

MINUTES

Regular Meeting of the Santa Cruz Division

April 23, 2010

Meeting

A regular meeting of the Santa Cruz Division of the Academic Senate was held Friday, April 23, 2010 at the Kresge Town Hall. With Parliamentarian Michael Dine present, Chair Lori Kletzer called the meeting to order at 2:30 p.m.

1. Approval of Draft Minutes

Chair Kletzer asked if there were any proposed changes to the minutes of November 20, 2009 and February 10, 2010, other than those submitted in writing. After a brief discussion, the November 20, 2009 minutes were approved and the February 10, 2010 minutes were deferred.

2. Announcements

a. Chair Lori Kletzer

Chair Kletzer reported that the system-wide Post Employment Benefits (PEB) task force has completed its work, and the Office of the President (OP) and the system-wide Senate have each initiated individual campus visits to discuss options.

Chair Kletzer then stated that this Senate meeting's main agenda item is proposed amendments to the Narrative Evaluation System (NES). Chair Kletzer reported that the Senate Executive Committee has been working on this matter for almost a year.

Finally Chair Kletzer introduced Academic Council Chair Harry Powell and Vice Chair Dan Simmons, who were attending the meeting.

b. Chancellor George Blumenthal

Chancellor Blumenthal began by acknowledging faculty accomplishments. He announced that the following four UCSC faculty members were named Fellows of the American Academy of Arts and Sciences:

- Michael Dine, Distinguished Professor of Physics
- Gary Glatzmaier, Professor of Earth and Planetary Sciences
- Susan Strome, Professor of Molecular, Cell and Developmental Biology
- John Thompson, Distinguished Professor of Ecology and Evolutionary Biology

Next Chancellor Blumenthal recognized the two faculty members who were recent Guggenheim award recipients:

- Nathaniel Mackey, Professor of Literature
- Anna Tsing, Professor of Anthropology

Chancellor Blumenthal then spoke briefly about the budget and the state of the campus. He said there is no news to report on the state budget, and thanked the members of the Committee on Planning and Budget (CPB) and EVC Klinger, who were

very engaged in the campus budget process. Chancellor Blumenthal also thanked everyone who offered input at the departmental and divisional level. He said the decisions being made are not easy and will surely impact the campus in a variety of ways, but we have been continually guided by the principles of preserving quality and access.

The chancellor provided an update on the UC Commission on the Future:

- The most controversial recommendations come from the Funding Strategies Working Group.
- The Size and Shape Working Group, which Chancellor Blumenthal co-chairs, recommends admitting more out-of-state students and more transfers to UC.
- Other recommendations under consideration by the work groups concern:
 - Future enrollments of frosh/transfers/grad students
 - Budgetary allocations for campuses and UCOP
 - “Academic” efficiencies

Next Chancellor Blumenthal discussed student discipline issues. Some people, he said, are unhappy with decisions regarding discipline and restitution requirements. The Kerr Hall occupation was not expressive free speech. It was a three day illegal occupation of a building. The participants received multiple warnings, the building was left a mess, and there was lost staff time and productivity, as well as a psychological impact on building residents. The chancellor said it is essential that we preserve due process rights for all students facing discipline.

Chancellor Blumenthal spoke about diversity efforts at the Regental level. He does not believe the recent incidents of hate and bias on various UC campuses reflect the view of the vast majority in our campus community. The Regents have formed a Committee on Climate and the UCSC campus has formed an Advisory Council on Campus Climate, Culture, and Inclusion.

Chancellor Blumenthal reported on the EVC search and said that the first round of interviews concludes soon and campus visits will take place in late May.

Finally Chancellor Blumenthal stated that one of his goals is for UCSC to be a destination campus for students and faculty. UCSC has become increasingly more selective and continues to admit more California freshmen from underrepresented ethnic groups and “first in their family” to graduate from college. The chancellor has pledged to match up to \$100,000 in donations that support the Fund to Revitalize the Undergraduate Curriculum. The matching funds will come from privately raised discretionary funds and are intended to support implementing the new general education requirements.

c. Campus Provost/Executive Vice Chancellor Kliger

EVC Kliger also reported that there is very little new information about the state budget, and it is unlikely that there will be any real resolution until late summer or early fall. EVC Kliger said one thing is clear however: the current budget situation is part of a bigger transition for the campus as it moves from two decades of growth to a “steady-state” mode. For years UCSC solved its problems by growing because growth came with new resources. Now the campus needs a different approach to planning.

