

DIVISIONAL COUNCIL
Minutes of Meeting
Friday, May 14, 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. Consultation with EVC/Provost Camfield

EVC/Provost Camfield would like the Senate to reconsider establishing a temporary faculty committee on research facilities. He recommended that the work be assigned to CoR. A Divisional Council member suggested that faculty and the administration should first determine the issues that need to be addressed immediately. He asked whether research building managers have been engaged and suggested that improvement of communication channels be the first priority. EVC/Provost Camfield agreed with this approach.

Action: EVC/Provost Camfield will ask Vice Chancellor of Physical Operations, Planning & Development Mike McLeod to ensure that the campus has a sufficient number of building managers and to work on communication.

EVC/Provost Camfield informed Divisional Council that the UC has been out of contract with the American Federation of Teachers (the union for unit 18 lecturers) for two years. Negotiations have been difficult. This year, the UC is putting forward what it believes to be the best offer. If the union declines it, we may have to declare an impasse possibly followed by arbitration. The union may strike in the fall. While this is a UC-wide issue, UC Merced will be affected the most by a strike given our reliance on unit 18 lecturers.

II. Consultation with LASC Chair DePrano

LASC Chair DePrano provided Divisional Council members updates on the following:

- A. UCOLASC Update – February 19, 2021 Meeting
 - i. Update from Academic Council Leadership – discussed vaccination mandate & pandemic & teaching in Fall 2021.
 - ii. Consultation with CDL – budget update & licensed content budget
 - a. Concerns about possible CDL budget cuts. Cuts at CDL – increases costs elsewhere – mainly the campus libraries, as CDL is a key part of our systemwide library infrastructure. For instance, CDL supports the systemwide physical and digital ILL and access to HathiTrust. It also provides infrastructure support for our digital special collections at UC Merced.
 - b. This is an equity issue, since some campus libraries – like UC Merced and UCSC – have much smaller budgets than the wealthier campuses like UCB and UCLA, which are better placed financially to absorb CDL budget cuts.

- c. UCOLASC wrote a strongly worded message to UC Provost Brown in support of preserving the CDL budget. The Merced representative signed & supported the memo.
 - d. Where CDL was scenario planning for a 15% budget cut, it has now been asked to submit a 3% budget cut. The 3% budget cut will cut contracts for essential services, but the UCOP has agreed to pay those costs one time and the hope is that the permanent funds for those contracts will be reallocated once the budget crisis has passed. This “punts” the crisis to the future.
 - e. In FY 20-21 – CDL Collections Budget removed from the UCOP state funds and reconstituted at UCSD to protect the funds. However, the plan was to then ask the campuses to partner with UCOP/UCSD to share the cost of the collections budget. Since campus budgets have been negatively impacted by the pandemic, this process has been postponed – again “punted” to the future.
 - f. Campus budgets processes indicate that there will cuts to library budgets in FY 21-22
 - g. In Fall 2020, CDL was asked to determine potential budget cuts for the 2021-22 academic year. As part of that scenario planning, the CDL renegotiated licensing agreements with publishers and asked for reductions in pricing when renewing agreements.
- iii. Cyber-Risk Governance Committee Update
 - a. This group was formed in response to the June 2020 ransomware incident at UCSF. They are working toward the following: 1) effective stewardship of research data and 2) successful implementation will mitigate security vulnerability and protect intellectual property.
 - b. To accomplish the above, they recommend the establishment of a standing Research Data Protection Workgroup on each UC campus.
 - iv. Project Transform
 - a. UC system/ CDL currently has OA agreements with 9 journals: ACM – Association of Computer Machinery, Cambridge University Press, PLOS, Journal of Medical Internet and Research, and Springer-Nature.
 - b. Four more agreements were signed this spring: Company of Biologists, The Royal Society, Canadian Science Publishing, and Elsevier.
- B. Elsevier Negotiations & Signed Contract
- i. The UC obtained: 100% open access for UC authors, reduced baseline cost with sustainable YOY cost controls, and reading access to all Elsevier journals with no reading fee (exceptions: clinics journals and a small number of titles that were previously excluded from Freedom Collection).
 - ii. The contract includes Default OA publishing for UC authors under standard UC multi-payer terms and workflow (including author opt-out and “no author left behind.”)
 - iii. Author processing charge control: 15% discount on most authors; 10% on CP/TL.
- C. System-wide Integrated Library System (SILS) – Coming July 27, 2021
- i. System-wide Integrated Library System (SILS) – a unified discovery and borrowing system (in other words – a catalog search tool) has had an 18-month implementation.
 - ii. It is called UC Library Search and will replace Melvyl on July 27, 2021.
- D. Access to Library Materials during the COVID-19 Pandemic

- i. Library has delivered most of its services online during the pandemic in support of research, teaching, and learning. HathiTrust Emergency Temporary Access has greatly enhanced access to research materials but will end when Library physically opens.
 - ii. Physical inter-library loan has not yet returned. It depends on other UC campuses reopening.
 - iii. The Library is tentatively planning a soft opening with limited hours starting August 16th. The tentative full reopening is August 25th.
- E. LASC Update Spring 2021
- i. LASC wrote a memo to CAPRA and DivCo regarding the chronic underfunding of the Library and strongly opposing any budget cuts to the Library next year.
 - ii. LASC also wrote a memo to DivCo regarding the importance of consulting with the library during the drafting of future academic program proposals.

