

DRAFT
MINUTES OF THE MEETING
BERKELEY DIVISION OF THE ACADEMIC SENATE
Tuesday, November 11, 2016

The fall meeting of the Berkeley Division was called to order at 3:12 p.m. on Tuesday, November 11, 2016, in the Chevron Auditorium, International House, pursuant to call. Professor Robert Powell, chair of the Berkeley Division and professor of political science, presided. Division Chair Powell requested that Interim Executive Vice Chancellor and Provost (Interim EVCP) Carol Christ speak immediately following the Chancellor's brief announcements (Item III.A). The meeting commenced with announcements prior to making quorum of 50 Senate members. The request to amend the agenda was approved once quorum was confirmed.

I. Minutes (Enclosures 1-3)

Three sets of draft minutes were presented for approval.

ACTION: The minutes of the special meetings of April 7, 2016 and April 12, 2016, and the spring Division meeting on May 3, 2016, were approved without objection.

II. Announcements by the President

President Janet Napolitano was unable to attend.

III. Other Announcements

A. Chancellor Nicholas Dirks

Chancellor Dirks reminded the faculty that Berkeley continues to excel, even in this budget crisis. He presented updates on current issues for the campus:

- **Budget:** The campus is taking a multi-pronged approach to revenue generation since budget cuts alone will not be enough to eliminate the deficit. More State funding is needed. The campus will initiate a new fundraising campaign focused on the core areas and will pursue new, innovative philanthropic collaborations. Capital funding for seismic upgrading and deferred maintenance is urgently needed.
- **Data Science Planning Initiative:** This new initiative will open up opportunities for interdisciplinary collaboration and the development of new computational models. The early response has been strong.
- **Berkeley Global Campus:** Although efforts to develop an international campus have been put on hold, Berkeley continues to pursue global academic partnerships.
- **Rankings:** Berkeley was recently named by the Times Education Group as one of the top six universities in the world.
- **Undergraduate experience:** The Berkeley curriculum has been expanded to broaden academic opportunities and to accommodate this year's

¹ Recordings of Divisional Meetings are available online at <http://academic-senate.berkeley.edu/division-meetings>. Contact <acad_sen@berkeley.edu> for more information.

increased enrollment. More co-curricular activities will enhance support for students. More teaching faculty will be needed.

- Faculty: Berkeley is still very attractive to faculty; the Chancellor noted that a Nobel laureate will join the faculty next summer. Berkeley continues to work toward greater faculty diversity and has had good success with faculty retention and maintaining high tenure rates.

The Chancellor urged the faculty to continue to support Berkeley and keep in mind the value of a Berkeley degree.

Interim EVCP Carol Christ was introduced to present highlights of the campus's quarterly budget report to UC President Janet Napolitano.

- Deficit reduction: Berkeley has worked out a plan to meet the mandated \$110M reduction in the structural deficit by July 1, 2017. About \$60M of this was attained through budget cuts, including cuts to capital funding. Strong hiring controls have reduced staff. No further cuts will be made this year.

Four units in deficit are being closely examined: Intercollegiate Athletics (IA), Student Services, Real Estate and Research. (Division Chair Powell co-chairs the IA task force, which is charged with making recommendations on the size of IA in the future and conforming with Title IX.) External reviews of Real Estate and Student Services will be conducted.

Six revenue strategies have been identified to help build a sustainable financial model for Berkeley: enrollment growth (including Summer Sessions and University Extension), new self-supporting masters and professional degree programs, monetizing real estate, and increasing entrepreneurial activities and philanthropy. Increasing extramural research has been added at the recommendation of numerous faculty.

The Office of the President (UCOP) has set another deficit reduction target (\$56M) for 2017/18. Interim EVCP Christ is working with the deans to identify targets for revenue increases by mid-spring, toward meeting a preliminary goal of \$28M.

- Financial reform: Recommendations on four areas of financial reform are expected by December.
- Fundraising: Selected unit-driven proposals will become the basis of a new comprehensive fundraising campaign, with high priority given to those supporting the core area.
- FTE allocation: The full-time equivalent (FTE) allocation process has been revised and no longer utilizes omega numbers. Units have been asked to identify their optimal FTE size, the level of instructional need, and their preferred staffing levels.
- Capital projects: Berkeley will work with UCOP to develop a strategy for addressing deferred maintenance and the considerable seismic upgrading that is needed.

