

**APPROVED MINUTES
BERKELEY DIVISIONAL COUNCIL
Monday, February 11, 2019 – 12:00 – 2:00 PM
Academic Senate Conference Room, 310 Stephens Hall**

Divisional Council (DIVCO) met on Monday, February 11, 2019, in the Academic Senate Conference Room in 310 Stephens Hall. Division Chair Barbara Spackman presided. A quorum was present as shown on the attached attendance chart. Assistant Vice Chancellor and Director of Undergraduate Admissions Olufemi Ogundele was present for Item V.A.

Division Chair Spackman asked to reorder the agenda to enable the chair of the Committee on Budget and Interdisciplinary Relations (BIR) to participate in discussion of Item V.C. Reordering of the agenda was approved.

I. MINUTES of the Meeting of December 17, 2018

Enclosure 1

A DIVCO member proposed a revision of the draft minutes to clarify DIVCO's summary discussion relating to graduate student mental health and well-being (Item V.B.).

ACTION: The minutes were approved as revised.

II. CONSENT CALENDAR

A. Committee on Committees nominations

Enclosure 2

Senate Committee Nominations for 2018-19

Prizes (PRIZ)

Appointment of Professor Michel Laguerre (African Am Stud) to serve as a PRIZ member in Spring 2019.

Systemwide Nominations for 2018-19

Coordinating Committee on Graduate Affairs (CCGA)

Appointment of Professor Mark Wilson (Educ) to serve on CCGA as the Berkeley representative in Spring 2019.

Planning and Budget (UCPB)

Appointment of Professor Richard Stanton (Bus Adm) to serve on UCPB as the Berkeley representative in Spring 2019.

Senate Committee Nominations for 2019-20

Budget and Interdepartmental Relations (BIR)

Appointment of Professor Victoria Plaut (Law) to serve as a BIR member for 2019-20.

Committees (COMS)

Appointment of Professor Ross Levine (Bus Adm) to serve as COMS Chair for 2019-20.

ACTION: The COMS nominations were approved as presented.

III. ANNOUNCEMENTS

- State budget: Division Chair Spackman reported funding for UC in the proposed State budget is significantly short of what was requested by the Office of the President UCOP).

UCOP will work to have the proposed amount augmented before the state budget is finalized.

- Faculty FTE (full-time equivalent) floors: Vice Provost for the Faculty Benjamin Hermalin has been working on determining new FTE 'floors' for academic units, replacing the outdated omega numbers. Three primary criteria will be used: workload measures, departmental history, and comparator data. The initial 'floors' will be considered tentative. Council members stressed that the departments be consulted and the calculations should include the teaching done by lecturers and adjuncts.
- Disabled Students Program: The Hearst Gym has now been made available for DSP student accommodations.
- Elsevier negotiations: The UC contract with this publisher ended on December 31, but has been extended twice, as negotiations continue.

IV. UNFINISHED BUSINESS

None

V. NEW BUSINESS

A. Update on undergraduate admissions

Olufemi "Femi" Ogundele, the new assistant vice chancellor and director of the Office of Undergraduate Admissions, presented several goals for the office, and in support of the Chancellor's initiatives on diversity. These include:

- Improving communications and the Berkeley webpage to provide potential students a better picture of Berkeley, including the student experience and campus resources available.
- Enhancing contact with admitted students before enrollment, through alumni in their areas and at Cal Day.

Long-term, the assistant vice chancellor seeks to improve Berkeley's recruitment and admissions processes in several areas, including enhanced outreach efforts to high school counselors, untapped communities and local Bay Area schools, and active recruitment of underrepresented minorities.

Council members suggested that he contact UCLA about improving yield events. In response to another question, the vice chancellor stated his belief that Berkeley's messaging should not highlight just one college, but should speak to the range of disciplines available.

No further action was taken.

B. Chancellors' statement on the academic boycott of Israeli academic institutions

Enclosures 3a – 3e

Additional background materials for this item are available here:

<https://amchainitiative.org/UC-Anti-Academic-BDS-12.13.18pr>

<https://www.aclu.org/blog/free-speech/rights-protesters/congress-trying-use-spending-bill-criminalize-boycotts-israel-and>

<https://www.detroitnews.com/story/news/local/michigan/2018/10/09/university-michigan-disciplines-professor-over-israel-letter-controversy/1580969002/>

Division Chair Spackman asked for guidance from DIVCO on how to represent Berkeley's position on the UC chancellors' statement regarding academic boycott of Israeli academic institutions at Academic Council.

