants
Applications received/funded: 51/21
Total awarded: $203,282
Breakdown: number awarded/amount

Arts	4/$37,500
Eng	3/$21,000
Hum	4/$47,126
PBS	5/$47,900
SS	5/$49,756

Faculty Research Grants
Applications funded: 116
Total awarded: $185,094
Breakdown: number awarded/amount

Arts	34/$61,520
Eng	2 /$ 3,546
Hum	28/$38,937
PBS	10/$13,504
SS	42/$67,587

Scholarly Meeting Travel
Applications funded: 162
Total awarded: $114,837
Breakdown: number/amount

Arts	29/$23,807
Eng	8 / $ 7,000
Hum	41/$26,218
PBS	21/$14,932
SS	63/$42,880

III. University Committee on Research Policy (UCORP) Activities

COR chair Judith Aissen served as the UCSC representative to UCORP. In addition to its usual workload reviewing multi-campus research units, UCORP continued its discussions with the Office of Research concerning the Senate's formal recommendations on restructuring the MRU review process. UCORP co-signed with the University

Committee on Planning and Budget (UCPB) a Statement on the Re-circulation of MRU Funds that urged the formation of a joint Senate/administrative task force to expedite the implementation of a new review process that would recycle UCOP funds to support new research initiatives. UCORP continued to participate in on-going discussions of how the CAL ISIs should be reviewed. UCORP's "Resolution on Restrictions on Research Funding Sources", endorsed by Academic Council in Summer 2004, was sent out by Council for further review by the Divisions and other Academic Senate committees. The review resulted in full Senate approval of an amended version of the Resolution that is consistent with the original document but adds procedural clarifications, and which UCORP endorsed.

More details on UCORP activities may be found in the UCORP annual report, http://www.universityofcalifornia.edu/senate/committees/ucorp/reports.html.

IV. COR Representation

In addition to representation on UCORP, COR was represented through its chair on the Senate Executive Committee. That committee also met several times with the Chancellor's Advisory Board.

Finally, COR wishes to express its appreciation to Laurie Babka, Senate Committee Advisor, who continued to provide excellent support and advice to the committee.

Respectfully submitted,
COMMMITTEE ON RESEARCH

Rebecca Braslau
E.G. Crichton
Dan Friedman
Jerry Neu
Abe Seiden
Ali Shakouri
John Thompson
Avril Thorne
Judith Aissen, Chair

February 21, 2006

COMMITTEE ON EDUCATIONAL POLICY
Amendment to Regulation 6.2.2 on Minimum Academic Progress

To the Academic Senate, Santa Cruz Division:

The Committee on Educational Policy is proposing an amendment to current regulation SCR 6.2.2 on minimum academic progress so that all UCSC undergraduate students are assessed for both academic standing (2.0 gpa) as well as minimum academic progress standards in order for students to achieve completion of the degree within expected limits on terms of enrollment. UCSC's minimum progress regulation has been in existence since the beginning of the campus, but was not explicitly linked to the population of students who entered after the change to mandatory grading in fall 2001.

The intent of the minimum progress requirement is to provide students with a clear measure of the minimum expectations for the pace at which they earn credits and to give the colleges the ability to counsel and sanction students who do not meet those expectations.

The assessment of minimum progress is intended to be a supplement to annual assessment of academic standing. It is anticipated that the majority of students who do not satisfy the minimum progress requirement will also be subject to probationary supervision in the academic standing review. For those students, the assessment of minimum progress may be one factor taken into consideration in supervising these students.

For students who do not satisfy the requirement of minimum progress but who are in good academic standing, a range of action can be considered, from waiving any sanction through denial of registration. In consultation with CEP, the colleges will develop uniform guidelines for supervising such students to encourage improvement in their progress toward the degree without creating undue burdens of staff workload. A guiding principle of such supervision should be the goal that the student achieves a degree within expected limits on terms of enrollment.

A student is judged to satisfy the minimum progress requirement by meeting the minimum progress standard both cumulatively and in the preceding academic year. Hence students are subject to college supervision for failure to make minimum progress if they have a cumulative deficit of units below the standard or if they have fallen below the standard in the previous academic year but have not yet fallen below the standard cumulatively.

Preliminary data indicates that an additional 9% of students would be newly classified as failing to make minimum progress by this standard.

Current wording	**Proposed wording**
	NEW TEXT
	6.2.2.1 **[For undergraduate students entering UCSC fall 2001 and after.]** Undergraduate students are required to make Minimum Progress toward their degree by maintaining total earned credits equal to or greater than the cumulative total of (a) 36 credits for each academic year of full-time

	enrollment, (b) 12 credits for each additional quarter of full-time enrollment, and (c) four-fifths of the credits attempted in part-time enrollment. Credit transferred from other institutions upon enrollment at the University of California, Santa Cruz, is not included in Minimum Progress calculations. Satisfaction of Minimum Progress is assessed at least once each year. Continued registration of a student who does not satisfy the Minimum Progress requirement is at the discretion of the faculty of the student's college or their agents and is subject to such conditions as they may impose.
6.2.2 A full-time undergraduate student is considered to be making minimum progress toward a degree if she or he is progressing toward a degree as indicated in the chart below and has passed with grade P, A, B, or C at least 30 credit hours in the three most recent quarters, or if an exception has been approved in writing by the Faculty of the student's college. Part-time students are held accountable to the same standard of minimum progress as are full-time students, except that each 15 credit hours they attempt constitute one full-time quarter.[1] For purposes of computing minimum progress, credit for work transferred from another institution upon admission to the University of California, Santa Cruz will not be included. Therefore, all students entering the University of California, Santa Cruz for the first time will begin the determination of minimum progress from Quarter 1. Credit for work transferred from another institution upon admission will be used, however, to determine the total number of quarters allowed for completion of the degree.[2]	**6.2.2.2 For undergraduate students who entered UCSC before fall 2001**: A full-time undergraduate student is considered to be making minimum progress toward a degree if she or he is progressing toward a degree as indicated in the chart below and has passed with grade P, A, B, or C at least 30 credit hours in the three most recent quarters, or if an exception has been approved in writing by the Faculty of the student's college. Part-time students are held accountable to the same standard of minimum progress as are full-time students, except that each 15 credit hours they attempt constitute one full-time quarter.[1] For purposes of computing minimum progress, credit for work transferred from another institution upon admission to the University of California, Santa Cruz, will not be included. Therefore, all students entering the University of California, Santa Cruz, for the first time will begin the determination of minimum progress from Quarter 1. Credit for work transferred from another institution upon admission will be used, however, to determine the total number of quarters allowed for completion of the degree.[2]

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[1] Part-time students who are receiving financial aid must enroll in at least 6 credit hours per quarter in order to maintain eligibility for aid.

[2] For example, a student who transfers 80 quarter units of credit will have completed 16 University of California, Santa Cruz equivalent courses (computed at five quarter units per course) and will be considered to have completed 5 quarters of enrollment toward the degree [SCR 6.2.3].

Minimum Number of UCSC Credit Hours Completed		Minimum Number of UCSC Credit Hours Completed	
<u>Quarter</u> (includes post-admission transfer credit)		<u>Quarter</u> (includes post-admission transfer credit)	
1	5	1	5
2	15	2	15
3	30	3	30
4	40	4	40
5	50	5	50
6	65	6	65
7	75	7	75
8	85	8	85
9	100	9	100
10	110	10	110
11	125	11	125
12	140	12	140
13	150	13	150
14	165	14	165
15	180	15	180

Respectfully submitted,

COMMITTEE ON EDUCATIONAL POLICY
Heather Bullock
Pamela Hunt-Carter, *ex officio*
Tracy Larrabee
Anatole Leikin   Pedro Castillo, Provosts' rep
Jaye Padgett   Tim Fitzmaurice, NSTF rep
John Tamkun   Floyd Amuchie, Student rep
Richard Hughey, Chair

January 18, 2006

SENATE EXECUTIVE COMMITTEE
Chapter 7
Revision to 7.4

To the Academic Senate, Santa Cruz Division:

The Senate Executive Committees proposes a change to the rules of order not covered by legislation. This change conforms to the Academic Assembly action in November, 2004 which adopted use of the "*Sturgis Standard Code of Parliamentary Procedure*".

Justification:
* "Robert's Rule of Order" is out of copyright, which allows anyone to produce a Roberts Rules of Order, with different procedures and interpretations.
* Sturgis Standard Code of Parliamentary Procedure is simpler to read and interpret.

This change shall become effective at the next meeting of the Divisional Senate.

