

**APPROVED MINUTES
BERKELEY DIVISIONAL COUNCIL
Monday, March 17, 2025 – 12:10-2:00 PM
Stephens Hall, Conference Room 310**

Divisional Council (DIVCO) met on Monday, March 17, 2025, in Stephens Hall, room 310. Division Chair Nuru-Jeter presided. A quorum was present as shown on the attached attendance chart.

I. A. MINUTES of the special meeting of March 10, 2025

ACTION: The minutes were approved as presented.

II. CONSENT CALENDAR

A. Distinguished Teaching Award (DTA)

ACTION: The Consent Calendar was approved as presented.

III. ANNOUNCEMENTS

Division Chair Nuru-Jeter

Chair Nuru-Jeter reminded DIVCO members that voting for the upcoming elections for vacancies on DIVCO and the Committee on Committees (COMS) ends on Friday March 21, 2025.

Chair Nuru-Jeter mentioned that another Special meeting of the Assembly of the Systemwide Academic Senate was just announced by special petition, regarding the common calendar and salary range adjustments. If any DIVCO members were interested in attending, she encouraged them to register for the Assembly meeting. The Special meeting of the Assembly will be Tuesday, March 25, 2025, 2:00-3:30pm.

IV. UNFINISHED BUSINESS

A. Discussion/action: Systemwide Review of Proposed Presidential Policy on Dual Use Research of Concern and Pathogens with Enhanced Pandemic Potential

This policy emerges as a response to a U.S. government directive introduced under the Biden administration, aiming to fortify regulations around research that could inadvertently or deliberately enhance the potential threat of toxins and pathogens.

One of the primary concerns is the ambiguity of the policy's language. There is a call for the policy to be written in a manner that is accessible to non-legal faculty to ensure clarity and compliance. Additionally, the turnover in presidential administrations has resulted in the removal of the federal policy from the White House website, creating uncertainty about its implementation at the national level.

Another critical issue was the financial and administrative burden that would be imposed by the policy. Compliance would require each UC campus to designate a responsible individual. However, it remains unclear whether this responsibility would be an extension of existing roles or necessitate the hiring of new personnel. Some committee members suggested that these resources be created at the UC systemwide level rather than at individual campuses to ensure efficiency and consistency while minimizing costs.

The discussion also included a newly proposed high-containment research policy, which pertains to the physical infrastructure required for conducting high-risk research. Despite the interrelated nature of the two policies, they have not been presented as a cohesive framework. This disjointed approach raises concerns about coherence and the effective implementation of safety measures. DIVCO members raised concerns about the risks associated with pathogen research on a global scale.

Some members advocated for a centralized oversight system to alleviate the burden on individual researchers and ensure comprehensive policy enforcement. DIVCO members expressed a strong interest in having the committees on Academic Planning and Resource Allocation (CAPRA) and Faculty Welfare (FWEL) review and comment on the policy.

ACTION: Chair Nuru-Jeter will solicit additional comments from the committee on Academic Planning and Resource Allocation (CAPRA) and Faculty Welfare (FWEL).

V. NEW BUSINESS

A. **Discussion only:** Vice Chancellor, Equity and Inclusion Updates (VCEI)

Guest: Fabrizio Mejia, Acting Vice Chancellor, Equity and Inclusion

Vice Chancellor Mejia addressed several critical issues related to diversity, equity, and inclusion (DEI) in faculty hiring, institutional compliance with state and federal policies, and faculty and student support initiatives across the University of California (UC) system. He started by noting the potential shift in DEI assessment for faculty hiring and evaluation. While some UC campuses currently require diversity statements, the trend is moving towards a broader approach that prioritizes inclusive teaching and research practices without mandating a specific statement. UC Berkeley's model, which allows departments flexibility in implementing DEI principles, may serve as a systemwide framework. The ongoing uncertainty surrounding federal regulations has led to confusion over compliance requirements. While state policies and UC guidelines remain in effect, there is apprehension about potential federal interventions and their impact on hiring and faculty diversity efforts.