III. Chair's Report – Robin DeLugan

- A. Bylaws and Regulations Amendments
The proposed, revised UCM Senate Division bylaws and amendments were approved by Senate members at the May 4 Meeting of the Division. They will be published on the Senate website on June 14.
- B. Upcoming Divisional Council Meeting – May 28, at 10:00 am
Divisional Council members are asked to provide their top three committee priorities for next year.
- C. C-19 Cabinet Updates
Recent topics included the campus vaccination program, accommodations for employees, UCOP's reopening guidelines, and public access to campus.

IV. Consent Calendar

- A. Approval of today's agenda
- B. Approval of the April 30 Meeting Minutes
- C. Approval of the Department of Literature and Languages Name Change to Literature, Languages, and Cultures.

Senate Committees are in favor of this proposed change. AFAC recommends the use of an acronym other than "LLC".

Action: the Consent Calendar was approved as presented.

V. Campus Review Items

- A. Senate/Administrative Task Force –CAP Chair Martini and FWAF Chair Frank
Task force members have drafted guidelines for mitigating adverse effects of COVID-19 on faculty productivity and have invited the Senate to review. The guidelines were made available to Divisional Council members.

Per DivCo's recommendation on April 30, members of CAP, DE, FWAF, and RCAP were invited to review the proposed guidelines. Comments were received from CAP, D&E, FWAF, and RCAP.

A Divisional Council member stated that the campus frequently relies on deferrals, but such delays are sometimes a punishment in terms of career progress and finances. Delays should only be used as a last resort. Adjustment of review criteria or another accommodation should be in place before faculty

ultimately decide to delay. Senate Chair DeLugan responded that UCOP is convening a committee comprised of campus Senate Chairs and they are addressing this topic. The discussions/guidelines of this committee may influence the UC Merced’s task force recommendations.

CAP Chair Martini stated that the goal is to upload the guidelines on the VPAP website soon so that faculty can use them to write their self-statements in time to submit their review materials by the normal deadline of July 1 for AY 21-22.

Action: Divisional Council will transmit the committee comments on the proposed guidelines to the Task Force co-chairs.

VI. MOU between UCM and UCOP - Blanket exception to APM-666-8 Allowing Compensation for External CAP Members – CAP Chair Martini and Vice Chair Balasubramaniam

The MOU expires at the end of AY 23-24 and was made available to Divisional Council members. CAP transmitted a memo to Divisional Council requesting the EVC/Provost to renew the MOU.

CAP Chair Martini explained that the memo was written by all CAP members after they consulted with previous external and internal CAP chairs. Martini then summarized the main points of CAP’s memo: 1) external members bring significant experience of academic personnel policies and a wide range of cases; 2) external members are objective and unbiased; and 3) the APM is applied consistently with the perspective of external members. Current external CAP members are recommending that their own campuses adopt the UC Merced model of including both internal and external members on CAP.

A Divisional Council member recommended that the UC Merced administration emphasize the last point above to UCOP so that it is clear that this issue is not only Merced’s but would benefit the whole UC system. Senate Chair DeLugan asked whether Merced can ask for a waiver instead of requesting extensions to the MOU every five years. She also suggested that CAP Chair Martini raise the issue at UCAP. CAP Vice Chair Balasubramaniam responded that while discussing the issue with UCAP will be beneficial, there is a sense of urgency as CoC is filling next year’s Senate committee slates and CAP cannot have gaps in coverage across the disciplines. He recommended that UC Merced focus first on renewing the MOU as soon as possible.

A Divisional Council member recommended that UC Merced work with other UC CoCs to find external members to serve on CAP. CAP Chair Martini pointed out that traditionally, external CAP members have helped identify external members to serve on UC Merced’s CAP by asking colleagues at their own campuses. A Divisional Council member pointed out that the current MOU implies that UC Merced can still include external members on its CAP but just cannot pay them a stipend.

Action: Divisional Council members endorsed CAP’s request.

