

**APPROVED MINUTES
BERKELEY DIVISIONAL COUNCIL
Monday, November 4, 2024 – 12:10-2:00 PM
Stephens Hall, Conference Room 310**

Divisional Council (DIVCO) met on Monday, November 4, 2024 in Stephens Hall, room 310. Division Chair Amani Nuru-Jeter presided. A quorum was present as shown on the attached attendance chart.

I. A. MINUTES of the meeting of October 7, 2024

B. MINUTES of the meeting of October 21, 2024

ACTION: The minutes were approved as presented

II. CONSENT CALENDAR

A. Committee on Committees (COMS) nominations

B. Proposed amendment to Berkeley Division Bylaw 1: Functions of the Berkeley Division

C. Proposed amendments to Berkeley Division Bylaw 2: Membership

D. Proposed amendment to Berkeley Division Regulation 551: College of Engineering – Bachelor of Science Degree

E. Proposed amendments to Berkeley Division Regulations on academic probation and dismissal

ACTION: The Consent Calendar was approved as presented.

III. ANNOUNCEMENTS

Division Chair Nuru-Jeter

Chair Nuru-Jeter noted that she would come back to her announcements if there was time at the end.

IV. UNFINISHED BUSINESS

A. Academic Senate Pulse survey

Chair Nuru-Jeter shared a draft of the pulse survey that she hopes to get out before winter break. If that is not feasible, it will go out in January 2025. All committees had not yet submitted their priorities list so Chair Nuru-Jeter extended the deadline to 11/8. . The purpose of this survey is to share what the Academic Senate is working on and get a sense if we are working on the *right* things that matter most to faculty. DIVCO members commented on best practices when it comes to compiling the data and reviewing all the priorities that come in. Members suggested that DIVCO could come together as a group

to preselect ten (for example) where there was some convergence across committees. They noted that it would be important to stress reading the list *before* commenting on what the Academic Senate should “Keep doing”, “Start doing”, or “Stop doing”. One member noted that this could be used as an exercise to push boundaries to have their committees think of things they have been hesitant to take on or revisit topics that may be controversial. If time permits, it was proposed to use applications during the upcoming Division meeting to rank topics in live time. However, this would depend on if all the data has been received at that time.

V. NEW BUSINESS

A. Discussion only: Campus Protests

*Guests: Alfred Day, Assistant Vice Chancellor of Student Engagement & Support
Jason Ferguson, Director of Emergency Management
Sunny Lee, Associate Vice Chancellor and Dean of Students
Yogananda Pittman, Chief of Police, UC Police Department*

The group began by noting that expressive activity is not inherently protest activity. The team noted that UC Berkeley is the home of the free speech movement, and that expressive activity is not limited to students but can involve other community members and can include various forms of expression. An example of union activity was provided—there is an umbrella of expressive activity when it comes to gatherings on campus and it is a daily occurrence. . Not all instances are responded to due to capacity but also because not all complaints are for violations of university policy. Campus maintains a content neutral stance in terms of response. As a public university, there is a responsibility to look out for and protect the campus community, while also ensuring that campus policy is not being violated. As a 10-campus system, the directives coming from the Office of the President hope to create consistent responses across campuses.

There are two primary organizational structures in place for promoting situational awareness with key leaders. The first is the Emergency and Crisis Management Team (ECMT) which aims to keep things “on track” and mitigate the potential for emergency situations. ECMT is activated in various cases where there is the potential for an emergency including expressive activity but also for other situations such as bad and potentially dangerous weather conditions that might require a campus response. The group contains participants such as the Vice Provost, Vice Chancellor of Administration, and other leaders but can also add ad hoc members. For example, the Employee Labor Relations (ELR) members would be added if it were strike activity. If conversations need escalation, the Emergency Operation Center (EOC) is activated. Campus does their best to not see everything as an emergency but there are processes in place across offices in accordance with emergency policy.

The purpose of the Campus climate initiative (from the Office of the President) is to improve consistency in responses across the 10 campuses in a way that provides space for expressive activity but maintains a balance to ensure that education and the business of the University can continue. System-wide is working to coordinate a consistent response. Each campus has strategy and coaching sessions on how it can improve when it comes to

assessment activity, these include staff and administrators. Because of Berkeley's history of expressive activity, there are a lot of things that other campuses learn from us that contribute to overall discussions since it is much more common here. Time, Place, Manner (TPM) is something already in practice at Berkeley, and all of the President's directives, except one, was already policy on the Berkeley campus. Each campus was charged with sending communications to the entire campus community about the violations, which included no camping or encampments or unauthorized structures, no masking to conceal identity.

