

DIVISIONAL COUNCIL
Minutes of Meeting
Thursday, May 5, 2022

Attendees: Chair LeRoy Westerling, Vice Chair Patti LiWang, Christopher Viney, Kevin Mitchell, Erin Hestir, Holley Moyes, Jason Sexton, Jesus Sandoval-Hernandez, David Jennings, Martin Hagger, Min Hwan Lee, Justin Yeakel, Jeff Butler

I. Consultation with Chancellor Muñoz
A. Fundraising for UC Merced

The Chancellor explained that part of the Governor’s focus on recovery with equity is to provide resources to regions of the state that were the most adversely affected by the pandemic both economically and health wise. Two regions that are poised to receive significant funding are those surrounding UC Merced and UC Riverside. AB 2046, called the Inland Rising Fund, was introduced by the relevant legislators to provide transformational investments in these two campuses which would also greatly benefit their respective regions. Chancellor Muñoz has been working with local Assembly Member Adam Gray and State Senator Anna Caballero and is communicating with UC Riverside Chancellor Kim Wilcox. The impact of UC Merced on the local region is significant so it is imperative to invest in our enterprises to help improve our region’s health and economic prosperity in order to achieve parity with the other regions in California. The bill still has to pass through the normal legislative process, but Chancellor Muñoz stated that he is cautiously optimistic. The Inland Rising fund bill is the first of its kind in California and would have both one-time and ongoing impacts.

Chancellor Muñoz stated that the projections for the state budget surplus are exceeding the Controller’s initial projections. This is a unique opportunity for UC Merced to request funding. UC Merced was already able to obtain a large amount of funding from the Regents and the legislature to establish a building to house the medical education program and the departments of Psychology and Public Health. That will liberate space for other departments in SSHA. Given the increase in various aspects of the supply chain, the new building will cost approximately \$235-240 million. However, UC Merced will not have to fund it. Chancellor Muñoz stated that this is how he wants to proceed in the future: by working with legislators to acquire more funding for UC Merced so the campus can continue to grow, build programs, hire faculty, and recruit more undergraduate and graduate students.

Chancellor Muñoz stated that the Governor’s May Revise of the state budget will be issued soon, and he offered to attend a future Divisional Council meeting to provide an update.

B. Gallo School Pre-proposal

Chancellor Muñoz stated that he saw the recent poll and reviewed all the materials involved in the Gallo School pre-proposal. He understands faculty’s concerns, but he remains in support of the creation of the Gallo School and he mentioned his support in his state of the university address. He added that he is not concerned by the amount of resources the campus would have to provide to the new school given that the campus is emerging from a structural deficit. Campus enrollment was stunted by the pandemic, but enrollment numbers are now trending favorably in

terms of SIR and transfer applications. He added that going forward, the areas in which the campus will invest will be done with solvency. The campus will not only maintain programs but develop programs for excellence. The Chancellor asserted that the proposed Gallo School is forward-leaning and dynamic and he reiterated his support.

A Divisional Council member asked the Chancellor if he is confident whether the campus will make investments in SSHA to ensure that SSHA is whole. The Chancellor answered in the affirmative. He reminded Divisional Council members that he is a faculty member in SSHA and pointed out that the campus cannot thrive unless SSHA does. He did caution that, given our recent campus budget call, schools and divisions will not immediately receive all the funding they requested, but everyone will receive something. He is hopeful that a second tranche of funding is imminent.

A Divisional Council member asked whether the Inland Rising fund provides funding for capital projects or operational expenses. The Chancellor replied that it provides for both, with approximately 90% for capital and 10% for operational. However, the ability to build capital liberates UC Merced's own capital which can be redeployed for operational expenses. The Chancellor added that the administration was transparent with the campus community about finances and will continue to do so in both lean and generous times so the whole campus understands what funds are available and how they are allocated.

A Divisional Council member asked whether the funding connected to the Inland Rising fund bill is separate from the medical education building funding. The Chancellor responded that they are separate, however, there are references in the bill to medical education infrastructure investment. The medical education building is being designed to be completely electric in order to ensure the highest environmental certification.

II. Consultation with EVC/Provost Camfield

EVC/Provost Camfield stated that he held his standing meeting with the CAPRA chair and vice chair yesterday.

He reminded Divisional Council members that per Senate bylaws the Regents' standing orders, the Senate organizes itself. With regard to the Gallo School pre-proposal, EVC/Provost Camfield stated that he has heard complaints that the process has been top-down and not consultative. He disagreed with that view and stated that the process was faculty-driven and consultative.

