Thursday, January 9, 2020
3:30 p.m.
Library 1312

ORDER OF BUSINESS

1. Roll Call

2. Announcements by the Chancellor

3. Announcements by the Chair and Others

4. Special Orders –
   Consent Calendar
   Approval of the minutes of the October 24, 2019 meeting (Attachment 1)

5. Reports of Special Committees

6. Reports of Standing Committees

   Committee on Rules, Jurisdiction, and Elections

   Action item: Proposed revision of Senate Regulations 175A and B, 190, 200A-C, 225, and 255 to include the requirement that students must be in compliance with the Student Code of Conduct at the time of degree conferral (Attachment 2)

   Action Item: Proposed revision of Bylaw 87. CAERS - to add Athletic Admissions Review Committee – pending completion of review by the Committee on Rules, Jurisdiction And Elections (Attachment 3)

7. Petitions of Students - None

8. Unfinished Business

9. University and Faculty Welfare

10. New Business
FACULTY LEGISLATURE MINUTES
October 24, 2019

The Faculty Legislature of the Santa Barbara Division met in Library Room 1312 at 3:30 p.m. on Thursday, October 24, 2019, with Chair Henning Bohn presiding. The meeting was attended by 27 voting members, 3 ex officio members, and other interested parties.

Announcements by the Chancellor (from the slides presented)
Thank you to Senate Chair Henning Bohn and to all of our faculty colleagues for your commitment to shared governance. We are excited for the new academic year!

Transitions on Campus
UC President Janet Napolitano announced on September 18 that she will step down in August 2020.

In July, our campus announced the formation of a search advisory committee for the position of Vice Chancellor for Diversity, Equity and Inclusion.

Student Updates
2019 Commencement
• We added 6,867 Gauchos to our alumni family, now more than 210,000 strong

2019 Move-In Weekend, September 19-22.

New Student Convocation
• Thanks to our faculty for joining us last month to welcome our incoming students

Fall 2019 Enrollment Update
• 93,500 freshman applications; 112,000 total
• First-year students: ~4,935
  o Average GPA: 4.18
  o Average SAT: 1354
  o Underrepresented minorities: 28%
  o First generation: 37%
• Transfer students: ~2,114

Among our incoming student body, 73% are from California and 27% are from out of state and international
Fall 2018 Undergraduate Nonresident Enrollment Percentages on UC Campuses

<table>
<thead>
<tr>
<th>Campus</th>
<th>Percentage of Undergraduate Nonresidents</th>
<th>Number of Undergraduate Nonresidents</th>
<th>Total Undergraduate Enrollment</th>
</tr>
</thead>
<tbody>
<tr>
<td>UC Berkeley</td>
<td>24.7%</td>
<td>7,618</td>
<td>30,853</td>
</tr>
<tr>
<td>UCLA</td>
<td>23.5%</td>
<td>7,442</td>
<td>31,577</td>
</tr>
<tr>
<td>UC San Diego</td>
<td>22.5%</td>
<td>6,818</td>
<td>30,285</td>
</tr>
<tr>
<td>UC Irvine</td>
<td>19.1%</td>
<td>5,661</td>
<td>29,736</td>
</tr>
<tr>
<td>UC Davis</td>
<td>18.3%</td>
<td>5,607</td>
<td>30,718</td>
</tr>
<tr>
<td><strong>UC Santa Barbara</strong></td>
<td><strong>16.2%</strong></td>
<td><strong>3,736</strong></td>
<td><strong>23,070</strong></td>
</tr>
<tr>
<td>UC Santa Cruz</td>
<td>11.2%</td>
<td>2,002</td>
<td>17,792</td>
</tr>
<tr>
<td>UC Riverside</td>
<td>4%</td>
<td>838</td>
<td>20,581</td>
</tr>
<tr>
<td>UC Merced</td>
<td>0.5%</td>
<td>38</td>
<td>7,881</td>
</tr>
<tr>
<td><strong>Fall 2019 at UCSB</strong></td>
<td><strong>18.4%</strong></td>
<td><strong>4,301</strong></td>
<td><strong>23,349</strong></td>
</tr>
</tbody>
</table>

Campus Updates and Highlights
UC Santa Barbara has been named number five public national university in the 2019 U.S. News and World Report Best College Rankings.

U.S. News: Top Public Universities

<table>
<thead>
<tr>
<th>Ranking</th>
<th>University</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>UCLA</td>
</tr>
<tr>
<td>2</td>
<td>UC Berkeley</td>
</tr>
<tr>
<td>3</td>
<td>University of Michigan – Ann Arbor</td>
</tr>
<tr>
<td>4</td>
<td>University of Virginia</td>
</tr>
<tr>
<td>5</td>
<td>Georgia Institute of Technology</td>
</tr>
<tr>
<td>5</td>
<td>University of North Carolina</td>
</tr>
<tr>
<td>7</td>
<td>UC Santa Barbara</td>
</tr>
<tr>
<td>7</td>
<td>University of Florida</td>
</tr>
<tr>
<td>9</td>
<td>UC Irvine</td>
</tr>
<tr>
<td>10</td>
<td>UC San Diego</td>
</tr>
</tbody>
</table>

2019-20 Faculty Salary Program (effective October 1)

