

**APPROVED MINUTES
BERKELEY DIVISIONAL COUNCIL
Monday, March 18, 2019 – 12:00 – 2:00 PM
Academic Senate Conference Room, 310 Stephens Hall**

Divisional Council (DIVCO) met on Monday, March 18, 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. Undergraduate Council Chair Jonah Levy participated by videoconference.

I. MINUTES of the Meeting of February 25, 2019
Enclosure 1

ACTION: The minutes were approved as presented.

II. CONSENT CALENDAR

A. Distinguished Teaching Award nominations
Enclosure 2

<https://teaching.berkeley.edu/programs/distinguished-teaching-award>

The Committee on Teaching nominated four faculty for the 2019 Distinguished Teaching Award: Robert Littlejohn, Professor of Physics; Stephen Raphael, Professor of Public Policy; Andrea Roth, Professor of Law; and Ethan Shagan, Professor of History.

ACTION: The Distinguished Teaching Award nominations were approved.

B. Clark Kerr Award nominations
Enclosure 3

<https://academic-senate.berkeley.edu/awards/clark-kerr-award>

The Committee on Faculty Awards (FAC) recommended two incumbent university presidents for the 2019 Clark Kerr Award for Distinguished Leadership in Higher Education: Dr. Diana Natalicio from the University of Texas at El Paso, and Dr. Freeman Hrabowski III from the University of Maryland, Baltimore County. The award is given in recognition of outstanding and distinguished contributions to the advancement of higher education. Both nominees have impressive records of accomplishment at their respective institutions.

ACTION: The Clark Kerr Award nominations were approved.

C. Proposed amendments to Berkeley Division Bylaw 31
Enclosure 4

Amendments are needed to conform B.D. Bylaw 2A and B.D. Bylaw 31 with the new title of the head of the Office of Undergraduate Admissions. Deleted text is indicated by strikethrough and new text is underlined:

2. MEMBERSHIP

B. Members of the Division are:

- The President;
- The Chancellor, Vice Chancellors, Provosts, Deans, Directors of academic programs, Assistant Vice Chancellor and Director of Undergraduate Admissions ~~Assistant or Associate Vice Chancellor for Admissions and Enrollment~~, Registrar, and chief Librarian at Berkeley; (EC. 11.21.00)
- All Professors, Professors in Residence, Professors of Clinical, and Acting Professors;
- Associate Professors, Associate Professors in Residence, Associate Professors of Clinical, and Acting Associate Professors;
- Assistant Professors, Assistant Professors in Residence, and Assistant Professors of Clinical
- Instructors, Instructors in Residence;
- Senior Lecturers with Security of Employment, Lecturers with Security of Employment, Senior Lecturers with Potential for Security of Employment, and Lecturers with Potential for Security of Employment, with full time teaching responsibilities in curricula under the control of the Academic Senate, whose duties lie primarily in Berkeley; and
- Those Vice Presidents, Deans, and Directors of statewide units who choose to enroll in this Division.

31. **ADMISSIONS, ENROLLMENT, AND PREPARATORY EDUCATION**
(Am. 10.25.94, 10.17.95, 11.4.96, 10.21.99, 4.25.05; EC. 11.21.00, 05.03.17, mm.dd.yy)

A. Membership

This Committee consists of at least six Senate members, normally serving three year staggered terms, the Assistant or Associate Vice Chancellor and Director of Undergraduate Admissions-Admissions and Enrollment, as a voting member, and two student members¹⁰, ~~the Director of Undergraduate Admissions, as a non-voting member. The student members are appointed, and shall serve, in accordance with the provisions of Bylaw 13C.~~

B. Duties

- This Committee considers and reports on matters involving admissions and enrollment at Berkeley.
- This Committee exercises in the Division responsibilities regarding preparatory education that are assigned by the systemwide Senate Committee on Preparatory Education and by the Division. (EC 6.00)

¹⁰ See By-law 13.C

ACTION: The proposed amendments were approved for the Special Orders/Consent Calendar of the spring Division meeting.

D. Leon Henkin Citation for Distinguished Service - nomination

<https://academic-senate.berkeley.edu/awards/henkin>

Handout A

The Committee on Diversity, Equity, and Campus Climate unanimously nominated Professor Rebecca Heald (Molecular and Cell Biology) for the 2018-19 Henkin Citation to recognize her extraordinary service towards the academic development of students from underrepresented groups in the academy.

ACTION: The Henkin nomination was approved.

II. ANNOUNCEMENTS

- Elsevier contract: Contract negotiations have failed and UC has cancelled its contract with Elsevier, joining others who have protested the extremely high subscription charges.
- Admissions: Reports emerged in the news about students who allegedly falsely gained admissions into some elite institutions, including a Berkeley alumnus.
- Big Give: The Division received pledges and gifts approaching \$8,000 in this year's fundraising drive. \$5,000 will go into the Scheiber emeriti grant fund, which will be renamed the Harry and Jane Scheiber Fund.

III. UNFINISHED BUSINESS

A. Proposed dual degree program between the College of Letters & Science and the University of Hong Kong (HKU)

Enclosures 5a – 5d

The original proposal is available in the December 17, 2018 DIVCO agenda packet. Further information was received in response to DIVCO's request, but only partially resolved the concerns raised at DIVCO's last meeting. DIVCO supported the intent of the program but felt the proposal was not yet fully formed, in particular, the academic rationale for the program. Council conditionally endorsed the proposal contingent on the following:

- HKU's commitment to financial aid for Berkeley students is documented in the agreement between the two institutions.
- A clause addressing academic freedom and freedom of expression for Berkeley students must be incorporated into the agreement with HKU.
- Each institution should provide advising for students to help address any problems that may arise. This should be modeled upon the process used for the Sciences Po joint program.
- A review of the dual degree program should be conducted after one year, and then again at four years, after the first cohort has completed the program.