Divisional Council questioned whether the chancellors' statement changed academic freedom for faculty. Council supported the comments of the Committee on Faculty Welfare and believed that the public release of an explanatory email written by Chancellor Carol Christ, reaffirming academic freedom for faculty and other groups, would adequately address their concerns. If she chose not to publish it, Divisional Council would be willing to revisit the issue.

ACTION: Divisional Council declined to endorse the chancellors' statement as presented, and authorized Division Chair Spackman to discuss the matter with the Chancellor and to request that she release her explanatory message publicly. Divisional Council also discussed a draft resolution that had been proposed to Academic Council but declined to endorse it. Division Chair Spackman will endeavor to represent the diverse views of Divisional Council at the next meeting of Academic Council.

C. Proposed revisions to campus policy on the evaluation of teaching in academic personnel reviews (non-represented faculty)

Enclosure 4

Division Vice Chair Oliver O'Reilly, as former chair of the Committee on Teaching (COT), and Raka Ray, chair of the Committee on Budget and Interdepartmental Relations (BIR), were invited to provide background on the proposed policy on the evaluation of teaching.

DIVCO supported the revisions in general and the use of evaluations for identifying teaching deficiencies, but felt such evaluations were not reliable in evaluating instructor effectiveness. BIR recommended that they be used to evaluate learning outcomes instead.

There were some concerns with the revision:

- It must be clarified that there was extensive Senate input in developing these new student evaluation questions.
- The peer review process raised concerns about workload, confidentiality, and potential for bias, particularly in small departments. A question was raised as to whether peer review should be required for promotion to Step VI and Above Scale.
- The new policy should be reviewed after a trial period.

The Committee on Diversity, Equity, and Campus Climate (DECC) believes the inclusion question (Policy Change #2, Question 4) is an improvement and could also provide data that DECC could utilize in reviewing academic programs. However DECC noted that the phrase referring to '...campus goals of inclusion' was vague.

MOTION: A motion was made and seconded to revise Policy Change #2, Question 4, as shown: "The instructor fostered an inclusive atmosphere of respect for all members of the class, ~~one that was consistent with campus goals of inclusion.~~"

(Added text is underlined, strikethrough denotes deleted text).

Vote: The revision was approved.

ACTION: Divisional Council authorized Division Chair Spackman to forward council's comments and the proposed revision of Question 4 to the vice provost for the faculty.

D. Forward*: Proposed revisions to Academic Senate Bylaw 336

Forwarded to the committees on Faculty Welfare, Privilege and Tenure, and Rules and Elections; DIVCO discussion tentatively scheduled for February 25, 2019

E. Forward*: Review of the School of Law

Forwarded to the committees on Academic Planning and Resource Allocation; Budget and Interdepartmental Relations; Diversity, Equity, and Campus Climate; Graduate Council; and Undergraduate Council; DIVCO discussion tentatively scheduled for March 18, 2019

F. Forward*: Proposed Revisions to Investigation and Adjudication Frameworks for Senate and Non-Senate Faculty and for Staff and Non-Faculty Academic Personnel under the Presidential Sexual Violence and Sexual Harassment (SVSH) Policy

Forwarded to the committees on Faculty Welfare, Privilege and Tenure, and Diversity, Equity, and Campus Climate; DIVCO discussion tentatively scheduled for February 25, 2019

VI. INFORMATIONAL ITEMS

None

The meeting was adjourned at 2:00 p.m.
Recorder: M. Kwock, Assistant to the Chair

DIVCO – ATTENDANCE, SPRING 2019

DIVCO MEMBERS	1/28/19 Cancelled	2/11/19	2/25/19	3/18/19	4/1/19	4/15/19	4/29/19	5/13/19
Ahn, David		P						
Ashmore, Robert		P						
Battles, John		P						
Carson, Cathryn		P						
Colford, John		P						
Frede-Montemayor, Victoria		P						
Hendershott, Terrence		P						
Johnson-Hanks, Jennifer		P						
Levy, Jonah		P						
Milnes, David *		P						
Navarrete, Ignacio		P						
O'Reilly, Oliver		P						
Ray, Raka		P						
Sanyal, Debarati		P						
Scheffler, Richard		P						
Spackman, Barbara		P						
Steen, Shannon		A						
Taylor, Ula		P						
Wallace, R. Jay		P						
INVITED GUESTS *	1/28/19 Cancelled	2/11/19	2/25/19	3/18/19	4/1/19	4/15/19	4/29/19	5/13/19
Ogundele, Olufemi		P						
SENATE STAFF								
Green Rush, Andrea		P						
Kwock, Marilyn		P						

P=Present A=Absent * Non-voting