<table>
<thead>
<tr>
<th>Campus</th>
<th>Base Salary</th>
<th>Off-Scale</th>
<th>Above-Scale</th>
</tr>
</thead>
<tbody>
<tr>
<td>Berkeley</td>
<td>4%</td>
<td>Variable*</td>
<td>3%</td>
</tr>
<tr>
<td>Davis</td>
<td>4%</td>
<td>0%</td>
<td>3%</td>
</tr>
<tr>
<td>Irvine</td>
<td>4%</td>
<td>4%</td>
<td>4%</td>
</tr>
<tr>
<td>Los Angeles</td>
<td>4%</td>
<td>0%</td>
<td>4%**</td>
</tr>
<tr>
<td>Merced</td>
<td>4%</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>Riverside</td>
<td>4%</td>
<td>Variable*</td>
<td>0%</td>
</tr>
<tr>
<td>San Diego</td>
<td>4%</td>
<td>4%</td>
<td>4%</td>
</tr>
<tr>
<td>San Francisco</td>
<td>4%</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td><strong>Santa Barbara</strong></td>
<td><strong>4%</strong></td>
<td><strong>4%</strong></td>
<td><strong>4%</strong></td>
</tr>
</tbody>
</table>
2018 UC Faculty Salaries

<table>
<thead>
<tr>
<th>Rank</th>
<th>Campus</th>
<th>Professor</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Los Angeles</td>
<td>$218,493</td>
</tr>
<tr>
<td>2</td>
<td>Berkeley</td>
<td>$205,035</td>
</tr>
<tr>
<td>3</td>
<td>Santa Barbara</td>
<td>$187,794</td>
</tr>
<tr>
<td>4</td>
<td>San Diego</td>
<td>$179,807</td>
</tr>
<tr>
<td>5</td>
<td>Irvine</td>
<td>$178,576</td>
</tr>
<tr>
<td>6</td>
<td>Davis</td>
<td>$174,625</td>
</tr>
<tr>
<td>7</td>
<td>Riverside</td>
<td>$168,559</td>
</tr>
<tr>
<td>8</td>
<td>Santa Cruz</td>
<td>$168,870</td>
</tr>
<tr>
<td>9</td>
<td>Merced</td>
<td>$159,567</td>
</tr>
</tbody>
</table>

Business Insider Rankings. In its ranking of the 20 top-tier schools where the most students get financial aid, UC Santa Barbara ranks No. 9, based on 36.5% of our students receiving Pell Grants.

Best Place to Work. UC Santa Barbara has been voted “Best Place to Work” for the third year in the Santa Barbara Independent’s “2019 Best of Santa Barbara Readers’ Poll.”

2019 Sustainable Campus Index. Advancement of Sustainability in Higher Education ranks UC Santa Barbara among nearly 800 participating institutions. UC Santa Barbara ranks No. 5 for following and promoting green building standards, No. 9 for reducing waste, and No. 9 for investing sustainably.

Classroom Renovation Fund. In June, we established the Chancellor’s Classroom Renovation Fund of $500,000 per year for the next three years, as long as sufficient funds are available in our annual budget allocations. This is a short-term solution for classroom needs while our new Classroom Building is completed.
$25-Million Quantum Foundry
UC Santa Barbara is home to the nation’s first NSF-funded Quantum Foundry. Congratulations to Professor of Material Stephen Wilson and Professor of Physics Ania Bleszynski Jayich who will co-direct the center, and all of our faculty colleagues involved in this effort.

Quantum Breakthrough
A team led by John Martinis, an experimental physicist at UC Santa Barbara, and Google in Mountain View, California, says that its quantum computer carried out a specific calculation that is beyond the practical capabilities of regular, “classical” machines.

North Hall Chair in Economics
Historical economist Trevon Logan joins our campus as our inaugural North Hall Chair in Economics.

Royal Academy of Engineering
Nobel Laureate Shuji Namura elected fellow of U.K.’s Royal Academy of Engineering.

Harold J. Plous Award
Assistant Professor of Film and Media Studies Alenda Chang receives faculty honor for exceptional achievement in research, teaching, and service.

Lifetime Career Award
Professor of Psychological and Brain Sciences Brenda Major receives Distinguished Lifetime Career Award from International Society for Self and Identity.

2019 Fellows of the American Physical Society
Professor of Mechanical Engineering Megan Valentine, Professor of Materials Omar Saleh, Professor of Materials Michael Chabinyc, Professor of Physics Zvonimir Dogic, and Professor of Physics Harry Nelson.

Sciences News Top 10
Associate Professor of Chemical Engineering Michelle O’Malley and Assistant Professor of Physics Andrea Young named to the Science News annual Top 10 list of up-and-coming scientists.

NEH Digital Humanities Grant
Associate Professor of History Kate McDonald receives $100,000 from the National Endowment for the Humanities for her innovative research website on the spatial histories of Japan.

UC Santa Barbara Parents & Family Weekend
November 1-2, 2019

All Gaucho Reunion
Save the Date! April 23-26, 2020
**Isla Vista Update**

Halloween 2019: Preparations are underway to get ready for another safe Halloween, including a student-only concert on campus this Saturday.

2019 Student-Only Halloween Concert
A.S. Program Board presents DELIRIUM Featuring Mustard, October 26th at the Thunder Dome. $5.00, Gauchos only.

