

DIVISIONAL COUNCIL
Minutes of Meeting
Friday, October 23, 2020

Attendees: Chair Robin DeLugan, Vice Chair LeRoy Westerling, Christopher Viney, Ramesh Balasubramaniam, Hrant Hratchian, Matthew Hibbing, Abbas Ghassemi, Kara McCloskey, Jesus Sandoval-Hernandez, Carolin Frank, Erin Hestir, Jessica Trounstone (at-large member and alternate for CAPRA Chair Patti LiWang), and Justin Yeakel.

I. Consultation with EVC/Provost Camfield

EVC/Provost Camfield provided updates on the medical education program. After learning that the state budget appropriated \$15 million for a medical education program, UCM, UCSF, and the UCSF/Fresno branch have been meeting to start planning a framework for cooperation. Today is the kick off meeting that the EVC/Provost will attend. UCSF is providing a project manager for the planning phase. All three campuses will discuss establishing a charter and MOU. The trial balloon will include the establishment of at least two work groups that will require participation from UCM Senate faculty. The EVC/Provost will make a formal request to the Senate for CoC to select representatives.

The proposed work groups will be tasked with handling two main areas of planning for the medical education program: curriculum and admissions. With regard to the curriculum, UCM, UCSF, and UCSF/Fresno must operate under the standards of the Liaison Committee on Medical Education (LCME), which is the accrediting authority for medical education programs leading to the M.D. degree in the U.S. and Canada. This requires UCM faculty to work with UCSF's faculty to deliver the medical curriculum according to LCME rules. With regard to admissions, UCM would be the primary feeder institution into the future medical program using our existing bachelor's degree programs. EVC/Provost Camfield hopes that UCM and UCSF can set up a joint admissions process whereby high school students can be admitted to UCM with a provisional acceptance to UCSF's medical school. The criteria for admissions will have to be determined by UCM and UCSF Senate faculty.

EVC/Provost Camfield informed Division Council members that UCM does not have a HIPPA certified computing environment. The funding we received from the state budget will allow us to build this infrastructure through our collaboration with UCSF. He added that UCM faculty may want to engage in broad community engagement to develop trust within the community as we build our medical education program.

A Divisional Council member pointed out that \$15 million is not a lot of funding to launch a medical education program. He added that it seems like an unfunded mandate that was imposed as a result of local political pressure. He expressed concern that UCM's existing programs will suffer and gave the example of UC Riverside's significant challenges when that campus built its medical school. EVC/Provost Camfield acknowledged the concern and stated that UCSF faculty share the concern. He added that a lot of groundwork was already done with analyzing the numbers and the campus will not overpromise on the medical education program. UCM will not repeat the process that Riverside followed. He added that UCM already has experience from the establishment of the San Joaquin Valley Program in Medical Education (SJV PRIME).

II. Authorship and Data Sharing Proposal

Marjorie Zatz, interim Vice Chancellor of Research and Economic Development (VCORED) and Zulema Valdez, Associate Vice Provost for the Faculty (AVPF) introduced the proposal for Authorship and Data sharing, drafted in response to concerns raised by some faculty and graduate students concerning the resolution of disputes over authorship and data sharing.

AVPF Valdez stated that the dispute board was created as a result of a major conflict between UCM students and faculty. There are no campus guidelines on how to adjudicate such disputes on our campus; typically, such disputes are handled by the faculty members in question. Some faculty rely on their own disciplines' rules and guidance on data ownership but these standards differs across disciplines. Sponsoring agencies also have varied rules. In the absence of clear guidance, and in the interest of expediency, the authorship dispute board adjudicated the current conflict. Now, AVPF Valdez and interim VCORED Zatz are asking Divisional Council whether the board should remain as an ad hoc body or if it should be a permanent entity.

A Divisional Council member asked whether the board would handle disputes involving individuals at institutions other than UCM. AVPF Valdez explained that when individuals make a request to the board to adjudicate a dispute, they can list all individuals involved in the research project, including those at external institutions. If the non-UCM individuals decline to be involved, then the board issues a strong recommendation that is non-binding. A decision is only binding when all affected parties agree. A Divisional Council member stated that multi-campus research projects, such as those conducted by faculty in the STEM fields, are generated by an extensive lab infrastructure. This intersects with public funding where there are expectations for where data is to be housed and who owns it. She asked how the dispute board would support faculty who are involved in such large-scale projects. Interim VCORED Zatz answered that the board would ensure that all members of the projects would be represented.

