

APPROVED MINUTES OF THE MEETING BERKELEY DIVISION OF  
THE ACADEMIC SENATE THURSDAY, MAY 4, 2023

The Spring meeting of the Berkeley Division was called to order at 3:10 p.m. on Thursday, May 4, 2023 in Sibley Auditorium in the Bechtel Engineering Center. Professor Mary Ann Smart, Chair of the Berkeley Division, presided. The quorum of 50 Senate members was met.

**I. Minutes**

Minutes of the October 19, 2022 meeting of the Division (Enclosure 1)

**ACTION:** The minutes of the October 19, 2022 meeting of the Division were approved as presented.

**II. Announcements by President Michael Drake**

President Drake began by acknowledging the disruptions that have taken place for the past three years. While it is not over yet, we are in the decrescendo. A couple of positive things that were maintained during the difficult time were the belief in science, which protected the public health of the community, as well as sustained graduation rates.

Going forward, President Drake shared what his main focuses will be, one of which is climate change, which he expressed that he is committed to working with policy makers on. His other focus will be on ways to expand opportunities for students to attend UCs, and ways to grow enrollments without students physically being on campus.

President Drake also discussed COVID rates and fatalities and spoke to the differences in access to quality healthcare in different counties due to socioeconomic differences.

For the year, President Drake shared his priority which was to continue to do what he can to ensure that all campuses are safe for all members of the community and create feelings of safety and respect on campuses. He briefly spoke to the incidents on the campus of UC Davis and confirmed that a suspect was in custody as of the evening of May 3, 2023.

In closing, President Drake briefly touched on some larger issues, such as the United Auto Workers (UAW) labor contracts, the campus budgets, and the number of nonresident students on campuses, which the State Legislature wanted a cap.

After thanking and congratulating Chancellor Christ on her fundraising efforts, President Drake took some questions from Senate faculty members. Questions touched on the importance of being engaged with the legislature and the best way to build a constituency for graduate education and research.

### **III. Other Announcements**

#### **A. Chancellor Carol Christ**

Chancellor Christ began by lauding the resilience of the graduating class of 2023, who began their college careers in 2019. This is also the time of year for yield activities, which are currently taking place for the class of 2027. The Chancellor acknowledged that it has been a difficult year, through the pandemic, financial challenges, and the graduate student strike – on top of the hard work of teaching and mentoring. There is also large concern about the future of graduate programs, and TAS budgets are being increased as much as possible. There is also currently a campaign to raise money for graduate student support which is seeing considerable success.

Chancellor Christ then spoke about the budget. The structural deficit is being addressed by reducing expenditures and cutting administrative units more than academic units. Campus is now facing a deficit of about \$87 million. \$27 million in increased state support is expected, as well as \$23 million in increased tuition.

One way to maintain excellence is to increase revenues. Philanthropy has been growing beyond hopes and predictions. The \$6 billion goal has been hit, and the campus is continuing to raise money. Last calendar year, Berkeley was ranked number seven in the country for dollars raised. All six ranked above Berkeley have medical schools.

Chancellor Christ also spoke about some of the capital projects, such as Anchor House, the new residence hall for transfer students, with expected completion around fall of 2025. There is also graduate student housing being constructed in Albany, and two new additional student housing projects. Also, Berkeley just prevailed in a lawsuit regarding the development of the Upper Hearst project, and the Regents will be considering the establishment of the College of Computing, Data Science and Society (CDSS) at their May 2023 meeting.

Chancellor Christ concluded by stressing that the current moment is a pivotal one for higher education, as we reimagine our financial model and assess what the online capabilities discovered during the pandemic have to offer.

#### **B. Berkeley Division Chair Mary Ann Smart**

Division Chair Smart began by providing an overview of the main concerns for the academic year, which began with student learning loss after the pandemic and then took a sharp turn when UAW went on strike – which revealed some gaps in Berkeley's decision making and communication. Chair Smart recalled faculty's fear of discussing the strike with graduate students or faculty at the time, and shared the

fact that there were five post-strike groups established by faculty to address the many issues that arose during the strike.

Division Chair Smart mentioned a few silver linings, one being that graduate students in all fields will be compensated at a level that will allow them to live comfortably on campus. Another positive was that the strike demonstrated the value and strength of shared governance on campus – the voice of the Senate became more powerful after the strike.

