

DIVISIONAL COUNCIL
Minutes of Meeting
Wednesday, May 13, 2020

Attendees: Chair Tom Hansford, Vice Chair Robin DeLugan, Christopher Viney, David F. Kelley, Patti LiWang, LeRoy Westerling, Jay Sharping, Michael Scheibner, Erin Hestir, Michael Dawson, Irene Yen, Carolin Frank, Linda Hirst, and Josué Medellin-Azuara.

I. Consultation with EVC/Provost

EVC/Provost Camfield had no updates and immediately opened the floor for questions.

A Division Council member asked about the timeline for reopening faculty labs. EVC/Provost Camfield replied that the first set of labs will be open by the end of June. VCORED Traina and VPDGE (and future VCORED) Zatz have been working on a plan for the reopening of campus research activities. Another Division Council member stated that guidelines for reopening the campus are forthcoming and are adapted from the UCOP guidelines that were previously distributed to Division Council. The guidelines will contain rules for occupancy density management for faculty labs. Another Division Council member inquired about COVID-19 testing given that some campus labs have the capacity for testing. EVC/Provost Camfield confirmed that the campus is working on obtaining the required certification for testing. In the interim, UC Merced is sharing testing capacity with the county and other UC campuses, mainly UCSF. The goal is for UC Merced to build its own, independent testing capacity so as not to overburden the county or our sister campuses.

EVC/Provost Camfield confirmed that the campus guidelines for reopening labs will require faculty PIs to develop a plan for occupational health and safety for which faculty will be responsible for following. He understands that different labs have different requirements and needs. A Division Council member pointed out the expense of personal protection equipment and other items necessary to reopen labs safely. EVC/Provost Camfield responded that campus leadership is discussing how to prioritize the relief funding the campus received under the CARES act. The first priority is personal safety; other priorities are reopening research activities and student success. He added that relief funding earmarked for students must be spent by July, however, there are no rules for spending the remaining amount. The campus anticipates spending the money fairly quickly, given the serious budget situation. A Division Council member suggested that the campus consider the use of sustainable rather than disposable personal protection equipment. EVC/Provost Camfield agreed and stated that he will discuss this suggestion to the campus leadership.

- II. Consent Calendar
- A. The Agenda
 - B. April 27 Meeting Minutes

Action: The consent calendar was approved with one revision to the agenda: removal of the consultation with VPDGE Zatz.

III. Chair's Announcements

Chair Hansford shared that the UC budget outlook continues to be negative. The Office of the President is debating instituting pay cuts or furloughs. Chair Hansford asked for Division Council's input. Pay cuts would be temporary and would not affect employees' pension pay out. It is currently unknown whether pay cuts would be on a progressive scale, whereby the highest earner would receive the highest cuts. Furloughs are also temporary but the reality is that faculty do not work less. In 2009, when the UC implemented furloughs, some faculty backfilled their pay with their grant money but many faculty did not have that option. Interim Chancellor Brostrom predicts that the UC budget will be in a negative state for up to two years and the UC community needs to be prepared for a harsh reality. If pay cuts are extended for a long period of time, we may lose faculty. Chair Hansford asked Division Council members for additional input.

UCEP conducted a survey of all UC instructors to gauge their experience with remote instruction. The results are not published yet, however, Chair Hansford saw the data. Most instructors believe that remote learning is not as efficient as in-person instruction.

Chair Hansford stated that Division Council will be asked to discuss the use of diversity, equity, and inclusion (DEI) statements. UC campuses, including UC Merced, require these statements to be submitted by all faculty candidates as part of their application materials. Controversy arose at UC Davis when it was discovered that DEI statements were being used as a tool to pre-screen faculty candidates rather than considered as part of the overall application package. Faculty candidates who did not meet a particular mark on a scoring rubric based solely on the DEI statement were no longer considered in the hiring process. As a result of this controversy, Academic Council is asking each campus how they use the DEI statements. UC Merced will issue a survey to department chairs and the D&E committee will analyze the results. The results will then be forwarded to Division Council for discussion before sending a response to Academic Council.