A Divisional Council member asked whether the dispute board would include an undergraduate student. Interim VCORED Zatz replied that if the issue under review involves an undergraduate student, then the board would include a representative from that population.

A Divisional Council member expressed concern that CoR was not consulted in the drafting of the proposal. Other Divisional Council members agreed and stated that GC and FWAF should also have been consulted.

Action: The chairs of CoR, FWAF, and GC will review the proposal as presented. They will then consult with their committees. Their committees will send their comments to Divisional Council who will consider the comments at a future meeting.

III. Chair's Report – Robin DeLugan

- A. Campus visit by UC President Michael Drake (10/15)
 - i. Chair DeLugan reported that President Drake enjoyed his second visit to the campus.
- B. C19 Emergency Operations Center Cabinet Meeting (10/22)
 - i. The administration is analyzing the results of the faculty space survey and are working on getting faculty access to their campus work spaces. A communication on that topic is forthcoming.
- C. UCM Leadership Council meeting (10/23)
 - i. COVID-19 planning and campus reopening
 - ii. Securing the planning and design funding for the Health and Behavioral Sciences building

- iii. The new Alpha financials system will go online on January 1. The system will integrate our financial systems and budgeting process.
- iv. Managing COVID-19 financial losses. Auxiliaries have lost about \$35-40 million as a result of campus shutdowns due to the pandemic.
- v. Vacant administrative leadership positions are being filled.
- vi. Chancellor Muñoz and EVC/Provost Camfield have allocated \$1 million in one-time institutional funding for UCM's BSL-3 laboratory.
- vii. The VPDUE will co-host town halls on teaching on November 5 and 6.

Chair DeLugan also stated that Professor Paul Maglio has requested to attend a future Divisional Council meeting to discuss the pre-proposal to establish the Gallo School. Divisional Council members confirmed that Professor Maglio is already scheduled to attend various Senate committee meetings. Divisional Council members agreed to wait until Senate committee comments have been received and then revisit the possibility of Professor Maglio attending a Divisional Council meeting.

IV. Consent Calendar

- A. Approval of today's agenda
- B. Approval of the October 9 Meeting Minutes

Action: Due to time constraints, Divisional Council members will email any objections about the Consent Calendar to the Senate Executive Director. If no objections are raised, the Consent Calendar will be approved as presented.

V. Systemwide Review of Proposed Curtailment Program – Chair DeLugan

The proposed program is the product of the joint Strategic Planning Task Force convened by President Drake to develop options for addressing the financial challenges of the pandemic. All UCM Senate and School Executive Committees have been invited to comment.

Divisional Council members wondered whether the decision to implement the curtailment program has already been made. A Divisional Council member stated that it was mentioned in a systemwide meeting that UCOP's request to campuses to review the proposed program was intended to prove to the state Legislature that the UC system is making a good faith effort to alleviate the budgetary impacts of the pandemic rather than leaving it up to the Legislature to slash the UC budget. UCM could request additional time to review the proposed program, but this request likely will not be granted.

Divisional Council members agreed that the Senate Chair should forward all Senate committee and School Executive Committee comments to the systemwide Senate Chair with a cover memo that summarizes the committees' main questions and concerns: the impact of the curtailment program on employees on soft money, protection of the UC retirement system, consideration for student employees (including graduate students), a full explanation of the tiers, an articulation of how curtailment differs from furloughs, and alleviation for faculty and staff on the lower end of the salary range. The memo should also state UCM's appreciation that the UC system is making an attempt to address the negative budgetary situation.

Action: The Senate Executive Director will distribute a draft cover memo to Divisional Council members for review by the morning of Monday, October 26. By 5:00 pm on October 26, the final

memo, together with the comments from Senate committees and Senate Executive Committees, will be transmitted to systemwide Senate Chair Gauvain.

