

DIVISIONAL COUNCIL
Minutes of Meeting
Friday, April 16, 2021

Attendees: Chair Robin DeLugan, Vice Chair LeRoy Westerling, Christopher Viney, Ashlie Martini, Patti LiWang, Hrant Hratchian, Matthew Hibbing, Abbas Ghassemi, Kara McCloskey, Jesus Sandoval-Hernandez, Erin Hestir, Jessica Trounstine, and Justin Yeakel.

I. Consultation with EVC/Provost Camfield

EVC/Provost Camfield shared with Divisional Council that the state budget outlook is not as negative as many feared. The passing of the newest federal stimulus package means more money for the state. Overall, the UC system is closing its budget gap. In addition, the Governor’s budget restores some of the budget cuts that were instituted before the pandemic. The state legislature may allocate one-time funding for pressing needs for the UC. One area that will likely be funded is deferred maintenance. While this funding will likely be more helpful to other UC campuses than UC Merced, our campus does have audio/visual equipment needs that would benefit from such funding. UC Merced’s MOU with UCOP (in which UC Merced has received higher rates of funding per student than the other UCs) has expired. The Chancellor and APAPB Schnier are negotiating the terms of a new MOU.

EVC/Provost Camfield stated that the next federal stimulus legislation includes a provision from Congressman Jim Costa that would allocate \$1 billion to rural medical education. This has not yet been approved; if approved, the allocated amount may be lower than \$1 billion. But even a fraction of that amount would help UC Merced’s medical education program significantly.

A Divisional Council member asked EVC/Provost Camfield about his response to Divisional Council’s memo on the funding of future ORU proposals. EVC/Provost Camfield responded that he has been consulting with CAPRA who is considering adopting an internal ranking system to evaluate future proposals similar to that of the NSF.

A Divisional Council member shared a discussion that was held at a systemwide committee meeting that research reopening on the campuses should be decoupled from in-person instruction. Faculty should be allowed to work in their laboratories regardless of what is decided on instruction as long as faculty abide by safety regulations and procedures. EVC/Provost Camfield agreed and stated that Interim VCORED Zatz and Chief Resilience Officer Andy Boyd are in discussions with the county on the safety of our campus laboratories.

II. Chair’s Report – Robin DeLugan

A. Chancellor & EVC Provost Meeting (March 29)

- i. The next federal stimulus funding package includes money for higher education and will support international students and DACA students.
- ii. The UC safety symposium included discussions on rethinking campus policing. An action plan will be developed this summer.

- iii. UC Merced received \$50,000 this year for anti-racism initiatives and \$50,000 for next year. We received an extension of the first \$50,000 to roll over into next year so that the various work groups can develop a proposal for Divisional Council’s review by the end of this academic year.
- B. Academic Council (March 31)
 - i. A survey will be issued to all faculty in May regarding remote instruction to which faculty are encouraged to respond.
 - ii. Faculty are encouraged to utilize Experian free credit report checks in light of the recent cyber security breach.
 - iii. Discussion about whether there will be a COVID-19 vaccination mandate for students for the anticipated return to campus in fall 2021 and who would enforce the mandate.
- C. C19 EOC/Cabinet Meeting (Apr. 1, 8, 15)
Campus leadership is trying to plan for fall 2021 including contingency planning. California is set to reopen on June 15 but there are still public health and OSHA requirements.
- D. Native American Cultural Affiliation and Repatriation Interim Policy
Chair DeLugan recently attended the meetings of certain Senate committees to inform them of the implementation requirements of the policy. The implementation will be a coordinated effort across all ten UC campuses. An awareness memo will be distributed each year. Every 3-5 years, a survey will be issued to all faculty and staff to attest that their space does not include any materials or objects described in the policy. Once the campus reopens, there may be a physical assessment of space to check for any relevant materials or objects. If our faculty and staff do have such holdings, then the UC Davis repatriation coordinator will assist. Faculty and staff are encouraged to contact either Chair DeLugan or VPAP Matlock with any questions.
- E. Divisional Council members are encouraged to contact Chair DeLugan if they have any topics they would like her and Senate Vice Chair Westerling to discuss with the EVC/Provost for their meeting next week. A Council member requested clarification on the definition of “in residence” for academic appointments. Another Divisional Council member pointed out that faculty and graduate students will have the opportunity to file a medical based waiver if they cannot return to campus in the fall, however, the campus accommodation for medical issues does not include any change in teaching. He has asked the Academic Personnel Office to allow departments to handle this themselves. Another Divisional Council member asked why a campus communication on campus reopening has not been issued given that the county has moved in the red risk tier. Chair DeLugan stated that she will raise all these issues with EVC/Provost Camfield.