UC President Napolitano issued her recommendation with respect to standardized testing that ran counter to the recommendations of the Standardized Testing Task Force. Academic Council is deeply disturbed by this circumvention of shared governance.

The name of UC Merced's next Chancellor should be announced at next week's Regents meeting.

Chair Hansford shared with Division Council members that faculty have contacted him to ask whether faculty opinions on the delivery of fall 2020 instruction will be solicited. Chair Hansford asked Division Council members for their input. A Division Council member pointed out the conflicting guidance being provided by local and national health officials. A few weeks ago, the goal was flattening the curve via social distancing in recognition of the fact that we cannot prevent everyone from becoming sick; now, however, the goal appears to be to eliminate the curve and not allow anyone to become sick. Without a vaccine, the recent goal is not realistic. The Division Council member recommended a risk/benefit analysis to determine how to mitigate the risks. Chair Hansford asked whether the faculty should be surveyed to get their input.

Division Council members discussed the option of allowing flexibility for faculty members to conduct in-person or remote instruction. Chair Hansford pointed out the legalities, i.e. faculty will still have to be accommodated if they demonstrate that they have a medical reason for not being available to teach in person. It is unclear whether just being “worried” about one’s health or the health of their family is sufficient to receive accommodation under the law.

A Division Council member stated that a hybrid instructional model for fall 2020 will be challenging given that some courses are easier done remotely than others. It will be difficult to create a policy that covers all faculty, as faculty will be conducting instruction in different ways. Another Division Council member suggested engaging with student services as soon as possible to ensure we address students’ concerns about returning to campus. Chair Hansford stated that he will continue this conversation with Division Council members via email.

IV. Update on Remote Instruction – UGC Chair Sharping and GC Chair Westerling

UGC Chair Sharping summarized a list of issues with regard to undergraduate students and remote instruction. One major issue is that they do not have access to mental health resources at home that they did on campus. GC Chair Westerling stated that graduate students do not believe they are being addressed as their own group and instead are included in general campus communication. Graduate students are also not receiving focused communications from their graduate groups and those students with families are negatively impacted due to the lack of child care options. Students who are mentored by STEM faculty are able to use their faculty PIs’ equipment for teaching and research but this opportunity does not exist for students of non-STEM field faculty. UGC Chair Sharping added that there is no consensus on how to best conduct lab courses and exams remotely. He reiterated Chair Hansford’s earlier statement that the UCEP survey data is forthcoming. GC Chair Westerling suggested that Division Council should discuss drafting a hybrid instruction policy for fall 2020. Chair Hansford mentioned that UC Berkeley will announce their fall 2020 instruction plans by June 15 and it is likely that UC Merced will announce its plans at approximately the same time.

V. FWAF Proposal for a Co-Working Space for Faculty Partners

On April 27, 2020 FWAF surveyed the Senate faculty to gauge initial interest for UC Merced to create co-working space for faculty partners. The survey was sent to 309 Senate faculty members. 65 members (21%) responded, representing a 21% response rate.

FWAF Chair Frank briefly summarized the survey results. Many respondents indicated that a working space for faculty partners would be beneficial in terms of building a sense of community and therefore reduce the likelihood that faculty members and their partners would leave. Such working space may also be a good faculty recruitment tool, and, if the space is located downtown, could create more business in the downtown area as well as spark innovative business opportunities.

A Division Council member suggested that the FWAF chair consult with Director of Space Planning & Analysis Maggie Saunders.

Action: FWAF will draft a proposal based on the survey results for review by Division Council and ultimate transmittal to the administration.

VI. Campus Review Items

A. RRR Week Policy – UGC Chair Jay Sharping

The policy was discussed by DivCo in March and subsequently distributed to Senate and School Executive Committees, the Registrar, the VCSA and the Interim VPDUE on March 30.