VI. DivCo Action Plan to Address Structural Racism – Robin DeLugan and Members

Chair DeLugan summarized for Divisional Council members the revisions that were made to the action plan. Essentially, the revisions simply clarify who is doing what task within the following areas:

- General Policies and Procedures
 - All Senate committees will review core Senate Bylaws and Regulations, and academic policies and procedures to 1) identify how these documents may impede the overarching goal, 2) identify accountability, enforcement, or reporting mechanisms that are in place or that should be in place, and 3) identify missing elements.
 - Merced Division: Manual of the Academic Senate (All Senate Committees to review)
 - Senate Committee Bylaws (Each Senate Committee to review their respective bylaws)
 - Merced Academic Personnel Policies and Procedures (MAPP) (all Senate Committees to review the newly updated MAPP once received by Provost’s office)

In coordination with the Registrar and the Vice Provost and Dean of Undergraduate Education, the Undergraduate and Graduate Council will review the “Academic Policies” section of the UC Merced Catalog.

- Campus Climate and Culture

A Senate working group will be immediately formed to identify the opportunities to improve campus climate and culture in particular as related to faculty realms of influence and interactions. The working group membership should represent all three schools and should have at least one representative from D&E and FWAf. The working group will be tasked to identify opportunities to improve campus culture and climate relative to our goal(s).

The working group will examine the results of past campus climate surveys, review previous D&E and the University Committee on Affirmative Action, Diversity and Equity (UCAADE) policies and recommendations, and where possible compare UCM with other UC campuses.

The working group will consult with relevant Senate committees, the Vice Provost for Faculty, and the Associate Vice Chancellor for Equity, Diversity and Inclusion, Deans, Chancellor’s Advisory Council on Campus Climate, Culture and Inclusion (CCCI), and the Campus Director of Title IX/EEO/AA Compliance to identify long term patterns and discuss ideas and generate recommendations.

- Valuing Black Lives Task Force

Senate committee members have already been appointed to sub-committees of the campus-wide Valuing Black Lives Task Force to ensure that faculty perspectives and concerns are included.

The timeline for the action plan is as follows:

- 1) Fall 2020 Semester: Gather results and recommendations by December 15th, 2020.
- 2) Spring 2021 Semester: Discuss results and recommendations and determine next steps.

VII. FWAF meeting with the EVC/Provost and Chief Financial Officer Riley re: the ECEC (10/20/20)–FWAF Chair Frank

FWAF Chair Frank updated Divisional Council members on FWAF's meeting with CFO Riley. Issues with the license has prevented the ECEC from reopening. Budget constraints led the campus administration to explore privatization options with an external vendor. The campus administration is aware of faculty's concerns about the quality of child care as well as transparency and consultation with regard to the privatization process. Chair Frank reported that FWAF will gather information from other campuses about their experiences with privatized child care; UCM faculty have heard negative feedback from other campuses but the administration reported positive experiences from those institutions. The administration is also exploring other license options. A Divisional Council member asked if the ECEC will reopen in the spring. Chair Frank responded that that was the administration's goal which is why they are in negotiations with an external vendor. However, the campus has not yet confirmed if the ECEC will open in the spring and they are taking into account the concerns of the faculty.

VIII. Other Business**A. Memo from Office of Research & Economic Development re: Foreign Influence & Export Controls**

A Divisional Council member expressed concern about the restriction on faculty giving presentations on Zoom to a university that is on the restricted list. It is a violation of free speech and a infringement on faculty rights. Another Divisional Council member pointed out that it is difficult to read the names of the banned companies given the differences in translation. He stated that the communication needs to list the real names of each restricted company.

Action: AVC Motton and Campus Counsel Gunther will be invited to a future Divisional Council meeting to discuss these issues.

B. Emergency Course Continuity Policy

A Divisional Council member asked whether the hybrid status of a course has to be defined by the EVC/Provost. GC Chair Hratchian confirmed that this is accurate, as somebody has to be identified as the deciding authority.

Action: Divisional Council approved the revised policy.

There being no further business, the meeting was adjourned at 11:35 am.

Attest: Robin DeLugan, Senate Chair