III. Consent Calendar

- A. Approval of today’s agenda
- B. Approval of the March 29 Meeting Minutes

Action: the Consent Calendar was approved as presented.

IV. EVC/Provost’s Response to the February 9 DivCo Memo re: Funding for Proposals – Vice Chair Westerling

Senate Vice Chair Westerling briefly summarized the EVC/Provost’s response to the Divisional Council member regarding funding for ORU proposals. Unfortunately, the response was vague and did not address many of Divisional Council’s questions and comments. Instead, the response memo suggested that a policy be developed. Earlier in today’s meeting, EVC/Provost Camfield mentioned CAPRA’s proposed, internal ranking system for the evaluation of future proposals for new academic programs, Schools, and ORUs. CAPRA is still discussing ways to categorize its rankings to indicate whether a

proposal is aligned with campus goals. CAPRA also discussed giving conditional endorsements to proposals in the absence of funding information from the administration. Ideally, CAPRA would like to review all proposals at one time similar to the way in which reviews are done by federal funding agencies. However, at this time, there is no mechanism for this.

Chair DeLugan pointed out that the ORU proposal from the Community and Labor Center has been on hold for some time as Divisional Council discussed the campus budget outlook. Senate Vice Chair Westerling replied that there are still outstanding questions that were not addressed in the EVC/Provost's memo. Should every ORU receive the same amount of core funding or is there a formula for each proposed ORU that factors in funding prospects and number of faculty? What is the campus paying for the existing ORUs and what amount are they generating themselves? If an ORU or Center has been in existence for a given amount of time without generating resources, what is the strategy for disestablishing it? Another Divisional Council member stated that Council needs guidance on the recurring costs to the campus and the value added of the proposed ORU. Another issue to consider is whether that value could be added in a way other than establishing an ORU. An ORU is not necessary for faculty to conduct collaborative research.

A motion was made to move the Community and Labor Center ORU proposal forward to the administration. Five Divisional Council members voted in favor. This not being a majority, the proposal will not be forwarded to the administration.

Action: Divisional Council members Hratchian and Trounstein will revise Divisional Council's memo to the EVC/Provost and reiterate the need for him to answer Council's questions.

V. **Review of the Proposal in Critical Race and Ethnic Studies – UGC Chair Hibbing**

The proposal for a Minor in Critical Race and Ethnic Studies, effective Fall 2021, was approved by UGC on March 15, 2021. Comments from CAPRA, CoR, D&E, GC, LASC, and the EVC/Provost are appended to UGC's memo.

UGC Chair Hibbing briefly summarized the committees' responses. Committees were in favor of the proposed name change.

Action: Divisional Council endorsed the proposed name change. Senate committee comments will be transmitted to the administration for its consideration.

VI. **CAP Memo Re: Senate Service – CAP Chair Martini**

CAP Chair Martini summarized CAP's memo on the expectations of Senate service. Divisional Council members then held a discussion on how the quality of service should factor into faculty personnel reviews. The campus does not have a uniform procedure for doing so. Some Divisional Council members suggested that department chairs should evaluate faculty service while other members stated that department chairs may not have the appropriate information. It was also pointed out that some transmittal letters include an assessment of faculty service while others do not. CAP therefore is not consistently provided with evidence of the quality of service and cannot effectively evaluate it. A Divisional Council member suggested a ranking system to assess faculty's attendance and participation in Senate committee meetings. CAP Chair Martini then clarified that for the purpose of today's meeting,

CAP was only tasked with providing a memo on establishing a norm for Senate service; the committee was not asked to opine on how the quality of service should factor into faculty personnel reviews.

Action: Divisional Council will continue this discussion in the fall.

VII. Draft Diversity Provision for the Bylaw Revisions – Vice Chair Westerling

This item was discussed at the March 12 Divisional Council meeting.

The draft preamble/statement proposed by the Divisional Council anti-racism workgroup, and revised by D&E, was hyperlinked on today’s agenda. Vice Chair Westerling’s alternate proposal for new addition to the Bylaws was also hyperlinked on the agenda. The proposal was shared with CRE for review and comments. CRE preferred option 2 (highlighted in the document). Language from the proposed preamble would still be used on the Senate website.