The *DEI Blueprint Initiative*, led by multiple UC campuses with Berkeley at the forefront, aims to address departmental climate concerns by developing targeted action plans. One specific initiative highlighted was the *Latinx Thriving Initiative*, led by Professor Gina Garcia. A broader framework is being developed to support faculty thriving across various identity groups. While UC has robust legal and mental health support in place for undocumented students, gaps remain for international students who

may face legal uncertainties. Similarly, new support structures are being put in place for trans and nonbinary students to ensure their well-being.

Given the current socio-political climate, there is an increasing demand for psychological services, and the university is strategizing how to scale up support efficiently. Faculty also raised concerns about how tenure and promotion criteria might need to be adjusted to reflect new challenges in research funding and grant acquisition, particularly in disciplines where securing external grants is a key factor in career progression.

B. Discussion/action: Systemwide Review of Proposed Revisions to the Academic Personnel Manual (APM) Section 036, General University Policy Regarding Academic Appointees/Employment

While the intent of the policy is to bring the university's procedures into compliance with state law, concerns have emerged regarding its implementation, administrative burden, and unintended consequences.

The policy aims to establish a clear boundary, particularly when faculty members serve in an official capacity, such as search committees or supervisory roles. However, ambiguity remains regarding whether certain letters—such as those written by department chairs for promotions or by principal investigators (PIs) for graduate students—fall into the official category. This lack of clarity creates uncertainty for faculty members who frequently write letters for students, colleagues, and applicants. Additionally, the policy introduces the requirement of a disclaimer in official letters, which has been met with widespread resistance. Many faculty members argue that including such a disclaimer could disadvantage students and applicants, as it may signal red flags to recipients, regardless of the content of the letter.

The question of administrative burden is another critical issue. The introduction of additional administrative compliance—such as determining whether a letter requires a disclaimer and obtaining relevant disclosures—adds to an already heavy workload. If faculty members are required to consult university records to determine whether an applicant has ongoing investigations or past infractions, it raises ethical and legal questions, and whether sharing it in letters of recommendation would violate confidentiality laws or due process rights.

There is apprehension regarding how the policy might disrupt the mentoring relationship between faculty and students, which may discourage faculty members from writing letters altogether. Faculty expressed concern that such a requirement could lead to a breakdown of trust and hinder academic and professional advancement for students and junior scholars. Committees suggested possible modifications, such as shifting the disclaimer requirement to a smaller subset of official letters rather than applying it broadly.

ACTION: DIVCO authorized Chair Nuru-Jeter to draft a letter forwarding committee comments to the Chair of Academic Council.

C. Discussion only: Executive Session

A motion was adopted to adjourn from a regular session to an Executive Session.

D. Discussion/action: GC's Three-year review of the Master of Development Engineering (MDevEng) self-supporting graduate professional degree program (SSGPDP)

Due to time constraints, this item will be discussed in the following meeting on March 31, 2025.

E. Forward**Grief Absence Policy for Students (GAPS) proposal*

Forwarded to the committees on Academic Planning and Resource Allocation (CAPRA), Courses of Instruction (COCI), Diversity, Equity, and Campus Climate (DECC), Faculty Welfare (FWEL), Committee on Teaching (COT), Undergraduate Council (UGC), DIVCO discussion tentatively scheduled for May 12, 2025.

F. Forward**Systemwide Review of Proposed Revisions to Academic Personnel Manual (APM) Section 500, Recruitment - General*

Forwarded to the committees on Budget and Interdepartmental Relations (BIR), Diversity, Equity, and Campus Climate (DECC), and Faculty Welfare (FWEL). DIVCO discussion, tentatively scheduled for May 12, 2025.

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

VI. INFORMATIONAL ITEMS—None

The meeting was adjourned at 2:21 p.m.

INVITED GUESTS *	1/27/25	2/10/25	2/24/25	3/10/25	3/17/25	3/31/25	4/14/25	4/28/25	5/12/25
Mejia, Fabrizio					P				

SENATE STAFF	1/27/25	2/10/25	2/24/25	3/10/25	3/17/25	3/31/25	4/14/25	4/28/25	5/12/2025
Banaria, Jocelyn Surla	P	P	P	P	P				
Hashimoto, Dorothy	P	P	P	P	P				

P=Present A=Absent * Non-voting