

**APPROVED MINUTES
BERKELEY DIVISIONAL COUNCIL
Monday, November 30, 2020 – 12:10-2:00 PM
Zoom video conference**

Divisional Council (DIVCO) met on Monday, November 30, 2020 via *Zoom* videoconference. Division Chair Jennifer Johnson-Hanks presided. A quorum was present as shown on the attached attendance chart.

I. MINUTES of the Meeting of November 16, 2020

ACTION: The minutes were approved as presented.

II. CONSENT CALENDAR

A. Committee on Committees Nominations

B. Berkeley Faculty Service Award Nominations

ACTION: The consent calendar was approved as presented.

III. ANNOUNCEMENTS

Division Chair Jennifer Johnson-Hanks

Systemwide Academic Senate Council meeting: Senate regulations 544 & 630 were discussed, and none of the changes will be adopted as raised. They will be sent back to committees for further discussion.

Labor negotiations with Unit 18 Lecturers: All union contracts are negotiated at the systemwide level. Unit 18 lecturers have been out of contract since January 2020, and negotiations have occurring for 18 months. Some discussion was made about changes that the systemwide Senate may be willing to make, one of which are more comprehensive evaluation systems.

Regents meeting: The annual budget was approved. Also approved were a set of changes that will allow furloughs to happen without any impacts to service credit.

In addition, there was a brief item regarding Mills College, which DIVCO will discuss at the December 14, 2020 meeting.

IV. UNFINISHED BUSINESS

None

V. NEW BUSINESS

A. Discussion/action: Proposed changes to Senate bylaw 336.F.8

Senate Bylaw 336 outlines rules related to privilege and tenure (P&T) disciplinary cases. The new federal Title IX regulations from the U.S. Department of Education went into

effect on August 14, 2020, and the proposed revisions to Bylaw 336.F.8. calls for the use of the preponderance standard in P&T hearings for cases of alleged violation of the University's SVSH policy. Chair Johnson-Hanks highlighted the fact that there is no alternative but to change bylaw 336 since there is a federal change, and invited DIVCO members to share thoughts or comments, which were very brief.

ACTION: Chair Johnson-Hanks will forward committee comments to the systemwide Academic Senate.

B. Discussion/action: Proposed changes to the leave-related policies of the 700 series of the Academic Planning Manual (APM)

Chair Johnson-Hanks suggested that the Chair of the Committee on Diversity, Equity and Campus Climate (DECC) summarize the committee comments.

DECC had no substantial comments regarding the changes, other than that there is a discrepancy between the quarter and semester systems, and there should be equity between the two.

The Chair of the Committee on Faculty Welfare (FWEL) summarized four issues:

1. Eligibility for disability supplementary insurance: the proposed changes imply more stringent eligibility requirements for supplementary insurance. FWEL recommends that UC Berkeley provide a set number of weeks of paid family leave to all employees to avoid further changes to the APM.
2. APM 768A: May need to be retitled so that it is not misconstrued. There were concerns that it may be interpreted that someone who is pregnant won't qualify for leave unless the pregnancy comes with a disability, not just the pregnancy itself.
3. FWEL felt that the gender-neutral language may not be fitting in this context.
4. APM 760.27C: FWEL recommends that UC Berkeley set own standard regarding the amount of time it takes to be eligible for this program, rather than following the federal guidelines.

Discussion among DIVCO members followed. A few members agreed with most of FWEL's points, but felt that changing the gender-neutral language would neglect gender identities.

ACTION: Chair Johnson-Hanks will forward committee comments to the systemwide Academic Senate.

C. Discussion/action: Undergraduate degree task force report

Chair Johnson-Hanks introduced this topic, acknowledging that it is complex. There was more diversity of view among the committee comments, and many conflicting views. However, all committees agreed that individual campuses should issue online degrees, as opposed to the UC Office of the President (UCOP) offering online undergraduate degrees. Chair Johnson-Hanks asked the relevant committee chairs to summarize their committee's comments.

Diversity, Equity, and Campus Climate (DECC) comments

1. DECC felt that the research and data in the report was quite dated and did not provide sufficient information to make a choice.
2. There are financial costs of maintaining online degree programs, so there would need to be a general infrastructure.
3. There was concern about how will campuses address the inequities that may emerge between campuses, as some may have more resources than others for an online degree program.
4. There was some mention about the UC systemwide model, but DECC felt that more information is needed.
5. With online/remote learning, there are certain issues (such as cheating, use of screens during *Zoom* classes) that would need to be remedied.
6. There is concern about how this would affect transfer students and their credits.
7. Lastly, there was concern about access to financial aid for online undergraduate degrees.

Admissions, Enrollment, and Preparatory Education (AEPE) comments

AEPE had a number of admissions concerns. The committee felt that admissions should not be done centrally, and also explained that Berkeley should not make decisions for other campuses. An online degree program seems like a financial burden, and it is not something that AEPE would recommend at this time for the Berkeley campus.