He sees three issues that need to be addressed:

- 1) whether the pre-proposal is intellectually sound and viable. He suggested that the campus cannot address this given the current emotions. He suggested that the Senate could request outside reviewers to review the substance of the pre-proposal.
- 2) Resources. The campus has been under-resourced from the beginning which has created an attitude of scarcity and competition that is not salubrious. His goal as the EVC/Provost was to create a planning and budget process that is transparent, predictable, flexible, and responsible in a fiduciary sense. The pandemic slowed the campus down but we are back on the right track. He thanked CAPRA for its invaluable partnership. When the campus distributes the \$2 million under the recent campus budget call against the approximately \$20 million in budget requests, he hopes the campus understands that the budget process was consultative. The campus budget call will,

over time, make it easier for faculty to trust the process and understand that decisions are made for the good of the university.

- 3) Emotions. EVC/Provost Camfield pointed out that this has been an issue since the campus's founding. He stated that SoE had a clear identity, SNS for the most part also had a clear identity, and everything else was placed in SSHA without no thought to that school's identity. That has led to a feeling from SSHA that the campus does not believe they are worth focusing on, and that has had a profoundly negative impact on SSHA. The emotional energy surrounding the Gallo School pre-proposal needs to be examined by the campus administration. One suggestion from SSHA was to put forth a truncated Gallo School pre-proposal with only two SSHA departments going into the Gallo School. Or, the Senate can request external reviewers. He reminded Divisional Council that the Senate has the right to organize itself but should also have a responsibility for the welfare of faculty. The Gallo School is not the only request for a new School that is coming. How the Senate moves forward with the Gallo School will influence how the campus moves forward on future proposals to create new Schools.

EVC/Provost Camfield added that business schools at other institutions are revenue-positive and help subsidize programs and majors that are not popular.

Action: If Divisional Council members have any additional questions for the Chancellor or EVC/Provost, they will email them to the Senate Executive Director who will collate them and transmit to the administration in advance of the next consultation.

III. AFAC Recommendations re: Academic Activity Proposal – AFAC Member Eaton

Background: On January 27, 2022 Divisional Council endorsed AFAC's request for a Senate review of the Academic Activity proposal.

AFAC Member Eaton summarized AFAC's recommendations in their April 15 memo which was hyperlinked on today's agenda:

1. Use additional automated indicators of student activity both within and outside of CatCourses to document academic activity and correct misalignments between CatCourses and Academic Activity tracking.
2. Use UC Merced's remaining Higher Education Emergency Relief Act funds to pay off balances of all students who have institutional student debts from spring 2020 and fall 2020 – a policy adopted by CSU Stanislaus and 6 other CSU campuses. Ensure that recovered lost revenue from this HEERF allocation is used to fund other UC Merced priority programs for affected students.
3. Support state legislation to appropriate funds to UC Merced and other public institutions to pay off institutional debts incurred by students during pandemic disruptions from July 1, 2020 through June 30, 2022.
4. Permanently end the following past UC Merced debt collection policies: a) barring re-enrollment by students with outstanding balances, b) placement of debts with third party debt collectors, and c) collection of institutional debts by seizure of students' future tax refunds, including refunds from the anti-poverty California Earned Income Tax Credit and Young Child Tax Credit.

5. Collect and publish data to assess racial and economic inequalities in Academic Activity withdrawals and institutional student debts at UC Merced and peer institutions.

AFAC Member Eaton added that he looks forward to his continuing collaboration with the campus Financial Aid director and the campus Registrar.

After AFAC Member Eaton departed the meeting, a Divisional Council member inquired whether AFAC consulted with the academic advisors about its recommendation to remove holds on student registrations if those students have debt. For some students, that hold is necessary to prompt an intervention or debt counseling.

Action: Divisional Council members will send their concerns about AFAC's recommendations to the Senate Executive Director. AFAC Chair Ghassemi will help address them.

IV. Chair's Report – LeRoy Westerling

- A. Meeting with Chancellor Muñoz and EVC/Provost Camfield (April 26)
Chair Westerling stated that there is nothing to report from that meeting.

- B. Memorial to the Regents

Academic Council and Academic Assembly approved the text of a memorial to the Regents that asks the Regents for investments in UC's infrastructure that will reduce on-campus fossil fuel combustion by at least 60% of current levels by 2030 and by 95% of current levels by 2035. The pros and cons of this memorial will be distributed to all UC faculty. Chair Westerling will discuss the memorial at the May 12 Meeting of the Division. The Memorial will then be put up for a vote.

- C. Presidential Policy on Affiliations with Certain Healthcare Organizations

Comments were received from:

- CoR
- EDI
- FWAF
- GC
- UGC
- SSHA EC

Action: Due to time constraints, this item will be reviewed by Divisional Council over email.

V. Consent Calendar

- A. The Agenda
- B. April 21 Meeting Minutes

Action: the Consent Calendar was approved as presented.

