

DIVISIONAL COUNCIL
Minutes of Meeting
Friday, April 30, 2021

Attendees: Chair Robin DeLugan, Vice Chair LeRoy Westerling, Christopher Viney, Ashlie Martini, Patti LiWang, Hrant Hratchian, Matthew Hibbing, Abbas Ghassemi, Kara McCloskey, Jesus Sandoval-Hernandez, Erin Hestir, Jessica Trounstine, and Justin Yeakel.

I. Chair's Report – Robin DeLugan

A. Chancellor & EVC Provost Meetings

The main topics of discussion were:

- i. The serious issues surrounding the BSP, SRE, and SE2 buildings including working with the fire marshal and the lack of clear and consistent campus messaging.
- ii. The EVC/Provost's memo to Divisional Council regarding the proposed UC Community and Labor Center ORU proposal did not answer the Council's questions. At a previous meeting, Divisional Council agreed not to move forward on the proposal until it received the requested information from the EVC/Provost. The proposal's authors have submitted a memo to the Senate Chair which has been shared with Divisional Council members. The memo expresses concern over Divisional Council's pause on the proposal's review and will be discussed later in today's meeting.

B. Academic Council (April 28)

The main topics of discussion were:

- i. The review of the universitywide Police Policies and Administrative Procedures ("Gold Book") was judged to be anachronistic. UC President Drake informed Academic Council that the Gold Book was on a review schedule and he agreed that the review was ill-timed given the fact that UC campuses are rethinking their police policies in light of current social and political movements.
- ii. The UC is rethinking its partnerships with faith-based hospitals that refuse to perform certain medical procedures due to religious reasons.
- iii. The systemwide Senate would like to focus on addressing several large research issues but finds that it instead gets overwhelmed with the plethora of review items. Discussions are underway on how to rectify this. One of the larger issues that Council would like to address is sustainability. Professor Dawson, the chair of the UC Merced Faculty Advisory Committee on Sustainability (FACS), will attend today's meeting.

C. Updates from the C19 EOC/Cabinet Meetings

The campus is awaiting the UC guidelines for the fall reopening of campus. However, local and state health regulations will still be in place as will requirements for face coverings and social distancing. The systemwide Senate and all 10 campuses are currently reviewing a COVID vaccine policy. A vaccination clinic will be held this fall and COVID testing will also be available even for vaccinated individuals.

D. May 4 Meeting of the Division

Chair DeLugan encouraged all Senate faculty to attend.

E. Update on the anti-racism work group

The work group will present to Divisional Council two ideas on how to spend the \$100,000 allocated by the Chancellor: 1) mini grant program in support of faculty initiatives to combat structural racism and create a more inclusive university; 2) contract with a consultant who will conduct an assessment

of anti-racism work. The working group received approval to roll over the \$100,000 to next year since they were unable to spend the funding this year.

II. Consent Calendar

- A. Approval of today's agenda
- B. Approval of the April 16 Meeting Minutes

Action: the Consent Calendar was approved as presented.

III. Discussion Item: MAPP 500 – Recruitment – GC Chair Hratchian and CoR Chair McCloskey

Per DivCo's request on March 12, and to address concerns raised by faculty related to some aspects of MAPP 500, the review of this item was suspended, pending clarification and revision of the MAPP.

The Academic Personnel Office (APO) has proposed some revisions to address the concerns. A revised MAPP was shared with CoR and GC for preliminary review. CoR and GC's comments were provided to Divisional Council members prior to today's meeting. The SSHA Executive Committee provided comments on March 16.

GC Chair Hratchian summarized GC's memo and emphasized that faculty do not have the bandwidth to empanel search committees for GSRs, postdocs, and professional researchers; moreover, such a policy takes agency away from faculty. For positions that are funded by faculty's extramural funds, it should be the purview of the faculty members how those funds are spent. GC Chair Hratchian added that if APO is trying to address mentoring and diversity issues in hiring, they need to demonstrate how a search committee would fix those issues.

A Divisional Council member pointed out that section 10.A.1 does not define what is meant by "above assistant professor level". Does that imply associate and full professors and that postdocs and GSRs are below? In the absence of a ranking, it is unclear what "above" refers to.

