

DIVISIONAL COUNCIL
Minutes of Meeting
Thursday, October 26, 2023

Attendees: Chair Patti LiWang, Matt Hibbing, Christopher Viney, Sean Malloy, Marcos Garcia-Ojeda, Kevin Mitchell, Tao Ye, Michael Scheibner, Sarah Depaoli, Heather Bortfeld, Jayson Beaster-Jones, Shilpa Khatri, Kara McCloskey, Muey Saetern, Alexander Petersen, and Martin Hagger.

I. Consent Calendar

- A. Today's agenda
- B. October 12 Meeting Minutes

Action: The Consent Calendar was approved as presented.

II. Chair's Report – Patti LiWang

A. October 25 Academic Council

- Discussion about online degrees. The systemwide Senate previously created a residency requirement policy for students and some Regents had expected to be consulted on it. There are discussions about where the authority lies for developing and delivering degree programs. UCOP is considering putting together a working group about the online degree issue.
- B. Discussion of a plan to add 33,000 students by 2030 across the UC. Chair LiWang noted to DivCo that UC Merced should be aware of this plan and endeavor to bring many of those potential students to our campus. This could be a cause for concern if there is a perception that UC Merced will not necessarily be a desirable destination.

C. Deans Council

- Discussion about the administration wanting to increase the size of writing classes from 20 students to 22. This is a controversial change, as the CRFs specify 20. Other individuals pointed out that CRFs are only a guideline and class sizes can be changed. Increasing the class size was intended to be an emergency or temporary measure but others stated that this is inaccurate and that class size is set by the department chair. EDI Chair Garcia-Ojeda stated that faculty design pedagogies based on class size; if the class size changes, they can no longer use those pedagogies in certain classrooms. It is problematic when such changes are not communicated to the faculty by department chairs. UGC Chair Bortfeld stated that UGC was asked to opine on this issue. She acknowledged that there are varying views on the CRFs' specificity on class sizes. Senate Chair LiWang wondered if the interim VPDUE should be invited to Divisional Council. Divisional Council members agreed that this warrants a discussion, particularly about the academic freedom of faculty in designing classes.

D. Chairs' Reports

Senate Chair LiWang encouraged committee chairs to bring their issues to Divisional Council for discussion.

E. November 9 DivCo Meeting

This meeting will be held via Zoom only and Senate Vice Chair Hibbing will preside in Senate Chair LiWang's absence.

F. Meeting of the Division: Tentatively scheduled for December 12 from 3:00-4:30pm

III. Request from Administration regarding the Senate Digest Listserv – Chair LiWang

Action: Divisional Council voted unanimously to approve the request to add a designated administrative staff member in the Chancellor's office who would be responsible for disseminating the Digest to the relevant administrative unit leads. (Update as of 10/27: Molly Elazier will be the administrative recipient).

IV. DivCo Process for Addressing Conflicts of Interest (COI) – CRE Chair Viney

This proposal for a DivCo COI process was discussed last year by Divisional Council members and most recently, by CRE members. A summary of the DivCo discussions was linked on today's agenda.

At its September 25 meeting, CRE discussed this COI process and approved it. CRE is proposing that this process be appended to the existing DivCo COI policy.

Linked on today's agenda were the following documents: CRE's proposal and Divisional Council's current COI policy.

CRE Chair Viney summarized CRE's proposed procedure. The proposed process is to be used only in situations where there is disagreement among Divisional Council members regarding actual or perceived conflict of interest and should be appended to Divisional Council's COI policy.

CAPRA Chair Mitchell suggested that the document should be revised to state that the procedure is not a substitute for a recusal if a member has a conflict of interest. Divisional Council members agreed with this suggestion.

Action: Divisional Council members unanimously approved the CRE policy with the inclusion of the additional language suggested by the CAPRA Chair.

V. Systemwide Review Items**A. Proposed Amendments to Senate Bylaw 55 – Departmental Voting Rights – CAP Chair Malloy**

The amendments were proposed by the University Committee on Academic Personnel (UCAP) and endorsed by Academic Council last academic year. The memo from Academic Council Chair James Steintrager (hyperlinked on today's agenda) offers some background for the proposed amendments.

Comments on the proposed amendments were received from the following committees and all comments were linked on today's agenda:

- CAP
- CRE

- EDI
- FWAF
- GC
- UC STEM Tenure-Track Teaching Professor Network Steering Committee

CAP Chair Malloy summarized the proposed amendments to Senate Bylaw 55. The default voting rights of Teaching Professors would now be parallel to the voting rights of the Professor series. However, CAP Chair Malloy took issue with a comment in CRE's memo suggesting that UCAP provide perspective on how Departments can best continue to maintain the research focus that is a UC hallmark if the proposed bylaw changes are adopted. CAP Chair Malloy inquired whether this comment implies that Teaching Professors are not qualified to evaluate the research of those in the Professor series. CRE Chair Viney explained that CRE is in support of the proposed Bylaw 55 amendments. The point that CRE was trying to make is that the UC markets itself as a research-led institution but this conflicts with the idea that the amendments are intended to remove inequalities between the two series. It is CRE's role to point out such inconsistencies.

Divisional Council members discussed the evaluation of research and teaching in the academic review process. The 2018 revisions to the APM concerning Teaching Professors clearly enumerates the expectations for the Teaching Professor and Professor series.