Other successes of shared governance include the productive approach that the systemwide Senate took to the proposal for a College of Computing, Data Science and Society and also a new grant program to support research by faculty that was developed with the Vice Provost for the Faculty, titled *Spark Grants*.

There are many parts of graduate education that are being reimaged, including mentoring, equity and inclusion, and time to degree. The lines between paid labor and work done in independent study courses should also be defined. Chair Smart stressed the importance of preserving collegial relationships and granular engagement with the work of advisees and finding ways to educate and fully fund something close to the number of graduate students that are currently being trained in order to expose as much of the future workforce to the unique values and adventurous spirit of UC as possible. This will require an irresistible vision, that persuades both Sacramento and private support.

#### **C. ASUC Academic Affairs Vice President James Weichert**

ASUC Vice President Weichert expressed that student advocacy in collaboration with the Senate has had meaningful impact, but it is now the time to unite for a shared vision for a campus that supports all departments and programs, invests in academic models that sustain enrollments, and makes fundamental changes to grading policies. Weichert also stressed the importance of having an open conversation about grading culture and the mental health of students, faculty, and staff.

Weichert stressed that the landscape of higher education is changing, and that Berkeley is not exempt from having to adapt and survive. He shared his concerns about bias towards the status quo, but has been encouraged by conversations with faculty who share the same concerns as students. Weichert concluded with his belief that students and faculty are at their best when working together.

#### **IV. Special Orders-Consent Calendar**

*For proposed legislative amendments, **additions** to the current text are noted by an underline; **deletions** to the current text are noted by a strikethrough line. Per Division bylaws, the consent calendar is approved in the absence of a quorum.*

## **A. Proposed revisions to Berkeley Division Regulations 550 (College of Engineering Study Lists and Registration)**

The College of Engineering proposes to revise BDR 550 to reflect changes in College policies. The revisions were approved by the CoE faculty. The Committee on Rules and Elections found the revisions to be consistent with Systemwide and Berkeley Division legislation. Divisional Council also approved the changes.

### **550. STUDY LISTS AND REGISTRATION (Am. 3.83, 5.3.16)**

#### **A. Study Lists**

1. Study lists must be approved each semester ~~prior to enrollment~~ by a faculty adviser, or an authorized representative of the Dean of the College.
2. Students must enroll in at least 12 and not more than 20.5 units per semester, except with approval from a Dean or Dean's representative.
3. Study lists must include a minimum of two letter-graded technical courses, of at least three units each, or more, required of the student's declared major curriculum. ~~except with approval from the Dean or Dean's representative. Every semester students are expected to make satisfactory progress toward their declared major.~~

#### **B. Semester Limit**

1. A student admitted to the University as a freshman who has completed eight semesters shall not be permitted to register for any additional terms without permission of the Dean or Dean's representative of the College. ~~If permitted to register, the student is subject to such supervision as the Faculty of the College directs.~~
2. A student admitted to the University as a transfer who has completed five ~~four~~ semesters shall not be permitted to register for any additional terms without permission of the Dean or Dean's representative of the College. ~~If permitted to register, the student is subject to such supervision as the Faculty of the College directs.~~
3. ~~A student admitted to the University as a transfer lacking three or more lower division courses required of the major curricula shall be granted one additional semester.~~
34. A student who participates in an approved Education Abroad program during a Fall or Spring term shall be granted one additional semester.
45. A student may complete an unlimited number of units beyond the minimum 120 semester units required for graduation on condition that the student graduates within the maximum semesters (8/54) allotted.

## B. Proposed revisions to Berkeley Division Regulation 556 (College of Engineering Curricula Requirements)

The College of Engineering proposes to revise BDR 556 to reflect changes in College policies and to allow CoE faculty to make emergency changes to grading requirements (in lieu of holding an emergency meeting of the Division, as was required in spring 2020). The revisions were approved by the CoE faculty. The Committee on Rules and Elections found the revisions to be consistent with Systemwide and Berkeley Division legislation. Divisional Council also approved the changes.