Budget and Interdepartmental Relations (BIR) comments

BIR was mainly concerned about faculty issues, and commented on the potential risks of adopting a two-tier faculty system. There were also concerns about the possibility of improving teaching and the issue of resource allocation since additional infrastructures would be required.

Courses of Instruction (COCI) comments

COCI felt that some of the language would need to be updated, so that there are distinct differences between options. Along with the previous committee comments, COCI also had concerns regarding resource allocation with the two-tier faculty option, as it may split resources in an already resource scarce environment in a way that may be detrimental to in-person teaching. There are also issues, such as academic dishonesty, that would need to be resolved before any sustainable program could be put in place.

Chair Johnson-Hanks then very briefly summarized the comments from the Committee on Teaching (COT) and the Committee on Research (COR), both of which supported and opposed the different options to varying degrees. Most of the content in their comments are addressed by the other reports.

Undergraduate Council (UGC) comments

UGC discussed a two-tiered student body, in which there would be (1) students taking courses in-person and (2) students taking courses via online who would not benefit from

the on-campus social activities that are essential to the Berkeley experience. However, there is a great deal of grassroots activity happening regarding online programs on that are innovative, and could potentially become partial online degree programs. UGC does not recommend a full online degree, and believes that this should be left to initiatives on various campuses that can create innovative programs to solve the issue.

Discussion followed, and many DIVCO members echoed concerns that were articulated in the committee comments. Members also expressed worry about the impact that an online degree could have on the quality of a Berkeley education. While most members of the committee opposed the idea, there was a general consensus that it would be helpful to incorporate what has been learned in the past nine months of remote learning.

ACTION: Chair Johnson-Hanks will draft a letter and send to DIVCO members for approval. Once approved, she will send to the systemwide Academic Senate.

D. Discussion only: Berkeley Dependent Care Modified Duties (DCMD) program proposal

The systemwide Senate has loosened constraints under which faculty members can use active service-modified duties accommodations, now eligible for COVID-related issues. The Vice Provost for the Faculty's office has not issued a formal extension, and accepting requests on a case-by-case basis.

The FWEL Chair described the document that their committee submitted to DIVCO.

Some members of FWEL had been discussing the pressure on colleagues with dependent care. FWEL has liaisons that are on two of the Chancellor's advisory committees and formulated recommendations. FWEL did not deliberate on what should go into the document, just that this is a matter that the Senate should have input. It is a matter of calling attention to the severity of the problem, and urging maximum flexibility.

Discussion among DIVCO members followed. Some members felt that this would be a complex issue, and that there would need to be clear criteria and communication. However, members did acknowledge the importance of providing some form of relief to colleagues, while also recognizing the financial constraints.

ACTION: Chair Johnson-Hanks will forward FWEL's letter, along with a cover letter to the Chancellor's Advisory Committee on Work and Family (CACWF) and the Chancellor's Advisory Committee on the Status of Women (CACSW).

E. Discussion/action: Film major name and curricular changes

Chair Johnson-Hanks explained that normally this topic would be extremely simple, but this an odd case where the Executive Committee of L&S approved changes that went into effect without the Senate's knowledge. While it was in violation of Division regulations, DIVCO will not undo what the Executive Committee of L&S has approved. This is a simple name change.

Discussion followed, and one member inquired about what to do in the future should a similar case arise. It was suggested that the issue could come to various Senate committees, but no decision was made.

ACTION: Chair Johnson-Hanks will forward a letter to the Vice Provost for the faculty approving the name change.

VI. INFORMATIONAL ITEMS

A. Faculty Athletics Council (FACL) report

The meeting was adjourned at 1:54pm

Recorder: Haniya Ferrell, Administrative Assistant

**Approved Minutes
Meeting of Divisional Council
November 30, 2020**

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INVITED GUESTS *	8/31/20	9/14/20	10/5/20	10/19/20	11/2/20	11/16/20	11/30/20	12/14/20	1/25/21	2/8/21	2/22/21	3/8/21	3/15/21	4/5/21	4/19/21	5/3/21	5/10/21
Bedolla, Lisa Garcia		P															
Jones, Abby		P															
Ogundele, Olufeme		P															
Hillis, Wendy				P													
Cheng, Marissa				P													
Brennan, Kellie					P												
Hermalin, Ben						P											
Inkelas, Sharon						P											
SENATE STAFF	8/31/20	9/14/20	10/5/20	10/19/20	11/2/20	11/16/20	11/30/20	12/14/20	1/25/21	2/8/21	2/22/21	3/8/21	3/15/21	4/5/21	4/19/21	5/3/21	5/10/21
Banaria, Jocelyn Surla	P	P	P	P	P	P	P										
Ferrell, Haniya		P	P	P	P	P	P										
Quiggle, Sumei			P		P												
Tuchrello, Sumali			P	P	P	P	P										
Corley, Linda					P												
Marias Dezendorf, Rachel	P		P		P												
Lynch, William																	
MacIntyre, Courtney																	
Mitchell, Lanayah																	

P=Present A=Absent * Non-voting