

**DIVISIONAL COUNCIL**  
**Minutes of Meeting**  
**Tuesday, September 20, 2022**

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**Attendees:** Chair Patti LiWang, Vice Chair Catherine Keske, Christopher Viney, Charlie Eaton, Kevin Mitchell, Michael Scheibner, Holley Moyes, Jason Sexton, Carrie Menke, David Jennings, Jeff Butler, Jessica Trounstone, and Shilpa Khatri.

I. Chair's Report – *Patti LiWang*

A. DivCo/FACS Liaison is Holley Moyes.

B. LASC representation on DivCo.

The LASC chair traditionally attends one DivCo meeting per semester. She has requested to attend DivCo meetings on a regular basis. Chair LiWang pointed out that the LASC chair does not sit on DivCo and similarly, the UCOLASC chair is not a member of Academic Council.

Library staff regularly attend UGC meetings and UGC Chair Moyes suggested that she could ensure that those staff are specifically invited to meetings in which UGC discusses new programs.

**Action:** DivCo will continue to invite the LASC chair to one DivCo meeting per semester and will place her consultation earlier on the agenda.

C. Future Guests:

- CFO Schnier (confirmed - October 18 re: Oracle)
- SNS Dean Dumont (confirmed for November – date is TBD re: BS/MD Program)
- VPAAS Spitzmueller (pending confirmation re: Strategic Planning)
- VCORED Wilson (begins her role on October 1, 2022)

D. Oracle Town Hall (October 10 at 3pm)

E. Availability of DivCo agendas

The vice chair of one Senate committee has requested to receive the DivCo agendas. Currently, only DivCo members receive them. DivCo members held a discussion on the pros and cons of sharing the agendas with non-DivCo members. DivCo members agreed that the Senate office should publish a preliminary, draft agenda on the DivCo webpage a few days in advance of each DivCo meeting after the Senate Chair has approved it. Other Senate committees are encouraged to institute the same practice.

**Action:** A few days in advance of each DivCo meeting, and upon the approval of the Senate Chair, the Senate office will upload a preliminary/draft agenda (watermarked with “draft”) on the DivCo webpage which is publicly available. Per normal practice, the final versions of the agendas will continue to be uploaded on the DivCo webpage after approval by DivCo members under the Consent Calendar.

F. Distribution of Senate Digest

One School has reported that its Senate faculty are not receiving the weekly email Senate Digest. The Digest is issued to all DivCo members, School Executive Committee chairs, and School support staff. In the transmittal email from the Senate office, School staff are asked to share the Digest widely with their Senate faculty.

A DivCo member asked if the weekly Digests can be uploaded on the Senate website. It was pointed out that this may not be feasible, as UCOP may not want certain items to be published.

DivCo members agreed that the Senate weekly Digest should be emailed to all Senate faculty.

**Action:** Moving forward the Senate weekly Digest will be emailed to all Senate faculty.

## II. Consent Calendar

### A. Today's agenda

### B. DivCo's Revised Conflict of Interest Policy

The redline copy of the policy was distributed to DivCo, per discussion on September 6.

Members are asked to please review the statement in preparation for its endorsement at the meeting.

DivCo members held a lengthy discussion on conflicts of interest. The main issue with the policy is the lack of an enforcement mechanism. A more general problem is when committee members do not disclose their conflicts of interest in advance and those conflicts become apparent in later meeting discussions.

A DivCo member asked if there is any bylaw or rule that prohibits making the conflicts of interest policy enforceable. CRE Chair and Parliamentarian Viney responded that he is aware of no such bylaw or rule, however, each situation will be so nuanced and would render the policy purposeless.

A DivCo member suggested that DivCo adopt language in the conflicts of interest policy similar to the systemwide Senate's policy which states that if a member and the committee chair do not come to an agreement on the member's conflict, the Senate Chair can adjudicate. DivCo members also suggested that if the Senate Chair does not acknowledge their own conflicts of interest, the CRE Chair/Parliamentarian could adjudicate.

Another DivCo member suggested adopting a conflicts of interest check list similar to what faculty must complete when they publish articles.

