

COMMITTEE ON FACULTY WELFARE & ACADEMIC FREEDOM (FWAF)
ANNUAL REPORT
AY 2015-2016

To the Merced Division of the Academic Senate:

Academic Year (AY) 2015-2016 was the inaugural year of the Committee on Faculty Welfare and Academic Freedom. The committee was empaneled as a result of the request made by the former Committee on Faculty Welfare, Diversity, and Academic Freedom (FWDAF) that faculty welfare and academic freedom issues would be better served if they were placed under the purview of a separate, standing Senate committee such that exists on all other UC campuses. Following an approval vote by the Senate faculty in spring 2015, FWAF was officially created as a standing committee.

In AY 2015-2016, FWAF held a total of 4 regularly scheduled in-person meetings in order to conduct business with respect to its duties as outlined in UC Merced's Senate Bylaw [II.IV.5](#). Some additional business was completed via electronic mail discussions.

Areas of Focus

In the first meeting of fall semester, FWAF members agreed that its overarching goal is faculty retention. All its activities during the academic year were guided by this general goal.

Consultation with Vice Provost for the Faculty

FWAF benefited during the academic year from consultation with ex-officio, non-voting committee member, Vice Provost for the Faculty (VPF) Gregg Camfield. In addition to VPF Camfield's attendance at meetings, the FWAF chair met with him via regular, standing meetings.

Among the many issues FWAF discussed with the VPF is "change management" which seeks to assuage the administrative burden faced by faculty members. The two-step approach was to: (1) identify the most crucial problems faced by faculty members and arrange for staff support to ameliorate them, and (2) examine the processes that are not working efficiently and begin finding solutions. Faculty members were asked to create lists of aspects of the campus and their campus life they wished worked more efficiently, and to submit them to the VPF, whereupon, the VPF asked for FWAF's input. Senior leadership

was tasked with strategizing about short- and long-term solutions.

Community building was another theme for discussion the committee had with the VPF this year, as a way to raise faculty morale and foster a sense of collegiality. The FWAF chair worked closely with the VPF to create a faculty social hour with external vendors where faculty can socialize and network with colleagues. The Chancellor expressed her support for this idea and announced in the last FWAF meeting in May, 2016 that she hopes to have such an event in place by fall semester 2016.

Other ongoing items of consultation between FWAF and the VPF included: **(1)** a new faculty orientation onboarding model in which all incoming faculty hires are assigned to campus transition teams comprised of individuals from relevant campus units, **(2)** the formation of Digital Measures focus groups to make the system more efficient for faculty, **(3)** faculty start-up funds, **(4)** extending Active Service-Modified Duty (ASMD), and **(5)** the development of a campus-wide Police Advisory Board.

Faculty Success Program

The Faculty Success Program (part of the National Center for Faculty Development and Diversity) entered its second year and FWAF continued its partnership with the Academic Personnel office and VPF Camfield (begun last year when the committee was FWDAF) to secure funding for a cohort of assistant professors to complete the online development program. FWAF decided that last year's program cohort would assist the committee in reviewing the applications for this year. The program's "boot camp" event was held in spring 2016. Three applicants – one from each school – were selected this year.

Faculty Professional Development Series

Begun under last year's FWDAF, this year's FWAF continued its partnership with the Academic Personnel office on sponsoring a year-long series of workshops aimed at the professional development of assistant professors. Topics included strategies for promotion, an inclusive scientific community, writing an effective self-statement, and building successful mentoring relationships (an external speaker was invited for the latter).

Proposed Expansion of ASMD

FWAF submitted a memo to Division Council strongly advising that serious consideration be given to expanding the provisions of ASMD as currently outlined in APM 760-28 to include providing care for immediate, and/or close family members, and those that fall

under the provision of legal guardianship. Currently, ASMD is only available for faculty members caring “for a newborn child or a child under age five newly placed for adoption or foster care.” FWAF suggested that this language be modified to better match that of the recently-revised APM 133 dealing with “stop the clock” provisions for untenured faculty. This proposed change would not only better align ASMD with the new criteria adopted in APM 133, it would also provide relief for tenured faculty caring for an ailing family member or legal guardianship for whom the “stop the clock” provisions are not relevant. Currently, any relief given to faculty members in this situation (such as a reduced teaching load) is reliant on ad hoc departmental arrangements. Extending the provisions of ASMD to cover these circumstances would ensure equity in treatment across units and to promote family-friendly policies that extend beyond the birth or adoption of a child.

At the May 5 committee meeting, Provost/EVC Peterson confirmed that FWAF’s memo on the proposed ASMD revisions was being discussed at the system-wide level, as other campuses have suggested similar revisions to allow senior faculty to defer scheduled personnel actions without punishment. According to VPF Camfield, the system-wide Senate will issue a revised APM section on ASMD to the campuses for review in January 2017.