- Admissions: The Office of Admissions is developing a plan to increase the diversity of the applicant pool and to increase the yield.

Interim EVCP Christ thanked the faculty for contributing comments on the report of the Faculty Advisory Board to the Data Science Planning Initiative.

B. Berkeley Division Chair Robert Powell

Division Chair Powell provided an update on key Divisional activities:

- Chancellor's search: Division Chair Powell reviewed progress on the Chancellor's search.

The search committee is holding listening sessions on campus; UC President Janet Napolitano is scheduled to attend the next day's sessions and faculty were encouraged to attend.
- Update on the two Divisional resolutions approved at the spring 2016 Division meeting:
 - Academic restructuring: Efforts to restructure academic programs in response to the structural deficit have been suspended. Administrative savings and revenue generation will be explored first, and could potentially be even more lucrative.
 - Sexual violence/sexual harassment (SV/SH): In conformance with the 'sense of the Senate' resolution passed at the spring 2016 Division meeting, Senate expertise will be consulted in changes to SV/SH procedures, and the Senate has been consulted on the formation of a new SV/SH peer review committee. A progress report will be made following Divisional Council's review of the report from the joint task force on SV/SH. (See also Item IX of this meeting for further updates.)
- Intercollegiate athletics (IA): The Intercollegiate Athletics Task Force (IATF) has been convened to recommend a viable form for IA into the future. The task force is co-chaired by Division Chair Powell and a UC Berkeley Foundation trustee. The task force will announce a faculty forum on IA very soon. Senate members were invited to submit comments on the task force's website.
- Enrollment growth: The two-year tuition freeze is expiring and will be reconsidered by The Regents in early 2017. As part of an agreement between the State and UC, Berkeley was required to enroll 1,000 new resident students this year in exchange for funding that came to about half of the marginal cost of instruction per student. This added pressure threatens the quality of undergraduate education at Berkeley.

This year, UC is being asked to increase enrollment by 2,500 new resident students systemwide in exchange for a slightly better, but still less than adequate, amount of funding. In addition, a proposed new policy would cap nonresident enrollment at 20%. Berkeley is already at 23-24%, so this would only compound the stress of the enrollment increases. The Regents are being encouraged to consider the cap a fundamental change in budget policy.

C. Graduate Assembly Campus Affairs Vice President Dax viviD

Graduate Assembly (GA) Vice President Dax viviD discussed the GA's efforts to incentivize and elevate mentoring, which can significantly affect the graduate student experience and career options. She has focused actively on the issue with the administration and faculty. Some points at which mentoring can be highlighted are in the academic program review, tenure review, and the budget process.

Graduate students also support increasing diversity and fair admissions. Vice President viviD encouraged the faculty to contact her with their comments.

IV. Special Orders-Consent Calendar

*For proposed legislative amendments, **additions** to the current text are noted by an underline; **deletions** to the current text are noted by a strikethrough line. Per Division bylaws the consent calendar is approved in the absence of a quorum.*

The Committee on Rules and Elections reviewed the following legislation and found the proposed amendments to be consonant with Berkeley Division bylaws and regulations. Divisional Council approved the proposed amendments.

A. Proposed amendments to Berkeley Division Bylaw 25

The Committee on Research (COR) proposes amendments to its bylaw to reflect its current duties and operational needs. Specifically, COR no longer awards and administers research grants for active-duty faculty. The campus Berkeley Excellence Accounts for Research program now serves this purpose. Accordingly, COR proposes to reduce the size of the committee, and eliminate the vice chair position. In addition, COR proposes to clarify reporting lines with respect to its participation in organized research unit reviews.

COMMITTEE ON RESEARCH BY-LAW

(Am. 4.29.04, 11.14.06, 5.1.14)

A. Membership

This Committee has a Chair, ~~a Vice Chair~~, and at least ~~fifteen~~nine Senate members.