### 556. CURRICULA REQUIREMENTS (Am. 3.83, 10.25.93, 5.3.16, 11.30.20-05.15.21)

1. Curricula in those fields of Engineering in which the College is prepared to offer instruction shall be published in the Berkeley Academic Guide or the College of Engineering Undergraduate Guide after approval by the Faculty of the College.
2. Each curriculum (except those offered through Engineering Science) must include no fewer than 20 units of upper division courses in the major engineering department offering the curriculum, and a minimum of ~~45~~ 40 units of engineering coursework.
3. ~~All technical courses~~ Any technical course (math, science, engineering), ~~whether required of the major or not,~~ that can be used to fulfill a requirement for the student's major must be taken on a letter graded basis, unless only offered on a P/NP basis, or unless approved to be taken P/NP by the Faculty of the College.
4. Six courses, of a minimum three semester units each, in humanities and social sciences, selected from an approved list, are required of all curricula for the Bachelor of Science in Engineering. Two of the six courses must be from the approved Reading and Composition course list (one from list "A" and one from list "B"), and two must be upper division courses. The Reading and Composition courses must be taken for a letter grade; a minimum grade of C- is required. Courses taken in satisfaction of the six course humanities and social sciences requirement must be selected from a list approved by the Undergraduate Study Committee, or by the Dean or Dean's representative under parameters set by the Undergraduate Study Committee.
5. A student must be admitted to, and officially declared in, one of the approved Engineering curricula, and follow the curricula as prescribed.
  - a. Students admitted to the College as undeclared must officially declare a major by no later than the end of the fourth semester.
  - b. Transfer students are not eligible to change majors, including adding a second major in the College of Engineering.

6. Credit assigned in a particular subject by the Board of Admissions and Relations with Schools to a student entering the College of Engineering may be applied in satisfaction of the prescribed work in that subject in the curriculum of the College only insofar as proper authorities of the College, acting on recommendation of the department concerned, approve the substitution.

### C. Proposed revisions to Berkeley Division Regulations 563 (College of Engineering Dismissal and Continued Enrollment)

The College of Engineering proposes to revise BDR 563 to define a new academic standing reflecting CoE's practices regarding student dismissal. The revisions were approved by the CoE faculty. The Committee on Rules and Elections found the revisions to be consistent with Systemwide and Berkeley Division legislation. Divisional Council also approved the changes.

#### 563. DISMISSAL AND CONTINUED ENROLLMENT (Am. 5.3.16)

A student in the College of Engineering is subject to ~~dismissal~~ academic suspension if at the end of any term the student fails to:

1. Attain at least a C average (2.00 GPA) in all courses for which the student was enrolled (semester GPA); or
2. Attain at least a C average (2.00 GPA) in all courses undertaken in the University to date (overall GPA); or
3. Attain at least a C average (2.00 GPA) in courses taken in satisfaction of the technical subject requirements and restricted electives of the student's curriculum ~~and option~~; or
4. Attain at least a C average (2.00 GPA) in upper division courses taken in satisfaction of the technical subject requirements and restricted electives of the student's curriculum ~~and option~~; or
5. Make normal degree progress toward the Bachelor of Science degree and the officially declared major.
6. ~~Computation of a grade point average must not include courses graded P, S, NP, U, I, and IP.~~

A student who is readmitted after academic suspension is subject to dismissal if at the end of any term the student fails to:

1. Attain at least a C average (2.00 GPA) in all courses for which the student was enrolled (semester GPA); or
2. Attain at least a C average (2.00 GPA) in all courses undertaken in the University to date (overall GPA); or
3. Attain at least a C average (2.00 GPA) in all courses taken in satisfaction of the technical subject requirements and restricted electives of the student's curriculum; or

4. Attain at least a C average (2.00 GPA) in upper division courses taken in satisfaction of the technical subject requirements and restricted electives of the student's curriculum; or
5. Make normal progress toward the Bachelor of Science degree in the student's officially declared major.

A student who becomes subject to the provisions of this Regulation is under the supervision of the Faculty of the College, as described in Regulation A240. (En. 3.83) The Dean, or a designated agent of the Dean, has the power to:

- Academically suspend or dismiss ~~Dismiss~~ from the University students under its supervision who fail to maintain minimum standards of Regulation 563;
- Suspend the provisions of the Regulation and permit the retention in the University of a student who is subject to academic suspension or dismissal;
- Authorize the return to the University of a student who has been ~~dismissed~~ academically suspended under this Regulation.

