

DRAFT
MINUTES OF MEETING
BERKELEY DIVISION OF THE ACADEMIC SENATE
Thursday, November 5, 2015

The fall meeting of the Berkeley Division was called to order at 3:10 p.m. on Thursday, November 5, 2015, in Banatao Auditorium, Sutardja Dai Hall, pursuant to call. Professor Benjamin Hermalin, chair of the Berkeley Division, presided.

The meeting commenced with announcements before the quorum of 50 Senate members was confirmed. Division Chair Hermalin also announced that Item IX, Update on the UC Berkeley budget, would not be presented as the expected speaker was unable to attend this meeting. However, a budget information session would be held for Senate members on Monday, November 30, 2015, to discuss budget issues in depth.

I. Minutes (Enclosure 1)

ACTION: The minutes of the April 22, 2015 meeting of the Division were approved as presented.

II. Announcements by the President

President Janet Napolitano was unable to attend.

III. Other Announcements

A. Chancellor Nicholas Dirks

Beginning his third year on campus, Chancellor Dirks stated his belief that the state funding picture is not likely to improve; though we will continue to work on increasing State funding for UC, a return to previous levels of support is unlikely. In spite of its financial challenges, Berkeley has preserved academic excellence, continues to serve its public mission, and has worked this year to improve academic programs.

Highlights of the Chancellor's address include the following:

- **Academics:** Berkeley continues to excel academically in global rankings. Berkeley stands out as the only institution ranked in the top 10 nationally for both academic excellence, and access and affordability.
- **Enrollment:** An agreement has been made to increase UC's enrollment by 5,000 new resident undergraduates in 2016-17. Berkeley is negotiating its allocation of 950 new students for fall, as well as the per-student subsidy.

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

- Graduate programs: Berkeley's graduate programs continue to be among the top-ranked programs nationwide.
- Faculty: The campus has been successful in most faculty retention cases this year.
- Admissions: The admissions policy was revised last year to enhance the undergraduate admissions selection process by allowing letters of recommendation. It is hoped this will be instituted systemwide in the future.
- Campus budget: Lacking the revenue generated by a medical center and without tuition increases, Berkeley's administration has had to use central reserves to mitigate budget shortfalls. However, this is not sustainable. The campus needs a resilient, long-term, and sustainable financial strategy. An aggressive new capital campaign will be conducted. A comprehensive, intensive financial and programmatic analysis of campus operations is being conducted in partnership with the Senate.
- Berkeley Global Campus (BGC): The Chancellor reiterated that no core funds would be used on the BGC. It is hoped that private resources will sustain the BGC and possibly even benefit the core campus. A new global alliance with Cambridge University and the National University of Singapore was recently announced.
- Campus climate: Professor Na'ilah Nasir (Education) has been appointed vice chancellor for equity and inclusion.
- Sexual violence and sexual harassment (SV /SH): The Chancellor affirms the intent of SV/SH policies, but agrees with Division Chair Hermalin that the campus should be cautious about overhauling campus procedures too quickly in the aftermath of a recent sexual harassment case. The administration and Academic Senate will conduct a joint review of campus procedures.

In closing, the Chancellor recognized that Berkeley's excellence is due to the quality of the faculty and that the Senate's participation in shared governance strengthens the ability of the campus to adapt to change.

B. Berkeley Division Chair Benjamin Hermalin

Division Chair Hermalin presented updates on key issues and campus initiatives:

- Campus Shared Services (CSS): Rosemarie Rae, campus chief financial officer, and Peggy Huston, CSS chief operating officer, were commended for their assistance with CSS issues last year. Division Chair Hermalin will continue to update them on any further issues with CSS that are reported by faculty.
- Freshmen admissions: Freshmen admissions policies were revised this year, but a new policy allowing letters of recommendation raised concern at the systemwide level and will only be piloted for

those applicants classified as ‘possible’ (i.e. not clear accepts or rejects) in 2016. The Senate has authority over admissions and hopes to expand this policy to all applicants.

- Intellectual property (IP) contract: A contract template for online courses was approved this year and will help to protect faculty IP.
- Senate committees: The Committee on Educational Policy (CEP) is considering policy implications for capped and restricted majors, and employment conditions for lecturers. The Committee on Committees (COMS) has worked to increase diversity on key Senate committees. Higher diversity better reflects the composition of the Senate, and will also lead to a more diverse administration.
- UC Retirement Plan: Despite concerns expressed by the Senate, a new defined-benefit plan will be implemented for employees hired July 1, 2016 or later. An exception will be made this year to enable all new faculty to be included in the current tier. UCOP says the retirement plan is in ‘good shape’ financially.
- Budget: The Budget Framework Implementation is focusing on 14 new initiatives. These include improvements to transfer pathways, three-year degree programs, and limiting upper division major requirements to one full year of study. Activity-based costing is being considered, which has the potential to seriously affect the allocation of resources. UC has agreed to enroll 5,000 resident students in exchange for new state funding, but Berkeley’s share of the students would strain its capacity. The Senate and administration are working together to address these issues. A comprehensive budget plan is needed that will strengthen Berkeley’s core and increase its resilience in responding to challenges.
- Sexual harassment: An investigation will be undertaken to identify the lessons learned from the recent handling of a sexual harassment case involving a Berkeley faculty member. The findings will be reported at the spring Division meeting. At the systemwide level, a joint committee co-chaired by Academic Senate Chair Dan Hare is conducting a review of campus policies on sexual harassment and sexual violence, and will hold two regional information-gathering sessions. It was pointed out that the statute of limitations in sexual harassment/sexual violence cases begins only when the Chancellor or the Chancellor’s designee becomes aware of an incident, unlike civil and criminal cases.