Current	Proposed
7.4 Questions of order not covered by legislation are governed by *Robert's Rules of Order.*	**7.4** Questions of order not covered by legislation are governed by ~~*Robert's Rules of Order.*~~***Sturgis Standard Code of Parliamentary Procedure.***

Respectfully submitted,

SENATE EXECUTIVE COMMITTEE
Judith Aissen (COR)
George Blumenthal (Assembly Representative)
Robert Coe (CAFA)
Gina Dent (CAAD)
Carol Freeman (COC)
Greta Gibson (CFW)
Susan Gillman (CAP)
Richard Hughey (CEP)
Deborah Letourneau (Secretary)
Paul Koch (CPB)
Bruce Schumm (GC)
Quentin Williams (Vice Chair)
Al Zahler (P&T)
Faye Crosby, Chair

December 6, 2005

REPORT OF THE TENT UNIVERSITY AND RESTRUCTURING EMERGENCY RESPONSE PROCEDURES TASK FORCE

February 1, 2006

In May 2005, the Senate Executive Committee formed the Tent University and Restructuring Emergency Response Procedures Task Force to "review the decision-making processes leading to the events of Monday, April 18 in connection with Tent University Santa Cruz (TUSC) ...[and] to provide guidance to the campus as a whole to better respond to similar events in the future." (See Appendix 1.) As charged, the Task Force carefully listened to a wide range of members of the UCSC community who came from varied perspectives, and who presented varied, sometimes conflicting, perceptions of the events of TUSC. In this report we summarize our investigation of the events surrounding TUSC, April 18-22, 2005, including the arrests of students, and suggest recommendations to faculty and administration for the future.

I. WHAT IS TENT UNIVERSITY?

The Tent University movement, organized by students, began at Rutgers over four years ago and has spread to a few campuses in the U.S., Canada, and Australia. Widely known as Tent State University, the movement intends to set up "alternative universities" to highlight its move to democratize university procedures, to include students in decision-making on spending priorities, to become a progressive public space for diverse groups to assemble and build alliances, and to participate in the expression of art, culture, and music. Tent University events typically feature workshops and classes taught by faculty, students, and community members; live music and other performances; discussion groups; and temporary communal living in a "tent city." TUSC was announced in March 2005 as "a UCSC Community Convergence," "an alternative university system defined by principles of solidarity, community, and creativity." Events in the week of April 18-22 were to be "a week of celebration, creation, and expression of demands," demonstrating "our right to peaceable assembly and free speech" and "an opportunity to define the kind of world we wish to live in" (TUSC organizing flier, March 2005).

Observing and responding to this plan were UCSC administration, in particular the Student Affairs Division, which coordinates "demonstration management" and handles student protests; UCSC Police; and the Emergency Operations Center (EOC) coordinated by Business and Administrative Services (BAS) Vice Chancellor Tom Vani and co-chaired by Vice Chancellors Tom Vani and Francisco Hernandez. EOC is intended to respond to situations that "disrupt campus operations or threaten campus safety." As TUSC plans unfolded, the EOC was convened by Vice Chancellor Tom Vani in order to maximize effective communication among campus decision-makers, including the Chancellor, Vice Chancellors, Deans, college provosts, Senate Chair, and student government (SUA and GSA). Members of the EOC are listed in Appendix 2.

II. THE EVENTS OF TENT UNIVERSITY

In late March, calls to join TUSC spread on the Internet, in fliers, classroom announcements and by word of mouth. Several meetings with organizers of TUSC, initiated by the administration, occurred between April 1 and 14 with Student Affairs, UCSC Police, and TUSC representatives. These meetings did not result in mutual agreements about logistics or events – in particular the TUSC plan for overnight camping at the base of campus was countered by the administration requirement that all participants disperse at 8:00 p.m. During those meetings the administration initially proposed the Upper Quarry as an alternative site, but later rescinded that offer before the students could accept or reject it. After the administration had withdrawn all other possible sites for camping, organizers set their stakes on camping at the main entrance, rather than call off what was considered a major part of TU experience. On Friday, April 15, UCSC Police Chief Aluffi requested "mutual aid" from UC Berkeley, with UCB police to be present at UCSC beginning in the afternoon of April 17.

TUSC began at noon on Monday, April 18 with a march from Quarry Plaza to the base of campus, and proceeded into the evening with small-group facilitated discussions, in which some college provosts participated. The Demonstration Response Team, an ad hoc group of Student Affairs administrators and staff, joined the march to the base of campus and circulated among the student groups. By late evening, the crowd of 70-80 had grown to about 200. Because TUSC had no permit to hold an event on campus after 8 p.m., administrators at the site explained to them that they would be arrested for trespass if they remained at the site. As the numbers of individuals at the base of campus continued to grow, the police, acting on instruction from the Chancellor, gave the order to disperse the students and to arrest those who did not leave. The order was delivered by loud speaker, more than once. Students who decided to be arrested sat in a circle with linked arms and legs, in a "lockdown" position. Students who formed an outer ring around this group chanted and gave verbal witness to the treatment of the students being arrested. Students in the outer ring were hit by police batons as the police tried to keep them away from the area of arrests. To remove students from the "lockdown" so as to arrest individuals, police applied mastoid point pressure and other "pain compliance" methods to get the students to break their grip on one another. While arrests were underway, the Chancellor was asked by two faculty members to suspend the arrests but she declined. Later, as anger, fear, noise and agitation were escalating in the crowd, Chief Aluffi advised her that police needed to take a break in order to "figure out what we need to do." During the break, spontaneous negotiations resulted in an agreement to stop the arrests, and to permit a small contingent of students to continue camping with the rest of the crowd dispersing.

Nineteen students were charged with trespass and with resisting arrest. A large number of faculty signed a letter to the Chancellor asking that criminal charges against arrested students not be pursued, that the administration take no disciplinary action against students arrested or involved in organizing TUSC, that the administration and faculty Senate together establish guidelines for responding to student protests, and that the campus community engage the issues raised by students, including fee increases, financial aid, enhancement of diversity, freedom of speech, and academic freedom (Appendix 3). On April 29, the Santa Cruz County District Attorney dropped the criminal charges, after being informed that Chancellor Denton and Police Chief Aluffi requested that no charges be filed in this case. The Academic Senate convened this Task Force in May to investigate the decision-making process and to provide guidance to the campus so that we could better respond to similar events in the future. In letters dated from June 10, Student Affairs

informed 34 students, both those arrested and other participants, that their behavior may have represented a violation of the Code of Student Conduct and that they were subject to sanctions.

III. PERCEPTIONS OF TENT UNIVERSITY

We acknowledge a range of varied perceptions of TUSC. In the summary that follows, statements and viewpoints expressed are based on our interviews and on written and electronic materials, gathered by university officers, or submitted directly to the Task Force. Words or phrases in quotation marks are taken from written submissions or from our notes of interviews with undergraduate and graduate students, campus administrators and staff, police officers, and college provosts and faculty.

Neither student participants in TUSC nor the university administration responding to it thought that we should begin our discussion with the events of TUSC itself. The students we interviewed believed, and administration representatives asserted, that a series of prior events during Spring Quarter 2005 contributed to the administration's response to TUSC. Students felt that the university wanted to crack down on student dissent and called in the police not because of TUSC itself but because of previous events, including an incident at the Job Fair (April 5) where a staff member was injured when a wave of students rushed through the door protesting military recruiters' presence on campus, and the AFSCME strike (April 14) that involved both blocking traffic from entering campus and confrontations with police. The administration archives even more incidents in citing a new "edginess" to student behavior, though the Job Fair and the strike were central to their perception that the students at TUSC might be aggressive or violent. The administration's list of incidents that they saw as leading up to TUSC includes large, rowdy, and violent house parties, and incidents of vandalism to campus buildings, slashed tires on campus, and graffiti with racist, anti-development, and/or anti-police slogans. Student Affairs administrators attest that some of the students at TUSC were also at the Job Fair and the AFSCME strike. The administration cited these incidents, as well as Internet announcements calling for "direct action," as justification for their decision to call in extra police. Students disavowed any connection between those prior events and TUSC, and rejected the violence and racism of certain incidents. They thought the administration created the potential for a violent confrontation by conflating unrelated violent incidents with their plans for a peaceful assembly and nonviolent direct action.

