

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

Divisional Council (DIVCO) met on Monday March 4, 2024, in Stephens Hall, room 310. Division Chair Maximilian Auffhammer presided. A quorum was present as shown on the attached attendance chart.

I. WELCOME

II. CONSENT CALENDAR—None

III. ANNOUNCEMENTS

Division Chair Max Auffhammer

Chair Auffhammer attended the closing ceremony for the *Light the Way* fundraising campaign and gave a small speech of appreciation. The Chancellor expressed her gratitude and also stated how much shared governance means to her.

There is recent concern regarding tensions between the UC Regents and the systemwide Academic Senate, related to pressures around online degrees and statements made on departmental websites.

Chair Auffhammer has been trying to put the Academic Senate's voice in places it usually is not present. The Executive Vice Chancellor and Provost Hermlin gave the Academic Senate Chair a few moments at the upcoming Deans and Chairs retreat. He plans to announce the importance of Academic Senate service, and that Berkeley is underrepresented at the systemwide leadership level.

A DIVCO elected member elaborated on their recent meeting with one of the Regents, and that they heavily rely on University of California Office of the President staff (UCOP) to brief them. The DIVCO elected member called attention to mathmatters.ai in which the website shows tech leaders weighing in on the Area C (mathematics).

The Chair of the Committee on Research (COR) wanted clarification on the issue of plagiarism on campus that was brought up a few weeks ago. They inquired the role of faculty advisors. Chair Auffhammer ensured there will not be an unfunded mandate that gets pushed onto faculty.

IV. UNFINISHED BUSINESS—None

V. NEW BUSINESS

A. Discussion/action: Systemwide Senate Review: Proposed Revisions to APM - 285, Lecturer with Security of Employment Series

The proposed revisions are to rename the Lecturer with Security of Employment (LSOE) Series to “Professor of Teaching.” Since Berkeley carries these titles on campus already, there was no resistance from any committee comments on this matter. However, members requested to bring attention to the fact that they would like the Academic Council to distinguish between the different titles.

ACTION: DIVCO authorized Chair Auffhammer to draft a cover letter to forward committee comments to the Academic Council.

B. Discussion/action: Systemwide Senate Review: Presidential Policy BFB-BUS-50: Controlled Substances Use in Research and Teaching

The proposed revisions enforce more regulations regarding controlled substances used in research and teaching. The Committee on Research (COR) invited Professor Gül Dölen (Psychology) whose research focus includes psychedelics. Upon her review, Professor Dölen appreciated the oversight and distinguishing of the drugs and thought the proposed revisions to be reasonable. Despite advising COR to endorse these, she hopes that the revisions would not be too burdensome to research. The Chair of Diversity, Equity, and Campus Climate (DECC) explained that based on an exposure on a case she worked on, she saw that maybe it would help to tighten up regulations as they seemed loose. The regulations surrounding animal research seemed to be more tightly regulated. Other members speculated on if they can address regulations in environmental, non-medical research since it seemed to focus only on clinical settings.

ACTION: DIVCO authorized Chair Auffhammer to draft a cover letter to forward committee comments to the Academic Council.

C. Discussion only: Updates from the Vice Provost of the Faculty (1:00-1:45 pm)

Guests: Victoria Plaut–Vice Provost of the Faculty

Dana Jantz–Chief of Staff for the Vice Provost of the Faculty

Heather Archer–Assistant Vice Provost, Academic Personnel

Vice Provost Plaut provided updates regarding headcount trends and factors accounting to the recent late cases in the Academic Personnel Office (APO). As of 2023, Berkeley encountered its highest budgeted faculty headcount in 20 years. Each year, there are upticks in underrepresented gender and underrepresented minority groups.

A topic of interest was the recent increase in cases delays. Berkeley having one of the smallest Academic Personnel Office (APO) in the UC system along with staffing changes have played a part with this. In addition, the negotiation and implementation of contracts stemming from the United Auto Workers (UAW) strike severely delayed processes. Many cases carried over to the next year. The case delays had also been due to other matters such as off-cycle hiring by departments.

A short overview of APO was given. APO checks for several things in a case including but not limited to:

- Completeness and errors;

- Checking salary and staff, time off the clock;
- Ensuring deadlines are being communicated;
- Fairness, equity, and consistency;
- Policies have been applied appropriately;

Vice Provost Plaut commends her small team who chased down every appointment from start-up negotiations to completion, and working late nights and weekends during peak season. They began tracking 2024 cases earlier than usual and hope to meet campus deadlines towards the end of the calendar year.