VI. Campus Review Items – Senate Vice Chair LiWang and CRE Chair Viney

A. Revised pre-proposal for the establishment of the Ernest & Julio Gallo School of Management at UCM. This item will also be discussed at the May 19 Divisional Council meeting.

Hyperlinked on today’s agenda are:

- Gallo School pre-proposal. The proposal was distributed for Senate review on April 1, 2022. Lead review committees: CAPRA, COR, GC, UGC, and School Executive Committees.
- Materials distributed to Senate and School Executive Committee Chairs (April 1)
 - Cover letter from Professor Maglio
 - Revised pre-proposal
 - Gallo School Planning Team’s response to comments on the original version of the pre-proposal
 - Administrative Reviews
- Materials distributed to Senate and School Executive Committee Chairs (April 1)
 - Cover letter from Professor Maglio
 - Revised pre-proposal
 - Gallo School Planning Team’s response to comments on the original version of the pre-proposal
 - Administrative Reviews
- Materials received after April 1 and distributed to Faculty
 - CDO Saenz endorsement
 - Support letter from M. Roland, member of the Gallo Winery Advisory Council
 - Original Agreement between the Gallo Family Foundation and the University re: endowment of the Gallo School
- Poll
 - The three Schools opted to allow the Senate to administer the poll. Senate faculty and administrators with faculty appointments were invited to respond the campus wide poll by April 27, 2022. Results were distributed to Senate Faculty, the Chancellor and the EVC/Provost on April 28, 2022 and are hyperlinked on today’s agenda.
- Comments from Senate Committees and School Executive Committees
 - CAPRA
 - CoC
 - CoR
 - CRE
 - EDI
 - FWAF
 - LASC
 - GC
 - UGC
 - SSHA EC
 - SOE EC (will not offer comments)
 - SNS EC (will not offer comments)

- Individual Faculty/Groups of Faculty Comments are available as separate files and listed in one Excel document, both hyperlinked on today’s agenda.
- The January 30, 2021 Divisional Council comments on the pre-proposal.
- Policy for the Establishment of Schools/Colleges (Senate review is described in section IV)

In today’s meeting, Divisional Council members discussed a process for the May 19 Divisional Council meeting where Council is scheduled to make a recommendation on the Gallo School pre-proposal. The recommendation will be provided to the Chancellor and EVC/Provost. Divisional Council members debated the merits of the various options, including the idea of identifying lead reviewers among the Council who would be tasked with synthesizing the pre-proposal materials for presentation at the May 19 Council meeting. Another idea is to assign the task to SNS representatives on Divisional Council, as that is the School that is least affected by the potential Gallo School.

Divisional Council members discussed how to handle conflicts of interest of those members who are in departments that are scheduled to move into the potential Gallo School. CRE Chair & Parliamentarian Viney responded that Divisional Council cannot impose any restrictions on faculty voting per policy, so it is up to each Divisional Council member to do what they believe is right.

Divisional Council members also discussed the possibility of presenting a qualified endorsement or a qualified rejection of the pre-proposal to the Chancellor and EVC/Provost rather than a simple endorsement or rejection. The goal would be to provide constructive feedback to whatever recommendation Divisional Council provides.

Divisional Council discussed the idea of requesting an external review of the intellectual merits of the Gallo School pre-proposal as mentioned by the EVC/Provost earlier in today’s meeting. And in Divisional Council’s transmittal memo to the Chancellor and EVC/Provost, it can be made clear which elements of the pre-proposal Divisional Council instructed the reviewers to analyze.

Members discussed three options to frame the review and discussion of the pre-proposal on May 19:

- Option A is to just present pro/con/advocates
- Option B is to assign the task to SNS reviewers only
- Option C is to ask everyone to come up with suggested motions having read all pre-proposal materials in advance of the May 19 meeting.

Members agreed on option C.

Actions: Divisional Council members came to an agreement on a process for the May 19 Divisional Council meeting:

- The chairs of the lead review committees (CAPRA, COR, GC, and UGC) will summarize their committees’ memos.
- Each Divisional Council member to share their formulations of possible motions by Monday, May 16 via email to fpaul@ucmerced.edu
- Fatima will collate feedback and share with members of DivCo, for discussion on May 19
- The May 19 DivCo meeting will be extended to 10:30am and the Gallo discussion will take place during executive session.

- B. Proposed Amendments to Senate Bylaw Part II, Title II, Section 3.B.2 – CRE Chair Viney
The amendments were proposed by GC. A description of the consultation process and CRE’s approval were hyperlinked on today’s agenda.

Action: Due to time constraints, the proposed bylaw amendments will be voted on by Divisional Council via email. If endorsed, the amendments will be considered at the May 12 Meeting of the Division. (update: this was approved as a consent calendar item after the meeting)

There being no further business, the meeting was adjourned at 10:00 am.

Attest: LeRoy Westerling, Senate Chair