EVC Kliger stated that in spite of the lack of decisions from the state, the work of the campus does not stand still. In order to enable principal officers to make decisions that can be implemented before the beginning of the next academic year, the EVC has assigned cuts despite the budget uncertainty. Budget discussions estimated a campus-wide cut for the coming year at approximately 4.5 percent, or roughly 8.2 million dollars. The estimate assumes additional new resources from fee increases and summer enrollments and additional obligations in the form of budget cuts, mandatory contribution to UCRS, collective bargaining settlements, and employee benefits. It also incorporates the cost of UCSC’s continued commitment to academic salaries. EVC Kliger added that 4.5 percent is an estimate. If the actual reduction is higher, he may have to assign additional cuts. If the cuts are lower, the campus will have flexibility to invest in new opportunities.

The EVC said the most critical impact of budget cuts is already being seen in the form of challenges students face getting into classes. This spring was the worst term in memory for students. Many had trouble getting into the classes they need to carry a full load and make reasonable progress toward graduation.

Budget decisions that reduce teaching assistants (TAs) have contributed to the curriculum difficulties, and the EVC has been encouraging departments to add sections where possible to ease the crunch. The EVC, Vice Provost of Academic Affairs Alison Galloway, and Vice Provost of Undergraduate Education Bill Ladusaw continued to talk with deans about ways they can help the academic divisions address the need for increased space in classes and ways to provide temporary funding in some cases.

The long term situation requires that faculty members make difficult decisions to balance their aspirations with their responsibility to serve students. The EVC said we must ensure that students have access to the classes they need to graduate.

The EVC is very encouraged by the Senate’s involvement through the Committee on Educational Policy (CEP), CPB, and other committees working with the administration to maintain program quality and student access while managing the effects of diminishing resources.

EVC Kliger added that the cuts to TAs and other types of graduate support, such as fellowships funded by the divisions, will lead to greater insecurity for graduate students. The campus wants to do all it can to support graduate students, and interim Graduate Dean Tyrus Miller has kept block allocations at historically high levels for departmental fellowships, Cota-Robles fellowships, and dissertation-year fellowships to help graduate students complete their degrees.

EVC Kliger closed his comments by reporting that he had the privilege of escorting UC Executive Vice President Nathan Brostrom and Chief Financial Officer Peter Taylor as they toured UCSC and learned about the activities of faculty members in every division. EVC Kliger said they were impressed by the quality of work taking place at UCSC, and it made EVC Kliger proud to be a part of the campus. EVC Kliger hopes everyone can appreciate the extraordinary work UCSC does, because it will help sustain the campus as it tackles the challenges it faces.

Following the remarks by Chancellor Blumenthal and EVC Kliger, Chair Kletzer opened the floor to questions.

Professor Carolyn Martin-Shaw (Anthropology) stated that she would like to discuss the issues of student discipline on campus. Professor Martin-Shaw would like the administration to work creatively with faculty and students on demonstrations. She asked for an update on the Demonstration Advisory Task Force and on how student discipline will be handled in the future.

Chancellor Blumenthal responded that he is cognizant of various recommendations that have come forward for handling demonstrations. He wants to involve the faculty and students when determining future policies, and he intends to set up a new group co-chaired by the EVC and a faculty member. Chancellor Blumenthal would like the new group to have broad faculty representation and to review policy issues.

Professor Gail Hershatter (History) stated that the campus needs to move forward from the Kerr Hall occupation aftermath. Professor Hershatter requested that the chancellor consider dropping charges (for damages) against students, fix the code of conduct, and move towards a broader campus conversation. She said we have seen that the evidence does not link specific students to specific damage; therefore, the charges would not hold up in a court of law. Professor Hershatter added that there are problems with the code of conduct, and it is not a good model for achieving community justice.

Chancellor Blumenthal responded that there are many things he and Professor Hershatter agree about, and he too thinks there needs to be a better toolbox for dealing with these situations. Chancellor Blumenthal said he is not an expert on the student code of conduct, but it is his understanding that ours are similar to the policies on other UC campuses and in keeping with national norms. With respect to

the current issues, 1) he has been assured that every student who requests it has access to the evidence against them and 2) although some students who received notice of judicial warning with restitution do not have a right to a full hearing, the administration has decided, in fairness to the students, to grant a hearing if it is requested. The chancellor said the administration is going out of its way to be fair.

Matthew Palm (CEP student representative) said he surveyed undergraduates and asked their views on charging the students for damage. Students responded that if they are going to be charged for damages, there needs to be clear evidence linking the students to the damage.

Chancellor Blumenthal disagreed and said if one participates in a protest and one has been warned that it is illegal, one should be held responsible for restitution for damage. He added that because charges for damage involved a significant amount of money, judicial affairs officers are willing to consider alternatives such as community service.