#### **D. Proposed revision to Berkeley Division Regulation 902 (Doctor of Optometry Degree)**

The Herbert Wertheim School of Optometry and Vision Science has proposed to move to an all-Satisfactory/Unsatisfactory grading system for its Doctor of Optometry program. The proposal has been reviewed and approved by the Graduate Council, the Committee on Courses of Instruction, and Divisional Council. In order to implement the new grading system, BDR 902 must be revised, along with BDR A204 (see item E below).

#### **902. DOCTOR OF OPTOMETRY DEGREE**

The Degree Doctor of Optometry (O.D.) will be granted on the following conditions. The candidate must have:

- A. ~~Completed with a B average (3.00) or better, Received a Satisfactory (S) in~~ all of the required courses and clinics in the four-year professional curriculum prescribed by a faculty committee appointed by the Faculty of the School of Optometry;
- B. Demonstrated suitability for a career in health care by complying with the School of Optometry's policies and procedures related to professional conduct;
- C. Passed a clinical proficiency qualifying examination conducted by a committee of the clinical faculty;
- D. Indicated the capacity to make a substantial positive contribution to the health and welfare of the general public by having provided thorough and competent vision care to patients examined under the supervision of the School of Optometry faculty, both while serving as

a clinical intern in the School of Optometry's clinics and during clinical externships.

**E. Proposed amendment to Berkeley Division Regulation A204 (Passed/Not Passed, Satisfactory/Unsatisfactory Grades)**

The Herbert Wertheim School of Optometry and Vision Science has proposed to move to an all-Satisfactory/Unsatisfactory grading system for its Doctor of Optometry program. The proposal has been reviewed and approved by the Graduate Council, the Committee on Courses of Instruction, and Divisional Council. The Committee on Rules and Elections therefore proposes an amendment to BDR A204 to exempt students in the Doctor of Optometry program from the one-third limit for courses graded Satisfactory.

**A204. PASSED/NOT PASSED, SATISFACTORY/UNSATISFACTORY GRADES**

Subject to the following limitations and to any additional regulations which may be adopted by the Faculties of the various Schools and Colleges and the Graduate Council:

- Undergraduates in good academic standing may elect to undertake letter-graded courses on a Passed or Not Passed basis; and
  - Graduate students in good academic standing may elect to undertake letter-graded courses on a Satisfactory or Unsatisfactory basis.
- A. Students enrolled in degree programs may receive credit for courses graded Passed or Satisfactory to a limit of one-third of the total units undertaken and passed on the Berkeley Campus at the time the degree is awarded.
  - Units completed in an Education Abroad Program, on another University of California campus by an undergraduate in an intercampus visitor program, or by a graduate in an intercampus exchange or joint doctoral program are considered Berkeley work for the purpose of this Regulation.
  - For graduate degree programs, grades of Satisfactory assigned in courses numbered 299 and courses in 300, 400, or 600 series are excluded in the computation.
  - Students enrolled in the Doctor of Optometry program will receive credit for all courses graded Satisfactory.
- B. Courses which are required in, or are prerequisite to, the student's major may be taken Passed or Not Passed or Satisfactory or Unsatisfactory only upon approval of the Faculty of the student's School or College,
  - Courses which are required in a graduate student's major subject are determined by the student's adviser.



- C. Special or limited-status students may take courses on a Passed or Not Passed basis at the discretion of the Dean of the School or College in which they are enrolled.
- D. Further exception to this Regulation may be made only with the approval of the Committee on Courses of Instruction of the Berkeley Division.

**F. Proposed revisions to Berkeley Division Bylaw 45 (Committee on Teaching)** The Committee on Teaching proposes revisions to its bylaw to increase the number of members in order to organize its work into subcommittees. The duties of the committee have evolved and now will focus on pedagogy innovations and best practices, outreach and engagement with the Center for Teaching and Learning, academic technologies and learning tools, and issues of concern to the academic advising community, as well as nominating members of the Faculty for Distinguished Teaching Awards.

