

**Divisional Council, Berkeley Division of the Academic Senate  
Annual Report 2004-2005**

*Submitted to the Divisional Council  
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***Chair's Summary***

Brevity being the soul of just about everything, there follows a succinct summary of major events of the Academic Senate's year. A List of Activities follows, giving more detail. 2004-2005 was a productive year—and one without significant crises.

**Budget.** On the budget front, the 'compact' which Governor Schwarzenegger and UC President Dynes had arrived at in the spring of 2004 held, contrary to the dire predictions of many. The University was not engaged in crisis budget cut negotiations, and thus the tensions present during 2003-2004 were not as pronounced this year. In the end, the University received a significantly higher allocation for 2005-2006 than for 2004-2005. On the Berkeley campus, the Senate's Committee on Academic Planning and Resource Allocation (CAPRA), ably led by now-emeritus Professor Calvin Moore, last year took the lead in interviewing the main administrative units on campus and arriving at a recommendation to the executive vice chancellor and provost (EVCP) regarding items which the Senate most thought needed special budgetary consideration (see CAPRA's Annual Report). The Senate itself had to operate with a 5% cut in operating budget during 2004-2005. This put a great strain on finances. Only by spending down Senate reserves were we able to maintain reasonable staffing levels in the Senate Office and in the Budget Committee. Unless we receive more funding from the EVCP, the work of the Senate will be compromised. This year's budget proposal, if funded, would restore the Senate to a sound fiscal position. If it is not funded, then the 2005-2006 Senate should confront the EVCP and the Chancellor with the need to increase support to the Senate significantly and immediately.

**Admissions.** Last year's crisis atmosphere dissipated this year. John Moores, the instigator of a crusade against Berkeley's comprehensive review admissions procedures during 2003-2004, was censured by the Board of Regents just before he rotated out of the position of chair, a position he had used to demand of Berkeley huge investments of time and money in meeting his demands for data which, he hoped, would prove that comprehensive review was a 'back door' for illegal affirmative action admissions. Without the power and prestige of the chairship, Regent Moores was blessedly quiescent during 2004-2005. And during this year Professor Michael Hout (Sociology/Survey Research Center) produced for the Committee on Admissions, Enrollment, and Preparatory Education (AEPE), a highly sophisticated statistical report on the results of Berkeley's admissions policies which proved that comprehensive review was free of racial bias except in one very small area, which AEPE moved to correct during the year (see the Annual Report of AEPE). Berkeley can be justly proud of the work of AEPE and of comprehensive review—a process and philosophy now accepted Systemwide. Undergraduate admissions continued to face challenges in admitting a diverse pool of students in some areas, but was able to deliberate without undue pressure from outside. The Systemwide Senate, with Berkeley's concurrence, adopted a recommendation, later accepted by the Chancellors, to end any relationship with National Merit Scholars. Henceforth, no UC financial aid will be awarded on the basis of being a National Merit Scholar because UC believes in need-based aid and believes that the PSAT examination is inherently biased against underrepresented minorities.

Berkeley had some years ago ceased to give financial aid to National Merit Scholars, so the direct effect here was zero—but the philosophical stand was important.

**National Laboratories.** The contract for the Berkeley National Laboratory was awarded to the University of California, as expected and without serious competition. Negotiations about the other future of the other national laboratories at Livermore and at Los Alamos remained undecided.

### **Scholarly Publishing.**

The Senate, through its Library Committee, was an active partner with the Library in holding a very successful forum on scholarly publishing in March. DIVCO endorsed a series of principles designed to confront the scholarly publishing industry which has been exploiting an increasingly monopolistic position to raise publication prices unconscionably.

**A New Chancellor.** Robert Birgeneau was inaugurated as Berkeley's seventh Chancellor in April 2005. I and others in the Senate worked very hard to educate him about the significance and power of shared governance at Berkeley—a concept he was not personally familiar with from his administrative experiences at the Massachusetts Institute of Technology and Toronto. He has proven himself to be an adept, however, at understanding and participating in our concerns. I believe we will have a Chancellor dedicated to the principles of shared governance.

### **Campus Issues: 2004-2005.**

With a new Berkeley Campus Code of Student Conduct in place as of Fall 2004, the Senate and Administration worked on a revision of procedures for the Faculty Code of Conduct. Final decisions were made and the new procedures are ready for implementation by the Chancellor's order in Fall 2005. Faculty compensation was the focus of a joint Administration-Senate task force which was to have produced a final report by the end of the year. This deadline was not met, but the essence of the work was completed. A plan will be in place to address salary gaps at particularly critical junctures (promotion to associate professor and to full professor). An announcement is to be expected in early Fall 2005. Likewise, a joint Administration-Senate task force took on the job of developing a policy regarding fees of professional schools. At the end of the academic year, the work on this, too, was virtually complete and the report will be issued in early Fall 2005. In the classroom, the woefully inadequate technology available for teaching was not effectively addressed, despite the urgings of the Senate to the Administration last year. Once again, we put this need in the front rank of the needs of the campus when we sent our budget recommendations to the EVCP. In student life, the Senate granted two major changes in regulations, approving Letters and Science requests to shorten the drop period at the beginning of each term and allowing grade points for courses designated 'XB' at University Extension. The first measure was quite controversial and the Senate played a crucial role in negotiating a final version of policy which was basically acceptable to all parties. Divisional Council reviewed the status of the Committee for the Protection of Human Subjects (CPHS), and the recommendations of the Committee on Committees, Committee on Research, and Graduate Council. At issue was the reporting line of CPHS through Graduate Council, as well as the nomination process for the chair and members of the committee. Divisional Council (DIVCO) considered various possibilities and in the end decided that it would be best if the CPHS became a creature of the Administration run by the vice chancellor for research, rather than a Senate committee, on the model of the Animal Care and Use Committee. The Senate retains a strong presence on the Committee however, with safeguards to ensure the active power of Faculty in making decisions. The proposed bylaw change will be on the consent calendar for the Fall 2005 meeting of the Division.