A Divisional Council member agreed both CoR and GC who pointed out that the "best practices" referred to in MAPP 500 were never shared with the Senate. Council members stated that APO needs to rethink why they want these various positions to be recruited, hired, and reviewed in such an onerous manner to faculty.

Senate Vice Chair Westerling spoke with Assistant Vice Provost for Academic Personnel Anders who suggested that department chairs should have the final authority over hiring GSRs, postdocs, etc. to ensure the process was objective especially in terms of diversity. Vice Chair Westerling countered that the authority should rest entirely with faculty since it is their grants and their research projects on which these hired individuals will work. He agreed with GC Chair Hratchian that such a policy takes away the agency of the faculty. The culture of mistrusting faculty when it comes to their own funding and research is untenable.

GC Chair Hratchian pointed out that the revised MAPP 500 did not take into account faculty's previous comments and concerns.

Divisional Council agreed that a memo should be drafted to APO that states that MAPP 500 poses a serious obstacle to the campus's goal of reaching R1 status and that Divisional Council opposes the policy in the strongest terms. The memo should also append CoR and GC's memos and endorse them.

Action: GC Chair Hratchian will draft a memo for Divisional Council’s review and approval.

IV. Sustainability Initiatives at UC Merced – Mike Dawson

Professor Dawson summarized the current sustainability initiatives underway at UC Merced which are listed at <https://sustainability.ucmerced.edu/initiatives>. He stated that FACS continues to partner with CACS and the Office of Sustainability on developing greater coherence around sustainability at UC Merced; promoting initiatives with ASUCM, CACS, and the Office of Sustainability; and providing edits to the draft campus Strategic Plan. Professor Dawson then made a request for support, including partnering with the EVC/Provost to stabilize the joint administrative-faculty structure for supporting sustainability efforts as well as increasing staff support and short-term funding.

A Divisional Council member inquired about the future leadership of FACS after Professor Dawson leaves his role. Professor Dawson answered that he plans to contact the EVC/Provost to inform him that the FACS leadership is at the end of their terms and that replacements must be found. The names of potential FACS chairs would be submitted to the EVC/Provost. The EVC/Provost would select the new FACS chair and the chair would then work with the EVC/Provost to populate the rest of the membership. The membership should include two faculty members from each School.

A Divisional Council member asked how the campus can highlight the climate portion of the portfolio that FACS, CACS, and the Office of Sustainability is pursuing. Professor Dawson responded that once the structure of FACS is stabilized, it can begin prioritizing sustainability issues and establishing working groups within FACS. FACS would consider the working groups’ recommendations and work with campus partners accordingly.

A Divisional Council member asked whether FACS has considered becoming a Center. Professor Dawson replied that the committee is discussing this option. Senate Chair DeLugan pointed out that UCSD has a hybrid committee that addresses climate change issues.

V. Senate/Administrative Task Force – CAP Chair Martini (task force co-chair) and FWF Chair Frank

The task force considered ways to amend policies related to academic personnel in light of the disruptions cause by the pandemic. It is co-chaired by CAP Chair Martini and VP for Academic Personnel Matlock

Task force members have drafted guidelines for mitigating adverse effects of COVID-19 on faculty productivity and invite the Senate to review. The guidelines were made available to Divisional Council members in advance of this meeting.

CAP Chair Martini summarized the guidelines. The guidelines cohere with the March 2021 UCAP guidelines. FWF Chair Frank stated that FWF believes a few items from UCAP’s guidelines should be included in the UC Merced guidelines:

- Provide options for faculty members to defer file reviews, but try to avoid deferrals unless alternative approaches are unavailable; this is because deferrals postpone career progress and can present salary disadvantages to one’s career trajectory.

- Consider temporarily adjusting expectations for the faculty if it can be shown that a major impact was experienced across a certain field. This adjustment for publications, teaching, and service could reduce expectations to 75% or so, for example, of the usual level of productivity.

FWAF also hopes there will be institutional memory because these issues will go beyond this academic year.

Action: Divisional Council members will send their comments on the guidelines to Senate Executive Director Paul.