**45. TEACHING (CC. 10.89, Am. 3.92, 4.29.04, 5.1.14; EC. 10.20.14)**

**A. Membership**

This Committee has at least ~~five~~eleven Senate members, of whom a minimum of two should be past recipients of the Distinguished Teaching Award;~~;~~ and ~~two~~three student members, ~~one~~two undergraduate and one graduate.<sup>10</sup>

**B. Duties**

- Study issues concerning teaching and general pedagogy innovations and best practices on the campus and make recommendations to the Berkeley Division.
- Through its subcommittees, Encourage and aid departments and the campus to strengthen ~~their~~ efforts to foster, recognize, and reward good teaching by:
  - Nominating members of the Faculty for approval by the Divisional Council to receive Distinguished Teaching Awards and other awards as appropriate.
  - Providing regular feedback to the Center for Teaching and Learning on outreach and engagement practices.
  - Reviewing campus updates on the use of core academic technologies and supported campus learning tools.
  - Collaborating with the academic advising community to address issues of concern. ○ ~~Upon request from the Chancellor or members of the Chancellor's cabinet, solicit and submit nominations of faculty members as potential recipients of external awards for teaching;~~
- ~~Advise the administration on the allocation of resources for instructional improvement and development; and~~
- ~~Undertake special activities to improve teaching and learning on campus.~~

- ~~Study issues concerning teaching on the campus and make recommendations to the Berkeley Division.~~

### **G. Proposed amendment to Berkeley Division Bylaw 3 (Officers of the Division, Chair Term)**

A member of the Berkeley Division has proposed a legislative change to bar the Division Chair from moving directly into an administrative position after their term as Chair ends. The rationale is to avoid any conflict of interest in the execution of the Chair's duties. The Committee on Rules and Elections reviewed the proposal and did not find it to be in conflict with the rights of Senate members. R&E proposes to amend BDB 3 but to allow exceptions to be made by Divisional Council. The named categories refer to the Senior Management Group and the Academic Administrative Officer positions defined in APM 110.

### **3. OFFICERS OF THE DIVISION (Am. 10.89, 10.25.94, 10.17.95)**

#### **A. Chair Term**

The Chair of the Division is appointed by the Committee on Committees to serve for a term of one year beginning with the first day of instruction in the Fall Term. Normally, the Chair succeeds to this office and to Chair of the Divisional Council after having served the previous year as Vice Chair both of the Division and of the Council. In order to avoid conflict of interest, or the appearance of conflict of interest, the Chair may not accept an appointment to a Senior Management or Academic Administrative Officer position in the University (not including Department Chair or Director), for at least one calendar year after leaving office. After full and open debate, the Divisional Council may grant exceptions.

#### **Duties**

- Presides at meetings of the Division and of the Divisional Council.
- Sits, upon invitation or at their discretion, without vote, in deliberations of any committee of the Division.
- Serves, *ex officio*, as a member of the Assembly of the Academic Senate and of the Academic Council, and as Chair of the Divisional Committee on Assembly Representation.
- Refers matters to the officers or agencies of the Division and of the Administration, as appropriate.

#### **B. Vice Chair Term**

The Vice Chair of the Division and of the Divisional Council is appointed by the Committee on Committees to serve a term of one year beginning with the first day of instruction in the Fall. The Vice Chair will normally succeed to the positions of Chair of the Division and of the Divisional Council.

#### **Duties**

- Serves as Chair when the Chair is temporarily unable to serve.

- Performs such duties as assigned by the Chair of the Division.

**C. Secretary**

**Term**

The Secretary of the Division is appointed by the Committee on Committees to serve for a term of two years, subject to reappointment, beginning with the first day of instruction in the Fall Semester. **Duties**

- Prepares the Call and Minutes for each meeting of the Division in accordance with Senate By-Laws.
- Assumes the duties of Chair in case of absence of both the Chair and Vice Chair.
- Performs such duties as assigned by the Chair of the Division.
- Maintains a complete file for the Senate of minutes, reports, and agendas of all Divisional committees and other Senate agencies.

**D. Parliamentarian**

The Committee on Committees appoints the Parliamentarian to serve at the pleasure of the Divisional Council.

**ACTION:** Consent Calendar items A-F were approved as presented. Item G was moved to New Business for further discussion.

