

MINUTES

Special Meeting of the Santa Cruz Division
October 19, 2009

Meeting

A special meeting of the Santa Cruz Division of the Academic Senate was held Monday, October 19, 2009 at the Stevenson Event Center. With Secretary Norma Klahn present, Chair Lori Kletzer called the meeting to order at 2:30 pm.

1. Approval of Draft Minutes

Chair Kletzer asked if there were any additional changes, other than those submitted in writing, to the minutes of May 20, 2009. As there were none, the minutes were approved.

2. Special Business

Chair Kletzer introduced herself and welcomed attendees to the special Senate meeting. Chair Kletzer then provided the following framework for the resolution discussions:

- The campus is living through an extraordinary year due to the budgetary climate, which will be followed by another year of the same.
- The public institution we cherish is at stake.
- While talking and listening to each other, keep in mind our common purpose of maintaining the quality and access to our public university.

a. Resolutions (AS/SCP/1612)

There was a motion and a second to open discussion on Resolution A. Professor Craig Reinerman, Sociology, provided background on all the resolutions. He began by stating that ten professors called for the special Senate meeting because of the massive demoralization and leadership failures at the top of the University of California (UC). He stated that the intent of the resolutions was to initiate faculty discussion.

Throughout the discussion a number of friendly amendments to the Resolution were accepted.

The Senate then voted on revised Resolution A which passed by voice vote.

Whereas the excellence of the university has been well served by the core constitutional principles of shared governance; and whereas the core functions of research and teaching are properly the purview of faculty; and whereas the Academic Council voted unanimously for furlough days on days of instruction; and whereas the Provost Pitts memo of August 21st takes away from local campuses the authority to determine furlough days; and whereas that memo contravenes principles of shared governance, therefore be it resolved, that the Academic Senate of UCSC hereby informs UCOP that the UCSC Academic Senate shall determine when furlough days may be taken by UCSC faculty.

Following are points from the discussion of Resolution A.

Speaking in Favor of the Resolution	Speaking Against the Resolution	General Comments About the Resolution
Gail Hershatter	Barry Bowman	Phokion Kolaitis
Chris Connery	John Faulkner	Shelly Errington
Karen Bassi		Ronnie Gruhn,
Bettina Aptheker		Tim Duane
Ben Crow		Tracy Larrabee
Barbara Epstein		George Blumenthal
Craig Reinerman		Rebecca Braslau
		Faye Crosby
		Diane Gifford-Gonzalez

Points made in favor of the Resolution included:

- The principle of shared governance is at stake. This is not the last difficult decision that will be made, and we need to have our say.
- We need to focus on the unilateral decision that does not allow for decision making at the local level.
- The vagueness in the resolution was deliberate. The spirit is that Provost Pitts' August 21st letter relegates entirely his from office. He should not send an edict from headquarters saying when we will and will not take furlough days.
- The issue is that we are at a point where the relationship between the university and state is being questioned. It is up for grabs, and we should not let the moment pass without thinking of how to defend the university. We may not have enormous leverage, but we need to think about alternatives. It does not mean that we need to give up on hallowed principles of shared governance.
- We are at a turning point, and we do not know which direction it will go. Crucial to that question is whether or not faculty will retain the power it has. Since there is always going to be debate about how it is applied, we need to keep the larger issue in mind.

Points made in opposition to the resolution included:

- The resolution is unclear. The order says it was left to the campuses to decide. Who are the campuses? It starts to become contradictory if we say that they should follow the order as put forth, when we do not know what the order said or meant.
- One should not attempt to legislate anything this complex from the floor. The process is flawed. People should do their homework and come back with evidence and documentation. Do not make people wonder what the boundaries are of what you are proposing.

Comments about the Resolution included:

- There is no Regental Order 104, the correct number is 100.4.
- The Vice Provost Pitts letter of August 21 does not mention that there was consultation.

- President Yudof consulted with the chancellors and EVCs in addition to the system-wide Senate consultation.
- The resolution should include language about the university being well served by shared governance.
- Sometimes taking furlough days on instruction days are more trouble than they are worth.
- Cal State faculty are taking furlough days on instructions days, they are actually told to take their furlough days on instruction days.
- The resolution should include that the Academic Council voted unanimously for taking furlough days on instruction days.

There was a motion and a second to open discussion on Resolution B. Throughout the discussion a number of friendly amendments to Resolution B were accepted.

The Senate then voted on revised Resolution B which passed by voice vote.

That it is the sense of the UCSC Senate that the UCSC Administration should not require any faculty member to track, record, or otherwise surveil or police the behavior of their colleagues with respect to required furlough days or to allow said behavior with respect to furloughs to become part of any merit action or personnel review.

Following are points from the discussion of Resolution A.

