DIVISIONAL COUNCIL
Minutes of Meeting
Monday, February 6, 2023

Attendees: Chair Patti LiWang, Vice Chair Catherine Keske, Christopher Viney, Peggy O'Day, Carrie Menke, Charlie Eaton, Kevin Mitchell, Michael Scheibner, Holley Moyes, David Jennings, Jeff Butler, Jessica Trounstine, and Shilpa Khatri. Absent: Jay Sexton and Martin Hagger.

I. Consultation with EVC/Provost Camfield

EVC/Provost Camfield informed Divisional Council members that the new contract with the UAW has been signed and the UC research enterprise will be significantly impacted. He is especially concerned for untenured faculty, and he will provide them funding to cover the additional costs of the new contract through the end of this fiscal year. This will apply to all untenured faculty, regardless of whether they support GSRs on grants or from their start-up funds. EVC/Provost Camfield added that UC President Drake announced to the Council of Vice Chancellors that he will provide funding to campuses who were impacted the most. While President Drake did not specify what amount of money will be provided or when, he did specifically mention Merced as a recipient of the funds. Chancellor Muñoz is in discussions with OP. EVC/Provost Camfield hopes that the money from OP will be enough to cover what he will be spending to assist untenured faculty this fiscal year and perhaps enough left over to continue assisting them next year.

EVC/Provost Camfield stated that TA costs will be increasing as they will be receiving a pay raise in April, October, and October 2024. The additional cost will be $5 million for next year. The campus needs to hold conversations on how to move forward. The campus will admit about 20% fewer graduate students unless faculty can cover them on their grants. The impact on the Temporary Academic Staff (TAS) budget is significant. The longer term question is where UC Merced will get the additional money it needs and this will have to be discussed in the fall semester. The Chancellor did secure additional one-time funding to jump start the campus (as noted in his recent announcements) but that is independent from the formulas for TAs. The campus will need to think collectively about the proper balance between Senate faculty, non-Senate lecturers, and TAs in order to deliver our teaching mission.

AFAC Chair Eaton thanked EVC/Provost Camfield for his conciliatory tone in his January 17 letter on the attestation forms. He added that he would like to see the campus unify as one voice to lobby federal and state funding agencies. EVC/Provost Camfield agreed and stated that the Council of Vice Chancellors plans to marshal their resources to advocate at the federal level. For example, the NIH cap on expenses for graduate students needs to be much higher.

Senate Vice-Chair Keske pointed out that undergraduate students are the most vulnerable stakeholders in these events, especially the undergraduate student population at UC Merced, many of whom are Pell Grant recipients. She asked that campus leadership keep undergraduate students in mind in conversations about the research enterprise and the role of graduate students. EVC/Provost Camfield agreed and stated that he will encourage the campus to think about what our students need from us and how we can craft that from what we can afford. We need to determine where the campus can optimize to protect its core mission.

UGC Chair Moyes asked about UGC's involvement in the campus working groups on how we move forward with the teaching mission. EVC/Provost Camfield replied that he has not yet established the working groups, but UGC will be deeply involved. He also hopes the campus will receive actionable advice from UCOP.

Senate Chair LiWang stated that Divisional Council would like to speak with the EVC/Provost at a future Divisional Council meeting about how the Senate can be involved in campus planning.

GC Chair Scheibner pointed out that there is a systemwide discussion about re-envisioning graduate education. He suggested that UC Merced should have similar conversations. EVC/Provost Camfield agreed and added that such conversations should not be siloed, as the intersection is very important. GC Chair Scheibner added that the systemwide conversations also include what is considered work by graduate students and what is considered research vs. what is work as a GSR.

EVC/Provost Camfield ended his consultation by observing that the rhetoric during the strikes was quite adversarial and the campus cannot move forward until that rhetoric ceases. He suggested that individuals should stop attributing motives to others and instead focus on how the campus can fix structural issues.

II. Chair's Report – Patti LiWang

A. Academic Council (1/25/23)
Senate Chair LiWang informed Divisional Council members that in a systemwide meeting, an attendee claimed that in light of the recent contract, the Regents now consider graduate students primarily as unionized labor and not students. UC President Drake also referred to graduate students as workers.

B. Update on Interviews with Gallo Facilitators
Senate Chair LiWang asked Divisional Council members if the campus should interview facilitators who have UC experience, perhaps a former Senate Chair. Several Divisional Council members agreed a UC-experienced facilitator would be beneficial. UGC Chair Moyes stated that she can suggest the names of several UC emeriti faculty who may be willing to serve as a facilitator.

Action: Divisional Council members will email the names of suggested UC-experienced facilitators to Senate Chair LiWang, Senate Vice-Chair Keske, and Senate Executive Director Paul.

FWAF Chair Jennings asked for the timeline. Senate Chair LiWang replied that the administration would like constructive feedback from the Senate by the end of this spring semester so that next year's Divisional Council can recommend a plan in fall 2023.