Thank you!

**Announcements by the Chair**

Chair Bohn reported on personnel transitions at the Office of the President, the October Academic Council meeting, and local campus concerns.

- UC President Janet Napolitano has announced to the Board of Regents that she will resign from her position as of August 1, 2020, after seven years of service. Regent Gareth Elliot has been appointed Chair of the Regent’s Special Committee charged with overseeing the search for UC’s next President. Academic Council Chair Kum-Kum Bhavnani is forming an Academic Advisory Committee that will have an opportunity to provide input to the Special Committee.
- John Perez has been appointed Chair of the Board of Regents.
- Nathan Brostrom has been appointed Interim Chancellor of UC Merced.
- The UC Regents directed President Napolitano to prepare an item for review by Academic Council that includes an increase in faculty contributions to the UC Retirement Plan for the purpose of decreasing structural deficit. Academic Council opposes this approach and urged the University to consider other reasonable alternatives.
- The Board of Regents is considering a cohort-based model for increasing tuition, which will be discussed at its November meeting. While this approach may have some advantages, it is considered to be particularly risky, given the impact it would have on the University in the event of an economic recession.
- Ongoing efforts on behalf of the American Federation of Teachers (AFT) toward potential unionization of the faculty could pose a serious threat to shared governance as we know it within UC. Academic Council has had serious discussions about these activities and will take a collective position on the issue, if it becomes necessary.
- Jianwen Su has been appointed as Vice-Chair/Secretary of the Academic Senate for the 2019-20 academic year. He continues to serve as Chair of the Council on Research and Instructional Resources (CRIR) and was instrumental in establishing CRIR’s new standing Committee on Information Technology (CIT).
- The new Faculty Equity Advisors program has been implemented, and EVC Marshall has appointed a faculty member from each academic division to serve as Associate Dean/Equity Advisor. The current arrangement is considered a pilot to be assessed after two years. Diversity Statements are now among the materials reviewed when hiring new faculty.
- Plans to reorganize the staffing of the UCSB Library were introduced to CRIR’s Committee on Library, Information and Instructional Resources (CLIIR) in May, 2019. Limited information was presented, and CLIIR did not foresee all of the implications that were eventually
brought to light. The Faculty Association called for a one-year moratorium on implementing planned changes in hopes of gaining more time to better understand and convey the potential impacts. There are varying concerns as to whether the service needs of students and faculty in some disciplinary areas will be adequately met. It was felt by many that broader consultation should have been pursued in light of potential effects on faculty. Chair Bohn regrets that the Senate did not initially respond to this issue in a more thorough and timely manner.

- In light of UC’s expired contract with Elsevier, alternative methods are being used to maintain access to publications.
- The systemwide transfer guarantee program, now known as Pathways Plus, is being perceived more as a public relations campaign than an effective new pathway.
- In May 2019, an Academic Senate Memorial to the Regents proposed by the UCSF Division “to divest the University’s endowment portfolio of all investments in the 200 publicly traded fossil fuel companies with the largest carbon reserves” met the approval threshold set in Senate Bylaw 90.D. Of the 3,232 Senate members who voted, 77% voted in favor of the Memorial. It was received favorably by the Regents at their last meeting, but they were unable to act on it as it was not included as an action item on the agenda.
- The University Committee on Research Policy is proposing to take a position on Climate Change and plans to bring a petition to Academic Council.
- Academic Council is considering the endorsement of Senate Bill 206, which would allow athletes to be compensated for the use of their names, images, and likenesses. Senate faculty are generally supportive of this bill.
- Cyber security privacy has once again become an issue of concern. Alex Bustamante, UCOP Senior Vice President and Chief Compliance and Audit Officer, has been vocal about his intention to demand access to UC communication systems in order to assess the occurrence of foreign interventions. Discussion of faculty concerns about this prompted a suggestion that the Senate pass a resolution communicating its opposition to this potential cyber security intrusion. It was decided that further discussion of this topic should be moved to the end of the meeting.
- Certain aspects of the new Implementation of Electronic Communications Policy (IECP) will require the Senate to develop guidelines for responding to requests for involuntary access to individual faculty information.

Consent Calendar
Minutes
In Memoriam
2018-19 Annual Reports

Motion: To approve the consent calendar.

The motion was seconded, and approved by unanimous voice vote.

New Business

Selection Criteria for the President of the University
Prior to the meeting, members of the Faculty Legislature were provided with a copy of the criteria
that were used during the last Presidential search, along with a copy of UC Regents Policy 7101, which details the procedures for this type of search. Members were invited to suggest additional criteria. The following recommendations were offered:

- Possession of an academic background and a doctoral degree
- Commitment to research and graduate education
- Commitment to restoration of public funding
- Commitment to diversity, equity, and inclusion
- Commitment to sustainability and protection of the environment

Former Academic Council Chair Bill Jacob, who participated in the Academic Advisory Committee that was formed for the previous Presidential search, clarified that this group has rather limited ability to influence the outcome of the search, given the level of authority possessed by the Regents. He noted that his group had reviewed 400 CVs and presented comments to the Regents, without much happening after that. Faculty expressed concerns about the prospect of having a corporate politician appointed as President of the UC system. This highlighted the importance of providing useful input to Chair Bhavnani, including relevant questions for candidates.

