FACULTY LEGISLATURE MINUTES
March 21, 2019

The Faculty Legislature of the Santa Barbara Division met in Library Conference Room 1575 at 3:30 p.m. on Thursday, March 21, 2019, with Chair Henning Bohn presiding. The meeting was attended by 29 voting members, 5 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 upcoming spring quarter!

Student Updates

UC Applications, 2018 vs. 2019
Overall freshman applications for fall 2019 dropped from the previous year in the UC system, led by Berkeley, UCLA and Santa Cruz.

+2.6% Merced
+1.2% San Diego
+1.2% Santa Barbara
+0.8% Riverside
+0.6% Irvine
+0.1% Davis
-1.3% Santa Cruz
-2.1% Los Angeles
-2.5% Berkeley
-3.0% UC-wide

UCSB Decision Day is Tuesday, March 19

Fall 2019 Freshman Admit Data

93,342 freshman applicants
26,827 freshman admits (4,800 expected to enroll)
29% admission rate (down from 32% last year)
Average GPA: 4.32 (up from 4.28)
64% California residents (down from 67%)
15% domestic nonresidents (no change)
21% international nonresidents (up from 18%)
23% underrepresented minorities (no change)
30% first-generation (no change)

2017-18 Freshman-to-Transfer Ratio
UCSB met the 2:1 freshman-to-transfer ratio in 2017-18, with precisely 2.0. Though several campuses did not meet the ratio, the ratio was met Universitywide. Merced is excluded from the 2:1 ratio goal that is part of the Budget Framework agreement with the governor.

UCOP Policy on Nonresident Student Tuition
Nonresident Supplemental Tuition for students whom a campus enrolled above its 18% cap will be redirected to support student basic needs programs across the system in 2019-20. However, the campus will retain an amount for the estimated cost of instructing those students.

Per-student figures:

- Extra tuition supplemented by nonresident student: $29,000
- Estimated cost of instruction retained by campus: -$11,400
- Nonresident supplemental tuition redirected: $17,600

for student basic needs UC-wide

Fall 2018 Undergraduate Nonresident Enrollment Percentages on UC Campuses
UC Santa Barbara’s percentage of undergraduate nonresidents was 16.2% in Fall Quarter 2018, which is 3,736 nonresidents of the 23,070 total undergraduate students. Five campuses have exceeded the cap, while three others have not met the limit.

Nonresident Tuition

Last Thursday, the UC Regents voted to table a proposed 2.6% tuition increase for nonresident students.

2019 Regional Receptions

- San Jose: February 24
- Washington D.C.: March 9
- New York City: March 10
- Orange County: March 16
- Los Angeles: March 17

UCSB Open House 2019

Campus-wide open house welcoming admitted students, prospective students, and their families will take place on Saturday, April 13.

Campus Updates and Highlights
College Admissions Scandal

President Napolitano issues a letter of the ten UC chancellors on Monday, March 18, calling for “an independent assessment of our admission practices throughout the system.” Our internal audit department will work with the systemwide Office of Ethics, Compliance, and Audit Services on this review.

Long-Range Planning Task Force on Enrollment

On February 28, we announced the formation of our Long-Range Planning Task Force on Enrollment, as suggested by our Academic Senate Committee on Admissions, Enrollment, and Relations with Schools (CAERS).

Thank you to each of our faculty colleagues who have agreed to serve.

2020 U.S. News Best Graduate Schools

Materials ranks No. 1 among public institutions and No. 3 overall.

Chemical Engineering ranks No. 6 among public institutions and No. 10 overall.

National Book Critics Circle Award

Professor of English Yunte Huang’s “Inseparable: The Original Siamese Twins and Their Rendezvous With American History” is shortlisted in the biography category.

Friedrich Wilhelm Bessel Research Award

Professor of Chemistry and Biochemistry Trevor Hayton is awarded for his research toward the future development of high-tech materials, as well as new methods for nuclear fuel cleanup.

2019 J. Anthony Lukas Prize Project Award

Professor of Black Studies Jeffrey Stewart has won this prestigious nonfiction award - administered by the Columbia Journalism School and the Nieman Foundation for Journalism at Harvard - for his biography of Alan Locke.

AAAS Lifetime Mentor Award

Professor of Physics Beth Gwinn receives 2019 Lifetime Mentor Award from the American Association for the Advancement of Science.