VII. Draft Strategic Plan (2021-2031) – CAPRA Chair LiWang and Senate Vice Chair Westerling

The proposed strategic plan was distributed to all Senate Committees and School Executive Committees. Comments were received from: CAPRA, AFAC, CoR, CRE, D&E, FWF, GC, LASC, UGC, SNS Executive Committee, and the SSHA Executive Committee.

CAPRA Chair LiWang summarized the Senate committee and School Executive Committee comments. A Divisional Council member stated that the draft plan is proposing to accomplish too many things with too many different audiences. Academic planning should be specific and strategic planning ought to be broader with principles and general guidelines. He asked for clarification on the intended audience for the draft strategic plan. Interim CFO Schnier stated that the administration is aiming for a balance between academic planning and ensuring that all campus constituents can see themselves in the strategic planning vision. He added that the draft strategic plan will be sent to External Relations who will use it as a marketing document.

Assistant EVC Martin explained that the administration struggled with the specificity of the strategic plan and ensuring that the plan met the Chancellor's expectations in terms of information he requested to be included. A Divisional Council member stated that the strategic plan reads more like a Master's granting institution that provides services and skills rather than a UC/PhD granting institution. Also, the strategic plan lacks an understanding of shared governance; for example, the plan does not take into account the fact that UC faculty, not the administration, builds programs. The medical education program was not reviewed or approved by the faculty.

Another Divisional Council member stated that the strategic plan does not accurately convey the purpose of research and why UC Merced is a research university. The opening paragraphs need to clearly state why UC Merced is a research university. She added that the strategic plan conveys a top down approach to building programs, but it needs to instead encourage individual units to develop their own plans and explain how those plans will promote the university mission. She recommended that the strategic plan's initiatives be listed under a separate appendix and framed as ideas. Assistant EVC Martin agreed with this recommendation.

Another Divisional Council member asked how other UC campuses create new schools when the schools are driven by external funding/endowments. Council members would like to see templates or examples of strategic plans from other UC campuses.

A Divisional Council member stated that Council's cover memo to the administration in response to the draft strategic plan should contain constructive criticism and suggestions for revisions. The memo should also highlight a top concern from many Senate committees which was that plan is too focused on the local region and should emphasize UC Merced as a research university. The broad mission of the UC to attain a national and international reputation can have a positive impact on the region and that should be emphasized in Divisional Council's memo. Another Divisional Council member agreed and suggested we take this opportunity to educate the campus about research and the value of being an R1 institution. Being an R1, highly-rated, and well-known university is the best way to serve our students and benefit the local region.

Action: Three Divisional Council members will take the lead in drafting Council's cover memo. The cover memo, together with the Senate committee and School Executive Committee comments, will be transmitted to EVC/Provost Camfield by May 19, 2021.

VIII. MAPP 016-Discipline – FWAF Chair Frank

The proposed new MAPP 016 will supersede the current MAPP 2016, 2017, and 2056. The proposed policy and the summary of the policy's key points were made available to Divisional Council members prior to this meeting. Comments were received from CoR, CRE, D&E, and FWAF.

Divisional Council members noted that the language referring to taking complaints directly to the dean is contrary to what the campus conflict resolution working group recommended. Also, accused faculty members have no method of determining the charges against them. Divisional Council members are concerned that the campus is adding more language about informal complaint resolution rather than focusing on codifying a formal procedure with due process. The currently proposed process grants a lot of discretion to the VPAP's office to make decisions without due process for faculty. A Divisional Council member pointed out that other UC campuses do not have such procedures. He suggested that the administration provide a statement that explains why UC Merced is proposing procedures that differ from other UC campuses.

Action: Divisional Council will transmit comments to the Academic Personnel Office.

IX. Other Business

EVC/Provost Camfield and CFO Schnier consulted with CAPRA and CoR about future ORUs. CAPRA prefers that future ORU proposals originate from Schools' academic plans and cross-School ORU proposals emanate from the VCORED's budget. CAPRA also prefers to review all ORU proposals at one time for comparison purposes rather than conduct one-off reviews. EVC/Provost Camfield told CAPRA that he will send a proposal to the Senate regarding ORUs. CAPRA is not opposed to the Community and Labor Center ORU proposal based on intellectual merit, but the committee cannot assess the funding impact in the absence of the information that Divisional Council previously requested, but has still not received, from the EVC/Provost. A Divisional Council member pointed out that the Center can still receive needed funding from the EVC/Provost and the Center can still continue its work, so the lack of ORU status is not harming them. Their ORU proposal used budget numbers suggested by former VCORED Traina and the lead authors later stated they are flexible. However, the Senate needs to know the accurate budget request in order to provide a recommendation.

Action: Due to the lack of quorum by the end of the meeting, this discussion will continue at the May 28 Divisional Council meeting.

There being no further business, the meeting was adjourned at 11:30 am.
Attest: Robin DeLugan, Senate Chair