It was suggested that a Town Hall meeting be held to discuss the search and gather additional input from Senate faculty. It was agreed that such a meeting would be arranged as quickly as possible, assuming an adequate location could be reserved.

**Cyber Security Resolution**

The discussion of Alex Bustamante’s audit plans was continued. Although he has the right to conduct an audit, with the support of the Regents, some of his demands suggest that he believes he has the authority override local regulations. Following discussion of how it should be worded, members of the Faculty Legislature voted unanimously in favor of a resolution protesting the anticipated intrusion. Paul Spickard suggested some language that conveyed the sentiment of the faculty who were present. It was agreed that it could be slightly edited before presentation to the Academic Council:

**Motion**: That the Faculty Legislature submit a resolution to the Academic Council strongly protesting overly intrusive auditing of electronic communication.

The motion was seconded, and approved by unanimous vote.

**NOTE**: The following text was forwarded to Chair Bhavnani by Chair Bohn.

The Faculty of the University of California, Santa Barbara, protests in the strongest terms the proposed sweeping collection of UCSB electronic communications by University Auditor Alexander Bustamante. We call on the President to communicate to the Board of Regents and to the University Auditor our insistence that they halt this intrusion into the privacy of faculty, staff, students, and other members of the UCSB community. We urge the University Auditor to respect the University’s Electronic Communications Policy.

The meeting was adjourned at 5:00 p.m.
**Action item:** Proposed revision of Senate Regulations 175A and B, 190, 200A-C, 225, and 255 to include the requirement that students must be in compliance with the Student Code of Conduct at the time of degree conferral.
December 5, 2019

To: Henning Bohn, Divisional Chair
    Academic Senate

From: Paul Leonardi, Chair
      Committee on Rules, Jurisdiction & Elections

Re: Student Conduct-Degree Clearance Proposal

The Committee on Rules, Jurisdiction & Elections (RJE) reviewed the proposed changes to Senate Regulations 175A, 175B, 190, 200A, 200B, 200C, 225 and 255, along with all reviewing agency comments, stipulating that students must be in compliance with the Student Code of Conduct in order for UCSB to confer their degrees.

RJE approves of the revisions, but requests that the language read, “The candidate shall be in compliance with the UCSB Student Code of Conduct”.

Cc: Debra Blake, Executive Director, Academic Senate
March 18, 2019

To: Henning Bohn, Chair of the Academic Senate
From: Leesa Beck, University Registrar
Re: Proposal to require that students be in compliance with the Student Code of Conduct in order to have their degree conferred

This proposal is to change UCSB Senate regulations related to the conferral of degrees to require that, in order to receive a final degree, the student must be in compliance with the Student Code of Conduct. This would effectively prevent students on probation from having a degree conferred until the terms of their probation were satisfied.

BACKGROUND

Currently there are no Academic Senate Regulations requiring that a student be in compliance with the Student Code of Conduct in order to receive a degree from UC Santa Barbara. As a result, students who commit a serious conduct violation near the end of their academic career that would normally result in a suspension or even dismissal, but who complete their coursework before that sanction takes effect (or complete their coursework through transfer work while their suspension is in effect), are still able to have the degree awarded, effectively negating the sanction. This creates inequities between students who commit serious conduct violations in the middle of their academic careers at UCSB versus those nearing graduation, as a sanction of suspension or dismissal levied on a continuing student will significantly delay or even prevent the awarding of a degree, while a graduating student in their final quarter who is suspended or dismissed for future terms feels no consequence.

During the 2017/2018 academic year, in order to help mitigate this issue systemwide, the UC Policies Applying to Campus Activities, Organizations, and Students (PACAOS; viewable at https://ucop.edu/student-affairs/policies/student-life-policies/pacaos.html) were updated to clarify that a student undergoing a serious conduct investigation or hearing should not have their degree awarded until after their hearing was complete, and that the degree would then be awarded retroactively if appropriate. This will effectively prevent students who are dismissed from having their degrees conferred, but does nothing to address students who receive a suspension but are able to complete the degree requirements before or during the suspension.

In Spring 2018 the campus convened the Graduating Student Sanctions Task Force to vet and propose a solution to this problem. This broadly representative group consisted of the following members:

Leesa Beck, Chair (Office of the Registrar)
Ariana Álvarez (Title IX and Sexual Harassment Policy Compliance Office)
Joaquin Becerra (Office of Judicial Affairs)
Glenn Beltz (College of Engineering – Undergraduate Education)
Ted Bennett (Undergraduate Council, Faculty in Mechanical Engineering)
Based on the Task Force’s recommendations, we are proposing that the UCSB Academic Senate regulations pertaining to the awarding of degrees be modified to require that students be in compliance with the Student Code of Conduct before the degree can be conferred.

**SUMMARY OF PROPOSED CHANGES**

This is a summary of the proposed updates to the existing Senate regulations. To view the proposed updates in context, with changes tracked, please see Appendix A.