Professor Barbara Epstein (History of Consciousness) said she appreciated the chancellor's statement of sympathy but believes there is a problem with conflating civil disobedience and damage. Every student who entered Kerr Hall that day is being held responsible for damage. Professor Epstein said Chancellor Blumenthal has to remember that we often take pride in the political protests that take place on this campus; the problem here is the lack of evidence and lack of concern over the lack of evidence. Professor Epstein asked what the administration can do to work with students to make them strong and effective.

Chancellor Blumenthal responded that some steps have been taken this year to coordinate the student and administration messages to the state about funding. This has been more effective than the administration or students speaking separately. However, if a student decides to be present during an illegal activity, the student needs to take responsibility for their actions.

Justin Riordan (CEP student representative) asked if the student judicial board has been involved in the process.

The chancellor said it is his understanding that the judicial board is not involved in warnings.

Professor Bob Meister (Social Sciences) stated that he has plans to speak at an upcoming US civil rights hearing on the state of free speech in California. Professor Meister believes that the UC civil rights commission should investigate whether UC's discipline rules for student demonstrations are overbroad, invalid because of vagueness, and unconstitutional on their face. Professor Meister then asked two questions. Will the chancellor revise the student discipline rules to separate

fraternity parties from civil demonstrations? Will the chancellor refrain from billing students until the constitutionality of the process is decided?

Chancellor Blumenthal responded that he is open to thoughtful reconsideration of the student codes of conduct, but under the current situation the campus is dealing with the current code and he does not intend to deviate from it.

Professor Lisa Rofel (Anthropology) asked what was illegal about what the students did, and stated that, if they did break the law, the students should be tried in a court of law. Professor Rofel also stated that students were forced from the building before they could clean up, even though the students offered. She asked how the campus can remove the police from the demonstration process.

Chancellor Blumenthal stated there was an occupation of a university building in which employees of the building were ejected. The students were warned that their actions were illegal, but pressing charges is up to the district attorney, not the chancellor. He added that detailed bills for the cleanup have been made available. The administration did offer the students cleaning supplies, which were left unopened. Chancellor Blumenthal said the campus has not been as effective as he would like in formulating a policy for student demonstrations.

Taylor Stephens (Porter representative) asked about enrolling more out-of-state students. Chancellor Blumenthal responded that UC is meeting its obligation to provide access to the top 12 percent of California's high school graduates. A goal of enrolling more nonresident students would provide additional financial support and greater diversity.

Helene Moglen (Literature) hoped there will be an appeals process. She also expressed concerns about faculty members writing the chancellor letters only to have the chancellor's staff respond. Professor Moglen asked Chancellor Blumenthal why he does not respond directly to his colleagues.

Chancellor Blumenthal apologized if he slighted the faculty by not answering every letter that is written to him. He said he does read them and has never refused to meet with faculty members. He believes in engagement and will reconsider who signs letters that come from the administration.

Alex De Arana-Lemich (Committee on Admissions and Financial Aid [CAFA] student representative) asked why, if there are budget cuts, are there future building projects and why the administration will not work with students and faculty on the judicial process.

The EVC responded there are agreements with the city, but they have been suspended because the campus is not going to grow in the near future. Building projects follow student enrollment numbers. Buildings are not built on future

enrollment projections; rather, the students must be here before the buildings are built. Building funds come from bonds that are sold by the state, and can only be used for buildings. The bond funds for building cannot be used for operating expenses.

The chancellor said he is open to revising the student code, but will not do it *ex post facto*.

Loisa Nygaard (Literature) asked Chancellor Blumenthal about the policy of taking pictures of students at demonstrations. Professor Nygaard stated that the practice threatens basic human rights and asked: What is the point of photographing people who are doing nothing wrong? Are we preparing students to be active citizens in a democracy or members of a police state?

Chancellor Blumenthal responded that he believes in peaceful demonstrations. He does not want to intimidate students, but there have been a number of protests that were not civil and peaceful. There have been accusations against students and police when protests have turned violent, and the chancellor believes we need a record of what happened when protests turn violent and illegal. Chancellor Blumenthal said the campus needs to constitute a group to discuss a policy on surveillance.

Carla Freccero (Literature) said this is the very reason the Senate passed a resolution against the Patriot Act. Also, the chancellor's suggestion that he is open to an alternate appeals process indicates he believes the current process is flawed. Can the students have representation? Will specific evidence be used as the means by which they are charged or not charged? What will be the appeals process after that decision?

Chancellor Blumenthal said these questions should be regarded as part of the written appeal process. Students may bring in an advocate and present evidence in their own defense.

Karen Bassi (Literature) stated that she hopes the new committee the chancellor proposes forming will address the difference between trespassing and occupations so it is clear exactly what actions are being discussed.

Professor Bassi also asked about the retention of faculty. The EVC sent a letter to chairs in which he stated that he would not accept urgent retention requests. Why did that letter come out? What is the policy?

