

**APPROVED MINUTES
BERKELEY DIVISIONAL COUNCIL
Monday, January 22, 2024 – 12:10-2:00 PM
Stephens Hall, Conference Room 310**

Divisional Council (DIVCO) met on Monday, January 22, 2024, in Stephens Hall, conference room 310. Division Chair Maximilian Auffhammer presided. Quorum was present, as shown on the attached attendance chart. The agenda was reordered to discuss the most urgent items first.

I. A. MINUTES of the meeting of December 4, 2023

Enclosure 1

B. MINUTES of the meeting of December 11, 2023

Enclosure 2

C. MINUTES of the special meeting of December 14, 2023

Enclosure 3

ACTION: The minutes were approved.

II. CONSENT CALENDAR

A. Proposed amendment to BDB 36 (Faculty Athletics Council)

Enclosure 4

ACTION: The Consent Calendar was approved as presented.

III. ANNOUNCEMENTS

Division Chair Maximilian Auffhammer

Chair Auffhammer introduced two new DIVCO members for the spring semester, elected member Adrian Aguilera and Spring 2024 Division Secretary Carla Hesse.

Over Winter break, Chair Auffhammer authorized nominations by the Committee on Committees (COMS) for DIVCO and Budget and Interdepartmental Relations (BIR) committees.

The Chancellor Search is moving quickly. The search committee now has a short list of candidates. Next steps are to interview these individuals at an undisclosed location. It is unclear whether this announcement will be ready for the March 2024 Regents meeting.

Associate Vice Provost for the Faculty Sharon Inkelas is transitioning from the Office for Faculty, Equity, and Welfare (OFEW) to the Office of Ethics, Risk and Compliance Services, which is in the Chancellor's portfolio.

Chair Auffhammer circulated the letter from Vice Provost for the Faculty Victoria Plaut on *Delays in Decisions on Academic Personnel Cases*. She will be attending a DIVCO meeting later this semester.

Chair Auffhammer is seeking input on two topics:

- Plagiarism and how its handled on campus. It is unnecessarily difficult to check dissertations without special permissions in bcourses and *Turnitin*. He would like to work with Educational Technology Services (ETS) to make this easier.
- The University of California Office of the President gave \$700,000 for projects on addressing bias and bigotry. They are soliciting input on selection committee members.

The Chancellor is the main instructor of the College of Letters and Science (L&S) Course 110: *Brilliance of Berkeley* which is held on Fridays from 12:00-2:00 pm in Wheeler Hall with an online option. Chair Auffhammer encouraged others to attend if time permits.

Chair Auffhammer extended his appreciation to Jennifer Chatman, who helped us reserve Chou Hall for the Spring Division meeting. We will have a conversation with the Chancellor and incoming Academic Senate Chair Amani Allen for the Chancellor's last Division meeting.

DIVCO has a few guests lined up for the upcoming semester. Chair Auffhammer asked members to email him any suggested guests for DIVCO meetings.

IV. UNFINISHED BUSINESS – None

V. NEW BUSINESS

A. Discussion only: UC Berkeley's contract with PepsiCo, Inc.

Guest: Professor Kris Madsen, Faculty Director for the Berkeley Food Institute (12:30-1:00 p.m.)

Professor Kris Madsen, Faculty Director for the Berkeley Food Institute attended DIVCO to give members a background of the renewed 10-year Pepsi pouring rights contract with the Berkeley campus. The renewed agreement is designed to “lead a change in beverage relationships with a focus on supporting campus sustainability, health and wellness, and equity initiatives.” However, Prof. Madsen suggested that the 10-year Pouring Rights Contract (PRC) may not be consistent with UCB's values, the UC-wide sustainability policy, and undervalue our brand. Despite there being major concerns across the UC system, there are UC campuses considering ‘piggybacking’ on Berkeley's contract. This PRC is a 10-year, marketing, co-branding, exclusivity, and (higher) pricing purchasing contract for cold beverages. There is a small amount of sponsorship money as well as penalties and incentives that encourage active promotion. The specifics of the contract include:

- 85% of products must be from the *Pepsi* line (remaining 15% cannot compete with the *Pepsi* brand);
- *Gatorade* and *Naked Juice* lines are the only items in single use plastics;