B. Duties

- This Committee advises the Division in matters pertaining to the research mission of the Division and the University;
- Confers with and advises the Chancellor and the Vice Chancellor-Research on faculty perspectives regarding research policy matters;
- ~~Establishes policies governing allocations to the Committee, and Administers and allocates funds designated for emeritus faculty in support of research and scholarship according to established policy; and,~~
- Participates in reviews of Organized Research Units and ~~M~~makes recommendations to the ~~VC-Research~~ Divisional Council based on these reviews. ~~of Organized Research Units.~~

ACTION: The Consent Calendar was approved as presented.

V. Reports of Special Committees (None)

VI. Reports of Standing Committees

A. Committee on Academic Planning and Resource Allocation

Professor Sanjay Govindjee, chair of the Committee on Academic Planning and Resource Allocation (CAPRA), presented an overview of the campus budget issue from CAPRA's perspective. He cautioned that the deficit reduction measures being taken now do not eliminate the debt obligation or infrastructure needs, but merely postpone them to a future date, and another deficit reduction target is on the horizon. CAPRA has seen a proposed campus financial model but is not yet convinced it is viable.

Chair Govindjee provided an overview of the major categories within the campus budget. He stressed the importance of fundraising for *unrestricted* funds to ensure flexibility. The potential benefits from increasing revenue-generating academic programs and from indirect cost recovery appear to be limited.

The greatest costs to the campus are in salaries and benefits, both of which have increased in the last decade. The new position controls offer some potential for savings, given ongoing staff turnover. Better human resource data systems are needed to enable more accurate analysis and planning.

Chair Govindjee closed on a cautionary note, saying the campus's financial situation remains precarious in spite of ongoing efforts to address the budget deficit.

B. Committee on Rules and Elections – Enclosure 4

The committee provided a written report on updates to the Berkeley Division Manual. Conforming changes were made to Berkeley Regulation 1001 (Master of Public Policy degree) and B. Reg. 1002 (Master of Public Affairs degree).

VII. Petitions of Students

None

VIII. Unfinished Business

None

IX. University and Faculty Welfare

A. Update on the activities of the Chancellor's Joint Administrative/Senate Committee on Sexual Violence and Sexual Harassment

Carla Hesse, Letters and Science executive dean and dean of social sciences (History), and Professor Barbara Spackman (Italian Studies and Comparative Literature), co-chairs of the joint committee, presented an update on efforts to reform the campus process for responding to SV/SH complaints. The committee is in the process of gathering information and conducting listening sessions with the campus community. They expect to finalize their report to the Chancellor later this fall, and it will be posted online for public comment.

The following actions have already been taken this year as a result of systemwide-level directives and in response to the Senate resolution approved at the spring 2016 Division meeting:

- A 50% position has been created for a dedicated special advisor to the Chancellor to coordinate SV/SH complaint resolution and campus compliance with Title IX. The advisor will be a Senate member and academic advisor. The search will commence in the near future.
- A campus SV/SH peer review panel is being developed and will include representation from five campus constituencies, including students, staff, and the Senate. The panel will review sanctions before their finalization and will advise the Chancellor.
- Additional staff have been added in the Office for the Prevention of Harassment and Discrimination, the Office of Student Conduct, Human Resources, and other support units. This is helping to resolve the backlog of cases and to develop additional educational resources and activities for the campus community.

A preliminary overview and summary of the committee recommendations was presented, focusing on areas of faculty concern. The committee supports a culture change from adjudication toward prevention, and from compliance toward a culture that promotes well-being, transparency, and accountability. Recommendations will include streamlining adjudication, improving communication, improving policies and procedures, expanding SV/SH prevention training, and ways to catalyze and support culture change. The committee recommends that the “three-year rule” be eliminated for SV/SH cases because it creates confusion. It is hoped that these and numerous other changes will serve to better inform the campus community, reduce the incidence of SV/SH behaviors, and enhance the timeliness of the campus response. An open discussion followed.

X. New Business

None

The meeting was adjourned at 4:30 p.m.

Daniel Melia
Secretary, Berkeley Division