2019 Plous Lecture
Associate Professor of EEMB Douglas McCauley delivered our annual Plous Lecture on March 11, examining the impact of humans and technology on our oceans.

**NSF Career Award**

Assistant Professor of Mechanical Engineering Bolin Liao receives the NSF Career Award - making it his third early career award since joining our faculty in July 2017.

**2019 Elizabeth D. Hay New Investigator Award**

Assistant Professor of Mechanical Engineering Otger Campas has received the Elizabeth D. Hay New Investigator Award from the Society for Developmental Biology.

**Alfred P. Sloan Foundation Fellowships**

Assistant Professor of Psychological and Brain Sciences Thomas Sprague, and Assistant Professor of Mathematics Xin Zhao are recognized for their promising early-career achievements.

**Robotics Technologies of the Year**

Assistant Professor of Mechanical Engineering Elliot Hawkes’ soft robot is among Science Robotics’ “Ten robotics technologies of the year.”

**IEEE Electron Devices Society Fellowship**

Professor of Electrical and Computer Engineering Kaustav Banerjee’s doctoral student, Junkai Jiang, receives the prestigious Ph.D. Student Fellowship from the Institute of Electrical and Electronics Engineers’ Electron Devices Society.

**UCSB Reads 2019**

On January 10, we helped hand out free books to our students. Author Thi Bui will give a free lecture at Campbell Hall on April 25.

**El Plan of Santa Barbara’s 50th Anniversary**

Last month, our campus celebrated the 50-year legacy of Chicana and Chicano Studies at UC Santa Barbara. Thanks to all of our faculty, staff, and students who helped organize and who participated!

**UCSB Advocacy Day in Sacramento**
On April 2, Chancellor Yang will be meeting with our state legislators to discuss higher education issues and funding. We will also hold a reception for our alumni.

Save the date for the All Gaucho Reunion from April 25-28, 2019. Thank you.

**Consent Calendar**

**Motion:** To approve the minutes of the January 10, 2019 meeting.

The motion was seconded and approved by unanimous voice vote.

**Announcements by the Chair**

Chair Bohn thanked Chancellor Yang for approving an interim measure to provide support for infant care for Assistant Professors. The Chancellor has agreed to make grant funding available as part of the startup packages for Assistant Professors in the amount of $5,000 for up to two years, in the event they cannot be accommodated by Early Childhood Care and Education Services. Eligible faculty must be on the waitlist for at least one month, and until their baby is three months old. Associate Vice Chancellor Hererra Sobek has agreed to manage the program.

In response to a question from the floor, Chair Bohn stated that the program is only available to Assistant Professors at this time. The Chancellor’s Advisory Committee on Childcare is also considering the issue of backup care.

Academic Council has selected its next Vice-Chair for 2021, pending Academic Assembly approval. The nominee is Mary Gauvain from UC Riverside. UCSB's Kum-Kum Bhavnani will serve as Chair.

In response to a question from the floor, Chair Bohn reported that the recent admissions scandal reported in the news has generated debate on the campuses. The Office of the President is aware of one case at UCLA. Chair Bohn emphasized that we will continue to follow current procedures for addressing the submission of fraudulent documents. The Academic Senate will also review the related policies and procedures to determine whether modifications might be appropriate. President Napolitano has initiated a review at the Universitywide level.

In response to a related question about the admission of athletes, Chair Bohn responded that the students we are admitting are academically qualified and UCSB has one of the highest graduation rates of student athletes.

As noted in the Academic Council’s letter, posted on the Academic Senate website, the University has reached a standstill in its negotiations with Elsevier. Access to publications have not been cut off, but may be any day. In the event that access is closed, the Library will use interlibrary loans. The University of California has been offered support from universities all
over the country, who are prepared to help us access articles that may be inaccessible through Elsevier.

UC Santa Barbara has signed the OA2020 Statement of Interest, which was broadly supported by our Divisional reviewing agencies. The letter affirming our support is posted on the Academic Senate website.

Although generally identified as positive, the proposed 2019-20 State budget has a number of important drawbacks. Although the UC is expected to receive a funding increase from 2018-19, a significant amount of it will be in one-time allocations. Chair Bohn acknowledged that UC has some heavy lifting to do in its negotiations with the State.