Chief Yogananda Pittman introduced herself and described her past experience and role regarding expressive activity and her observations and activities since coming on board. She reflected back to when she arrived on campus, experiencing a culture shock, not from not knowing its history, but due to the lack of protocols in place. She notes that the environment has a different tolerance, based on our history, for certain activities. This was not a criticism, but an observation. It was important for her to note that things are starting to shift culturally and she discussed the need for the campus to embrace how we implement TPM policies to ensure neutrality in our response.

Questions from DIVCO members included the following:

- Further clarification on concerns of militarization equipment—Chief Pittman noted that with the lack of investment, the campus is far from an elite system and does not use military grade equipment. She noted that using that term caused confusion;
- Elaborating on the range of issues expected/anticipated for the election—the team noted that they are prepared despite having no intel on what it will look like;
- Is a tent considered a structure - yes, tents are considered structures. The guests gave some examples of tents and their response to tents, such as on ESPN game day;
- Thinking back to how Chancellor Christ handled the events in the Spring and the Regent's displeasure with her approach and stance, to what extent is Berkeley coming under pressure where that kind of response will be less plausible with new UCOP directives?
- Are issues best dealt with locally than system-wide? DIVCO members expressed concern about using a systemwide approach when each campus may have its own local context and culture, calling for unique responses. DIVCO members asked if there are risks from top down mandates that aren't responsive to the local context? And what role can faculty at campus level or system wide level do to support?
 - Associate Vice Chancellor Lee noted that thinking back on the other campuses and role of the Academic Senate, the ones where there were least physical harms had the most integration with the Academic Senate and administration. Continuing this allows and supports the Chancellor so that he has leverage to negotiate.
- As a participant on the Free Speech Commission that reviewed outcomes—will the recommendations of that committee be followed?

Discussion only: Internal discussion on late cases

Chair Nuru-Jeter and Vice Chair Stacey facilitated a discussion with DIVCO members regarding the Academic Personnel Cases, to prepare for a visit with VPF Plaut. There was an extensive description on the status of cases and reasons for delays in the email listed in the Vice Provost on May 6, 2024. These consisted of the UAW strike contributing to an understaffed Academic Personnel Office (APO) as well as an unprecedented number of faculty hires in 2022-23.

Vice Chair Stacey met with the Vice Provost of the Faculty and was able to briefly discuss the current status of late cases. He notes that she is very tuned into what is going on and that the email from earlier this year was very authentic. The Vice Provost acknowledges that their office is not caught up but is ahead of where they were and is proactively thinking about how to not let it happen again. The next phase is establishing meetings with units to talk about specifics about their processes or to determine if there are any patterns that may be contributing to delays. DIVCO members were pleased to hear that she will be working with chairs and deans at the department level.

DIVCO members appreciated the improvements that have been made but expressed numerous concerns related to case delays and opined that the “system is broken”. The Vice Provost for the Faculty was invited to speak more on this topic later in the semester. Chair Nuru-Jeter urges DIVCO members to attend with an open mind and understand within context to avoid negative group think.

B. Forward* *Review of the Department of Environmental Science, Policy, and Management (ESPM)*

Forwarded to the Committees on Academic Planning and Resource Allocation (CAPRA), Budget and Interdepartmental Relations (BIR), Diversity, Equity, and Campus Climate (DECC), Graduate Council (GC), and Undergraduate Council (UGC). DIVCO discussion tentatively scheduled for December 16, 2024.

**A copy is available on the DIVCO Box site on the tentatively scheduled meeting date.*

VI. INFORMATIONAL ITEMS

A. Follow-up to three-year review of the Master of Bioprocess Engineering (MBPE) SSGPDP

B. Letter from UC Faculty to President Drake, Provost Newman & Academic Senate Chair Cheung

C. Faculty Salary Plan Follow up

D. Revised Academic Planning Council Workgroup on Systemwide Academic Calendar

E. Letter from President Drake - Cochran March 2023

The meeting was adjourned at 2:01 p.m.

INVITED GUESTS *	9/9/24	9/23/24	10/7/24	10/21/24	11/4/24	11/25/24	12/9/24	12/16/24
Day, Alfred					P			
Ferguson, Jason					P			
Lee, Sunny					P			
Pittman, Yogananda					P			
Ramirez Martinez, Luis					P			

SENATE STAFF	9/9/24	9/23/24	10/7/24	10/21/24	11/4/24	11/25/24	12/9/24	12/16/24
Banaria, Jocelyn Surla	P	P	P	P	P			
Hashimoto, Dorothy	P	P	P	P	P			

P=Present A=Absent * Non-voting