Students, faculty and administration had different ideas of what "direct action" implies, and different expectations about how the events of TUSC would unfold. To administration representatives, "direct action" signals the possibility of aggressive confrontation and violence. The administration was particularly alarmed by the presence of author/organizer David Solnit at training sessions at the Resource Center for Non-Violence, noting his association with the 1999 Seattle World Trade Organization (WTO) demonstration and concerned that he would teach "his direct action and protest techniques" and bring "a new kind of radicalism" to UCSC. In a UCSC Press Release 4/13/05, Chancellor Denton stated, "We encourage and welcome civil discourse, but the kind of event being promoted doesn't fit that description." In contrast, student organizers emphasized that the TUSC mission statement and website announced the event as a "non-violent direct action." Although our records indicate that a workshop at the Resource Center for Non-Violence may have been planned earlier, a TUSC organizer told the committee that once he was alerted to the presence on campus of police from UC Berkeley in "riot gear," he organized a session on non-violent response to arrest. The workshop was held on Sunday April 17 and the

TUSC organizer estimated 15-20 students attended.   Students say that there they learned how to de-escalate a potentially violent situation; administrators say that students learned to resist arrest. Among the materials submitted to the Task Force was a report by an unnamed individual who attended the workshop at the Resource Center for Non-Violence. That individual estimated that "25 subjects were in attendance" and that they learned to "resist in a passive manner" in order to "hold out at long as possible and then be arrested." This source reports that organizers advised them that "the use of force would only discredit their cause." According to a faculty member and students who attended the training session, Solnit explained a "theory of nonviolence" and distinguished being arrested for civil disobedience from resisting arrest. The TUSC website called for "a large enough presence to non-violently resist any attempted police repression and successfully maintain Tent U as an alternative space based on principles of community, cooperation, and creativity" (http://ucsc.tentstate.com/organize.htm).

When a recent UCSC graduate brought the idea of a Tent University from Rutgers to this campus, he was most taken with the participatory democracy model. While TUSC organizers at UCSC were primarily concerned with unjust budget priorities and strengthening activism on campus, they also saw TUSC as a forum in which individuals could come together in small groups, make collective decisions about issues and demands important to the campus, and send representatives for the next level of discussions. Under this plan, there could be hundreds of students assembled without a pre-determined goal. At the same time, this egalitarian, consensus-based model of participatory democracy frustrated negotiations with the administration. TUSC organizers did not draw on registered student government organizations such as SUA, nor did they take steps to meet the university's "time, place and manner" rules that govern activities by student organizations. See Appendix 4 for a statement of student rules of conduct relevant to TUSC. The administrators had difficulty finding a leader who would take responsibility or claim decision-making authority for the group. Police Chief Aluffi said that students who attended meetings had to take everything back to their "communication circles" and come to consensus. He and administrators did not consider TUSC to be a "demonstration" because demonstrations have a stated goal or purpose, and leaders who can negotiate logistics of the event with police and Student Affairs.

Both Student Affairs and the campus police found the organizers uncooperative and confrontational. Students we interviewed who attended the meetings said the meetings became unproductive when the administration refused to believe that TUSC had no connection to earlier incidents of vandalism or to the counter-recruitment action at the Job Fair. Those students perceived the administration as obstructive and not operating in good faith because of its wavering about an acceptable location, because it threatened sanctions if TUSC organizers proceeded with plans, and reportedly even prevented them from renting temporary toilet facilities.

Both student organizers and administration recognized that the issue of camping eclipsed the many other goals of TUSC. From the university's point of view, the question put to them was whether or not a congregation of students and non-students would be allowed to camp on university property. Referring to a camping ban in the rules of student conduct, the administration found no acceptable place for students to hold the event. Besides issues of safety in regard to fire, water, sanitation, and crime, the administration was also worried about opening the campus to permanent camping, and about "significant liability issues."   In what administrators called a "no-win situation," they decided that "there was no alternative" to arrests.

Accounts by participants and witnesses of the event in the evening of April 18 varied significantly. There were conflicting assertions regarding the use of marijuana and alcohol, and the number and nature of "non-affiliates" swelling the crowd. However, accounts by administration, staff, faculty, and students who were present concur in that there was no aggressive or violent behavior that triggered arrests. Some faculty and staff who attended TUSC and observed the gathering to be peaceful questioned the necessity or wisdom of arrests. Some faculty and students suggested that the crowd swelled precisely because of rumors of impending arrests, and if they had not happened the event would probably have "fizzled out" and become "just another event." Several faculty members who had talked with student participants said many students did not anticipate being arrested, and those who did were insufficiently educated about the consequences of resisting arrest. Many of the people interviewed were particularly disturbed by the manner in which students were arrested, which was perceived as especially intrusive and painful. While observers believed the police used excessive force, police stated they used only the lowest-order pain compliance method which involved mastoid stimulation, pressing the auricular nerves behind the ear, and the single and double salivary gland hold, which involves grabbing a person under the jaw and pulling up. Chief Aluffi and Captain Nancy Carroll affirm that, counter to widely spread rumors, police did not use carotid choke holds. Police recordings of the arrests show police with their hands pressing on students' faces, jaws, heads, and behind the ear, as well as twisting students' fingers, wrists, and arms.

IV. TASK FORCE CONCLUSIONS

Evidently, the administration's response to TUSC was largely shaped by the context of prior events in Spring Quarter, and its perception that those disparate incidents were somehow connected. Students' reports to us corroborate that some of the students at TUSC were also at the Job Fair and the AFSCME strike, but the administration could not make a case that other acts of vandalism or intimidation were perpetrated by the TUSC participants. Moreover, it is the Task Force's opinion that each incident should be evaluated separately, with an attempt to understand the motivation behind it and hold individuals responsible as appropriate. Our investigations indicate that the administration's perceptions of unruly or unlawful behavior at prior events strongly influenced the decisions to call in additional police and to arrest students. One Student Affairs administrator identified the "real key to the arrests" as "the level of personal violence against staff" (referring to an injury to a staff person at the Career Fair and aggressive behavior at the AFSCME strike), adding that "there was never any meaningful dialogue with the organizers." We find it unfortunate that the administration's response to TUSC seemed so strongly influenced by separate, prior events. The impulse for constructive free expression of dissent – even including "nonviolent direct action" or civil disobedience – should not be conflated or confused with acts of vandalism or violence.

That camping became the main issue at TUSC is emblematic of the failure of communication between the administration and the students. The university administration must learn to communicate constructively with a new generation of student organizers who rely on electronic media, bring together temporary coalitions across disparate issues, and maintain loose organizational structures. At the same time, students needed to acknowledge and respect university concerns about safety, logistics and liability, especially for an event which openly invited the public. Failure to work cooperatively on parameters and accommodations after the call had gone out for "hundreds of students, faculty, staff, and Santa Cruz community members [to] gather at the base of UCSC to form a giant tent city and alternative university" shifted the focus of the event

away from issues of economic and social justice. Rather than being about "unjust budget priorities, ...massive student fee increases and unlivable wages for campus workers," it came to be about the more peripheral issue of camping.

We believe it should be possible for parties to such an event to find flexible ways to accommodate issues of time, place, and manner without compromising the constructive but unconventional vision of a TUSC. The Task Force understands the university's concern for student safety and the limited time that it had to respond to the presence of TUSC, but we believe that it could have been more creative in working with students and it could have been less obstructive. For example, a UCSC press release 4/13/05 stated, "if plans for erecting a 'tent university' proceed, the university will enforce all relevant university policies and will apply maximum sanctions against violators." A day earlier, administrators and police in meetings with TUSC organizers had allegedly collected their names and ID numbers from their student body cards, threatened them with sanctions including expulsion, and asserted that the university would act to prevent TUSC from taking place (reported in an email from a TUSC organizer that was circulated among Student Affairs officers, dated Tue, 12 Apr 2005). Actions such as these contributed to a perception among students that UCSC administration "lack regard for our basic free speech rights," and heightened tensions.

The Task Force believes that any one of the numerous constructive suggestions we heard from faculty, staff, and students interviewed would have been a better response. The university could have issued special camping permits to students only; declared no cooking and candles at the campsite; empowered Residential Life staff or a student Demonstration Response Team to monitor alcohol and drug use; worked with TUSC organizers to create a nonviolent security force or with campus police to ensure safety at the event; and assisted in procurement of facilities such as portable toilets.

The Task Force believes that the presence of the police from UCB created a tense atmosphere and sparked the increase in the number of participants at the base of campus before the time of the arrests. The administration cites this increase in numbers of students and non-students at the main entrance to campus, and the safety and liability issues it caused, as motivating forces for the order to disperse and subsequent arrests.

We question why students were arrested at TUSC and whether the situation could have been defused without resorting to arrests. Participants in TUSC who refused to disperse when given the order by the police were engaging in civil disobedience. For some students, being arrested for civil disobedience was a strategic decision, used to call attention to their cause. Others were stirred "to go further than they were prepared to go" by events and persons at the scene. Most students never believed that they would be arrested for a demonstration on their campus. However, this is far from the first time that students have been arrested for civil disobedience on our campus. Students blocked the entrance to campus in the farm workers strike in the 1960s and the anti-apartheid struggle in the 1980s; they blocked Highway 17 at Ocean Street after the outbreak of the first Gulf War. In the past, Student Affairs and campus police have worked closely with students to make sure that they were aware of their arrest options and that they were aware of the difference between being arrested and resisting arrest. In this case, the distinction between being arrested and resisting arrest was not focused on by the students or the police, and especially was not reiterated at the scene of the arrest.