Divisional Council members preferred a more affirmational statement. Senate Vice Chair Westerling suggested the following revised language: “Members and committees of the Division shall strive always to interpret all provisions of these bylaws in a manner that encourages and enables full participation in the business of the Division for all members, regardless of differences of culture and circumstance, including race, ethnicity, gender, age, religion, language, abilities, neurodiversity, sexual orientation, gender identity, socioeconomic status, geographic region and more.”

Action: Senate Vice Chair Westerling will send the proposed revision to Division Council members for review and approval by Tuesday, April 20. Upon Divisional Council’s approval, the draft statement will be presented for consideration at the May 4 Meeting of the Division.

VIII. Request from AFAC: UC Debt Free Pilot Proposal – AFAC Chair Ghassemi

AFAC Chair Ghassemi summarized AFAC’s request to Divisional Council. The UC Board of Regents plans to consider a Debt Free UC Pilot proposal from the UCOP Office of Graduate, Undergraduate and Equity Affairs. AFAC asserts that this initiative is urgently needed at UC Merced where educational debt is especially risky for students affected by the racial wealth gap and labor market inequalities after college. Student debt inequalities have particularly adverse implications for UC Merced students.

Divisional Council members agreed with AFAC’s memo.

Action: Divisional Council endorsed AFAC’s request to send its memo to the UC Board of Regents.

IX. Systemwide Review Items

A. Revisions to SVSH Framework for Faculty and Staff

These revisions from the Systemwide Title IX Office are the next steps in efforts to comply with federal regulatory changes that went into effect on August 14, 2020.

Revisions consist of additional changes to interim policies issued last summer. There has been accompanying Senate work to address regulatory impacts on procedures for Senate faculty. That work includes both the recent change in the evidentiary standard to be used in P&T hearings for alleged violations of the SVSH Policy as well as a forthcoming proposal to preclude unnecessary duplication when hearings are conducted at both the Title IX and P&T phases.

- Letter from Systemwide Title IX Office
- Investigation and Adjudication for Senate and Non-Senate Faculty
- Investigation and Adjudication for Staff

A Divisional Council member stated the importance of being mindful of both sides of the process. Another Divisional Council member urged the Council to be cognizant of Title IX as well as the context in which women are experiencing these issues.

Action: Senate committee comments will be transmitted to Academic Council Chair Gauvain by April 26, 2021.

B. Proposed Policy on Native American Cultural Affiliation and Repatriation – Chair DeLugan

The Academic Senate opined on two earlier versions of this policy on November 8, 2019 and June 29, 2020. Divisional Council members were provided with the following documents:

- Chair Gauvain’s letter
- Policy (redline and clean copies)
- Comments
 - CoR
 - FWAF
 - LASC
 - SOE EC

Action: This item will be handled via email. Divisional Council members to send their comments to senatechair@ucmerced.edu by April 30, 2021. Comments will be collated and circulated for review before transmittal to Academic Council Chair Gauvain.

C. Presidential Policy of Classification of Gifts and Sponsored Awards – CoR Chair McCloskey

This policy will replace the UC Policy on Review of Gifts and Grants for Research. Divisional Council members were provided with the following documents:

- Letter from VP of Research and Innovation
- Proposed Policy
- Comments
 - CoR
 - CAPRA
 - GC

Action: This item will be handled via email. Divisional Council members to send their comments to senatechair@ucmerced.edu by April 30, 2021. Comments will be collated and circulated for review before transmittal to Academic Council Chair Gauvain.

D. Systemwide Senate Regulation 610 – CRE Chair Viney

The intent of these amendments is to eliminate an ambiguity in the definition of “residency” and clarify that “residency” is not necessarily linked to physical presence on campus. Divisional Council members were provided with the following documents:

- Proposed Amendments
- Comments
 - GC
 - UGC
 - CRE

Action: This item will be handled via email. Divisional Council members to send their comments to senatechair@ucmerced.edu by April 30, 2021. Comments will be collated and circulated for review before transmittal to Academic Council Chair Gauvain.

X. Other Business

Chair DeLugan announced that the AY 21-22 nominee for systemwide Senate Vice Chair is Susan Cochran.

There being no further business, the meeting was adjourned at 11:30 am.

Attest: Robin DeLugan, Senate Chair