

DIVISIONAL COUNCIL
Minutes of Meeting
Wednesday, March 30, 2020

Attendees: Chair Tom Hansford, Vice Chair Robin DeLugan, Christopher Viney, Nella Van Dyke, LeRoy Westerling, Jay Sharping, Michael Scheibner, Linda Hirst, Erin Hestir, Michael Dawson, Asmeret Asefaw Berhe, Carolin Frank, and Josué Medellin-Azuara.

Absent: Patti LiWang

I. Consultation with EVC/Provost

EVC/Provost Camfield consulted with Division Council on the following topics related to the COVID-19 pandemic:

- A. Faculty are asked to take into account the impact of the COVID-19 pandemic on student performance this semester. The university will be flexible with students as the current situation affects their continuing eligibility for federal financial aid.
- B. Department chairs should be communicating with faculty about telecommuting agreements as per the systemwide request. Faculty should be aware that these agreements are not meant as a “policing” tool, but rather to keep the university in compliance with respect to eligibility for FEMA reimbursements. A similar telecommuting agreement was issued to staff.
- C. Faculty searches for this year will continue and failed searches from last year will be carried over. (The UC will benefit from the federal economic stimulus bill, which will provide enough support for searches to move forward.)
- D. The UC budget will be significantly impacted by the COVID-19 pandemic. If the UC President issues a curtailment policy, it will be implemented on a campus-by-campus basis. Given UC Merced’s high number of Pell grant students, our campus should be receiving a large amount of funds from the economic stimulus bill. While staff lay offs are not in the immediate future, the filling of new staff positions may be postponed.

Chair Hansford recommended that EVC/Provost Camfield communicate to faculty the reason for the telecommuting agreements (eligibility purposes for FEMA), as currently, some faculty are dismayed by the request. Chair Hansford asked whether faculty are allowed to access classrooms. EVC/Provost Camfield replied that a campus-wide communication will be issued soon. The Registrar has designated several classrooms for use which are being cleaned and sterilized. EVC/Provost Camfield will determine whether faculty are able to access their offices and will report back to Chair Hansford with the answer. Senate Vice Chair DeLugan added that only designated employees can currently access campus; soon, employees must show a letter to campus police before they can enter.

UGC Chair Sharping asked for an update on summer session. EVC/Provost Camfield announced that the first, short summer session will be conducted remotely. He will solicit input from the school deans, Extension, and the Office of Student Affairs before determining whether the subsequent sessions will also be held remotely. A decision will be communicated to the campus soon.

II. Chair's Announcements

A. Senior Leadership Team Meetings

BOARS has made the decision (ratified by Academic Council) that the UC needs to relax its admissions standards for high school students this semester, as some high schools have switched to a Pass/No Pass grading system for courses. This is especially relevant for the UC's a-g requirement. AP exams are being conducted online and this must also be taken into account in UC's admissions. Finally, the admissions process for transfer students from community colleges must also be viewed with a degree of flexibility.

Interim Chancellor Brostrom views the higher education bail out quite positively.

UC Merced leadership is receiving updates from city and county officials.

III. Consent Calendar

- A. The Agenda
- B. March 4, 2020 Meeting Minutes
- C. March 18, 2020 Meeting Minutes

Action: The Consent Calendar was approved as presented.

IV. Educational Continuity

A. Emergency course continuity policy

UGC Chair Sharping requested Division Council's approval to renew the policy for another five weeks to include the end of the spring term.

Action: Division Council unanimously approved the renewal of the policy.

B. Spring semester grading policies

The emergency course continuity policy includes provisions for students to change their course grade option from letter grade to Pass/No Pass (P/NP). Division Council agreed that an additional provision should be added that allows students to select a P/NP option in a course they previously failed on the letter grade system.

A Division Council member expressed concerns about the lack of communication and information about grading policies and pointed out that revisions being made to the grading policies will likely have ramifications when students apply to graduate school and professional school. She stated that if the grade change provisions are implemented, the advisors should be asked to help develop decision pathways and guidance for students. UGC Chair Sharping agreed and suggested that the interim VPDUE be asked to engage with the advisors.

Division Council members agreed that, when informing the administration about the spring semester grading policy changes, the administration be notified of the following: where the revised and current grading policies conflict, the current policies and Regulations are suspended, and these emergency policies are to be enacted.

A Division Council member pointed out the issue of equity in the transition to P/NP courses. The P/NP system will benefit those students who are facing significant hardship to complete the coursework. However, if some students elect to switch to the P/NP option while other students remain with the letter grade option, the students on the P/NP system will be disadvantaged when applying to graduate and professional schools, all of whom require a certain amount of letter graded coursework in the admissions process. The university has no control over whether graduate and professional schools decide to waive their requirement. Another Division Council member suggested that UC Merced should develop a policy for graduate admissions that makes clear that no group of students will be disenfranchised if they chose the P/NP option as undergraduates.

A motion was made to approve the revised spring semester grading policies. The motion passed with one abstention.

Action: The administration will be notified of Division Council's approval of the revised spring semester grading policies.

C. Final exam guidance

A Division Council member raised a concern about the online exam proctoring modality, specifically the cybersecurity issues that arise with proctoring software. She suggested that OIT provide assurance that they are doing their due diligence in ensuring that the campus is in compliance with the Family Educational Rights and Privacy Act (FERPA). UGC Chair Sharping replied that according to the campus CIO, the Respondus proctoring software is compliant with FERPA. However, he asked whether Division Council should adopt principles that hold software companies accountable for the cybersecurity of our students.

Another Division Council member brought up academic freedom and the flexibility for faculty to adjust their pedagogy and syllabi during the term with regard to the modality of exams. UGC Chair Sharping stated that he will locate the policies that restrict faculty's flexibility with final exams. Another Division Council member pointed out that the syllabus is a contract with students, regarding the timing and format of exams. Changes can be made with full written concurrence of all students.

A motion was made to approve the final exam guidance language. The motion failed to pass by a vote of five in favor and seven opposed.

D. Summer session

Division Council members had no additional comments. A motion was made to approve the summer session language. The motion was passed unanimously with one abstention.

Action: The summer session policy will be shared with Tammy Johnson, Director of Summer Session.

E. Ownership of course materials copyright (FWAF)

FWAF Chair Frank summarized for Division Council members FWAF's academic freedom recommendations and requests related to the COVID-19 crisis, specifically, shared governance, grading, and online teaching. Chair Frank clarified that this statement is intended to raise awareness and no action is required.

V. Systemwide Review Item

A. New Proposed Presidential Policy on Gender Recognition and Lived Name

The new Presidential Policy on Gender Recognition and Lived Name was drafted in response to the passage of SB-179, Gender Recognition Act. It is proposed that the policy be fully implemented by UC campuses and locations by July 1, 2021, and it includes the following key issues:

- i. The University must provide three equally recognized gender options on university-issued documents and information systems — female, male and nonbinary.
- ii. The University must provide an efficient process for students and employees to retroactively amend their gender designations and lived names on university-issued documents and in information systems.
- iii. The legal name of university students, employees, alumni and affiliates, if different than the individual's lived name, must be kept confidential and must not be published on documents or displayed in information systems that do not require a person's legal name.

Prior to this meeting, Division Council members were provided the comments from Senate committees and School Executive Committees.

Division Council members had no additional comments.

Action: Division Council's comments will be transmitted to Systemwide Senate Chair Bhavnani by April 22, 2020.

There being no further business, the meeting was adjourned at 2:30 pm.

Attest: Tom Hansford, Senate Chair