CAPRA declined to comment on the policy but recommends advising departments about potential resource implications, if the policy is adopted. The SNS Executive Committee and SNS departmental representatives offer some comments and concerns. The SNS EC invites DivCo to consider whether the proposal should be put for a Senate faculty vote. D&E, FWAF, the SSHA Executive Committee, and the Registrar endorsed the proposal.

UGC Chair Sharping briefly summarized the comments from CAPRA and the SNS Executive Committee. He added that UGC did not reach a consensus on implementing an RRR week. A Division Council member asked how an RRR week would impact service learning courses and capstones that do not have final exams. UGC Chair Sharping clarified that capstones would occur during RRR week as they are difficult to hold during instruction time.

UGC Chair Sharping proposed these options: 1) UGC could revise the proposal, hold a faculty vote, and abide by the wishes of the majority; 2) UGC could attempt to obtain more faculty feedback given that one School Executive Committee did not respond in the recent campus review period; 3) UGC could implement the RRR week for a voluntary compliance year (or two) and hold a faculty vote after that trial period; 4) UGC could implement the RRR week policy in its current form although that is unlikely to happen given the lack of consensus on the committee; or 5) UGC can withdraw the RRR week proposal. UGC Chair Sharping pointed out that withdrawing the proposal is not feasible given that the proposal is supported by the ASUCM.

Chair Hansford suggested that UGC recommend the use of an RRR week to faculty but not punish the faculty who elect not to utilize it. A Division Council member suggested that the Registrar be asked to create a buffer between the last day of courses and the start of final exams. He also suggested asking faculty to confirm whether they are going to offer final exams; if they are not offering final exams, then perhaps the Registrar could use that unused space.

UGC Chair Sharping suggested that UGC recommend that faculty adopt the RRR week but not require them to utilize it. This voluntary compliance method is a good compromise so that faculty who wish to take advantage of it can do so, while demonstrating to the ASUCM that faculty are cognizant of their concerns.

B. Medical Education Advisory Committee Draft Charge – Chair Hansford

Director of Medical Education Thelma Hurd invites comments from the Senate on the proposed charge for a Medical Advisory Committee.

A Division Council member expressed confusion over the reference to a BS/MD degree when no such program or major exists at UC Merced. Moreover, it is doubtful whether the campus has the resources to implement such a program. It was also pointed out that faculty, per the Orders of the Regents, have the power over curriculum and faculty were not consulted about the possibility of implementing a BS/MD program.

The Senate Interim Executive Director suggested inviting Director Hurd for a consultation at the June Division Council meeting. A Division Council member suggested that the committee membership should expand to add alumni who have gone through medical school as they could lend valuable expertise.

Chair Hansford agreed that Director Hurd will be informed that the Senate is not ready to discuss the charge of a proposed committee whose goal we are unsure is feasible. Senate Vice Chair DeLugan informed Division Council members that Director Hurd distributed a survey about faculty interested in teaching medical education courses. The survey was issued in a response to the interest expressed by students who are training at UCSF-Fresno and want to engage in research with UC Merced faculty. She agrees, however, that it is problematic that the Senate was not part of the discussion from the beginning.

Division Council members supported the idea that students would conduct their medical education coursework at UC Merced before moving on to UCSF for medical school. It is an excellent method to establish a pipeline of San Joaquin Valley students to medical school. However, the lack of Senate consultation and apparent circumvention of shared governance with regard to the BS/MD degree is concerning.

Action: A draft memo of Division Council's discussion will be distributed to Council members for review before being transmitted to Director Hurd.

VII. Systemwide Review Item

Proposed Revisions to Presidential Policy on Protection of Human Subjects in Research

This policy revises the current Protection of Human Subjects in Research policy, last updated in 1981, and describes the responsibilities of the University, its campuses and researchers, in protecting the rights and welfare of human subjects.

Due to time constraints, this item was not discussed.

Action: A draft memo summarizing comments received from Senate committees will be distributed to Division Council members for review. The final memo will be transmitted to the systemwide Senate chair.

There being no further business, the meeting was adjourned at 10:30 am.

Attest: Tom Hansford, Senate Chair