- **Chapter II**
  - Section 5, Requirements for the Degree of Bachelor of Arts
    - Regulations 175A and 175B:
      - Add “5. The candidate shall be in compliance with Student Code of Conduct.”
  - Section 5A, Requirements for the Degree of Bachelor of Fine Arts
    - Regulation 190:
      - Add “E. The candidate shall be in compliance with Student Code of Conduct.”
  - Section 6, Requirements for the Degree of Bachelor of Science
    - Regulations 200A and 200C:
      - Add “6. The candidate shall be in compliance with Student Code of Conduct.”
    - Regulation 200B:
      - Add “5. The candidate shall be in compliance with Student Code of Conduct.”
  - Section 7, Requirements for the Degree of Bachelor of Music
    - Regulation 225:
      - Add “E. The candidate shall be in compliance with Student Code of Conduct.”
- **Chapter III**
  - Section 1, General Provisions
    - Regulation 255, Formal Procedures for Higher Degrees:
      - Add “E. be in compliance with Student Code of Conduct.”
RATIONALE

In deciding upon an appropriate course of action, the Task Force consulted with constituencies across campus, vetted practices at the other UC campuses, and vetted practices at other AAU institutions.

Currently most other UC campuses will suspend the awarding of a degree for the duration of a suspension. Berkeley, Davis, Riverside, and Santa Cruz all do so automatically, requiring that the student reapply to graduate at the end of their suspension. Irvine and San Francisco require specific recommendation by the student’s college in order to suspend the awarding of the degree during suspension, though other campuses felt this was unnecessary, since the student’s college is routinely involved in the hearing and sanctioning process, and would therefore not recommend a suspension for a graduating student unless they intended for the degree to be withheld. The remaining UC campuses that do not withhold a degree during suspension are all considering similar changes in the wake of last year’s PACAOS updates.

In the broader AAU community, results were mixed. Nearly all institutions at least withhold the diploma and transcript from students who have a serious student conduct violation late in their academic career, but fewer delay the actual degree conferral. This was true for both behavioral and academic violations. Those that did delay conferral generally said they did so in order to ensure fairness/equity for all students, to protect the integrity of the degree and reputation of the institution, and/or to fully comply with federal and state regulations including Title IX. Many said they were reviewing these practices/policies in light of recent federal rulings and in response to their students becoming increasingly litigious.

Upon reviewing the practices at other campuses, and vetting a number of specific case examples provided by the Office of Judicial Affairs and Office of the Registrar, the Task Force reached a consensus that the campus should change our practice to suspend the awarding of a degree for the duration of a student’s suspension. They felt that this was not only the fairest course of action for all students, but also that applying appropriate consequences regardless of the student’s nearness to degree completion was critical to maintaining the integrity of and instilling confidence in the judicial process. There was concern that faculty may become apathetic regarding the reporting of suspected academic dishonesty, as well as that other violations might go unreported, if there was a sense that no sanction could be levied against the student. Representatives from the College of Letters and Science, the College of Engineering, the College of Creative Studies, and the Graduate Division were all further consulted and agreed with this recommendation. Campus counsel recommended that the Academic Senate regulations pertaining to degree conferral be updated as outlined above, in order to give sufficient policy basis for the withholding of a student’s degree in these circumstances.

The following are several specific cases that were reviewed by the Task Force which lead to the current recommendation. These are actual cases that arose within the last few years, though any identifying information about the student has been removed.

- A student was reported for two incidents of plagiarism for a course taken in Winter of their senior year. The student had declared to graduate at the end of Spring quarter. The case was reported to the Office of Judicial Affairs in early April, and the investigation and adjudication were completed by early May, including a hearing by the Student-Faculty Conduct Committee. The student was sanctioned to a two-quarter suspension, effective Summer and Fall, but was
able to complete all degree requirements and graduate in Spring. The diploma and transcript were held until the end of Fall in lieu of suspension, but the student’s degree could still be verified by third parties as of conferral, and the diploma still reflected a Spring degree completion.

- **Proposed Change:** The student would be ineligible to graduate for the duration of the suspension. They would need to reapply for graduation after the suspension was complete, meaning their earliest graduation date would be in Winter quarter following the expiration of their suspension in Fall.

- A student found responsible for a behavioral violation in University housing was suspended for three years, and left the campus with only one course left to complete. Less than a year into their suspension, they completed the final course via transfer work, and had the degree awarded.
  - **Proposed Change:** The student would be ineligible to graduate for the duration of the suspension, and would need to reapply to graduate after the suspension was complete.

- A student was accused of sexually assaulting a fellow student during the summer before their senior year. Due to the complexity of the case and a law enforcement hold, the investigation was not completed until late April of the respondent’s senior year and the respondent was scheduled to graduate in June. The adjudication phase was completed within the required 60 business days. The respondent was sanctioned to dismissal by the Student-Faculty Conduct Committee, and the decision was upheld on appeal, but the appeal was not heard until the end of June, after the respondent had completed degree requirements, walked in commencement, and requested final transcripts showing his degree conferral.
  - **Proposed Change:** The dismissal would render the student ineligible to graduate. Note that the recent PACAOS changes already would delay the degree conferral until after the student conduct process was complete. The proposed change to the Senate regulations would simply provide a policy justification for the withholding of the degree.