The Task Force finds that the university police could have more fully explained the arrest options for students who were determined to take their civil disobedience to arrest. Students needed to clearly understand that they could walk away with a police officer at the time of arrest or they could go limp and be dragged away, but if they did neither of these, their behavior could be deemed "resisting arrest." Repeating this statement over and over might have averted some of the violent arrests at TUSC. We find that students could have been more knowledgeable in their actions, and the university more deliberative and resourceful in its response. Evidently, and throughout the entire drama, the administration expended its energy attempting to persuade the students to not be arrested *per se*, when instead the administration could have been expending its energy persuading students not to resist arrest. To have been successful, this approach should have been systematically adopted by the administration from the earliest negotiations with the students. This approach would have served as a teachable moment; i.e. a real-world example of how non-violent civil disobedience can effectively bring public attention to the grievances of a group. The violent outcome of this particular event served no such purpose.

V. RECOMMENDATIONS

The root motivations for TUSC must be recognized and addressed. In the face of huge ongoing changes – continuing student fee increases, threats to financial aid, campus labor unrest, controversy over administration compensation, erosion of popular academic programs, adoption of grades, the need to enhance diversity at all levels of the university, controversies over freedom of speech and academic freedom – students feel excluded from processes of debate and decision-making. A quarterly forum for open dialogue of "pressing student issues," as called for by students, should be established. Registered student organizations such as the SUA and GSA represent a limited segment of the UCSC student population, and limiting regular meetings with students to leadership of those organizations does not give adequate voice or recognition to student concerns in the broader campus community.

The administration and faculty should actively pursue avenues to educate students in issues of university operations and planning, and should increase opportunities for students to have a voice in the process of planning, budgeting, and other decision-making about the direction and development of UCSC. Students should have ways to express their concerns and opinions, at the same time learning the constraints and pressures on the process. Students could have more presence on campus committees to bring their voice to discussions about university administrative responsibilities and campus life.

Students planning large-scale events on campus, especially events open to the public, must acknowledge and address issues of safety, hygiene, and university liability, in cooperation with university representatives. At the same time, there must be flexibility in rules of time, place, and manner so that an event serving the same purpose as TUSC becomes possible. The university administration must recognize variation among student subcultures and organizations – including variation among student "activists" – in order to respond to events in a nuanced, empathetic and appropriate manner. University administrators with responsibility for managing student demonstrations, and UCSC Police, should make every effort to understand emerging forms of dissent and accept more flexible notions of free-speech events, including apparently leaderless consensus-based events such as TUSC. In a larger social climate of increasing polarization, disenfranchisement and violence, it will serve the interests of the UCSC community as a whole to

support nonviolent, constructive outlets for free expression such as TUSC, including criticism and protest as well as demands for positive change.

As stated by Senate Chair Alison Galloway in a letter to faculty 4/13/05, "Whatever our perspectives, one common goal should unite us – an abhorrence of violence, since this denies the freedom of others." A commitment to nonviolence means a commitment to openness and a democratic process. Modeling respect for diversity of opinion in open dialogue among students, faculty, staff and administration should be part of the educational experience at UCSC.

VI. SUGGESTIONS FOR ACTION

A. Changing the Climate of the Campus

- **Open Office Hours for Chancellor and Senate Chair:** The Chancellor should hold weekly drop-in office hours that allow students to comment on issues of their concern. The Senate Chair should hold open office hours to hear student issues.
- **Academic Senate and Administration Cooperation:** The Academic Senate and the Student Affairs Division should increase opportunities for faculty to communicate with the administration on student issues, including, but not limited to, designating one or more faculty liaisons to work with the Demonstration Response Team and with Student Affairs on issues concerning the campus' social and political climate.
- **Open Forums and Inclusion of Students on Committees:** The administration and Senate should include students in open forums and committees to address issues of campus development, budget, labor, controversy over administration compensation, erosion of popular academic programs, controversies over freedom of speech and academic freedom, and other university issues which overlap student concerns. We suggest quarterly forums on topical issues.
- **Reaffirm UCSC's Principles of Community:** All members of the UCSC community – students, faculty, staff and administrators – should review and carefully consider UCSC's "Principles of Community" (Appendix 5). We believe that it is imperative that we respect each other and strive to maintain the quality of the academic environment and social climate.
- **Education in Non-Violence:** The university administration, including the university law enforcement leadership, should become well-versed in the principles of non-violent civil disobedience. The administration should strive to inform the student body of these principles, especially concerning the matter of when the line is crossed between non-violent and violent civil disobedience.
- **Public Reporting and Condemnation of Violence:** The campus community should publicly condemn specific acts of violence, vandalism, hate speech, and harassment of individuals when they occur; those who operate anonymously and who advocate violent actions should be marginalized by the public statements of student organizations as well as of faculty, staff and administration.

B. Restructuring Emergency Response Procedures

- **Joint Administrative-Faculty Guidelines:** As recommended in the faculty letter to Chancellor Denton and EVC Kliger (Appendix 3), the administration and faculty together

should establish policies and guidelines for responding to student protests, and the administration should work with faculty in such situations.

- **Demonstration Response Team**: A Demonstration Response Team should include faculty, staff, and students, and should work with students before an event. The team should be composed of individuals whose positions place them close to students and who are willing to earn students' trust. Student members of the team should include ad hoc representatives outside of student government. Faculty should also be enlisted as neutral observers of events; students and faculty should be trained as legal observers. The Demonstration Response Team and not the EOC should take the lead in dealing with student demonstrations, protests, and gatherings.
- **Police Procedures:** Police should explain arrest options, define resisting arrest, use non-invasive arrest techniques, and avoid pain compliance in the event of arresting nonviolent demonstrators.

Respectfully Submitted,

GEORGE BROWN
NICOLETTE CZARRUNCHICK
MARIA CECILIA FREEMAN
ANNA HUMMER
GLENN MILLHAUSER
LIAM WELCHER
CAROLYN MARTIN SHAW, Chair

Addendum to the Report

After the report was completed, the Tent University organizer whose statement was presented in the report clarified that the non-violence training was planned after the initial meeting between Tent University organizers with university administrators and the campus police, two weeks before the first day of Tent University. The police appeared in riot gear only on the day of the arrests. This accords with a correction suggested by the UCSC police department, as follows: "The mutual aid from Berkeley arrived in Santa Cruz late in the afternoon and were immediately housed downtown. They did not come onto campus until the next day."

LIST OF APPENDICES

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Appendix 2: Composition of Emergency Operations Center) EOC, Spring 2005
Appendix 3: Faculty Letter to Chancellor and EVC Kliger re Tent University
Appendix 4: UCSC Student Rules of Conduct
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Appendix 6: Administrators, Provosts, Faculty, Staff, and Police Officers Interviewed

APPENDIX 1: TASK FORCE CHARGE, COMPOSITION AND PROCEDURES

The Task Force was charged as follows:

> The aim of the task force is to learn from our experiences to better shape future responses to related events. This group will conduct an open-minded, impartial investigation and analysis of recent events surrounding the establishment of Tent University Santa Cruz (TUSC) with the aim of guiding the restructuring of campus emergency planning to respond to similar events in the future. The task force will:
> - investigate the facts surrounding the initiation of Tent University Santa Cruz (TUSC), the negotiations between TUSC and UCSC Administration, and the events leading to the confrontation on April 18, 2005;
> - identify the best strategies and structures for achieving conflict resolution and maintaining campus safety in similar situations in the future.
>
> To maintain impartiality, members will not include those directly involved with Tent University nor the Administration response to its formation. The task force will interview widely to hear the many viewpoints on this event.
>
> (AS/SCP/1461, 5/9/2005)

Task force membership was to include representatives of Senate Faculty, Non-Senate Teaching Faculty, administration, staff, and undergraduate and graduate students.

The task force interviewed members of UCSC administration including Chancellor Denice Denton, Vice Chancellors Tom Vani and Francisco Hernandez, Associate Vice Chancellors Gail Heit and Jean Marie Scott, several college provosts, various UCSC faculty, Police Chief Mickey Aluffi and Police Captain Nancy Carroll, various current and former UCSC undergraduate and graduate students who helped to organize and/or participated in TUSC, and various UCSC staff, faculty and students who attended and witnessed events at TUSC. We examined a wide range of materials provided by interviewees or otherwise gathered, including news releases, websites, fliers, emails and memos, videos, publications and public notices.