**V. Reports of Special Committees (None)**

**VI. Reports of Standing Committees**

**A. Committee on Diversity, Equity, and Campus Climate *Leon***

*A. Henkin Citation for Distinguished Service* <https://academic-senate.berkeley.edu/awards/henkin>

The Academic Senate's Committee on Diversity, Equity, and Campus Climate recommended Professor Michi Taga from the Department of Plant and Microbial Biology to receive the 2023 Leon A. Henkin Citation, given in recognition of an "exceptional commitment to the educational development of students from groups who are underrepresented in the academy." This recommendation was approved by Divisional Council. Taga's far-reaching work to promote diversity in her department and beyond includes establishing and chairing her department's Diversity Committee, reforming processes for faculty searches and graduate admissions, and spearheading a new mentoring program.

**B. Committee on Faculty Awards** (written report only – Enclosure 2)

### **C. Committee on Rules and Elections**

The Chair of the Committee on Rules and Elections (R&E), J. Keith Gilles, provided a brief report. 484 ballots were cast in elections. Professors Tyrone Hayes, Jonah Levy, and Jelani Nelson were elected to Divisional Council (DIVCO), and Professors Francesco Borrelli, Sunil Dutta, Paolo Mancosu, and Sayeef Salahuddin were elected to the Committee on Committees (COMS).

### **D. Committee on Teaching *Distinguished***

*Teaching Award*

<https://teaching.berkeley.edu/node/240>

The Academic Senate's Committee on Teaching recommended the following recipients for the Distinguished Teaching Award, the campus's most prestigious honor for teaching. These recommendations were approved by Divisional Council. The award recognizes teaching that incites intellectual curiosity in students, engages them thoroughly in the enterprise of learning, and has a lifelong impact.

- Laleh Behbehanian, Sociology
- Abigail De Kosnik, Theater, Dance, and Performance Studies
- Daniel Hoffmann, French
- Joshua Hug, Electrical Engineering and Computer Sciences
- Elisa Tamarkin, English

### **VII. Petitions of Students (None)**

### **VIII. Unfinished Business (None)**

### **IX. University and Faculty Welfare**

#### **A. Advocacy, Access, Excellence: Planning for the Next Decade A Conversation with UC Provost Katherine S. Newman (Discussion only)**

Vice Chair of the Berkeley Division Max Auffhammer conversed with Provost Newman on a variety of topics, including the objectives of the joint task force she has convened on *The Future of UC Doctoral Programs*, undergraduate enrollment, online education, and prospects for increased support from state and private sources.

Provost Newman also touched on her decision-making process, which includes listening intently to the different perspectives of stakeholders, and leading with a sense of True North.

In regard to her task force on doctoral programs, Provost Newman expressed that she is very action-oriented when it comes to task forces. The graduate enterprise is important to the research enterprise and the future of fields that we want to see thrive and survive. Provost Newman expressed the importance of taking care of graduate students financially as much as possible, while also being realistic about the ability to raise funds quickly. Provost Newman shared her belief that we have a responsibility to match the output of our graduate programs with the demands of the market they can serve.

In addition to her task force, Provost Newman announced another systemwide gathering that will begin in the fall, called a congress. It will not be a decisionmaking group, but a gathering of people who are interested in similar questions pertaining to graduate education.

Provost Newman also spoke to the need to grow faculty as enrollment expands, but there is also a need to determine how to fund additional faculty. In conclusion, Provost Newman expressed her faith in the enterprise that we're involved in and her hopes that Berkeley colleagues are protecting that spirit of faith.

## **X. New Business**

### **A. Proposed amendment to Berkeley Division Bylaw 3 (Officers of the Division, Chair Term)**

After discussing voting procedure, Division Chair Smart read the text of item G from the Consent Calendar and explained that the amendment was proposed by a Senate member. The amendment was reviewed by R&E and DIVCO, who supported placing it on the agenda for the spring Division meeting.

A Senate member moved to approve the amendment, and the motion was seconded.

Senate members then argued both in favor of and against the proposed bylaw change. The arguments against the proposal spoke to the fairness of the proposition. The arguments in favor included the potential tension of being a leader of the faculty and being in an administrative position, and the appearance of a conflict of interest.

After a verbal majority vote to end the discussion, approval of the bylaw change went to a vote by show of hands. The bylaw change was approved with a vote of 43 in favor and 6 opposed. There were 5 abstentions.

It was moved and seconded to adjourn the meeting at 4:54 p.m. The motion was carried.

J. Keith Gilles  
Secretary, Berkeley Division