

**DIVISIONAL COUNCIL****Minutes of Meeting****November 27, 2018**

Pursuant to call, the Divisional Council met at 3:00 p.m. on November 27, 2018 in Room 362 of the Kolligian Library, Senate Chair Kurt Schnier presiding.

Present: Ignacio Lopez-Calvo, Laura Hamilton, Linda Hirst, Anne Kelley, Shawn Newsam, Jay Sharping, Michael Scheibner, Jessica Trounstine, LeRoy Westerling, and Christopher Viney. Clarissa Nobile participated by Zoom. Interim Provost and Executive Vice Chancellor, Gregg Camfield joined the meeting for agenda item I, and the Vice Chancellor and Associate Vice Chancellor of Research, Sam Traina and Deborah Motton respectively, for agenda item II.

**I. Consultation with Interim Provost Camfield**

The Interim Provost reported that President Napolitano has decided there will be two meetings with each campus addressing budget related topics – a strategy meeting and a budget-specific meeting. At both meetings, the campus will be highlighting its three priorities: research, campus sustainability, and student success with respect to retention and graduation rates. There is a systemwide push to improve four year graduation rates and, thus, degree production. The intention is to shift the legislature’s focus from enrollment to degree production, a strength of the UC. The Interim Provost noted that the campus’s four-year graduation rates lags the system average by 15 to 20 percentage points and that we will be pursuing additional resources to meet our students’ needs in support of system objectives. A notable achievement is that Merced is second only to Berkeley in the percentage of our graduates earning doctoral degrees. This sets our campus up to contribute to diversifying the faculty. As such, we will be encouraging our sister campuses, and President Napolitano, to view our students as priorities for graduate admissions.

The Interim Provost also discussed the campus’s response to the air quality crisis following the Camp Fire, and noted that Joint Council is pursuing revisions to the campus’s emergency plans. The campus is hiring a consultant to assist with this process. We will also be hiring a dedicated professional to support emergency preparedness who will be independent of the police department.

**II. Consultation with the VC and Associate VC of ORED**

Vice Chancellor Traina and Associate Vice Chancellor for Research Compliance and Integrity Motton reported that concerns about foreign influence on research and espionage are a bipartisan issue in congress, with a particular focus on China. Universities are believed to be vulnerable due to international students, post-docs and faculty. There is also concern about the potential for the transfer of information from U.S. funding agencies to foreign agencies. Every science and technology funding agency is concerned about these issues, and their respective proposal processes will be revised to address these concerns. NIH has already sent a letter to all investigators requiring disclosure of all paid consulting engagements. NSF’s requirements are going to be broader; the agency will require disclosure of all sources of compensation and faculty should anticipate changes to the agency’s forms. The FBI is also very suspicious of all Chinese students, and the state department is considering restricting visas to one year in five research areas, a step that would impact foreign enrollments at U.S. universities.

Most immediately, the UC system needs to comply with the grant requirement to reassure federal agencies we are attending to their concerns. The UC also needs to be highlighting the contributions of its international faculty to the success of the U.S.. A member asked about whether the campus will advise the faculty on how to travel to avoid scrutiny, and another asked, on behalf of colleagues who conduct research with Chinese survey firms, whether there have been any changes to IRB processes. Regarding the first question, faculty were directed to the VC ORED’s Office on secure travel procedures, and it was

reported that IRB processes remain the same. Members suggested a status summary be circulated to department chairs and that faculty receive an email with contact information for various issues. The VCORED reported that they plan to meet with School Executive Committees and department chairs. Letters circulated earlier this fall to the faculty on the topics of engagement with restricted Chinese entities and guidance regarding NIH and NSF support are available here: <https://ucmerced.box.com/s/w4rilb0f326gqtrjftxgf3dsx1uuy5jk>. URLs to Merced websites with guidance for faculty on a variety of related issues are here:

- <http://rci.ucmerced.edu/export-controls>
- <http://rci.ucmerced.edu/export-controls/international-travel>
- <http://rci.ucmerced.edu/export-controls/unannounced-visits-law-enforcement>
- [http://rci.ucmerced.edu/sites/rci.ucmerced.edu/files/documents/faq\\_on\\_electronic\\_devices\\_and\\_border\\_inspections\\_upon\\_entering\\_or\\_leaving\\_the\\_u.s.pdf](http://rci.ucmerced.edu/sites/rci.ucmerced.edu/files/documents/faq_on_electronic_devices_and_border_inspections_upon_entering_or_leaving_the_u.s.pdf)
- <https://it.ucmerced.edu/content/loaner-devices-international-travel>

### III. Chair's Report & Announcements

#### A. Meeting with Chancellor and Interim Provost (11/19)

The Chair reported that the meeting was canceled due to the campus closure. However, the Chair and Vice Chair met with the Interim Provost on 11/27 to discuss GE.