AFAC Chair Eaton asked for the status of the pre-proposal review at CCGA. GC Chair Scheibner answered that some reviews have been completed. The lead reviewer is drafting a summary letter which CCGA will have to approve before it is issued. Senate Chair LiWang will convey to campus leadership that the Senate does not want to be put in the position of having to review lengthy documents with a short turnaround time at the end of the semester. FWAF Chair Jennings suggested that Divisional Council needs to decide how it will use CCGA's feedback in advance of receiving it. GC Chair Scheibner reminded Council members that CCGA is not commenting on the future of SSHA or other related campus issues.

Action: At a future meeting, Divisional Council will consider how the campus should discuss the future of SSHA in terms of the Gallo pre-proposal.

III. Consent Calendar

A. Today's Agenda
B. January 23 Meeting Minutes

Action: The Consent Calendar was approved as presented.

IV. CAPRA Report – CAPRA Chair Kevin Mitchell

CAPRA Chair Mitchell stated that Divisional Council members who attended the recent campus event commemorating UC Merced's 20th anniversary of groundbreaking would have heard the Chancellor's announcements of new money coming to campus:

- $20 million approved by the UC Regents for site improvement for the new medical education building.
- The medical education building itself is funded with a start of $14.5 million approved by the Governor.
- $31.5 million times three for campus expansion approved by UCOP. The first tranche of money will be used to start to build the new COB 3.
- ACE initiative (acronym unknown at this time) that will provide $24 million over five years for campus expansion. This money will be used to hire new faculty and staff. This is a one-time funding and not a loan. This funding is intended to increase enrollment over the next five years.
- $10 million loan over four years to hire research support staff. ORED will receive $1.5 million.
- $1 million to help us advance in tech transfer and intellectual property.
- Additional funding for UC Merced as a result of its ANR designation. This was announced to the campus in the fall semester. The amount of money is unknown, but UC Merced will benefit from having this designation.

UGC Chair Moyes inquired whether the ACE funding can be used to support graduate students. CAPRA Chair Mitchell responded that he does not believe so.

V. Institutional Debt Policy Recommendations – AFAC Chair Eaton

AFAC Chair Eaton explained to Divisional Council that per the request of Interim VC/CFO Schnier, AFAC, in conjunction with campus leadership, studied the large recent increase in institutional debts and their impact. Several factors contributed to the increase in students' institutional debt: pandemic, changes in the economy, and UC Merced changing its policies in 2020/21 in order to meet enrollment targets (the policies that were changed included no longer dropping students when they failed to make payments by the deadline and no longer placing enrollment holds on late registrants). These practices were reversed in fall 2022.

AFAC Chair Eaton then summarized the recommendations provided by AFAC which were linked on today's agenda:

1. Make permanent UC Merced's temporary COVID19 policy to only seek collections in house on institutional debts rather than through punitive third-party collections or the state's tax refund intercept program. Improve training for in-house collections staff.
2. Cancel the approximately 50 percent of institutional student debts that were incurred since Spring 2020 because of "drop for non-payment" (DFNP) and late registration policy changes that were made to meet enrollment targets by enrolling students who had not paid required fees, even in cases where students never attended. Seek to reenroll these students.
3. Use Higher Education Emergency Relief Act Funds to the extent possible as a source of revenue in place of collections on cancelled debts – this will likely yield substantially higher net revenue that attempts to collect on the debts.
4. Reduce future institutional debts by ending the enrollment and charging of students who have not paid fees by the "drop for non-payment" deadline – and allow for retroactive administrative withdrawal to cancel charges to students who never attend or have other financial aid complications.
5. Recommend providing further staffing and training for Scholarships & Financial Aid to provide exit counseling and written student notification on institutional debts that will be incurred when students request to officially withdraw midsemester.

Senate Vice-Chair Keske asked whether students who cannot re-enroll at UC Merced would be able to enroll at another campus. AFAC Chair Eaton confirmed they can.

AFAC Chair Eaton pointed out that per AFAC's memo, UC Merced only collected approximately 25% of institutional debts from 2019 before it wrote off the remaining debts and ceased even trying to collect them. UC Merced is likely to collect even less than 25% of the $2 million in institutional debts incurred by approximately 616 students since Spring 2020. This is because the debts are on average larger and more likely to involve financial distress or be disputed by students. AFAC thus recommends that UC Merced cancel roughly half of these debts that are particularly subject to dispute because they involve changes to the DFNP policy to meet enrollment targets or involve students who never actually attended. AFAC also recommends cancelling all debts below $500 as there is inadequate capacity to review these smaller debts within the offices of the Controller and
Financial Aid and Scholarships.

AFAC Chair Eaton encouraged Divisional Council members to review Table 2 in the AFAC memo which details the amount of debt by institutional debt term and debt factors for which AFAC recommends cancellation.