APPENDIX 2: COMPOSITION OF EMERGENCY OPERATIONS CENTER) EOC, SPRING 2005

Emergency Operations Committee, Members	Aluffi, Mickey Beaston, Linda (added later) Benedetto, Ciel Blitzer, Donna Brogan, Barbara Carroll, Nancy Carter, Jim Christopherson, Carolyn Denton, Denice Diaz, Anita Heit, Gail Hernandez, Francisco Hernandez, Chuck (alternate: Jeff Trapp) Hooker, Henry Irwin, Liz Kliger, Dave Kolbus, Ilse Ladusaw, Bill McQuitta, Willeen Merkley, Larry Moreno, Charlotte Morris, Buddy Purcell, Suzanne Rose, Lisa Scott, Jean Marie Scott, Wes Sifuentes, Alma Suduiko, Ron Trapp, Jeff (alternate: Chuck Hernandez) Valentino, Christina Vani, Tom Wood, Dan Zuidema, Doug
Emergency Operations Committee, Invited	Caloss, Dario Cloud, Jan Galloway, Alison Hastings, Shari (alternate: Kathie Kenyon) Houghton, Ed Hutchison, Michael Kang, Steve Kenyon, Kathie (alternate: Shari Hastings) Logan, Marie Meyer, Jane Miller, Robert Muscutt, Keith Sandeen, Cathy Thorsett, Steve Winans, Glen

APPENDIX 3: FACULTY LETTER TO CHANCELLOR AND EVC KLIGER RE: TENT UNIVERSITY

Dear Chancellor Denton and EVC Kliger:

We know that this has been an extremely difficult week for you and for the university.
We also know that each of you as well as others in the administration, including Associate Vice
Chancellor Jean Marie Scott, have worked very hard in an attempt to negotiate a satisfactory resolution to
the confrontation with the students who organized Tent University at the base of campus. We
acknowledge these efforts.

However, we express our deepest distress at the decision to call in the police to arrest students on Monday
evening. Based on observations by those of us present at various times during the evening, and reports
from others, we believe the use of police was unwarranted and seriously endangered the safety of the
students at Tent University and threatened to escalate into a wider conflagration. It was also very
disturbing to us that police were brought from the Berkeley campus in riot gear to handle what was
fundamentally a peaceful gathering because of concerns about "camping," a matter which could have
been easily handled with simple citations or other non-confrontational police presence, as well as
continued negotiations. We are also distressed at the police violence and the numbers of students injured,
some of whom are in our classes. Tent Universities have been established at a number of campuses
nation-wide and no such police action was initiated.

The withdrawal of the police on Monday night contributed greatly to the restoration of calm.

We urge you now to do four things:

First, we believe that in a spirit of reconciliation the administration should do everything possible to
ensure that criminal charges not be brought against those arrested on Monday night.

Second, we urge that the administration take no disciplinary action against those arrested or any of the
other students involved in organizing Tent University.

Third, we think it would be helpful if the administration and the faculty Senate established policies and
guidelines together for responding to student protests, and that in the future the administration work with
a Senate committee in such situations.

Finally, we encourage the campus community to engage in broad substantive discussions about the
educational issues raised by the students who organized Tent University, including fee increases, financial
aid, the further enhancement of diversity at all levels of the university, and the complex meanings of
freedom of speech and academic freedom.

Very sincerely yours,

Elizabeth S. Abrams, Writing Program
Nameera Akhtar, Psychology
Jorge Aladro-Font, Literature
George T. Amis, English Literature (Emeritus)
Jennifer Anderson, Environmental Studies

Roger Anderson, Chemistry and Biochemistry
Frank C. Andrews, Chemistry
Bettina Aptheker, Women's Studies
Anjali Arondekar, Women's Studies
Gabriela Arredondo, Latin America/Latino Studies
Noriko Aso, History
Erik Asphaug, Earth Sciences
Margarita Azmitia, Psychology
Brenda Barcelo, Languages
Reuben Barnes-Levering, SUA
Karen Bassi, Classics
Tandy Beal
Jonathan Beecher, History
Eva Bertram, Politics
Julie Bettie, Sociology
Raoul Birnbaum, Art History
Robert Boltje, Mathematics
John Borrego, LALS
Ryan Branche
Rebecca Braslau, Chemistry
Margaret Brose, Literature
David Brundage, Community Studies
Heather Bullock, Psychology
Roger Bunch, Kresge College
Terry Burke, History
Julianne Burton-Carvajal, Literature
Catherine Byrne, Psychology
Brian A. Catlos, History
Giulia Centineo, Languages
Nancy N. Chen, Anthropology
John Brown Childs, Sociology
Alan Christy, History
Annette Clear, Politics
James Clifford, History of Consciousness
Christopher Connery, Literature
Bruce N. Cooperstein, Mathematics
Vilashini Cooppan, Literature
Tim Craighead, Art
Sheila Crane, History of Art & Visual Culture
E.G. Crichton, Art
Ben Crow, Sociology
Sharon Daniel, Film & Digital Media
Angela Y. Davis, History of Consciousness
Melanie DuPuis, Sociology

Jennifer Dyer-Seymour, Psychology
Miriam Elliis, Languages
Angela Elsey, Languages
Jason Endres
Shelly Errington, Anthropology
Farnaz Fatemi, Writing Program
Verónica Feliu, Languages
Lawrence Andrews, Film & Digital Media
Arthur Fischer, Mathematics
Margaret FitzSimmons, Environmental Studies
Tara D Fouch
Jean E. Fox Tree, Psychology
Dana Frank, History
Carla Freccero, Literature
Carol Freeman, Writing
Maria Cecilia Freeman, Writing Program
Rosa Linda Fregoso, Latin American/Latino Studies
William H. Friedland, Community Studies & Sociology,
Emeritus
Sakae Fujita, Languages
Hiroshi Fukurai, Sociology
Margaret Fusari, Environmental Studies
Mary-Kay Gamel, Literature
Greta Gibson, Education
Diane Gifford-Gonzalez, Anthropology
Erica Gillingham
Susan Gillman, Literature
Per F. Gjerde, Psychology
Stephen Gliessman, Environmental Studies
Wally Goldfrank, Sociology & LALS
Jennifer A. Gonzalez, History of Art
M. Victoria González Pagani, Language Program
Francis M. Gravier, Library
Herman Gray, Chair, Sociology
Jody Greene, Literature
Kirsten Silva Gruesz, Literature
Isebill V Gruhn, Politics Emerita
Julie Guthman, Community Studies
Judith Habicht-Mauche, Anthropology
Conn Hallinan, Writing Program
Gildas Hamel, Language
Donna J Haraway, Professor, History of Consciousness
Judith Harris-Frisk, Language Program
Ellen Louise Hart, Writing

Ellen Hawkes
Margo Hendricks
Gail Hershatter, History
Karlton Hester, Music
Miriam Hitchcock, Art
Ruth Hoffman
Eli Hollander, Film & Digital Media
Ted Holman, Chemistry and Biochemistry
Emily Honig, Women's Studies
Jocelyn Hoy, Philosophy
Donna M. Hunter, History of Art and Visual Culture
John Isbister, Economics
Linda L. Ivey
Earl Jackson, Jr., Literature
Virginia Jansen, History of Art and Visual Culture
Susanna Jonas, Latin America/Latino Studies
John O. Jordan, Literature
Harry Berger Jr., Literature and Art History (Emeritus)
Josef Kaplan
Sharon Kinoshita, Literature
Norma Klahn, Literature
Ken Kletzer, Economics
Lori Kletzer, Economics
Jeffrey W. Knopf, Politics
Connie Kreemer, Theater Arts
Nancy Krusoe, Writing
Fred Kuttner, Physics
Greg Landau, LALS
Nora Megharbi. Languages
Campbell Leaper, Psychology
H. Marshall Leicester, Jr., Literature
Deborah Letourneau, Environmental Studies
Jacquelyn Levesque
Bruce Levine, History
Ronnie D. Lipschutz, Politics
George Lipsitz, American Studies
Scott Lokey, Chemistry
David Z. Londow
Leslie Lopez, Writing Program
Paul Lubeck
John Lynch, Classics
Nathaniel Mackey, Literature
Hervé Le Mansec, Languages
Alvaro Romero Marco, Language