- Aggressive marketing and co-branding: Digital and physical marketing in Athletics, Career Center, New Student Services, Parking & Transportation, Recreation & Wellbeing, Student Union, Cal Alumni Association, Cal Performances, etc.;
- Volume threshold: Minimum amount must be purchased;

Universities have had these contracts in place since the 1980s. Berkeley had switched to *Pepsi* in 2011 due to the amount of sponsorship money that was offered. The current (updated) *UC Policy on Sustainable Practices* is to eliminate food-related single-use plastics by July 2024. *Pepsi Co.* is the 2nd worst world offender for plastic pollution; almost 90% of *Pepsi* plastic is “virgin plastic” (11% recycled plastic). Water makes up half of all sales—all in plastic. The sponsorship money was cut in half since students don’t consume soda as much.

There are concerns surrounding equity regarding this contract.

The *Daily Cal* published multiple articles regarding this, bringing light to the Associated Student’s (ASUC) position on the issue. Many students had met with the Chancellor but eventually momentum was lost.

DIVCO members inquired what could be done at this point and what replacements could be made. There is the option to move away from throw-away to a refillable model. Campus can still buy directly from vendors, but we lose the sponsorship money especially if buying from smaller companies. There are refill stations and universal taps, but they can be difficult to find, especially in the Athletics stadium. Campuses such as UC Davis have instituted Systemwide ‘Healthy Beverage Initiatives’ (HBI) which encourage more hydration stations and reduce sugar-sweetened beverages.

UC Berkeley is seen as an anchor institution, there is a unique responsibility to promote well-being, sustainability, and health in our community. Campus should lead with integrity and follow our own UC sustainability policy. A lighter option is to offer choice, including *Pepsi* and *Coke* products, among a wider selection of “better” beverages.

B. Discussion/action: Review of the Department of Landscape Architecture and Environmental Planning (LAEP)

Committee comments highlighted the following concerns:

- Faculty size (now above floor);
- Facilities imbalance;
- Lack of information regarding faculty promotion;
- A weak sense of community amongst 1st and 2nd years;
- Needing a process of clear communications (department to department);
- High studio costs;
- Lack of preparation from pre-requisites as well as an inflexibility in curriculum;
- Size limits in the major;
- Female faculty appear to bear a disproportionate share of the advising.

DIVCO members suggested outside intervention as it seemed that the External Review Committee (ERC) recommendations were to just “fix it”. Members were also surprised with the supplementary tuition not being spent on the studios costs and how additional fees become prohibitive to students. The Committee of Diversity Equity, and Campus Climate (DECC) is hoping to bring a representative from the department back in Spring 2025 to report their position and how they are moving forward.

ACTION: DIVCO authorized Chair Auffhammer to write a letter forwarding committee comments to the Vice Provost of Academic Planning.

C. Discussion/action: EVCP’s letter on *Inclusion and belonging in our classroom*.

DIVCO members engaged in a lively discussion regarding the Executive Vice Chancellor & Provost’s letter. Chair Auffhammer wished to touch more on the issue of changing the grading front (curve versus fixed) as well as how to create more incentives as to how to encourage more inclusiveness in the classroom.

The Chair of the Committee of Diversity Equity, and Campus Climate (DECC) is a member of the School of Optometry; she described that the school recently approved to move to a Pass/Fail grading system. Overall, DECC felt positive about the inclusive classroom letters and hoped that we could identify ten things that faculty can do to improve equity/inclusion and work with other campus units to integrate these things in their teaching that isn’t overloading.

The Chair of Graduate Council mentioned how the various modes of interaction makes it difficult to figure out what it means and hopes we can think more synthetically about the pattern of response. He wishes for us to acknowledge that the questions of inclusion and belonging will be different for graduate students as they play a big role for undergraduates. He suggested to talk to the Center for Teaching and Learning (CTL) to see where the overlap is and to continue the good work that is already happening.

Chair Auffhammer summarized the comments from the Committee on Teaching (COT) who hope that best practice advice can be more accessible, such as a ‘Top 10’ list distributed to instructors. He has been having conversations with Research, Teaching, and Learning (RTL) on making *Course Capture* the default and encouraging RTL to send instructor specific email with useful information that isn’t five pages long.