The Regents voted to freeze undergraduate tuition for California residents for the 2019-20 academic year, and tabled the discussion related to tuition for non-resident students. There was also a long discussion regarding Self-Supporting Graduate Professional Degree Programs.

In November, the Regents assumed $30M in new revenues to cover expenses for Non-Resident Supplemental Tuition. While UC’s primary responsibility is to California residents, concerns have been raised about affordability for non-resident domestic and foreign students.

The President has endorsed recommendations from two systemwide “tiger teams” for protecting UC from potential risks from foreign entities. The Teams on 1) Vulnerabilities Associated with International Students, and 2) Sensitive Information and Materials Related to International Agreements were asked to develop recommendations for protecting UC systems and intellectual property in ways that address federal concerns about national security but also support UC’s commitment to an open and collaborative research environment. A second letter from the president provides additional guidance for UC engagements with specific Chinese network equipment companies, in anticipation of possible federal action against those companies. UCSB’s Office of Research is strictly following related policy and procedures and overseeing campus compliance.

President Napolitano has released several letters regarding foreign influence and UC engagement with Huawei and ZTE. UC is concerned about political interference in science research, which is currently under discussion by UCORP and Academic Freedom. Current issues include restrictions on climate research and stem cell research. Both the Office of the President and UC are holding the line, pushing back against any interference.

The Academic Council discussed the use of research information management systems, which measure faculty performance with respect to publications. The Council has asked Provost and Executive Vice President Brown to commission a review of this issue.

The University has made an agreement with the United Auto Workers union to compensate graduate students for incorrect or delayed payments as a result of UCPath implementation issues.
The Academic Council also discussed next steps for the discussion regarding the Area D Laboratory Science admissions requirements. The recent proposal from the Board of Admissions and Relations with Schools was deemed unsuccessful because of concerns that under-resourced high schools may have problems with eligibility. The proposal may be split into separate initiatives, such as renaming “Laboratory Science” to “Science” and broadening the list of courses that can be applied toward the third science course.

The proposed revisions to Bylaw 336 were approved by the Academic Council and will be presented to the Academic Assembly for final consideration. Faculty have serious concerns about the ambitiousness of the proposed timelines, and concerns have been voiced about the need for additional resources to ensure successful implementation of the new requirements.

The Council considered the second systemwide review of the Proposed Presidential Policy on Open Access for Theses and Dissertations. The campuses have submitted many comments, and there is more work to be done. The main questions include who should have authority to embargo theses and dissertations and for how long.

**2018-19 Elections Report**


**Assembly Representatives**

The following candidates accepted nomination and received the requisite five endorsements.

Charles A. Akemann (Mathematics)
Claudio Fogu (French and Italian)
Nuha N. Khoury (History of Art and Architecture)

Because there were only three viable candidates for the three open positions, a ballot was not conducted following the nomination period.

**Committee on Committees**

A total of three candidates were nominated for Area C: College of Letters and Science Humanities and Fine Arts Division and College of Creative Studies. As there were three nominees for one available position, a ballot was conducted from February 20 – March 6, with the following results:

Silvia Bermudez (Spanish and Portuguese) – 16.67% (14 votes)
Constance Penley (Film and Media Studies) – 30.95% (26 votes)
Ann Plane (History) – 50.00% (42 votes)
Abstain – 2.38% (2 votes)
Total Votes – 84 (22.22%) of 378 eligible voters
Ann Plane received the most votes for Area C: College of Letters and Science Humanities and Fine Arts Division and College of Creative Studies.

Lisa Hajjar accepted nomination and received the requisite number of endorsements for Area B: College of Letters and Science Social Sciences Division and Gevirtz Graduate School of Education. Because there was only one nominee in Area B, a ballot was not conducted for this position.

As there were no faculty nominations for the position in Area A (College of Letters and Science Mathematical, Life and Physical Sciences Division and Donald Bren School of Environmental Science and Management), this position will be filled by an appointment by the Committee on Committees according to Divisional Bylaw 90.C3.

Parliamentarian Akemann asked the legislators to remind their colleagues to be mindful of Senate elections and to please vote.

Akemann asked for additional nominations from the floor. As there were none, a motion was accepted to approve the proposed slate.