Action: Divisional Council unanimously endorsed AFAC's recommendations. AFAC Chair Eaton and Senate Chair LiWang will hold a meeting with Interim VC/CFO Schnier to discuss how to work with campus leadership on implementing AFAC's recommendations.

VI. Review Items

A. Campus – Proposal for the Establishment of an Electrical Engineering Department in the SOE – **CAPRA Chair Mitchell**

Linked on today's agenda were the following:

- EE Department Proposal (clean copy)

- EE Department Proposal (tracked changes copy. Revisions were made in response to feedback from Deans and SOE Executive Committee).
- Memo from SOE EC Chair Rusu
- Memo from SOE Dean Goel
- Memo from Professors Kurtz and Singhal
- The policy governing the establishment of new departments.
- Comments from:
    - CAPE
    - CAPRA
    - Horn
    - CRE
    - GC
    - UGC

CAPRA Chair Mitchell briefly summarized the proposal. In general, the proposal was viewed positively by the committees, but CAP was concerned about a new department being established with only two senior faculty and two untenured faculty. However, CAP was not opposed to the proposal; rather, it recommended that the new department maintain ties with CSE faculty to assist them with faculty personnel review and actions. CAPRA endorsed the proposal but expressed concern about resources. AFAC Chair Eaton stated that though AFAC was generally supportive of the proposal, he would like to see a strategic plan of when it makes sense to create new departments for new majors and when it does not make sense to do so. FWAF Chair Jennings raised a point made in CAPRA's memo about the anticipated number of students that would be accommodated in the proposed new department. CAPRA Chair Mitchell suggested that moving forward, proposals for new departments should include this information, even if they simply copy and paste the information from their previously-submitted proposals to create a new major.

Action: Divisional Council agreed that its cover memo will state that it endorses the proposal to create the new department but suggests the new department work with the dean's office and CAP to determine a mechanism for senior faculty from CSE to assist with faculty personnel actions. One member abstained and no members objected.

B. Systemwide – Proposed Revisions to the Presidential Policy on Maintaining and Managing Presidential Policies ("Policy on Policies") – **CRE Chair Viney**

The proposed substantive revisions include the following key provisions:

- Updating the Policy name, scope, and summary to accurately reflect content;
- Adding and updating definitions for terms frequently used and removal of terms that are no longer used;
- Adding requirements such as:
    - Use of gender-neutral terms;
    - Cross-referencing of UC policies and laws for continued compliance and ease of maintenance;
    - New Presidential Policies must be proposed through a Policy Review, developed in accordance with the Policy Development Process, and approved in accordance with the Presidential Policy Approval Process;

  - All Presidential Policies must undergo a Policy Review every 5 years, or more frequently as necessary;
  - Compliance with Law Revision Process to handle changes to a policy that are for the purposes of law, rules, or regulations
  - Rescinded Policies on the website must also include reference where current information can be found (if applicable);
  - Policies must specify when a campus location delegation of authority is required, redelegatable and any restrictions on redelegations;
  - Guidelines should be updated regularly to ensure the information remains current, useful, and in alignment with Presidential Policies
- Adding responsibilities for the Policy Advisory Committee (PAC), Policy Steering Committee (PSC), Stakeholders, and Required Reviewers.
- Revising procedures to describe the action steps for accomplishing required tasks that have to be completed.
- Additional editorial changes for readability and clarity.

Comments were received by CRE and they were linked on today's agenda.

CRE Chair/Parliamentarian Viney briefly summarized the proposed revisions and CRE's memo. CRE's main concerns were: 1) how stakeholders will be identified and selected (CRE recommended a more inclusive process to gather more perspectives in order to not omit any potential stakeholders) and 2) the need for flowcharts to depict the processes described in the policy.

Action: Divisional Council agreed with CRE's comments. The Senate's comments will be transmitted to Academic Council by February 15, 2023.

VII. Other Business

EDI Chair Menke announced to Divisional Council that the external consultant hired by the campus to manage the Senate's anti-racism self-study has resigned. She asked Divisional Council for advice on moving forward. Senate Executive Director Paul stated that she has contacted the Chancellor's Chief of Staff about this and also requested that the funds provided by the Chancellor be allowed to roll over into the next academic year. Senate Executive Director Paul will keep Divisional Council updated on any feedback she receives.

Senate Vice-Chair Keske announced that VPAP Hansford shared a draft copy of a climate survey he plans to issue to faculty. Senate leadership asked the VPAP to share the results of the survey with Divisional Council and strongly encouraged him to ensure confidentiality in the survey so respondents can be candid. FWAF Chair Jennings requested that FWAF be allowed to review the draft survey.

Action: Senate Executive Director Paul will send the draft survey to FWAF Chair Jennings for FWAF's review. Any comments from FWAF should be sent to Senate Chair LiWang, with a copy to Senate Vice-Chair Keske and Senate Executive Director Paul.

There being no further business, the meeting was adjourned at 10:30 am.
Attest: Patti LiWang, Senate Chair