Action: A majority of Divisional Council voted to endorse the proposed amendments to Senate Bylaw 55 (11 in favor; 2 opposed; no abstentions). The Merced Division's comments will be transmitted to Academic Council by December 6, 2023.

B. Presidential Policy on Vaccination Programs – Vice-Chair Hibbing

The proposed revisions to the UC Presidential Policy on Vaccination Programs update the Policy on Vaccination Programs-With Interim Revisions that underwent a systemwide review in winter 2022 and was issued on August 16, 2023.

The Senate's January 2023 comments on that version of the policy were linked on today's agenda.

The interim revisions move the University's COVID-19 vaccination program to a systemwide opt-out program for all covered individuals. The University's seasonal influenza vaccination program remains an opt-out program. The University of California Office of the President invites comments on changes from the interim revisions to finalize this Presidential Policy.

The draft policy is virtually identical to the policy with interim revisions that was issued on August 16, 2023. Key revisions are summarized below:

- The policy will require covered individuals to either be up-to-date on COVID-19 vaccination or to opt out of COVID-19 vaccination. In the event applicable law or public health orders impose stricter vaccination requirements, such as for healthcare workers, the policy will continue to require compliance with those stricter requirements.
- As the policy will no longer require covered individuals to either be up-to-date on COVID-19 vaccination or receive a University-approved exception, model forms and other content regarding the exception process were removed.
- COVID-19 vaccination program implementation guidelines were removed. Relevant language regarding vaccination data moved to main policy. Policy noncompliance language was added to the main policy, including citations to relevant University policies.

- Removed content regarding rescinded California Department of Public Health (CDPH) health care worker vaccine requirement.
- Updated language consistent with current public health usage.
- Removed outdated deadlines and content.

Comments were received from the following committees and the comments were linked on today's agenda:

- CRE
- FWAF

Senate Vice Chair Hibbing summarized the policy and the Senate committee comments. Divisional Council members supported the policy.

Action: Divisional Council voted unanimously to endorse the policy. The Merced Division comments will be transmitted to Academic Council by December 6, 2023.

VI. Memo from SSHA Department Chairs re: Faculty and Instructors Losses – CAPRA Chair Mitchell

CAPRA discussed this issue at their October 24 meeting.

CAPRA Chair Mitchell shared with Divisional Council the committee's draft response to SSHA:

“CAPRA discussed the SSHA department chairs' memo, both internally within CAPRA and with Interim EVC/Provost Zatz. It is sobering to see the constraints that the faculty in SSHA are facing, and we expect similar, though hopefully not as dire, situations in the other schools. We agree that now is an appropriate time to study more comprehensively the state of faculty hiring across the campus and we are initiating such a study now. Our goal is to obtain an accurate enumeration of:

1. Total Senate faculty FTEs (across the three schools.)
2. Total Senate faculty who are actually teaching.
3. Total Senate faculty with administrative teaching relief.
4. Total Senate faculty with Senate teaching relief.
5. Total Senate faculty departures and new hires.
6. Total Unit-18 lecturers teaching.

Ideally, we would be able to track this data for the last ten years. Acquiring all this information may be quite ambitious, as it is not necessarily readily tracked, especially in the past. But we will do our best to acquire or estimate accurate numbers as far back as reasonable. We expect this study to be completed some time during the Spring semester.”

FWAF Chair Beaster-Jones asked if CAPRA could also conduct a longitudinal study of student enrollment to see trends over time and if CAPRA could add graduate student instructors as one of the data points. CAPRA Chair Mitchell agreed to add the study of student enrollment. The graduate student data may not be easy to locate, but CAPRA will look into it. CAPRA Chair Mitchell reiterated that the committee is not examining budget numbers, it is analyzing the workforce. This study is not intended to be an aggressive document but is only meant to inform future faculty hiring processes.

A Divisional Council member stated that in previous conversations with the administration, the tone seemed to be that faculty should be satisfied with the recent increased staffing in the Schools, and therefore that they shouldn't complain about other issues like faculty hiring. Another Council member stated that Divisional Council should be strategic in its response but should not accept austerity logic or any divide and conquer approach by the administration to departments that are suffering.

VII. Other Business

- CAPRA Chair Mitchell announced that CAPRA will have input on a TAS Budget Model Revision Committee led by Interim EVC/Provost Zatz. The committee has not yet been formed.
- CoR Chair Ye stated that VCR Wilson attended yesterday's CoR meeting and informed CoR that she and CIO Dugan plan to issue a campuswide communication today about the Oracle task force. (VCR Wilson and CIO Dugan were charged with establishing this task force in the Chancellor's recent response to Divisional Council and CoR's memos on campus financial systems.) CoR Chair Ye announced that ORED just sent a draft message to task force members and asked Senate Executive Director Paul to share it with Divisional Council during the meeting. Divisional Council members agreed that the task force should be co-chaired by one of the Senate faculty members so that faculty are equal partners in agenda-setting. Divisional Council members were surprised to note how many members comprised the task force; at the Senate-Administration Shared Governance Retreat, it was mentioned that the group would be smaller.

Action: Divisional Council leadership will contact ORED immediately after today's meeting to ask them to delay sending the campuswide communication on the task force.

There being no further business, the meeting was adjourned at 10:35 am.

Attest: Patti LiWang, Senate Chair