VI. Campus Review Item – CAP Chair Martini

A. Retirement of Leave-Related MAPP (2015, 2055, 3035, 3075, and 4015)

APO has proposed that these sections be retired because they are redundant with systemwide policies and the following collective bargaining agreements:

- i. Systemwide APM Section V. Benefits and Privileges contains all applicable leave of absence policies: <https://www.ucop.edu/academic-personnel-programs/academic-personnel-policy/benefits-and-privileges/index.html>
- ii. Collective Bargaining Agreement contain the applicable leave of absence articles:
 - Postdoctoral Scholars Collective Bargaining Agreement, Articles 12, 17, and 23: <https://ucnet.universityofcalifornia.edu/labor/bargaining-units/px/contract.html>
 - Academic Student Employees Collective Bargaining Agreement, Article 17: <https://ucnet.universityofcalifornia.edu/labor/bargaining-units/bx/contract.html>

APO is also proposing retiring MAPP 2015, 2055, 3035, 3075, and 4015 so it will no longer be required to maintain a local policy that is not informative above and beyond systemwide policies. This will also increase work efficiency and lower the risk of the MAPP sections becoming out-of-date based on changes to systemwide policies and collective bargaining agreements.

Comments were received from CAP, CRE, D&E, and FWAF.

CAP Chair Martini summarized the proposed policy and the Senate committee comments. Divisional Council members had no additional comments.

Action: Divisional Council will send a memo to the Academic Personnel Office and append the comments received from CAP, CRE, D&E, and FWAF.

VII. Systemwide Review Item – FWAF Chair Frank

A. Proposed Revision of Senate Bylaw 336.F.3 (Disciplinary Cases)

Revisions are proposed by the University Committee on Privilege and Tenure. Background and rationale for these revisions were made available to Divisional Council members in advance of this meeting. Revisions appear on page 4 of the document.

Comments were received from CRE, D&E, and FWAF.

FWAF Chair Frank summarized the proposed revisions and the Senate committee comments. CRE Chair Viney stated that some material gathered previously as evidence was not being shared with the

hearing committee. That is inconsistent with the procedure that is followed with faculty promotion cases where all documentation is available to all levels of review.

Action: Divisional Council’s comments will be transmitted to Academic Council Chair Gauvain by May 19, 2021.

VIII. Other Business

- Chair DeLugan announced that an additional Divisional Council meeting will be scheduled for the end of May or early June.
- As mentioned earlier in the today’s meeting, Divisional Council received a memo from the authors of the Community and Labor Center ORU proposal. She reiterated that Divisional Council cannot move forward in its review until it receives answers to the questions it submitted to EVC/Provost Camfield. A Divisional Council member suggested that it can remain a Center temporarily and the EVC/Provost can still provide it resources. If the Center requires the resources or status of an ORU to obtain extramural funding, the EVC/Provost could work with them. He suggested that the proposal authors be informed of this option and be assured that Divisional Council is not rejecting the merits of the proposal. Another Divisional Council member agreed and stated that though the authors asserted in their memo their willingness to be flexible in discussing the appropriate funding level for the proposed ORU, the Senate can only review the information that is in the proposal; this requires a thoughtful budget review which Divisional Council cannot conduct because it still has not received its requested information from EVC/Provost Camfield.

Action: Senate Chair DeLugan will meet with the proposal’s authors.

- Senate Chair DeLugan received a letter from UC Merced faculty members asking all Senate faculty to endorse the May 3 Day of Refusal. Per the letter, the May 3 Day of Refusal is the first part of Abolition May that “calls for re-envisioned campus safety and the abolition of police from all educational campuses as well as non-cooperation with federal policing agencies such as ICE”. Divisional Council agreed that rather than endorsing, the Senate Chair would support no retaliatory action against those who participate. Divisional Council’s statement could emphasize the Senate’s commitment to freedom of expression and social and civil engagement by campus community members as a healthy and critical component of our institutional mission.

Action: Senate Chair DeLugan will draft a statement and send to Divisional Council members for review. The statement will be issued by the Senate before Monday, May 3.

There being no further business, the meeting was adjourned at 11:30 am.

Attest: Robin DeLugan, Senate Chair