Recommended Alternatives for Faculty Start-Up Funds

In recognition of the fact that a number of faculty have fears that their start-up funds would be sequestered by the Provost/EVC if not spent in a prescribed manner, FWAF submitted a memo to Division Council in spring 2016 with recommended alternatives for the use of start-up funds. FWAF requested the Council’s endorsement and for the recommendations to be sent on VPF Camfield and Provost/EVC Peterson. The proposal stated: **(1)** all new hires to get access to start-up funds for six years, with an additional year possible by application to the dean in extraordinary circumstance (similar to stop-the-clock provisions). This may be especially important for new, junior faculty hires that are preparing their tenure cases in their 5th or 6th year, and thus, 6 years provides them sufficient time to use their funds accordingly to help ensure their successful advancement. **(2)** Allow new faculty hires to map out blocks of their start-up funds to be released for particular purposes over the period of 6 years (or up until tenure, should there be extenuating circumstances such as family or sick leave, or accelerated advancement). Faculty could have the option to modify this, with the dean’s approval. **(3)** If faculty are required to relinquish start-up funds because of an expiration date, the funds relinquished, either 100% or some reasonable percentage, will be returned at a later date such as when the faculty advances to tenure in

the form of a mid-career award or at promotion to full as an established career award. Similarly, if a faculty member is successful at obtaining a substantial grant while in the possession of start-up funds, allow the faculty to relinquish the funds as credit for later years as described for advancement to Associate or Full.

FWAF also strongly encouraged the Provost/EVC to dedicate all relinquished start-up funds to be used solely for supporting the research mission of the faculty as either funds: **(1)** to address retention of successful faculty, **(2)** to establish a bridge funding program, and/or **(3)** to enhance the existing Senate faculty research grant program.

Consultation with Director of Campus Climate

FWAF benefited from updates from Director of Campus Climate De Acker. Director Acker provided conflict resolution services, albeit informally, and served as a resource to all faculty, including Bylaw 55 unit chairs. The other two main components of her position are diversity and inclusion, and crisis intervention.

Director Acker also discussed with FWAF a resource guide on recognizing signs of a distressed colleague and with whom individuals can speak to for help or to report the behavior. FWAF members dedicated a significant amount of time on discussing how to address distressed faculty members and the roles of the deans, bylaw chairs, and faculty mentors. Faculty should feel comfortable with approaching their colleagues and mentors, but there is a question of whether unit chairs and deans are willing to assume the responsibility. This would require training for deans and unit chairs to properly prepare them to handle these situations. However, some faculty members are unwilling to speak to their senior colleagues or their mentors for fear of retaliation in their next personnel review. Several faculty members are also reluctant to report the distressed behavior of colleagues for fear of “exposing” their colleagues or “getting them into trouble”. Compounding these problems is the fact that there is a lack of appropriate mental health care in the community and no resources available for faculty members to find area providers.

At the end of spring semester, Director Acker and Associate Chancellor Luanna Putney circulated to FWAF members the proposed, new campus policy on Abusive Conduct. FWAF members asked for the proposed policy to be distributed to the Division Council for input by all Senate committees. At the end of the semester and academic year, Associate Chancellor Putney agreed to release the draft policy widely for campus input with a deadline of September 16, 2016 to ensure broad feedback from faculty.

Consultation with AVC & Chief of Police

In keeping with the theme of faculty retention and community – and in light of the campus events of November 4, 2015 – FWAF consulted with AVC of Public Safety and Police Chief Al Vasquez to discuss the development of campus emergency preparedness plans. FWAF recognized that campus stakeholders have different needs and any future plans should include input from a police advisory board, diversity and inclusion education, and emergency preparedness. The committee also advocated for training to be made available to faculty members and graduate student teaching assistants on self-defense and crisis responses. Given that students look to their faculty members for leadership in times of crisis and for guidance on proper procedures, it is imperative for faculty members to be part of the process to develop an overall campus emergency preparedness plan.

Members of FWAF felt strongly that campus police procedures be transparent and that the flow of communication be open and routine so that students, staff, and faculty feel safe at all times, and not just during crises. The committee recommended that students, staff, and faculty also be involved in advocating for the empaneling of a police advisory board, such that exists on other institutions. Such an institutional bond of trust will take a long time to create, but the campus should take the first steps to creating a culture of trust.

In January 2016, FWAF transmitted a memo to VPF Camfield that formally requested the initiation of the establishment of a task force or other committee that will be charged with formalizing the formation of a campus police advisory board.

After-School Program

FWAF recognized the need for after-school programming at the ECEC and for similar options for the multiple, traditional breaks such as Thanksgiving and Spring Break, as local schools' schedules do not align with UCM's academic calendar. FWAF agreed to partner with the Academic Personnel office in trying to determine how many parents on campus would utilize such a program. This is a carry-over item for the next academic year, as the Academic Personnel office may conduct a survey with FWAF providing input on this issue.