#### B. Systemwide Chair and Vice Chair Visit (11/26)

The Chair reported that the visit was a success. The Systemwide Chair and Vice Chair were very impressed, and reported learning a lot about our campus.

#### C. The Chair reported that he was invited to the 11/20 Joint Council meeting to discuss emergency management planning following the campus closure. An outcome of that meeting is the need for Divisional Council to consider if and, if so, when to delegate authority for decision making during emergencies. Members agreed that it would be important for Senate leadership to be involved as the campus develops emergency plans with the support of a consultation.

**ACTION:** The Chair will recommend to the Interim Provost that Senate leadership be involved in emergency management planning undertaken with the campus consultant.

### IV. Consent Calendar

The Agenda was approved as presented.

### V. Systemwide Review Items

#### A. [Presidential Policy Principles of Accountability with Respect to Financial Transactions](#)

In the absence of committee comments, a motion was made, seconded and unanimously endorsed to decline to comment on the [Principles of Accountability with Respect to Financial Transactions](#).

**ACTION:** The Chair will transmit Divisional Council's response of no comment to systemwide Senate Chair May by December 5, 2018.

#### B. [Proposed Revisions to Presidential Policy BFB-RMP-7 Protection of Administrative Records Containing Personally Identifiable Information](#)

A motion was made, seconded and endorsed to transmit, to the systemwide Senate Chair, CRE and School of Engineering Executive Committee comments on the [Presidential Policy BFB-RMP-7 Protection of Administrative Records Containing Personally Identifiable Information](#).

**ACTION:** The Chair will transmit CRE and School of Engineering Executive Committee comments to systemwide Senate Chair May by December 5, 2018.

**C. [Presidential Policy BFB-BUS-46 \(Use of Vehicles and Driver Selection policy\)](#)**

Following discussion of committee comments on the proposed revisions to [Presidential Policy BFB-BUS-46](#) (Use of Vehicles and Driver Selection policy), a motion was made, seconded and endorsed to forward committee comments and questions, and to raise the following in the cover letter: the inequity, and possible ineffectiveness, of adopting the DMV NOTS system; the observation that the policy seems designed to reduce liability, rather than protect people operating in and around motor vehicles, and, as a result, to be written so as to second guess the state's licensing laws; and the need to clarify definitions including the meaning of university business and preventable collision.

**ACTION:** The Chair will transmit Divisional Council's response to systemwide Senate Chair May by January 16, 2019.

**D. [Proposed Revised Presidential Policy on Sexual Violence and Sexual Harassment](#)**

Following an overview of committee comments on the proposed revised [Presidential Policy on Sexual Violence and Sexual Harassment](#), a motion was made, seconded, and endorsed to forward committee comments to the systemwide chair. In the cover letter, committee comments will be prefaced by a statement noting the importance of the policy and, therefore, the necessity of getting it right, including the details. The letter will also note that the policy seems to emphasize students but should protect any member of the campus community, and that once a formal investigation finds a party responsible, the university should consider this transgression to be academic misconduct.

**ACTION:** The Chair will transmit Divisional Council's response to systemwide Senate Chair May by December 5, 2018.

**VI. Discussion Item: Chairs' Reports**

Committee chairs' reports were circulated to members by email on Monday, November 26. In relation to those reports, the UGC Chair clarified that the proposal from the School of Engineering requiring computers for all students applies to all Engineering students, not just those in CSE.

**VII. Informational Items**

- 11/5 - [Extension responds](#) to [DivCo's request](#) for information regarding the budget for the Child Development and Care Certificate program.
- 11/20 - Academic Council transmitted to President Napolitano [its endorsement](#) of a request from UCFW and its Health Care Task Force that the University undertake a comprehensive study of faculty morale and turnover in the UC Health System.