EVC Klinger responded that several times this quarter he has received requests with very short turnaround times, in some cases a matter of hours. EVC Klinger finds it hard to believe that faculty members do not know before hand that they are going receive an offer with such a short turnaround time.

3. Report of the Representative to the Assembly

Assembly Representative Mark Carr reported on a recent Assembly teleconference. The UC Commission on the Future was the main agenda item. The Commission’s working groups are developing more in-depth recommendations. The full report on the recommendations can be found at <http://ucfuture.universityofcalifornia.edu/>.

4. Special Order Annual Reports (none)

5. Reports of Special Committees (none)

6. Reports of Standing Committees

a. Senate Executive Committee

i. Amendment to Regulation 9.2 – Written Evaluations (AS/SCP/1639)

SEC member Marc Mangel presented the amendment, stating that SEC has deliberated on this subject for a year and has sought out broad input. Based on that input, SEC believes that, by making undergraduate evaluations optional for instructors – and, Professor Mangel added, for students -- this proposal keeps what is valuable about the NES while addressing the problems created by requiring written evaluations for every student in all undergraduate courses.

Following a discussion, the Senate voted on amendment 6.3. The amendment passed by hand vote.

9.2 Instructor-optional Written Evaluations.

9.2.1 At the end of the term, each instructor teaching a credit-granting course has the option to prepare a written evaluation for any student in his or her class. The narrative evaluation must evaluate the quality and characteristics of the student's performance in the class. (Refer to *CEP Advisory Guidelines on Writing Narrative Evaluations.*)

Spoke in favor of the amendments	Spoke against the amendments	Comments about the amendments
Brent Haddad	Amy Everitt	Alex De Arana-Lemich
Barbara Rogoff	Matthew Palm	Joel Yellin
Maureen Callanan	Dan Whirls	Justin Riordan
	Taylor Stephens	Karen Bassi
	Loisa Nygaard	Elizabeth Abrams
	James Franco	Ethan Miller
	Regina Langhout	John Jordan
		John Johnson

Points made in favor of the amendments:

- I am excited about this proposal and I believe the changes will revitalize the narrative evaluation system. I am looking forward to writing them for my smaller classes.
- I support this proposal and believe it makes the NES stronger.
- I will continue to write evaluations for my smaller classes.

Points made against the amendments:

- There was a motion and second to give Amy Everitt, President of the Alumni Council, privilege of the floor. The motion was approved by acclamation.

Alumni Council President Everitt applauded the SEC for bringing up this topic. The NES is what sets UCSC apart from other universities. Reform of the NES is necessary, but the Alumni Council does not want it eliminated, and the current proposal is a slow death. Alumni Council President Everitt then made four suggestions:

1. Agreeing with Professor Mangel that written evaluations should be faculty and student optional, she proposed that students be given some recourse should they request an evaluation and faculty members refuse to write one.
 2. She proposed making core course evaluations mandatory.
 3. She proposed making upper-division senior seminar evaluations mandatory.
 4. She proposed encouraging and supporting reforms to alleviate frustrations associated with producing written evaluations.
- The Student Union Association agrees with the Alumni Council's recommendations.
 - The proposal is death by volunteerism. If we want the NES to die, let's just end it.
 - I received a \$1,000 scholarship because of my narrative evaluation. I believe evaluations will die if they are optional.
 - Through evaluations I can communicate why I grade students the way I do.
 - Students have no recourse if, when they request an evaluation, faculty members turn them down.
 - Students will not know they have the option to request an evaluation. New students will not even know what an evaluation is if it is not in the syllabus.
 - The student-optional aspect of this proposal needs to be codified.

Points made about the amendments:

- Can students request a narrative evaluation if they want one? SEC member Mangel responded that they can.
- How much money will be saved? What effect will this amendment have on the long history of conflict of interest with undergraduates writing evaluations for other undergrads? On the public distribution of NES? SEC

- member Mangel responded that SEC does not know how much money the amendment will save.
- Most core courses are taught by lecturers. Making written evaluations mandatory in core courses places an unfair burden on lecturers.
 - Nothing in a student's evaluation should come as a surprise. To burden those who teach small classes with this requirement would shift the terms and conditions of employment unfairly.
 - Evaluations do not create personal relationships with students.
 - In SCR 9.4.1. there is a description of what must be contained in a transcript, and narrative evaluations are included.
 - There is confusion between the policy and the principle. Mandatory does not translate into quality.

7. Report of Student Union Assembly Chair (none)

8. Report of the Graduate Student Association President (none)

9. Petitions of Students (none)

10. Unfinished Business (none)

11. New Business (none)

Adjournment: 5:00 p.m.

ATTEST:

Carol Freeman
Secretary