- A student upset about their grade threatened to harm the professor. When the incident was reported, Student Mental Health Coordination Services found that concerning behavior by this same student had been reported on a number of other occasions. The student was charged with a violation of the Student Code of Conduct for threat and harm to others, but then the student immediately withdrew from classes, before a formal investigation or hearing could ever take place. After withdrawal, the student completed the final units necessary to graduate via transfer work, and was able to have the degree conferred.
  - **Proposed Change:** The student would be unable to graduate until the conduct violation was resolved. Note that the PACAOS change would not necessarily apply in this case, because the student left before an investigation was started, so the proposed change to the Senate regulations would be necessary to prevent the awarding of the degree until after the student had undergone an investigation and hearing.

- A student was accused of sexually assaulting a fellow student at the end of Fall quarter of their senior year. The respondent indicated during the investigation that they planned to stay an extra year to complete a double major, and therefore did not file for graduation in Spring. The investigation was completed by the end of Spring quarter, and the respondent was found responsible and sanctioned to dismissal the week after the end of Spring quarter. The respondent submitted an appeal and meanwhile realized that they could file for a Spring degree.
with just a single major. The respondent filed late for Spring graduation and was awarded their degree. On appeal, the sanction of dismissal was upheld but by that point the student had already received the degree and the campus had no grounds to revoke it.

- **Proposed Change:** The dismissal would render the student ineligible to graduate. Note that the recent PACAOS changes already would delay the degree conferral until after the student conduct process, including the appeal, was complete. The proposed change to the Senate regulations would simply provide a policy justification for the withholding of the degree.

**IMPACTS**

Based on an analysis of past student conduct cases and sanctions, we anticipate that very few students (likely between five and ten per year) would have degrees delayed or withheld as a result of this change, and those who would be adversely affected would all be students found responsible for serious violations of the Student Code of Conduct. Per the recent changes to PACAOS, students whose degrees were delayed during the conduct process, but ultimately not found to be responsible, would have their degrees awarded retroactively to the term in which they would otherwise have graduated, so students who are not found responsible should experience no further adverse impact from the proposed change. No students would be barred from participation in commencement ceremonies as a result of this change, since eligibility to participate in commencement is tied to the student’s completed units, not to their actual degree conferral.

Adding the proposed text and making the associated changes to practice is likely to have the positive impacts of ensuring a greater degree of fairness in the student sanctioning process, increasing overall confidence in the process by faculty and other complainants, helping to protect the integrity of the degree, and providing protection from legal action by students whose degrees are delayed or withheld due to a Student Conduct sanction.

**CC:** Debra Blake, Executive Director of the Academic Senate
Membership of the Graduating Student Sanctions Task Force
APPENDIX A: Proposed Changes to Santa Barbara Senate Regulations with Changes Tracked

Chapter II, Section 5: Requirements for the Degree of Bachelor of Arts

175. General Requirements

A. In the College of Creative Studies the degree of Bachelor of Arts will be granted upon the following conditions:

1. The candidate shall have completed at least 180 units.

2. The candidate shall have satisfied the general University requirements in Senate Regulation 612 and 630 [residence, see Divisional Regulation 75], 636 [University of California Entry Level Writing Requirement, see Divisional Regulation 80], and 638 [American History and Institutions, see Divisional Regulation 60]. (Am 18 Jan 18)

3. The candidate shall have completed eight courses in any fields outside his or her major and outside those determined by his or her advisor to be courses related to his or her major. One of these courses must fulfill the Ethnic Studies Requirement: a course that concentrates on the intellectual, social, and cultural experience and history of one of the following groups: Native Americans, African Americans, Chicanos/Latinos, and Asian Americans. This course may be selected from ethnicity courses offered through the College of Letters and Science, or it may be a College of Creative Studies course which is classified as meeting this requirement. (Am 15 Mar 90)

4. The candidate shall have had his or her work reviewed annually by the Faculty to determine whether he/she has been making satisfactory progress toward the degree. Directly after the submission of the student's study-list for his or her final quarter in the College, the Faculty shall have reviewed his or her work in order to certify him/her for graduation.

5. The candidate shall be in compliance with Student Code of Conduct.

B. In the College of Letters and Science the degree of Bachelor of Arts will be granted upon the following conditions:

1. The minimum number of units for the Bachelor of Arts degree shall be 180. [See, also, Divisional Legislative Ruling 1.67, Appendix II] (Am 3 Nov 94, Am 23 Jan 02)

In the case of the student who completes language 3 to meet the General Education Foreign Language Requirement, the minimum number of units shall be 184. Of the total units required, at least 60 units must be upper division. (Am 21 April 83; Am 3 Nov 94, Am 23 Jan 02)

2. The candidate shall have satisfied the general University requirements of sections 612 and 630 [residence, see Divisional Regulation 75], 634 [scholarship, see Divisional Regulation 77], 636 [University of California Entry Level Writing Requirement, see Divisional Regulation 80], and 638 [American History and
In the College of Letters and Science the degree of Bachelor of Fine Arts will be granted upon the following conditions:

A. The minimum number of units for the Bachelor of Fine Arts shall be 180. See also Divisional Regulations 175(B)(1) and 200(B)(1) for junior college unit credit restrictions.

