

**DIVISIONAL COUNCIL**  
**Minutes of Meeting**  
**Tuesday, October 4, 2022**

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

**I. Chair’s Report – Patti LiWang**

A. Meeting with EVC/Provost Camfield (Sep. 22, 2022)

The major discussion topics included:

- Funding for departments to cover faculty leaves/course releases. DivCo At-Large Member Trounstine raised this issue at the last DivCo meeting and will continue the discussion later in today’s meeting. EVC/Provost Camfield is aware of the lack of funding for departments.
- The campus policy and procedure for creating new Schools. EVC/Provost Camfield will send a formal request to DivCo about the formation of a Senate-Administration working group to address this issue. Serious concerns remain about the potential Gallo School and the effect on SSHA. EVC/Provost Camfield reported that he is in communication with SSHA Dean Gilger. Senate Chair LiWang stated that she and Senate Vice-Chair Keske spoke with the current and past chair of the SSHA Executive Committee and asked how the Senate can assist. SSHA Dean Gilger may wish to speak with DivCo.
- The administration is concerned about meeting enrollment targets. An increase in student numbers is critical not only for UC Merced’s finances but for our campus’s reputation. As evidenced by the recent proposals submitted to the Senate to create new undergraduate program degrees, the campus is making an effort to create new majors in order to increase enrollment. DivCo members then held a brief discussion about any data that proves that creating new majors will increase enrollment. AFAC Chair Eaton pointed out that these issues are under AFAC’s purview, but the committee has not been consulted by the administration. He added that financial aid is another major factor in student enrollment and a significant amount of data reflects this. UGC Chair Moyes stated that data shows that many students do not enroll at UC Merced due to the lack of a campus honors program.

B. Meeting with Chancellor Muñoz and EVC/Provost Camfield (Sep. 26, 2022)

The major discussion topics included:

- Enrollment.
- Status of the Gallo School pre-proposal.

A DivCo member stated that the SSHA Dean is offering ideas for what SSHA could look like if the Gallo School is approved, but there appears to be a lack of engagement from the administration. The EVC/Provost attended DivCo meetings in the last academic year and is aware of the challenges and difficulties. Another DivCo member suggested that the administration needs to show more leadership in terms of resources. While many initiatives are faculty-led, the administration cannot be entirely “hands off”.

Senate Chair LiWang reported that the number of faculty and administrative grievances is disturbing and the administrative leadership would like to remind the faculty about the Faculty Code of Conduct under APM 015.

Senate Chair LiWang reported that the Chancellor announced a significant campus fundraising campaign in his recent State of the University address.

DivCo members then discussed the funds that will be allocated to UC Merced from the “Inland Rising” Assembly bill and funds that the campus will receive from UCOP on climate research. Senate Chair LiWang will ask EVC/Provost Camfield to clarify these funds when he joins today’s meeting later in the agenda.

C. Academic Council (Sep. 28, 2022)

According to a survey sent to Senate faculty across the UC system, the group that was identified as among the least likely to help faculty during the COVID-19 pandemic was the Senate. The survey results will be shared with all UC Merced Senate faculty on Friday, October 7. If DivCo members want to receive them sooner, they are asked to notify the Senate Executive Director.

A few other UC campuses have implemented Oracle and their IT departments were heavily involved in the process. UC San Diego has experienced the same problems with the system as UC Merced. UC Riverside has appointed a lead contact in their Senate to oversee that campus’s implementation of Oracle.

**II. Consent Calendar**

- A. Today’s agenda
- B. September 20 Meeting Minutes

**Action:** The Consent Calendar was approved as presented.

**III. Funding and Compensation for Departments – Member Trounstine**

Prior to this meeting, a memo from DivCo At-Large Member Trounstine was distributed to members and it is hyperlinked on today’s agenda.

Per the discussion in the last DivCo meeting, member Trounstine consulted with UC Merced department chairs to gather information about the challenges that Chairs face with regard to covering teaching and service leaves in their departments. Several chairs reported that covering leaves is difficult in some semesters and that their department would benefit from centralized support and planning for leaves. Chairs also pointed out that there are a variety of leave types that are granted/approved by a variety of entities, and which may warrant a variety of solutions. Leaves also cover varied time periods. Another issue is that when a faculty member takes on an administrative role, the salary budgeted for the faculty member is no longer spent on the faculty members, and yet is not available for the Chair or department to use. When grants fund course buyouts, the campus receives funds for this. And in other cases, funding for a given leave (sabbaticals, family leave, and course reductions for administrative work) does not exist in the budget. Department chairs also offered recommended solutions which are contained in member Trounstine’s memo, including hiring additional Unit 18 lecturers or Visiting Professors. There are pros and cons to all the recommended solutions.