- C. Graduate Assembly Campus Affairs Vice President Lyndsey Ogle**
Graduate Assembly (GA) Vice President Lyndsey Ogle is a third-year doctoral student in Theater, Dance and Performance Studies. The completion of the new Eshleman Hall in the Lower Sproul plaza has been a welcome addition. The GA is working on a number of advocacy projects (e.g. graduate student role in faculty hiring, housing for students, diversity, health care, and the adjudication of sexual violence/sexual

harassment cases). Graduate students want to remain active in campus issues.

D. Osher Lifelong Learning Institute Director Susan Hoffman

Osher Lifelong Learning Institute (OLLI) Director Susan Hoffman provided an overview of the institute's activities since its inception in 2007. Berkeley's OLLI program now encompasses around 90 courses and activities and has earned a strong reputation. Courses can be used as platforms to test new ideas or showcase research, and can be an instrument for researchers to access the larger community. The faculty were invited to teach a course in OLLI.

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 Regulations governing probation and dismissal in the colleges of Letters and Science (L&S), Environmental Design (CED), and Natural Resources (CNR)

The deans of the colleges of Letters and Science (L&S), Environmental Design (CED), and Natural Resources (CNR) propose changes to the Berkeley Division regulations governing probation and dismissal so that students who fail to receive letter grades for any one semester (which results in a "no grade-point average" value) are placed on probation. These amendments would also align the regulations of L&S, CED, and CNR with regulations governing probation and dismissal at other colleges and schools on campus.

Title IX. College of Letters and Science

819. PROBATION AND DISMISSAL (Am. 3.83)

- A. Students will be subject to academic probation if at the end of any term they fail to achieve at least an ~~their~~ overall grade-point average in the University of ~~is less than~~ 2.0 (C average) or if they fail to achieve at least a ~~their~~ grade-point average of ~~falls below~~ 1.5 for that any term.
- B. Students will be subject to dismissal if after one term on probation they fail to achieve ~~have not achieved~~ an overall grade-point average of 2.0 (C average) or if for the term on probation they fail to achieve a ~~their~~ grade-point average of ~~is below~~ a 2.0.
 - o Computation of the grade-point average shall not include courses graded P, NP, I, and IP.

- C. The Faculty, or its designated agent, has the power to:
1. dismiss from the University students under its supervision;
 2. suspend provisions of this Regulation, thereby permitting retention in the University of students subject to dismissal; and
 3. authorize return to the University of students who have been dismissed under this Regulation. (EC. 86)

Title XI. College of Natural Resources

877. DISMISSAL

- A. In the College of Natural Resources, a student will be placed on probation if at the close of any semester the student's fails to achieve at least cumulative grade-point average is less than an overall grade-point average of 2.0 (C average) computed on the total of all courses undertaken in the University.
- o A student on probation is not entitled to take courses with a Passed/Not Passed option.
- B. A student shall be subject to dismissal from the University:
1. If the student's fails to achieve at least an overall grade-point average falls below of 1.5 for any semester;
 2. If after one semester on probation, the student's fails to achieve at least an overall grade-point average is less than of 2.0 (C average) computed on the total of all courses undertaken in this University, not including courses graded P, NP, I or IP. (En. 3.83)

Title VI. College of Environmental Design

604. PROBATION AND DISMISSAL (Am. 5.2.12)

Students will be subject to academic probation if at the end of any term their they fail to achieve at least an overall grade-point average in the University is less than of 2.0 (C average) or if their they fail to achieve at least a grade-point average falls below of 1.5 for any term.

Students will be subject to dismissal if after one term on probation they have not achieved fail to achieve an overall grade-point average of 2.0 (C average) or if for the term any on probation their they fail to achieve a grade-point average is below of 2.0.

- Computation of the grade-point average shall not include courses graded P, NP, I, and IP.

The Faculty, or its designated agent, has the power to dismiss from the University students under its supervision, or to suspend the provisions of the Regulation and permit the retention in the University of students thus subject to dismissal, and the return to the University of students who have been dismissed under this Regulation.

ACTION: The proposed amendments were approved as presented.

V. Reports of Special Committees

None

VI. Reports of Standing Committees

None

VII. Petitions of Students

None

VIII. Unfinished Business

None

IX. University and Faculty Welfare

A. Update on the UC Berkeley budget

The scheduled speaker, Chief Financial Officer Rosemarie Rae, was unable to attend, so this presentation was cancelled.

X. New Business

None

The meeting was adjourned at 4:05 p.m.

Daniel Melia
Secretary, Berkeley Division