Speaking in Favor of the Resolution	Speaking Against the Resolution	General Comments About the Resolution
		Chris Connery
		David Draper
		Deanna Shemek
		Deborah Letourneau
		Barbara Epstein
		Shelly Errington
		Barry Bowman
		David Kliger

Comments about the Resolution included:

- We need to remove the reference to Regental Order 104, because we have determined no such order exists.
- What policy will be implemented for staff?
- Faculty may begin reporting on other faculty if this is implemented.
- Faculty Association Representative Professor Shelly Errington, reported that furloughs for staff are being negotiated with the union. The Faculty Association is the bargaining unit only for faculty. The administration says furlough days are

- not bargainable, but the association is trying to bargain on an oral instruction from the office of the president (OP) about monitoring how faculty takes furlough days.
- The campus does not track when faculty members are on campus or are not. One reading of this resolution is that the faculty can take 365 days of furlough a year, and the administration can't do anything about it. It violates the faculty code of conduct rules.
 - Furlough days are imaginary because we can't take them on days we or anyone teach.

Professor Christine Hong, Literature, stated that new faculty have drafted a resolution with regard to new hires and faculty making under \$75,000.

There was a motion and a second to open discussion on the Resolution from the floor. After discussion, there was a motion and a second to table the Resolution. The Senate then voted to table the Resolution which passed by voice vote.

***whereas* the UC Santa Cruz Joint Administrative/Senate Task Force on Faculty Salaries has shown that UCSC faculty are, on average, the lowest paid throughout the University of California system;**

***whereas* UC Berkeley Executive Vice Chancellor and Provost George W. Breslauer has committed to "make whole" all new UCB ladder-faculty recruits who began in residence July 1, 2009 or will begin January 1, 2010, in recognition of faculty arguments that "ethical, legal, and reputational risks would attend the inclusion in the furlough program of these new ladder-faculty hires who had recently been recruited in a competitive context";**

***whereas* UC Berkeley EVC Breslauer has stated that the UCB Committee on Research has a plan to allocate summer-salary supplements equivalent to the pay reduction this year to 150 of the lowest-paid ladder faculty at UCB (those with base salaries below \$85,000, disproportionately concentrated in the arts and humanities and the humanistic social sciences, including these disciplines within selected professional schools, such as Education and Social Welfare, among others);**

***therefore be it resolved* that Executive Vice Chancellor and Provost David Kliger rescind all salary reductions for 1) new hires and 2) Senate faculty at UCSC whose base salaries are below \$75,000.**

Following are points from the discussion of the Resolution from the floor about new hires.

Speaking in Favor of the Resolution	Speaking Against the Resolution	General Comments About the Resolution
Deborah Gould	Diane Gifford-Gonzalez	Dean Mathiowetz
Christine Hong	Jonathan Fox	Gail Hershatter
	Greg O'Malley	Phokion Kolaitis
		Chris Connery
		Shelly Errington
		Faye Crosby
		Karen Bassi
		Dana Frank
		Peggy Delaney

Points in made in favor of the Resolution included:

- We feel we have an issue and an opportunity to advance the struggles of junior faculty that is why we included all faculty making under \$75,000. We also thought there would be other resolutions brought to this meeting, resolutions having to do with staff under \$40,000 and tuition hikes.
- UCSC faculty is the most underpaid in the system.
- The intention was not to disaggregate. We wanted to introduce this into the conversation.

Points made in opposition of the Resolution included:

- I will not vote for this until we can support the staff. I don't want to be unfriendly to this motion because I understand the sense of betrayal new faculty feel, but we need to look at how the community and staff members will see this.
- High administrators should take a 12.5 percent pay cut, and people under \$50,000 not take any cut.
- The resolution is limited to all new hires, which includes administrators who are hired \$150,000 a year.
- I am queasy about making budget recommendations based on another campus and without having a discussion about budgeting in general. We should not do this in a vacuum.
- How are the ethical, legal and reputational risks any different for new hires, than from people who were hired in the last couple of years?
- I am uncomfortable with this unless it includes staff making less than \$75,000.

Comments about the Resolution included:

- I would like to hear more about ethical and legal risks. Other people on campus have the same monetary concerns. We want to avoid the implication that the moral and legal implications for new faculty do not extend to all faculty, also the \$75,000 rational does not seem clear.
- UC Berkeley's Committee on Research (COR) funds were not used. Their chancellor supplemented COR funds. UCSC COR funds are limited, and it should not be interpreted that we take our meager research funds and use them for this.