**Action:** CRE Chair and Parliamentarian Viney will work on next steps with the DivCo conflicts of interest policy.

### C. September 6 Meeting Minutes

**Action:** Today's agenda and the September 6 meeting minutes were approved as presented.

## III. Funding and Compensation for Departments

DivCo At-Large Member Trounstine informed DivCo members that the allocation of unit 18 lecturers is decided by student credit hours previously generated by the department. That makes the hiring of unit 18 lecturers more constrained, because the department has to abide by historical patterns. This problem is exacerbated by the large number of course releases UC Merced grants to faculty. Course releases are granted for faculty leaves, faculty temporarily moving into administrative roles, faculty sabbaticals, faculty service (including running a Center), and course releases for pre-tenure faculty. Sometimes, announcements about these leaves occur at the last minute. The problem is that departments are not given funds to cover these course releases.

A DivCo member pointed out that when faculty construct budgets for their grant proposals and include a course buyout, they must enter a certain number (% of their salary). It is unclear whether the department chair receives the difference from those funds. Another DivCo member stated that his department chair and dean must sign off on any faculty research grant proposal whose budget includes a course buyout, because they are supposed to get those funds.

In response to At-Large Member Trounstone's statement about the allocation of unit 18 lecturers being dependent on student credit hours, CAPRA Chair Mitchell stated that the TAS funding model formula that was created by Interim VC/CFO Kurt Schnier formula is supposed to be applied at the School level, not the department level. The School deans do have discretion to move positions around as necessary. He added that this year, CAPRA plans to conduct an analysis of staffing at the department level in each School.

A DivCo member suggested asking each department chair and School Executive Committees for more information about the lack of departmental resources for course buyouts. At-Large Member Trounstone agreed to gather information from SSHA department chairs.

**Action:** The Senate Chair and Vice Chair will raise this issue with EVC/Provost Camfield at their meeting this week. At-Large Member Trounstone will ask SSHA department chairs for a list of things that drive course releases, what they find difficult, what would alleviate the difficulties, and will report back to DivCo with a summary.

#### IV. Updates from UGC Chair Moyes and GC Chair Scheibner

GC Chair Scheibner announced that he and UGC Chair Moyes hold bi-weekly meetings with VPDGE Hratchian and VPDUE Frey. COVID cases are on an uptick on campus, but no severe symptoms were reported. They had a recent discussion on the pros and cons of creating a policy about instruction during heatwaves. During the recent heatwave, some faculty cancelled their in-person classes but others did not, which caused confusion. It would be beneficial for the campus to have a consistent policy on this. UGC Chair Moyes wondered if UC Merced should have a temperature threshold at which point in-person classes are cancelled similar to that of the University of Arizona's policy. She also suggested that the campus offer the use of carts as transportation for students and faculty to move around the campus during a heat wave (the campus does have carts which are currently in storage). VPDUE Frey is working with Disability Services on whether students with disabilities can request a cart to take them to their classes on campus. Senate Chair LiWang suggested that faculty should also be given that option.

A DivCo member pointed out that in-person courses are allowed to be delivered up to 30% online. Can a faculty member offer one of their thirty lectures online under special circumstances? Senate Chair LiWang replied that according to VPDUE Frey, the 30% rule is meant as a demarcation to define whether a course is online or in-person. However, VPDUE Frey told Senate Chair LiWang that faculty can consult with their department chairs to discuss exceptions.

GC Chair Scheibner stated that another discussion topic with UGC Chair Moyes, VPDGE Hratchian, and VPDUE Frey is the trend of some students and faculty not returning to classes after the Thanksgiving break.

## V. Other Business

EDI Chair Menke asked whether the administration has articulated the turn around time they expect from the Senate on review items and which major review items are in the pipeline for the Senate. Senate Chair LiWang replied that she will ask EVC/Provost Camfield these questions in her meeting with him and the Senate Vice Chair this week. Senate Chair LiWang added that the systemwide Senate issued a memo on shared governance to UC President Drake (Senate Executive Director Paul previously distributed this memo to DivCo members).

GC Chair Scheibner mentioned the Curriculum Advisory Board and how to manage extension programs. A subcommittee has been created that the Senate is trying to populate. One of the goals is to tie the Extension program into the campus. GC Chair Scheibner recommends the formation of a Senate-Administration Work Group to work on the structure. They should also discuss the Teacher Preparation Program and the campus should make use of the expertise it already has in the CalTeach Program.

Senate Vice Chair Keske asked if DivCo members would find it useful if she held office hours on Friday afternoons via Zoom or another location. DivCo members can feel free to discuss any topic with her in these drop in sessions.

There being no further business, the meeting was adjourned at 4:30 pm.

Attest: Patti LiWang, Senate Chair