William Marotti, History
Alma Martinez, Theatre Arts
Lourdes Martinez-Echazabal
Lisa Mastramico, Community Studies
Dean Mathiowetz, Politics
Anna Mattinson
Patrick McKercher, Writing
Karen C. McNally, Prof. Emerita, Earth Sciences
Robert Meister, Politics
Tyrus Miller, History
Marcia Millman, Sociology
Kimberley Miner
Helene Moglen, Literature
Radhika Mongia, Women's Studies
María Morris, Language Program
Alice Yang Murray, History
Ellen Newberry, Writing Program
Louisa Nygaard, Literature
Scott Oliver, Chemistry
Paul Ortiz, Community Studies
Ed Boring PBSci Academic Computing Group
Eleonora Pasotti, Politics
Justin Paulson, History of Consciousness
Micah Perks, Literature
Pamela Perry, Community Studies
Tristan Placone
Juan Poblete, Literature
Cynthia Polecritti, History
Eric Porter, American Studies
Tonia Prencipe, Languages
Daniel Press, Environmental Studies
Mary Beth Pudup, Community Studies
Ariel A. Pérez
Sarah Rabkin, Environmental Studies
Hugh Raffles, Anthropology
Ravi Rajan, Environmental Studies
Paco Ramirez, Language Program
Carmen Ramos-Castro
Craig Reinerman, former chair, Sociology
Alan Richards, Environmental Studies
Pamela Roby, Sociology
Tricia Rose, American Studies
Don Rothman, Writing
William G. Scott, Chemistry and Biochemistry

Warren Sack, Film & Digital Media
John T. Sackett, Music
Gabriela Sandoval, Sociology
Andrew Schiffrin, Environmental Studies
Zack Schlesinger, Physics
Roger Schoenman, Politics
Maria Schonbek, Mathematics Department
Peter Scott, Physics (Emeritus)
Daniel Schwartz, Cowell College & College Eight
Dan Scripture, Writing Program
Ana Maria Seara, Languages
Daniel L. Selden, Literature
Vanita Seth, Politics
Carolyn Martin Shaw, Anthropology
Deanna Shemek, Literature
Paul Skenazy, Literature & Provost, Kresge College
Catherine M. Soussloff, History of Art
Roz Spafford, Writing Program, Provost, College 8
Shelley Stamp, Film and Digital Media
Audrey E. Stanley, Professor Emerita of Theater Arts
Andrea Steiner, Community Studies
E.C. Stephens, CfAO
Eliabeth Stephens, Art
Trish Stoddart, Education
Nancy Stoller, Community Studies
William Sullivan, MCD Biology
David Sweet, History (emeritus)
Andrew Szasz, Sociology Andrew Szasz, Sociology
David Swanger, Education and Creative Writing
Neferti Tadiar, History of Consciousness
Lincoln Taiz, MCD Biology
Richard Terdiman, Literature
Megan Thomas, Politics
Avril Thorne, Psychology
Jude Todd, Writing
Patrick (time4respect) True, Copier Program
Anna Tsing, Anthropology
Slawek Tulaczyk, Earth Sciences
Brett Uhler, Student, Community Studies
Su-hua Wang, Psychology
Michael Warren, Literature (Emeritus)
Richard Wasserstrom, Prof. Emeritus, Philosophy
Robert Weil, Sociology and College Eight
David Wellman, Community Studies

Linda Werner, Computer Science
Rob Wilson, Literature
Stephen Wright, Psychology
Karen Yamashita, Literature/Creative Writing
Pat Zavella, Latin American and Latino Studies
Abby Zeiser, Psychology

The names above were signed on or before April 27, 2005.
A hardcopy of this letter has been set to Chancellor
Denton.

<u>**APPENDIX 4: UCSC STUDENT RULES OF CONDUCT**</u>

102.13 Obstruction or disruption of teaching, research, administration, disciplinary procedures, or other university activities;

102.14 Disorderly or lewd conduct;

102.15 Participation in a disturbance of the peace or unlawful assembly;

102.16 Failure to identify oneself to, or comply with directions of, a university official or other public official acting in the performance of their duties while on university property or at official university functions, or resisting or obstructing such university or other public officials in the performance of or the attempt to perform their duties;

102.17 Unlawful manufacture, distribution, dispensing, possession, use, or sale of, or the attempted
manufacture, distribution, dispensing, or sale of controlled substances, identified in federal or state laws or regulations;

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102.18 Manufacture, distribution, dispensing, possession, use, or sale of, or the attempted manufacture, distribution, dispensing, or sale of alcohol which is unlawful or otherwise prohibited by, or not in compliance with, university policy or campus regulations;

102.19 Possession, use, storage, or manufacture of explosives, firebombs, or other destructive devices;

102.20 Possession, use, or manufacture of a firearm or other weapon as prohibited by campus regulations;

102.21 Violation of the conditions contained in the terms of a disciplinary action imposed under these *Policies* or campus regulations;

102.22 Violation of the conditions contained in a written Notice of Emergency Suspension issued pursuant to Section 53.00 of these *Policies* or violation of orders issued pursuant to Section 52.00 of these *Policies*, during a declared state of emergency;

102.23 Violation of campus regulations regarding pets and animals (copies of these regulations are available from the college offices, the Family Student Housing Office, Faculty Housing Office, and University Police);

102.24 Possession or use on or in university properties or at official university functions of a firearm or other gun or weapon or explosive device, as defined within California Penal Code, Part IV, Title 2, Chapters 1-6 capable of inflicting injury, including, but not limited to firearms, BB, pellet, air, spring, paint, and blow guns, except as expressly permitted by law;

102.25 Possession of a knife as defined in the California Penal Code, Section 626.10(b). This section prohibits anyone from bringing or possessing a dirk, dagger, ice pick, or knife having a fixed blade longer that 2 1/2 inches on or in university properties or at official university functions, except as expressly permitted by law;

102.26 Possession or use on or in university properties or at official university functions of a "less than lethal weapon" as described in California Penal Code, Part IV, Title 2, Chapter 4, Chapters 1-6 including, but not limited to stun guns, bow or crossbows designed to shoot arrows, slingshot, or tear gas weapons except as permitted by law.

102.27 All open fires in the back country (wildland areas) are strictly prohibited and enforced under the Public Resources Code, Sections 4421, 4423, 4432 and 4433. Campfires, portable stoves, open fires and other use of fires on developed areas on university properties are prohibited without written permission from the campus Fire Chief. Campfire is defined as a fire which is used for cooking, personal warmth, lighting,

ceremonial, or aesthetic purposes, including fires contained within outdoor fireplaces and enclosed stoves with flues or chimneys, stoves using jellied, liquid, solid, or gaseous fuels, portable barbecue pits and braziers, or space heating devices which are used outside any structure, mobile home, or living accommodation mounted on a motor vehicle. Open fires means any fire, controlled or uncontrolled, including a campfire, burning outside of any structure, mobile home, or living accommodation mounted on a motor vehicle.
102.28 Blocking or impeding ingress to or egress from the campus, buildings or official university functions, including activity on non-university property;
102.29 Delivering, furnishing, transferring, manufacturing, or possessing drug paraphernalia is prohibited. Drug paraphernalia is defined as all equipment, material and products

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40.00 POLICY ON USE OF UNIVERSITY PROPERTIES

40.10 University properties shall be used only in accordance with federal, state, and local laws and shall not be used for the purpose of organizing or carrying out unlawful activity.

40.11 University properties shall be used in accordance with university policies and campus regulations, and with the procedures, which implement these policies, and regulations.

40.12 After 8:00 p.m. and before 7:00 a.m., university properties, including buildings and real property, are not open to the public generally, except for members of the public who are attending events open to the public during those hours, or who are invited guests of university students, faculty, or staff.

40.13 Campus units, other official university units, registered campus organizations (students, faculty and/or staff) may use university properties in accordance with the following:

a. reservations for the property must be made in advance with the officer responsible for the property (e.g., registrar or departments for most classrooms and lecture halls, college administrative officers for college facilities, etc.). Room and space assignments normally shall be on a first-come, first-serve basis. Any expenses incurred for use of properties, including damages, will be charged to the sponsoring organization or unit;

b. use of properties shall be arranged by SOAR for registered student organizations, by OPERS for sports and recreational clubs, by Student Media for print and broadcast organizations, and by the college administrative officer or designee for college organizations. During the period before action on an application for registration, a student or college-affiliated organization may use available university properties for a maximum of two meetings;

c. approval of the use of major campus properties (such as a field house, college dining hall, upper quarry amphitheater, Student Union facilities, playing fields, and other outdoor areas) is contingent upon the fulfillment of specific regulations and/or procedures governing the use of these properties, and may require advance payment of estimated fees for use of the property and equipment (*See Section 30.00, Speech and Advocacy*);

d. university properties may not be used for personal financial gain or business profit except as defined in the Campus Commercial Activities Policy (*See Sections 42.31 and 42.32*).

e. In order to secure properties and ensure the safety of students and others, evening events on campus must end no later than 11:00 p.m. on weeknights and 1:00 a.m. on Friday and Saturday nights. Exceptions to this policy must be approved by the appropriate facility manger.