   In the case of students who complete Language 3 to meet the General Education Foreign Language Requirements, the minimum number of units shall be 184. Of the total units required, at least 60 units must be upper-division. (Am 21 Apr 83; Am 3 Nov 94, Am 23 Jan 02)

B. The candidate shall have satisfied the general University requirements in Senate Regulations 612 and 630 [residence, see Divisional Regulation 75], 634 [scholarship, see Divisional Regulation 77], 636 [University of California Entry Level Writing Requirement, see Divisional Regulation 80], and 638 [American History and Institutions, see Divisional Regulation 60]. (Am 18 Jan 18)

C. The candidate shall have satisfied the General Education requirements, as described in Divisional Regulation 195.

D. The candidate shall have satisfied the requirements of a major program as described in Divisional Regulation 125.

E. The candidate shall be in compliance with Student Code of Conduct.
2. Has satisfied the following University requirements: University of California Entry Level Writing Requirement [Senate Regulation 636; see Divisional Regulation 80], American History and Institutions [Senate Regulation 638; see Divisional Regulation 60], residence [Senate Regulations 612 and 630; see Divisional Regulation 75], and scholarship [Senate Regulation 634; see Divisional Regulation 77] (Am 18 Jan 18);

3. Has satisfied the General Education Requirements which are specific to his or her field of study;

4. Has completed an approved major curriculum in the appropriate discipline within the College;

5. Has maintained at least a C average in all upper-division courses in his or her major.

6. The candidate shall be in compliance with Student Code of Conduct.

B. In the College of Letters and Science the degree of Bachelor of Science will be granted upon the following conditions:

1. The minimum number of units for the Bachelor of Science degree shall be 180. (Am 3 Nov 94, Am 23 Jan 02)

   In the case of students who complete Language 3 to meet the General Education Foreign Language Requirement, the minimum number of units shall be 184. Of the total units required, at least 60 units must be upper division. (Am 21 Apr 83; Am 3 Nov 94, Am 23 Jan 02)

2. The candidate shall have satisfied the general University requirements of sections 612 and 630 [residence, see Divisional Regulation 75], 634 [scholarship, see Divisional Regulation 77], 636 [University of California Entry Level Writing Requirement, see Divisional Regulation 80], and 638 [American History and Institutions, see Divisional Regulation 60] of the Regulations of the Academic Senate. (Am 18 Jan 18)

3. The candidate shall have satisfied the General Education requirements, as described in Divisional Regulation 210.

4. The candidate shall have satisfied the requirements of a major program as described in Regulation 125.

5. The candidate shall be in compliance with Student Code of Conduct.

C. In the College of Creative Studies the degree of Bachelor of Science will be granted upon the following conditions:

1. The minimum number of units for the Bachelor of Sciences degree shall be 180.

2. No further unit credit toward the degree may be earned in a junior college after a total of 105 quarter units towards the degree has been completed in all institutions attended.
3. The candidate shall have satisfied the University requirements in Academic Senate Regulations 612 and 630 [residence, see Divisional Regulation 75], 634 [scholarship, see Divisional Regulation 77], 636 [University of California Entry Level Writing Requirement, see Divisional Regulation 80], and 638 [American History and Institutions, see Divisional Regulation 60]. (Am 18 Jan 18)

4. The candidate shall have satisfied the General Education Requirements of the College of Creative Studies as described in Regulation 175(A)(3) (Requirements for the Bachelor of Arts degree).

5. The candidate shall have satisfied the upper-division requirements of a major program for the B.S. degree in the College of Letters and Science as specified by the Chemistry and Biochemistry, Mathematics, or Physics Departments, or the B.S. degree in Computer Science specified by the College of Engineering, and the requirements of a major program in Chemistry and Biochemistry, Mathematics, Physics, or Computing in the College of Creative Studies. (En 10 Mar 83; Regents 20 May 83; AM 09 Mar 17)

6. The candidate shall be in compliance with Student Code of Conduct.

Chapter II, Section 7: Requirements for the Degree of Bachelor of Music

225. General Requirements:

The degree of Bachelor of Music will be granted upon the following conditions:

A. The minimum number of units for the Bachelor of Music degree shall be 180. See also Divisional Regulations 175(B)(1) and 200(B)(1) for junior college unit credit restrictions. (Am 23 Jan 02)

In the case of students who complete Language 3 to meet the General Education Foreign Language Requirements, the minimum number of units shall be 184. Of the total units required, at least 60 units must be upper division. (Am 21 Apr 83; Am 3 Nov 94, Am 23 Jan 02)

B. The candidate shall have satisfied the general University requirements in Academic Senate Regulations 612 and 630 [residence, see Divisional Regulation 75], 634 [scholarship, see Divisional Regulation 77], 636 [University of California Entry Level Writing Requirement, see Divisional Regulation 80], and 638 [American History and Institutions, see Divisional Regulation 60]. (Am 18 Jan 18)

C. The candidate shall have satisfied the General Education Requirements, as described in Divisional Regulation 230.

D. The candidate shall have satisfied the requirements of a major program as described in Divisional Regulation 125. (Am 13 Jan 83)

E. The candidate shall be in compliance with Student Code of Conduct.
Chapter III, Section 1: General Provisions (Regs. 250-280)

255. Formal Procedures for Higher Degrees

To earn a higher degree from the Santa Barbara Division a student must:

A. be admitted to the Graduate Division,

B. at the appropriate stage in his or her graduate study, formally apply for and be officially advanced to candidacy,

C. successfully undertake all comprehensive and qualifying examinations and other requirements designed to test command of the subject and ability to contribute to its advancement, and