**Motion:** To approve the slate of 2019-20 Senate election candidates. The motion was seconded and approved by unanimous voice vote.

**Proposal to Revise Appendix V of the Divisional Senate Manual - Student Appeals Procedure**

Chair Bohn provided contextual information to the Legislature regarding the proposed changes to Appendix V. In Fall Quarter 2017, General Counsel approached the Academic Senate with proposed modifications to Policy 4105, the Student Grievance Procedure for Alleged Discrimination. Many campus stakeholders provided input on the proposed modifications, and after a number of revisions, General Counsel and OCR settled on an updated version of Policy 4105. OCR has asked the University to move forward with implementing Policy 4105. As the Student Grievance Procedures are connected with the Academic Senate’s Procedures for Grade Appeal (Appendix V of the Senate Manual), we must now update Appendix V for congruence.

Chair Bohn stated that the main purpose of the revisions is to clarify the process and authority for addressing formal student complaints that involve both an allegation of discrimination and a grade appeal. While decisions regarding discrimination fall under the authority of the Vice Chancellor for Student Affairs (or designee), the decisions regarding grade changes fall under the authority of the Academic Senate (or designee).

The Academic Senate disseminated the draft of Appendix V for council and committee review over the winter quarter and received comments from the Committee on Rules, Jurisdiction, and Elections, Undergraduate Council, Graduate Council, and Faculty Executive Committees of the
College of Letters and Science and the College of Engineering. The proposed language was presented for final consideration by the Legislature.

A member raised concerns about the proposed procedures, noting that grade appeals should be evaluated separately from discrimination complaints. After several varying viewpoints were expressed, Executive Vice Chancellor Marshall clarified that the main purpose of the changes to Appendix V was to maintain the integrity of the Academic Senate’s authority to adjudicate a grade appeal. If the Office of Equal Opportunity determines that a faculty member has discriminated against a student, it is possible they will suggest a grade adjustment as an appropriate remedy. The Senate will make the final determination about the grade.

Following additional discussion, a member from the floor moved to approve the proposal.

**Motion:** To approve the proposed changes to the Divisional Academic Senate Manual, Appendix V. **The motion was seconded and passed with 28 in favor, 1 opposed, and 0 abstentions.**

**Proposal to Establish a Standing Committee on Information Technology within CRIR**

Jianwen Su, Chair of the Council on Research and Instructional Resources (CRIR), explained the rationale for the proposed establishment of a new standing Committee on Information Technology within the Council on Research and Instructional Resources, and the associated changes to Divisional Bylaw 65, which governs CRIR. Chair Su stated that the Academic Senate would benefit from additional communication and holistic consideration of IT-related issues such as data management, cybersecurity, privacy, and network stability.

A member raised concerns about adding another committee to the Division, in the interest of maintaining a lean operation. It was clarified that the new Committee would be comprised of existing CRIR members.

**Motion:** To approve the establishment of a committee on Information Technology within CRIR. **The motion was seconded and passed with 27 in favor, 0 against, and 1 abstention.**

**Memorial to the Regents - Fossil Fuel Divestment**

Chair Bohn explained to the Legislature that the San Francisco Division of the Academic Senate has circulated a Memorial to the Regents calling to divest the University’s endowment portfolio of all investments in the 200 publicly traded fossil fuel companies with the largest carbon reserves.

Under Academic Senate Bylaw 90, UCSF has notified all of the divisions of the proposed Memorial. The Santa Barbara Division has 90 days to put the issue to a vote, and may approve or not, or decline to act. It is not possible to amend or change the proposed Memorial language. If at least three divisions, constituting 35% of the membership of the Academic
Senate, vote to approve the Memorial, it will be put to a mail ballot for the entire membership. None of other divisions have voted yet.

It was noted that the Memorial applies only to UC’s general endowment and not to its retirement funds. Members expressed varying viewpoints, including the Memorial’s consistency with UCSB’s status as a staunch supporter of environmental policy and sustainability. Support was also voiced regarding the need to rein in the fossil fuel industry. It was suggested that collecting additional information and pursuing greater consultation would be advisable, but a motion to move forward was eventually made from the floor, based on the discussion and the information already provided.

Motion: To approve the proposed Memorial to the Regents. The motion passed with 21 in favor, 4 against, and 2 abstentions.

The meeting was adjourned at 5:00 p.m.