The Chair of Undergraduate Council focused more on curved grading and invited Melissa Ko from the CTL to learn more on their position. Instructors are concerned about not contributing to grade inflation but are not sure who communicates that to them. From the Chair’s opinion, grades are seen as motivational, we want students to excel and work hard. It is common practice to be cautious of when telling others how to do their grading. Perhaps a policy *against* curved grading might be easier to uphold. It is possible that people may not understand the tradeoffs in their grading systems, looking at

mastery/contract grading. He agrees that it would be best to make more information easily available to faculty without overloading.

Elected DIVCO member mentioned an upcoming Symposium on February 23, 2024, in coordination with CTL. It focuses on what it means to innovate, and adopt new ways of learning, what are we doing in the classroom, and how the practices impact how we're teaching.

Division Secretary raised that the lower down the communicator, the more effective the communication can be. In this case, learning from colleagues is better than learning from administration. Suggesting that this can be given to a Chair in their department.

The Chair of the Committee of Research highlighted the comments by Undergraduate Council agreeing that it makes more sense to have a standard, inspired approach despite it being difficult. She also wanted to spotlight Division Vice Chair Allen with her work spearheading an anti-racism co-hort(s) at the School of Public Health. There was some opposition to checklists; if people don't understand the reasons behind it, it could cause more harm. The SPH experience showed a lot of enthusiasm but also a fear of doing it 'wrong'. Inclusion can look a lot of different ways and there are different ways to invest in it.

DIVCO members suggested even a few high stakes tests/quizzes; they proclaimed it offensive that a 50% failure rate in teaching is even acceptable. The goal should be that everyone succeeds. Members noted that departments have to offer remedial levels that they never had to before, but the administration says they wouldn't be paying for them. Executive Deans have hinted at bridge programs at the same time the Chancellor says to meet the students where they are (academically). Members also broached the issues of the Disabled Students Program (DSP) and how there is a lot of overlap with students needing help feeling included. There is a gap with DSP telling us what we can/cannot do with students, and there needs to be more guidance (which is being worked on).

ACTION: DIVCO members authorized Chair Auffhammer to draft a letter and forward committee comments to the Executive Vice Chancellor and Provost.

D. Discussion/action: CAPRA comments on Gifts that Require Substantial Campus Contributions

Due to time constraints, this item as not discussed and will be moved to be discussed on the next DIVCO meeting on February 12, 2024.

E. Forward**Proposed revisions to APM 285 (Lecturer with Security of Employment Series) Forwarded to the committees on Academic Planning & Resource Allocation (CAPRA); Budget and Interdepartmental Relations (BIR); Diversity, Equity, and Campus Climate (DECC). DIVCO discussion tentatively scheduled for March 4, 2024.*

F. Forward**Interim Report of the Academic Planning Council Workgroup on the Future of Doctoral Education at the University of California.*

Forwarded to the committees on Academic Planning & Resource Allocation (CAPRA); Committee on Research (COR); Diversity, Equity, and Campus Climate (DECC); Graduate Council (GC); and Undergraduate Council (UGC). DIVCO discussion tentatively scheduled for February 12, 2024.

I. INFORMATIONAL ITEMS—None

DIVCO – ATTENDANCE, SPRING 2024

DIVCO MEMBERS	1/22/24	2/12/24	2/26/24	3/4/24	3/18/24	4/1/24	4/15/24	4/29/24	5/13/24
Aguilera, Adrian	P								
Allen, Amani	P								
Ansell, Christopher	P								
Auffhammer, Maximilian	P								
Bunge, Silvia	P								
Fernald, Lia	P								
Firestone, Mary									
Gilles, Keith	P								
Hayes, Tyrone	P								
Hesse, Carla	P								
Landreth, David	P								
Levy, Jonah	P								
Morello-Frosch, Rachel	A								
Nelson, Jelani	A								
Puckett, Kent	P								
Sheehan, Jonathan	P								
Villas-Boas, J. Miguel	P								
Volpp, Sophie	P								
Wallace, Nancy									
Wildsoet, Christine	P								
Wymore, Lisa	P								

INVITED GUESTS *	1/22/24	2/12/24	2/26/24	3/4/24	3/18/24	4/1/24	4/15/24	4/29/24	5/13/24
Kristine Ann Madsen	P								

SENATE STAFF	1/22/24	2/12/24	2/26/24	3/4/24	3/18/24	4/1/24	4/15/24	4/29/24	5/13/24
Banaria, Jocelyn Surla	A								
Hashimoto, Dorothy	P								

P=Present A=Absent * Non-voting