ACTION: Divisional Council conditionally approved the dual degree program and authorized Division Chair Spackman to forward its comments and recommendations to the associate vice chancellor and dean of undergraduate education.

III. NEW BUSINESS

A. Review of the School of Law

Enclosures 6a – 6f

Council commended Berkeley Law for having achieved good diversity in its student body and for its unique and valuable public service mission. However, Divisional Council had several concerns and recommendations.

- Development of a viable funding model is a high priority and should be in place as soon as possible.
- There are numerous concerns about the self-supporting Master of Laws (LL.M.), that should be addressed within the next three years, at which time Graduate Council will review the program. The self-supporting graduate professional degree program review questions will be appended to DIVCO's response letter.
- Berkeley Law may need to look for ways to redistribute faculty workload, especially related to mentoring responsibilities for underrepresented minority and women faculty.
- The undergraduate Legal Studies program should be reviewed, and separately from the Jurisprudence and Social Policy (Ph.D.) Program. Council questioned the external review committee's (ERC's) omission of undergraduates in their report, and was unable to assess the program except through the UC Undergraduate Experience Survey.
- Concern was expressed about the way in which the Law School solicited input from students and staff in the external review process.
- The ERC's recommendation to repurpose the library's stacks for added office space raised questions and concerns.

ACTION: Divisional Council authorized Division Chair Spackman to forward comments to the vice provost for academic planning.

B. Proposal to discontinue the M.A. and Ph.D. in Latin American Studies and to disestablish the Graduate Group in Latin American Studies

Enclosures 7a – 7b

Professor John Battles, chair of Graduate Council, presented this item and noted that all students had completed the program and admission has been closed. The Committee on Budget and Interdepartmental Relations cautioned that there must be other avenues for pursuing studies in these areas when closing programs and was assured that there are.

ACTION: Divisional Council endorsed the discontinuance and authorized Division Chair Spackman to forward its response to the vice provost for the faculty.

C. Workload Modification and Leaves for Ladder-Rank Faculty

Enclosures 8a – 8c

Council concurred with the need to formalize leave and workload modification requests but raised concerns about the prescribed 10-day bereavement leave policy, which was felt to be too restrictive. It was recommended that bereavement leave be covered under temporary workload modification to allow for more flexibility. Council members agreed department chairs have the authority to approve leave unless it extends beyond 10 days, in which case

requests must be approved by the vice provost for the faculty. The Committee on Faculty Welfare raised a question of fairness as the timing of medical leave could eliminate summer salary. If they are not already in place, corresponding policies should be developed for adjunct professors and other non-Senate academic titles.

ACTION: Divisional Council authorized Division Chair Spackman to forward comments to the vice provost for the faculty.

D. UC Transfer Guarantee Proposal

Enclosures 9a – 9c

Professor Ignacio Navarrete, chair of the Committee on Admissions, Enrollment, and Preparatory Education (AEPE), presented a proposal for Transfer Admissions Guarantee (TAG) that would guarantee admission to all qualified California community college transfer students at a UC campus. Berkeley, given its ability to recruit qualified transfer students, has opted out of the existing TAG program, and would not be affected by this proposal if it were approved.

ACTION: Divisional Council authorized Division Chair Spackman to forward comments to Academic Council.

E. Forward*: Faculty Housing Strategy Working Group — Final Report

Forwarded to the Committee on Faculty Welfare; DIVCO discussion tentatively scheduled for April 1, 2019

F. Forward*: ASUC Proposal to Make Election Day a Non-Instructional Day

Forwarded to Graduate Council and Undergraduate Council; DIVCO discussion tentatively scheduled for April 1, 2019

G. Forward*: Request for Greater Student Representation in Academic Senate Committees

Forwarded to the committees on Admissions, Enrollment, and Preparatory Education; Academic Planning and Resource Allocation; Courses of Instruction; Diversity, Equity, and Campus Climate; Graduate Council; and Undergraduate Council; DIVCO discussion tentatively scheduled for April 15, 2019

H. Forward*: Proposed amendments to Senate Regulation 636.E

Forwarded to the committees on Admissions, Enrollment, and Preparatory Education; Courses of Instruction; and Rules and Elections; DIVCO discussion tentatively scheduled for April 15, 2019

VII. INFORMATIONAL ITEMS

- A.** Statement from a committee of Arts and Humanities Chairs about proposed revisions to campus policy on evaluations of teaching (Memorandum of January 2, 2019).
Enclosure 10

The meeting was adjourned at 1:50 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	P	P				
Ashmore, Robert		P	P	P				
Battles, John		P	P	P				
Carson, Cathryn		P	P	A				
Colford, John		P	P	P				
Frede-Montemayor, Victoria		P	P	P				
Hendershott, Terrence		P	P	P				
Johnson-Hanks, Jennifer		P	P	P				
Levy, Jonah		P	P	P				
Milnes, David *		P	P	P				
Navarrete, Ignacio		P	A	P				
O'Reilly, Oliver		P	P	P				
Ray, Raka		P	P	P				
Sanyal, Debarati		P	P	A				
Scheffler, Richard		P	A	P				
Spackman, Barbara		P	P	P				
Steen, Shannon		A	P	P				
Taylor, Ula		P	P	A				
Wallace, R. Jay		P	P	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						
Constable, Marianne			P					

SENATE STAFF	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
Green Rush, Andrea		P	P	P				
Kwock, Marilyn		P	P	P				

P=Present A=Absent * Non-voting