- This resolution was drafted with the knowledge that UC Berkeley used their COR as a pass through, and there was not an assumption that we would do the same on this campus.
- How much would this cost? We already have very little money, and if we vote in favor of this resolution something else will have to be cut.
- The cost will be in the order of hundreds of thousands of dollars. Berkeley is using non state funds for their program.
- The money is not the Senate's business. It is not our job to think of money.
- We should conduct a survey of senior faculty and administrators and see if they will contribute to fund a program like this.
- Faculty feel ethically committed to make these salaries whole. We should work together to come up with a plan by this summer to enable us to provide those faculty members a summer salary to at least make whole those junior faculty salaries.
- We are not UC Berkeley. The crisis is affecting us differently. We need to raise a strong voice about the power of ten. Privatization is unacceptable.
- We should not become private donors.

Professor Michael Urban, Politics, moved that the UC Santa Cruz Senate adopt in full a recent resolution passed by UC Santa Barbara. The motion was seconded.

After discussion there was a motion and a second to table the Resolution. The Senate then voted on the motion to table the Resolution which passed by hand vote.

- 1) **UCOP has misrepresented the real nature of the University's financial situation. The options with which we were presented in June were not the only ones available, but were calculated to coerce us into accepting measures that UCOP and the Regents wanted to enact. The state cutbacks, though significant, are being used as an excuse to proceed aggressively with further steps toward transforming the University from a public resource, dedicated to the education of the people of California and the pursuit of knowledge, into a profit-making enterprise, a research facility of benefit primarily to industry and beholden primarily to commercial interests.**
- 2) **The "emergency powers" declaration, approved in July, was unnecessary, an effort to give the budget measures an air of urgency and inevitability that they do not in fact possess. The specific purpose of the emergency powers is to free UCOP's hand to undermine longstanding institutional structures, like faculty governance, and to circumvent financial obligations to faculty, staff, and students.**
- 3) **The decision of UCOP (as communicated in the memo of Provost Pitts) to override the expressed will of the Senate by demanding that faculty furloughs be taken on non-teaching days is a direct assault on the principle of faculty governance, a deliberate and offensive effort to undermine and**

degrade the institutional culture of the UC system.

- 4) **President Yudof’s recent interview in the NY Times was an embarrassment. His statements showed him to be a cynical opportunist with no commitment to education. He called his own entry into the field of education an “accident;” he claimed that the “shine” had gone off education, and he likened the UC system to a cemetery. Such remarks are an insult to the UC community he is well paid to serve and lead; they are unbecoming to the president of the nation’s leading public University. They call his fitness for his position into question.**

In view of these considerations, we propose the following resolution:

The UC Santa Barbara Division of the Academic Senate censures the actions of President Yudof as well as the Regents’ support of those actions.

Following are points from the discussion of the resolution adopted by UC Santa Barbara.

Speaking in Favor of the Resolution	Speaking Against the Resolution	General Comments About the Resolution
Michael Urban	Marc Mangel	Chris Connery
		Cathy Soussloff

- The Senate has not had enough time to review it. The Senate should take its time to craft its own resolution.
- It is important to keep the text the same as other campuses.
- Faculty are getting email from undergraduates, graduate students and alumni about this issue. The Senate needs to seriously consider this resolution.
- A lot of students are concerned about this issue, but it needs to be put as a serious agenda item for the next meeting.

Professor Kirsten Gruesz, Literature, introduced a new resolution attempting to help clarify the conditions of the furlough. Professor Gruesz explained that at UC Berkeley there was a conversion from classroom time to reading days in their instructional calendar.

The Senate voted on the Resolution which passed by hand vote.

The UCSC Academic Senate, constituting itself as a committee of the whole and asserting its plenary authority over curricular matters resolves that the dates proposed by the SEC in its memo of July 17, 2009 be designated as instructional days on which classes do not meet.

Following are points from the discussion of the Resolution on furlough days.

Speaking in Favor of the Resolution	Speaking Against the Resolution	General Comments About the Resolution
		Ruby Rich
		Shelly Errington
		Chancellor Blumenthal
		Deborah Letourneau
		Elizabeth Abrams
		Deanna Shemek

- It is the Faculty Association’s strong belief that this is a local issue that should be bargainable but they are not currently bargaining about this.
- Called up CEP to waive its deliberations.
- UC Berkeley brought forward their proposal for a reading period prior to the furlough policy. UC Berkeley made this change in full consultation with their Senate in the context of their educational mission.
- Is there an end date to what is proposed in the resolution.
- It is intended to be for this year, but CEP needs to be asked if it can extend to future years.
- Change the word “designated” to “permitted.”
- A Reading period used to be part of the regular calendar. During reading week new assignments cannot be proposed, the Senate needs to keep in mind the larger purpose.

Chair Kletzer informed the Senate that the remaining two resolutions (AS/SCP/1612) will appear at the next Senate meeting.

2. Other Business (none)

Adjournment: 5:15 pm.

ATTEST:

Norma Klahn
Secretary
November 10, 2009