40.14 Events involving use of university properties by organizations other than registered campus organizations or campus units must be officially co-sponsored by a campus unit or registered campus organization, in accordance with the provisions of university policies and campus regulations and procedures.

a. The co-sponsor relationship between a campus unit or a registered campus organization and a non-affiliated organization or person must be approved in advance by the appropriate senior administrative officer: the executive vice chancellor; the vice chancellor, Business and Administrative Services; the vice chancellor, Student Affairs; the vice chancellor, Planning and Budget; vice chancellor, University Relations; deans; or the assistant chancellor.

b. The responsible senior administrative officer shall consult with the Office of Risk Management regarding potential liability and financial implications if the proposed use of university properties is for business-related or commercial purposes.

c. Campus arrangements (e.g., campus calendar clearance, space reservations, food service, audio-visual equipment, parking, security, etc.) for the approved co-sponsored event must be made by the co-sponsoring campus unit or registered campus organization. Expenses associated with the use of a university property or university services, including damages, shall be charged to the co-sponsoring campus unit or registered campus organization.

d. Co-sponsoring campus units, including registered campus organizations, may engage the professional services of Conference Services to carry out some aspects of a planned event. Use of university properties during the summer months (i.e., between the end of the spring term and the beginning of the fall term) must be managed by Conference Services. Contact Conference Services for the appropriate policies, permits, and/or forms for campus facilities usage. Copies of these forms are also available on the Conference Services website at http://www.ucsc.edu/conference/

e. Promotional literature and other forms of publicity must clearly state the name of the co-sponsoring campus unit or registered campus organization.

40.15 Registered campus organizations may invite non-university speakers to address public meetings, provided the event has been scheduled through the appropriate sponsoring unit (SOAR, OPERS, Student Media, Student Government, or college) and the following requirements have been met:

a. a *Campus Organization Event Approval* form or equivalent form must be submitted to and approved by SOAR, OPERS, Student Media director or college administrative officer or designee at least seven working days before the planned event. Events with complex logistical arrangements (dances, large lectures, conference, etc.) will require a longer time frame. The form must be submitted and approved before the registered campus organization extends a firm invitation to a speaker or performer. SOAR, OPERS, Student Media directors or the college administrative

officer are authorized to withhold approval or cancel events that do not appear to be logistically feasible;

b. if the speaker or performer is to receive payment, a *Performance Agreement* must be executed and signed through SOAR, OPERS, Student Government, Student Media or college at least four weeks before the payment can be made;

c. whenever the vice chancellor, Student Affairs considers it appropriate and in the best interest of the educational process, the vice chancellor, Student Affairs may require that the meeting be conducted by a UCSC student, faculty, or staff member who will entertain questions from the audience;

d. should a request for the use of university properties for a speaker be denied,
the office denying the request shall notify the organization requesting use of the appeal procedure (*See Section 42.12)* ;

e. Adherence to the "Guidelines for Speakers and Public Events" (*See Appendix I)* .

40.16 Alcoholic beverages may be served on university properties only in accordance with campus policies and regulations regarding the purpose, serving, and consumption of alcoholic beverages. (*See Appendix D* .)

40.20 All persons on university property are required to abide by university policies and campus regulations and shall identify themselves upon request to university officials acting in the performance of their duties. Violation of university policies or campus regulations may subject a person to possible legal penalties; if the person is a student, faculty member, or staff member of the university, that person may also be subject to disciplinary action in accordance with university policies and campus implementing regulations.

40.30 All use of university properties and services must conform to applicable campus time, place, and manner regulations.

40.40 On university grounds open to the public generally, as may be described in campus regulations, all persons may exercise the constitutionally protected rights of free expression, speech, assembly, worship (including the distribution or sale of noncommercial literature incidental to the exercise of these freedoms). Such activities shall not interfere with the orderly operation of the campus and must be conducted in accordance with campus time, place, and manner regulations.

40.41 For the purpose of these regulations, "grounds open to the public generally" are defined as the outdoor areas of the campus (e.g., lawns, patios, plazas) that are at least 10 feet from the entrances/exits of campus buildings and parking lots, and that are also a safe distance from the curbing of campus roads. ~~McHenry Library and surrounding grounds as well as~~ (omitted January 28, 2005) Outdoor recreational areas (e.g., playing fields, courts, swimming pools) are excluded from this definition. All activity in open areas must be conducted in such a way that vehicular and pedestrian traffic is not impeded and normal instructional, research, and administrative activities are not disrupted. Tables *(excludes commercial activity Section 42.32)* may not be placed in areas where direct passage to or through any entrances, exits, sidewalks, or walkways are blocked.

Tables may be no larger than three feet by six feet and may not extend beyond three feet of the perimeter of the table. (Additional safety restrictions may pertain to activities at or near the Quarry Plaza parking lot or campus entries.)

40.41.1 Amplified sound equipment may not be used without prior approval by the college administrative officers for college areas, Quarry Plaza special events coordinator for the Quarry Plaza and adjacent areas, and the associate vice chancellor Student Affairs for all other areas.

40.42 Registered Campus Organizations are encouraged to schedule outside events in one of the designated public expression areas (*see Section 30.31*) to minimize the possibility of interference with traffic and normal instructional, research, and administrative activities.

APPENDIX 5: PRINCIPLES OF COMMUNITY

"We are a community living and learning together. Certainly, we cannot expect to always agree with each other on every matter. Yet, we must unfailingly demonstrate respect, tolerance and patience in our communications."
— M.R.C. Greenwood, Chancellor, April 24, 2000

The University of California, Santa Cruz is committed to promoting and protecting an environment that values and supports every person in an atmosphere of civility, honesty, cooperation, professionalism and fairness.

UCSC expects that every campus member will practice these Principles of Community.

We strive to be:

- **Diverse:** We embrace diversity in all its forms and we strive for an inclusive community that fosters an open, enlightened and productive environment.
- **Open:** We believe free exchange of ideas requires mutual respect and consideration for our differences.
- **Purposeful:** We are a participatory community united by shared commitments to: service to society; preservation and advancement of knowledge; and innovative teaching and learning.
- **Caring:** We promote mutual respect, trust and support to foster bonds that strengthen the community.
- **Just:** We are committed to due process, respect for individual dignity and equitable access to resources, recognition and rewards.
- **Disciplined:** We seek to advance common goals through reasonable and realistic practices, procedures and expectations.
- **Celebrative:** We celebrate the heritage, achievements and diversity of the community and the uniqueness and contributions of our members.

We accept the responsibility to pursue these principles in an atmosphere of personal and intellectual freedom, security, respect, civility and mutual support.

UCSC is committed to enforcement of policies that promote the fulfillment of our principles of community. These policies include but are not limited to: University of California Personnel Policies for Staff Members; applicable University Collective Bargaining Agreements; Academic Personnel Manual O15-University of California Policy on Faculty Conduct and the Administration of Discipline; UCSC Policy on Student Conduct and Discipline; UCSC Sex Offense Policy; UCSC Hate Bias Incident Policy. For further information or inquiries, contact the Directors of Academic and Staff Human Resources; Director of EEO/Affirmative Action Office; Director, Student Judicial Affairs; Sexual Harassment Officer; and Campus Ombudsman.

The UCSC Principles of Community statement was developed under the aegis of the Campus Welfare Committee, with broad campus consultation, and was endorsed by the Provost's Advisory Council and the Chancellor in June 2001. In the fall of the 2001-02 academic year, the CWC will undertake implementation plans in collaboration with faculty, staff, and students campuswide.

7/31/01

APPENDIX 6:
ADMINISTRATORS, PROVOSTS, FACULTY, STAFF, AND POLICE OFFICERS INTERVIEWED

NAME	TITLE
Aluffi, Mickey	Chief, UC Santa Cruz Police
Aptheker, Bettina	Faculty, UC Santa Cruz
Carroll, Nancy	Captain, UC Santa Cruz Police
Connery, Chris	Faculty, UC Santa Cruz (email comments only)
Crosby, Faye	Chair, Academic Senate
Denton, Denise	Chancellor
Errington, Shelly	Faculty, UC Santa Cruz
Ferguson, Joel	Provost, Crown College
Heit, Gail	Associate Vice Chancellor, Student Affairs
Hernandez, Francisco	Vice Chancellor, Student Affairs
Hershatter, Gail	Faculty, UC Santa Cruz (email comments only)
Jones, David Evan	Provost, Porter College
Leaper, Campbell	Provost, Colleges Nine and Ten
Lynch, John	Faculty, UC Santa Cruz (email comments only)
Mastramico, Lisa	Staff, UC Santa Cruz
Miller, Tyrus	Provost, Cowell College
Rotkin, Mike	Lecturer, UC Santa Cruz
Scott, Jean Marie	Assistant Vice Chancellor, Colleges and University Housing Services
Spafford, Roz	Provost, College Eight
Stinson, Penny	Staff, UC Santa Cruz
Vani, Tom	Vice Chancellor, Business & Administrative Services

Committee on Faculty Welfare
Report on Faculty Concerns About Shifts In Benefits Policies

To: The Academic Senate, Santa Cruz Division:

In recent months the Committee on Faculty Welfare (CFW) has received numerous expressions of concern from individual faculty members about changes in various benefits that are being planned or contemplated. As these issues fall squarely within the mandate of CFW, we discussed them at some length and concluded that it is only prudent to bring them to your attention.