A DivCo member inquired whether APO could make the hiring process less onerous for faculty which may require a better understanding of the union contract. This is under the EVC/Provost’s portfolio, and he should perhaps take the lead on this issue. Senate Chair LiWang agreed that VPAP Hansford needs to be aware of this.

**Action:** At-Large Member Trounstine will ask the department Chairs for additional, recommended solutions and subsequently report these to DivCo.

#### IV. CoR Updates – Chair Sexton

In spring 2022, DivCo approved a plan for allocating the Senate portion of the MacKenzie campus gift. That plan was linked on today’s agenda. The spending plan proposes to allocate additional funds to the annual Senate faculty grants program, funds for instrumentation grants, funds for faculty and student professional development, funds for graduate student research-related travel, and funds for undergraduate student research scholarships.

CoR Chair Sexton suggested that CoR will manage the allocation of the funds for instrumentation as well as its normal task of administering the annual Senate faculty grants. He also recommended that GC, FWAF, and UGC each decide how to allow the funds under their purview; for example, FWAF should allocate funds for faculty professional development, GC should work with the Graduate Division to allocate the graduate student travel funds, and UGC could allocate the funds for undergraduate student research scholarships.

DivCo members had no objections or comments on the aforementioned suggestions.

**Action:** CoR Chair Sexton will email the Senate Executive Director with a formal request regarding his above recommendations.

#### V. CAPRA Updates – Chair Mitchell

CAPRA is drafting a survey of department Chairs about staffing levels. CAPRA Chair Mitchell asked if DivCo would like to see a draft of the survey before CAPRA issues it to the department Chairs. CAPRA Chair Mitchell also plans to notify the School Deans in advance of the survey being distributed. He asked DivCo members whether the survey should ultimately be distributed from CAPRA or from DivCo. The plan is to issue the survey to all current department Chairs and encourage them to seek input from past department Chairs.

DivCo members agreed that the draft survey should be reviewed by DivCo and that DivCo should distribute the final version to department Chairs. The survey results will be shared with DivCo.

**Action:** CAPRA will send a draft survey to DivCo which will be placed on the Consent Calendar of the next DivCo agenda. If no objections are received, the survey will be issued by DivCo.

CAPRA Chair Mitchell asked DivCo members for input on what oversight role the Senate should be played when the campus receives external funding (e.g. climate research funds and potential funds resulting from UC Merced’s future ANR/AES status). CoR Chair Sexton suggested collaborating with new VCR Wilson and added that former VCR Zatz would remain involved in these issues. VCR Wilson is already scheduled to attend a November DivCo meeting.

**Action:** Due to time constraints, CAPRA Chair Mitchell’s remaining CAPRA updates will be added to the next DivCo agenda.

## **VI. Consultation with EVC/Provost Camfield**

EVC/Provost Camfield reported that Senate Chair LiWang informed the Deans’ Council about confusion and concern from faculty about decisions to hold classes remotely in the event of a heat wave. EVC/Provost Camfield informed DivCo that individual faculty members do not have the right to make this decision under those circumstances. The decision to close campus during a heat wave would be made in consultation with the appropriate parties, e.g. staff in the physical plant who manage the campus water chillers. It is a campus decision, not an individual faculty decision, and is only made if there is a compelling institutional reason to do so. He added that the campus can make accommodations for faculty such as providing them with alternative parking spots and arrange to have faculty transported around campus in a campus vehicle. The result of some faculty deciding to cancel their in-person classes and deliver their classes remotely would create a cascading effect that would lead to inequitable learning opportunities for students. The Faculty Code of Conduct states that faculty cannot deny students’ access to education. If faculty create a situation where some students have access to classes and others do not, those faculty are in violation of the Faculty Code of Conduct.

EVC/Provost Camfield also stated that accreditors gave the university permission to move instruction to remote delivery for two years under the pandemic, but that permission has now expired, and the campus must return to the normal process of reporting to accreditors. The campus will be in a difficult position if it has to inform the accreditors that some faculty chose to deliver their classes remotely on a given day. He reiterated that it is not under the purview of individual faculty members to decide to hold classes remotely during a heat wave and there is no exception, nor is this negotiable.