Consultation with Chancellor and Provost/EVC

As was traditional with the previous FWDAF, the last meeting of the academic year consisted of a debriefing with the Chancellor and Provost/EVC on the committee's business over the academic year and discussion of potential issues in the impending AY.

The Chancellor raised the following issues and topics with FWAF: **(1)** she requested FWAF's input on a campus version of the Regents' Statement of Principles Against Intolerance, and acknowledged FWAF's position that the Regents' version provided too narrow of a definition of intolerance. A broader statement is to be implemented on campus in fall 2016 by the Chancellor's office per the Chancellor's request. **(2)** She offered her support to faculty and staff collaborating on establishing an after-school program either on campus or in the community. **(3)** She acknowledged the lack of the campus's workforce plan and stated with confidence that she would lead the effort over the summer to help ensure a plan is developed in a timely manner. **(4)** She has authorized the creation of a new administrative position to be housed in the VPF's office that will serve as the faculty "concierge" to improve staff support for faculty.

Systemwide Review Items

- UCFW updates. Major items of discussion this academic year were:
 - Modifications to the UC Retirement Program. A task force, comprised of faculty and administrators, was asked to recommend to UC President Napolitano whether the defined benefit plan would be supplemented by a defined contribution plan to make up the shortfall. Many faculty believe that this new process will negatively impact the UC's ability to recruit good faculty due to uncompetitive salaries. The consensus at UCFW is that the proposed revisions are unpopular for three major reasons: **(1)** the process violated the spirit and letter of shared governance; the proposed modifications to the retirement program were determined by the "Committee of Two" (UC President Napolitano and Governor Brown), and did not include Senate faculty; **(2)** the review period for the Academic Senate to review the modifications and respond was unreasonably short, and **(3)** the proposed revisions would significantly disadvantage the benefits of UC employees hired after July 1, 2016.
 - The nascent plans to create a UC Care HMO have been postponed at this time. The UC will only make small changes to the current UC Care plan.
- UCAF updates. Major items of discussion this year included the Regents' Statement of Principles Against Intolerance, the retirement options benefits task force report, and cybersecurity measures taken by UCOP. Regarding the latter, UC faculty did not necessarily have concerns about the measures, rather, they were alarmed at the lack of Senate consultation when UCOP selected a cyber security vendor.
- Guiding principles for search waivers. FWAF did not completely endorse the

guidelines, as they do not include exceptions to allow for addressing disparities in diversity among faculty ranks such that Targets of Opportunity would allow.

- Retirement Benefits Task Force Report. FWAF agreed with UCFW's aforementioned position that the secrecy of the negotiations between Governor Brown and President Napolitano, combined with the unreasonably short review period for such a complex issue, showed a marked lack of respect for the spirit of shared governance. In addition, the various options put forth by the task force essentially ensure that any new tier that is created will significantly disadvantage new employees. Furthermore, in the absence of a corresponding increase in salary, this will cause the UC to fall even further behind comparator institutions, harming UCM's ability to recruit and retain top faculty.
- Allocation of 3% of faculty salary increase. It was announced that 1.5% of the increase was to be allocated directly to each faculty member. Each of the 10 campuses was asked to opine on how the remaining 1.5% was to be earmarked. Areas under consideration were one or more of the following: **(1)** salary compression, **(2)** salary inversion, **(3)** salary "inequities", and **(4)** exceptional merit and scholarship. In making its recommendations, FWAF requested additional information on ameliorating the costs of **(1)** and **(2)** above. The committee concluded that if funds are not available to completely (100%) resolve the disparities in salaries caused by **(1)**, **(2)**, and **(3)**, it would recommend addressing these disparities to at least 75-80% of the existing disparity for each case.
- Regents' Statement of Principles Against Intolerance. While FWAF was in favor of the present discussions to potentially draft a Statement for the UC, it also recognized the controversy surrounding these discussions because of the potential of any statement to infringe upon First Amendment rights of freedom of speech and the University's protection of academic freedom. Nonetheless, the committee agreed that the rights and safety of all constituents present at academic institutions need to be protected, and inflammatory and hateful rhetoric has no place at institutions of higher education.
- FWAF reviewed and endorsed the proposed modifications to Senate Bylaw 140 pertaining to the renaming of the University Committee on Affirmative Action and Diversity to the University Committee on Affirmative Action, Diversity, and Equity.

Campus Review Items

- FWAF reviewed and endorsed the Honors Task Force Report.

Respectfully submitted:

FWAF members:

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Jayson Beaster-Jones (SSHA)

Laura Hamilton (SSHA)

UCFW representative:

Sean Malloy (SSHA)

Ex officio, non-voting member:

Gregg Camfield, Vice Provost for the Faculty

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