**DIVCO and Campus Issues: 2005-2006.**

*Capital Campaign.* Despite much discussion during 2004-2005, the next big Capital Campaign did not get started. The Senate made a strong case for being directly involved in planning for the Campaign and the EVCP agreed to this. However, despite announcements that final plans would be in place by the beginning of Fall 2005, this did not happen. Thus, it will fall to the 2005-2006 Senate to be active in the planning and initiation of this important Campaign.

*Parking.* Senate representation on the Chancellor's Joint Oversight Committee on Parking made a very strong case against using parking revenues to fund the playing field atop the parking lot to be built at the Underhill site. Although the Senate's position was endorsed by the committee, the Chancellor refused to agree to it; rather, he left the door open to using these revenues and not paying them back to Parking. Should this happen, it represents a significant erosion in a position long fought for by the Senate, that parking revenues should be used only for parking and allied transportation needs. Vigilance on the part of the Senate will be required.

*Conducting Business Electronically.* Although some progress was made here with regard to policy, the real sticking point is financing. The Senate should plug very hard for the resources to make 'electronic business' a viable possibility.

*Conducting DIVCO business.* It will be important to find ways to integrate and use more effectively the elected representatives. I would also recommend that the Chancellor be invited to a DIVCO meeting.

**Accomplishments.** As always, it was a great pleasure for the Senate to confer the Distinguished Teaching Award, two Faculty Research Lecture awards, the Clark Kerr Award, and the new Berkeley Faculty Service Award. On the diversity front, the work of the Senate was very active. Associate Vice Provost for Faculty Equity Angelica Stacy and Professor Gibor Basri (chair of the Committee on the Status of Women and Ethnic Minorities) led a program to identify methods for promoting diversity among the Faculty. A forum held in Pauley Ballroom was well attended, although more by staff and students than by Faculty. The Chancellor announced a program to award 6-10 FTE over the next few years for persons who work in diversity-related scholarship. Details of this program will be worked out during the Fall 2005. DIVCO blessed the final form of a new academic program review procedure, in the works for two years. The new procedure will significantly speed up departmental/program reviews and provide much better feedback to facilitate improvements. Over recent years, the process for producing memorials to deceased professorial colleagues had become ineffective. The Committee on Memorial Resolutions worked hard to develop new procedures which will hasten the production and dissemination of these important reminders of the friends we have lost. Two important advances were made in the ken of the Budget Committee. First of all, Chair Janet Broughton produced a clear description of how the Budget Committee functions in her 'Introduction to the Budget Committee' and we posted this on the Senate web site as an aid to professors and administrators as they prepare academic personnel cases. At the behest of Chair Broughton I also convened a special committee to streamline the reporting of academic personnel data. This small committee worked quickly and effectively; new procedures for gathering data will be in place this fall, a boon not only to the Budget Committee but to Academic Personnel as well. On the athletics front, there were two major Senate contributions. First of all, the special Memorial Stadium Advisory Committee to examine options regarding Memorial Stadium had significant Senate membership; the recommendation to combine the Stadium needs and the needs of Boalt Hall and the Haas School of Business into a 'mini-capital campaign' was transmitted to and accepted by the Chancellor. The chair of the Senate sits on the committee which will guide the continuation of that work—the actual programs to do the renovations and

new building. The Senate also decided for the first time to take an active role in monitoring intercollegiate athletics at Berkeley. After much debate, DIVCO decided to form a joint Administration-Senate committee to provide this oversight. The University Athletics Board has over half its membership from the Senate; it will be the voice of the campus on intercollegiate athletics and will make its recommendations directly to the Chancellor.

**Envoi.**

The work of the Senate is done at a very high level of effectiveness and efficiency (well, efficiency within the constraints of an at times overwhelming University bureaucracy). Of course the professoriate is at the heart of Senate actions, but the staff makes these happen through their dedication, hard work, and control of the 'memory' of Senate actions and habit; a special debt of gratitude is due to them and, especially, to Executive Director Andrea Green Rush, who in only a little over a year on the job has developed a mastery of the personalities and materials which is truly awe-inspiring. Our new Chancellor, Robert Birgeneau, has shown himself so far to be a devotee of shared governance; the Executive Vice Chancellor and Provost, Paul Gray, has consistently impressed me with his genuine concern for Senate affairs and prerogatives—a concern, however, that falls just short of providing sufficient funding to support our efforts. DIVCO has been a very effective body this year, for which I am very grateful. I am particularly indebted to Alice Agogino, our vice chair, for tireless work in the interest of the Senate—work far in excess of that usually expected or received from a vice chair—she will make a terrific chair in 2005-2006. I would also like to express my appreciation to William Drummond for accepting the position of vice chair during the coming year. I am certain he will do an exemplary job. Finally, I would just like to add that this has been, personally, a deeply rewarding year; I appreciate the trust and confidence my colleagues placed in me.

Respectfully submitted,

Robert C. Knapp  
Chair, 2004-2005  
Berkeley Division of the Academic Senate