A DivCo member asked how accommodations are communicated to faculty and how far in advance faculty would have to request them. EVC/Provost replied that faculty should first consult with their department Chairs. He added that if the campus needs to regularly announce that it does provide accommodations, he can make that request. He stated that each faculty member who predicts they may need an accommodation under certain circumstances (like heat or air quality) would need to register themselves with the disability office.

EVC/Provost Camfield reminded DivCo members that faculty can call in sick in the case of an emergency and notify their department Chair. Their class is cancelled but this way, all the students are treated equitably.

DivCo members pointed out that in addition to heat waves, there are air quality issues that the campus should take into account. Members also expressed their dissatisfaction with the administration’s general tone that faculty are constantly doing things incorrectly.

A DivCo member recommended that at the beginning of each year, the campus could distribute a list of known issues such as poor air quality, wildfires, and heat waves, and keep the list on file with Disability Services so that the campus has a plan for handling the situations. This would be a proactive measure to ensure that department Chairs are not overwhelmed with requests. Faculty input would also be involved. EVC/Provost Camfield agreed with this recommendation.

Senate Chair LiWang asked EVC/Provost Camfield to clarify the funding from the “Inland Rising” Assembly Bill and funding from UCOP for climate research. EVC/Provost Camfield confirmed that they are two separate things. \$18 million is carved out of the \$150 million from the climate funding and UC Merced – together with UC Riverside and UC Santa Cruz – receives a portion of the funding directly.

The remainder of that original \$150 million will be allocated as follows: \$1 million to each campus for tech transfer and the rest of the funding will be available to allocate through a funding competition for which all UC campuses are eligible. EVC/Provost Camfield acknowledged that it is still a moving target, but to his knowledge, UC Merced stands to receive the \$18 million directly, the \$1 million for tech transfer, and will be eligible to compete for additional funds through the grant funding competition.

EVC/Provost Camfield clarified that the \$31 million for capital projects from the “Inland Rising” Assembly Bill is separate from the climate research funds. It is the legislature’s intention to give UC Merced \$31 million this year and each of the next two years for capital projects. The climate research funds are not part of the “Inland Rising” Assembly bill.

## **VII. AFAC Updates – Chair Eaton**

Topic: Public Service Loan Forgiveness

The relevant documents were shared with DivCo prior to this meeting.

AFAC Chair Eaton stated that a message will soon be issued from UCOP to employees to announce that in response to requests, the US Department of Education recently clarified that they will accept applications submitted after the October 31, 2022 waiver deadline if employees complete the PSLF Help Tool before October 31. AFAC Chair Eaton asked DivCo to share the email with their colleagues as soon as they receive it, as this is very positive news. He also suggested asking the School deans to share the emails with the department chairs.

AFAC Chair Eaton then gave a brief presentation on institutional debt which is defined as debts owed by students to UC Merced. They are not federal student loans that are repaid to the US Department of Education. Most UC Merced institutional debts involve health, housing, and other fees students are still charged when they are “dropped for non-payment” and don’t attend, or when UC Merced is required to return federal financial aid funds that were disbursed to a student who does not complete more than 60% of a semester. Because institutional student debts are not federal student loans, they are not covered by President Biden’s executive action. Institutional debt is harmful to students as they cannot reenroll if unable to pay debt, their debt was placed in collections with a for profit debt collector until a pause after spring 2021, and some UCs (not UCM) place debts in “Interagency Intercept Collections” to seize tax refunds including anti-poverty EITC and child tax credits. Institutional debt also harms UC Merced: the campus experiences a financial loss when it returns Pell Grants and other aid to the Department of Education because of drop for non-payments or early withdrawals associated with institutional debts. Also, UC Merced only recovers a fraction of the money returned to the Department of Education.

AFAC Chair Eaton stated that institutional debt remained high in 2022, impacting 5% of all undergraduates even as COVID 19 disruptions subsided. Financial aid CFO office staff have suggested that this may have occurred in part as a result of measures the campus took over the last two years to meet enrollment targets. He expressed his concern that the campus is not acting quickly enough to remove barriers for students in ways that will ensure the campus does not keep incurring losses.

**Action:** DivCo will discuss this topic with Interim VC/CFO Schnier at a future DivCo meeting.