D. be formally recommended for the degree. (Am 7 Nov 96), and

E. be in compliance with Student Code of Conduct.
Date: March 14, 2019

To: Leesa Beck
    University Registrar

From: Carol Genetti
     Anne and Michael Towbes Graduate Dean

Re: Proposal to require that students be in compliance with the Student Code of Conduct in order to have their degree conferred

Thank you for the opportunity to review the proposal to change UCSB Senate regulations related to the conferral of degrees to require students to be in compliance with the Student Code of Conduct in order to receive their final degrees. It illustrates the need to devise an appropriate course of action on our campus that will both align with the 2017-18 updates made to the UC Policies Applying to Campus Activities, Organizations, and Students, as well as address those students who receive a suspension but are able to complete their degree requirements before or during the suspension. While the proposed change would rarely affect graduate students, I agree with the conclusions of the Graduating Student Sanctioning Task Force that we need to change our local practice in a way that is the fairest course of action for all of our students. Suspending the awarding of the degree for the duration of a student’s suspension would seem to accomplish that end.

Based on the recommendations of the Task Force, I am happy to support your proposal to modify the UCSB Academic Senate regulations pertaining to the awarding of degrees to require that students be in compliance with the Student Code of Conduct before the degree can be conferred. My thanks to you and the members of the Task Force for investigating this issue and proposing this remedy.
January 22, 2019

To:     Henning Bohn, Chair, Academic Senate

From:  Jeffrey Stopple, AVC for Undergraduate Education

Re:     Proposal to require that students be in compliance with the Student Code of Conduct in order to have their degree conferred

The proposal from the Registrar has been carefully put together with input across campus. It aligns our regulations with other UC campuses and federal regulations. It is very sensible and I fully endorse it.
Action item: Proposed revision of Bylaw 87. Committee on Admissions, Enrollment and Relations with Schools - to add Athletic Admissions Review Committee
December 5, 2019

To: Henning Bohn, Chair
Academic Senate

From: Michael Gordon, Chair
Committee on Admissions, Enrollment, and Relations with Schools

Re: Proposed Revisions to Bylaw 87

At the beginning of September, the Committee on Admissions, Enrollment, and Relations with Schools (CAERS) received a report from Audit and Advisory Services on Undergraduate Admissions. The review of the campus admissions process resulted in a number of recommended improvements, some of which were assigned to CAERS for implementation. These recommendations included the establishment of a subcommittee that would be charged with verifying prospective student athletes’ qualifications and making recommendations regarding admissibility to the Director of Admissions. As a trial in 2019-20, CAERS formed an ad hoc Athletic-Admissions Review Committee (AARC), composed of two former chairs of CAERS, with the Director of Admissions and the Chancellor’s Faculty Athletics Representative as ex-officio members.

CAERS has proposed the attached changes to Bylaw 87, in order to establish the AARC as a subcommittee. As noted on the following page, “the committee will consist of at least three (3) Senate members with vote, appointed by the Committee on Committees. At least one member of the AARC shall be chosen from the CAERS membership, and will serve as chair. The Director of Admissions and the Chancellor’s Faculty Athletics Representative will serve ex-officio.” The addition of a current member from CAERS will facilitate communication between the two groups and allow for an odd number of members in order to break tie votes.

CC: Debra Blake, Executive Director
87. Committee on Admissions, Enrollment and Relations with Schools

A. Purpose.

To set standards and criteria for undergraduate admissions and monitor campus efforts to recruit and enroll an excellent and diverse undergraduate student body.

B. Membership.

Members are selected to ensure broad representation of the academic departments and colleges that offer undergraduate curricula. The Committee consists of at least eight (8) Senate members with vote, appointed by the Committee on Committees. The Director of Admissions serves ex officio. One undergraduate student representative is appointed by the Associated Students. The Committee on Committees designates the chair and appoints one member to the Board of Admissions and Relations with Schools. The Committee may invite consultants and guests to meetings as deemed appropriate.

C. Organization.

The Committee on Admissions, Enrollment, and Relations with Schools (CAERS) is a standing committee with one subcommittee, the Athletic-Admissions Review Committee. The Chair of CAERS, in consultation with the membership, shall appoint any number of individuals or ad hoc committees in response to Administrative or joint Administrative/Senate Committee needs, and within the Committee's purview. In so doing, the Chair may consult with the Committee on Committees. Individuals may be appointed from the general Senate membership as necessary. Members so appointed report to the Committee. The subcommittee is as follows:

Athletic-Admissions Review Committee (AARC), consisting of at least three (3) Senate members with vote, appointed by the Committee on Committees. At
least one member of the AARC shall be chosen from the CAERS membership, and will serve as chair. The Director of Admissions and the Chancellor’s Faculty Athletics Representative serve ex-officio.

C.D. Duties.

The Committee:

1. creates campus admissions policy and determines criteria for undergraduate admissions.

2. advises the Division and the administration regarding policy and practices related to admissions, access, enrollment, and relations with schools.

3. requests the development of and analyzes institutional data needed to fully inform decisions.

4. maintains liaison with the Board of Admissions and Relations with Schools and the Campus Enrollment Committee.

5. supervises the Athletic-Admissions Review Committee

(En 17 Oct 13)