UCSC faculty salaries are now at least 15% below the "comparison 8" benchmarks where they are supposed to be (further below that if the cost of living, especially housing, is taken into account). Faculty have voiced rising concern about this in the past, particularly about how such relatively low salaries make it increasingly difficult to recruit and retain top people in every field. UC Office of the President (UCOP) and the Regents have worked conscientiously with Governors and state legislators to increase faculty salary ranges in the difficult context of fiscal crisis. However, two small recent range adjustments notwithstanding, the gap between existing salaries and the benchmarks remains and may well be growing.

In discussions of these issues, we are often told that our benefits package is better than most other universities and thus makes up for much of the shortfall in salaries. Yet recent developments in benefits have left many faculty concerned that this is less and less true. The business sections of all major newspapers in recent years have reported that more and more large employers are reducing benefits as part of "restructuring" or "cost containment" strategies designed to make them more competitive and profitable. UC now appears headed down a similar path:

    -The cover story of the January 2006 *Human Resources and Benefits Briefing* noted that the UCRS surplus is rapidly disappearing and that UCRS contributions will soon be deducted from faculty paychecks. Returns on UCRS investments declined when the so-called "tech bubble" burst in 2001. Moreover, prior to that UC used some of the UCRS surplus to fund three early retirement (VERIP) programs as a means of easing earlier budget woes by replacing expensive senior faculty with less expensive junior faculty. Now the consequences of that strategy, as well as the reduced returns, appear to be falling on us. The *Briefing* article reports that we will again have to contribute to UCRS, beginning in July 2007, with the percentage of faculty contribution rising in subsequent years. Each such increase in employee contribution will be, in effect, a salary reduction.[1]

    -Many new faculty will join UCSC in future years as the campus grows and as retiring faculty are replaced. There is now talk of a two-tiered pension system in which

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[1] For further information, see the new "Future of the UC Retirement Plan" web page at http://www.universityofcalifornia.edu/news/ucrpfuture/welcome.html.

new hires will *not* be offered the defined benefit pensions held by existing faculty but rather a 401k-style contributory plan. Further, just as private sector employers increasingly use "flexible" or temporary workers who get reduced or no pensions, UC increasingly hires part-time, non-senate instructors, many of whom do not earn pensions.

     -Rising health care costs have necessitated increased health insurance premiums for most employers. While UC has borne much of this increase, faculty also have had to pay more for health insurance in recent years. In many cases, coverage has been reduced and co-payments increased as well.

     -CFW has heard reports from numerous faculty who were hired about 30 years ago (now nearing retirement) that they were advised by UCSC Benefits staff to opt out of Social Security because it might not be solvent by the time they retired. Those who did so are now discovering to their dismay that they may not be eligible for Medicare. There are also rumors that UC group health insurance programs that currently cover faculty who retire before age 65, as well as insurance plans that supplement Medicare for retired faculty over 65, may require larger contributions or be unavailable to us in the future.

Taken together, these developments suggest that the traditional social contract between UC and its faculty is being eroded. This shift appears to be coming to us one piece at a time as a slow-motion *fait accompli*; we are asked to brainstorm about *how* to cut benefits, but not *whether* to do so. As the Committee on Faculty Welfare, we felt it would be irresponsible if we did not call these developments to your attention. We have three specific **recommendations** in this regard:

1. The systemwide committee, UCFW, has recently produced a detailed report describing the principles they believe should be used in designing such benefit changes. This is available in the "Retirement" folder on the UCFW web page (http://www.universityofcalifornia.edu/senate/committees/ucfw/). We recommend that all faculty read it to get a sense of the type and magnitude of the changes contemplated.

2. We further recommend that the UCSC Senate Executive Committee, in consultation with CPB and any other Senate committees they deem relevant, prepare a brief report to members of the Senate detailing all existing benefits and all planned or contemplated changes in those benefits.

3. Finally, we recommend that the Santa Cruz Division of the Academic Senate create Spring quarter forums for the full discussion of these matters, with the goal of producing a consensus statement of our concerns to be shared with other Divisions and, if deemed appropriate after due deliberation, be put in the form of a "Memorial to the Regents"[2] expressing our concerns and preferences.

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[2] This is a formal declaration or petition on a matter of Universitywide concern that is addressed to the President for transmission to The Regents, as provided for in Standing Order of the Regents 105.2.e. For details, see Bylaw 90: http://www.universityofcalifornia.edu/senate/manual/blpart1.html - bl90.

Respectfully submitted,

COMMITTEE ON FACULTY WELFARE
Greta Gibson
Margo Hendricks
Ted Holman
David Marriott
Craig Reinarman
Manfred Warmuth (W&S)
Slawek Tulaczyk (W&S)
Paul Ortiz, Chair

COMMITTEE on RULES, JURISDICTION, and ELECTIONS
Chapter 13.4.4
Revision to Member Voting

To the Academic Senate, Santa Cruz Division:
The Committee on Rules, Jurisdiction, and Elections (CRJ&E) was asked to give an interpretation of Divisional Legislation regarding the recording of reasons behind abstaining votes in UC Bylaw 55 proceedings. CRJ&E found no authority for inquiring about, explaining, or recording of abstentions in Divisional committee meetings within the Bylaws of UC or UCSC. For abstentions connected with recusals, it is explicitly forbidden by UCSC Bylaw 13.4.3 to require an explanation. Furthermore, neither *Roberts' Rules of Order* nor *The Standard Code of Parliamentary Procedures* (by Sturgis) give authority for inquiries into reasons for abstentions.

Departments, when meeting under authority of UC Bylaw 55, act as Divisional Committees. For Departments in Bylaw 55 actions to make inquiries regarding abstentions, the explicit prohibition against inquiries in the case of recusals (scb 13.4.3) would require that distinction be made between abstentions based on recusals and abstentions made for other reasons. It is the opinion of the CRJ&E that departments cannot in any practical way make meaningful inquiries to distinguish between abstentions based on recusals and those made for other reasons since, depending on the reason for the abstentions, those inquiries might constitute breaches of 13.4.3. Although no explicit language exists forbidding inquiries regarding the reasons for abstentions not based on recusals, it is CRJ&E's interpretation that practical application of UCSC Bylaws precludes inquiries into the reasons for abstentions in general.

We believe, however, that the right to privacy regarding the reasons for abstentions by senators in Senate meetings should have the explicit force of a bylaw. We therefore propose the new bylaw 13.4.4 stated below. This bylaw reflects the interpretation of CRJ&E and would remove any ambiguity about whether or not inquiries regarding abstentions are forbidden.

Current	Proposed
13.4.1 Membership. All voting members of all committees must be members of the Santa Cruz Division. Representatives who sit with Standing Committees as provided in these Bylaws are non-voting representatives and shall be appointed by such bodies as may be recognized by the Divisional Committee on Committees. Representatives include undergraduate and graduate students, postdoctoral scholars, and non-senate teaching faculty. Persons who are not members of the Academic Senate may be invited to sit with Standing Committees as non-voting representatives as provided elsewhere in this Chapter.	13.4.1 No changes

13.4.2 When the Chair of the Santa Cruz Division, the Vice-Chair, Secretary, Parliamentarian, or any member of the Committees on Academic Personnel, Privilege and Tenure, or Planning and Budget accepts an administrative position with the University at the level of Dean or above, he or she shall immediately vacate the Academic Senate position. No Chair of a Department, Program, or Committee of Studies may at the same time serve as Chair of either the Committee on Academic Personnel or the Committee on Privilege and Tenure. This is consistent with Senate Bylaw 330A.	13.4.2 No changes
13.4.3 Members of the Division shall avoid conflict of interest and the appearance of conflict of interest in the performance of all of their duties. The Division shall not require explanation of recusals based on this provision.	13.4.3 No changes.
	13.4.4 [New] The Division shall not require or request explanation of voting abstentions by Senators who have the right to vote in any Divisional committee action, including those involving UC Bylaw 55 actions by departments.

Respectfully submitted,

COMMITTEE   on RULES, JURISDICTION, and ELECTIONS
Erik Asphaug
Melissa DuPuis
David Hoy
Dave Belanger, Chair

February 15, 2006