D. Discussion/action: Systemwide Senate Review: Proposed Regents Policy on Use of University Administrative Websites (1:45-2:00 pm)

Guests: R. Jay Wallace (Philosophy), Chair of Committee on Academic Freedom (ACFR), Sean P Gilmard (Political Science), University Committee on Academic Freedom (UCAF) Vice Chair

Last year, a campus working group was organized and only ever issued an interim report. The final report was not published, and it may be outdated given the current situation. A few months ago, a statement was made on a University of California website that prompted the regents to ask questions on who owns websites and their usefulness. Chair Auffhammer would like to gather thoughtful feedback to form guidelines in a response letter. DIVCO members raised the following questions and concerns:

- What defines a unit? (i.e., a student club, a small center, a Dean's office, department?);
- Will this be limited to a landing page or elsewhere?
- Can people no longer write blogs on things that they care about?;
- Are there other ways around this, other places these statements can be made?
- Who will police these websites?
- The concern on defining political expression—is published research an example?
- The exempted officials from these restrictions, which promotes privilege and inequality; often these officials say things that the community doesn't agree with;
- How do we correct mistakes if we are completely muzzled?
- What does it mean to conduct official business within a unit? Definitions are important;
- What if a department experiences a traumatic event and wants to show solidarity for members of its community?

The University Committee on Academic Freedom (UCAF) Vice Chair mentioned that the biggest issue to consider is when there are regulations like this, administrators are empowered to police the speech of faculty, which they consider to be unconditionally wrong. There is controversy among colleagues regarding the kinds of commitments expressed as academic units and believe the best place to have those conflicts is within the units themselves, rather than empowering administrators to resolve them for them. Having an enforcement agency creates additional problems.

ACTION: DIVCO authorized Chair Auffhammer to draft a cover letter to forward committee comments to the Academic Council.

- E. Forward*** *Systemwide Senate Review: Final report of the University of California Systemwide Advisory Workgroup on Students with Disabilities*
Forwarded to the committees on Courses of Instruction (COCI), Diversity, Equity, and Campus Climate (DECC), Graduate Council (GC), Committee on Teaching (COT), and Undergraduate Council (UGC). DIVCO discussion tentatively scheduled for April 1, 2024.
- F. Forward*** *Proposal for a new Dual Degree Program with the National University of Singapore*
Forwarded to the committees on Budget and Interdepartmental Relations (BIR) and Undergraduate Council (UGC). DIVCO discussion tentatively scheduled for April 15, 2024.
- G. Forward*** *Key Disabled Students' Program Information, Procedures & Protocols for Implementation of UCOP PACAOS 140, 143 et seq (Provision of Academic Adjustments)*
Forwarded to the committees on Courses of Instruction (COCI), Diversity, Equity, and Campus Climate (DECC), Faculty Welfare (FWEL), Graduate Council (GC), Committee on Teaching (COT), Rules and Elections (R&E), and Undergraduate Council (UGC). DIVCO discussion tentatively scheduled for May 13, 2024.

VI. INFORMATIONAL ITEMS—None

The meeting was adjourned at 2:02 p.m.

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	P	P	P					
Ansell, Christopher	P	P	P	P					
Auffhammer, Maximilian	P	P	P	P					
Bunge, Silvia	P	P	P	P					
Fernald, Lia	P	P	A	P					
Firestone, Mary									
Gilles, Keith	P	P	P	P					
Hayes, Tyrone	P	P	P	P					
Hesse, Carla	P	P	P	A					
Landreth, David	P	P	P	P					
Levy, Jonah	P	A	P	P					
Morello-Frosch, Rachel	A	P	P	P					
Nelson, Jelani	A	P	A	P					
Nuru-Jeter, Amani	P	P	P	P					
Puckett, Kent	P	P	P	A					
Sheehan, Jonathan	P	P	P	A					
Villas-Boas, J. Miguel	P	P	P	P					
Volpp, Sophie	P	P	A	A					
Wallace, Nancy									
Wildsoet, Christine	P	P	A	P					
Wymore, Lisa	P	A	A	A					

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
Archer, Heather				P					
Gailmard, Sean P.				P					
Jantz, Dana				P					
Plaut, Victoria				P					
Wallace, R. Jay				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	P	P	P					
Hashimoto, Dorothy	P	P	P	P					

P=Present A=Absent * Non-voting