

Committee on Faculty Welfare and Academic Freedom (FWAF)
Minutes of Meeting
September 13, 2017

Pursuant to call, the Committee on Faculty Welfare and Academic Freedom met at 10:30 am on September 13, 2017 in Room 360 of the Kolligian Library, Chair Sean Malloy presiding.

I. Chair's Report

- Chair Malloy welcomed new members to the committee.
- Chair Malloy announced that he would like to table two items on today's agenda for a future meeting: 1) classroom safety and 2) the Police Advisory Board. Prior to this meeting, Associate Chancellor Putney and Campus Counsel Elisabeth Gunther transmitted a revised charge for the Police Advisory Board. FWAF members agreed that while a few outstanding issues still persist with the nature of the Board, the Board should nevertheless be empaneled and FWAF looks forward to consulting with its membership in spring 2018.

ACTION: Associate Chancellor Putney announced that she will proceed with a solicitation for membership.

- With regard to the two statements drafted last year by FWAF and D&E on the importance of diversity in faculty hiring, Chair Malloy informed FWAF members that Division Council's recommendation was to submit one, comprehensive statement drafted by both committees. VPF Camfield suggested in today's meeting that FWAF and D&E can still submit two separate statements, one outlining enduring principles of diversity in hiring and the other detailing specific recommendations. FWAF members also agreed that the statements should include LGBTQ diversity in addition to gender and ethnic diversity.

ACTION: Chair Malloy will work with D&E chair Chin on drafting revised statements on diversity in faculty hiring.

- In the last academic year, FWAF submitted a statement of principles on the management of faculty incidentals and startup funds. That statement was transmitted from the Senate Chair to the Provost/EVC, VPF, and the Interim VC for Planning & Budget in February 2017 (committee analyst forwarded the memo to current FWAF members during this meeting). VPF Camfield announced that the principles will be used to inform the work of the newly-created campus working group on the budget, which will be co-chaired by the Interim VC for Planning & Budget and the Senate Vice Chair.
- Child care survey. Prior to this meeting, FWAF members were provided the results of last academic year's survey conducted by FWAF and sent to all faculty, staff, graduate students, and post docs. Chair Malloy pointed out that the main sentiment that stands out quite starkly from the responses is the significant problem of the lack of after-school, summer, and holiday care. This situation has reached a crisis point and has negatively affected faculty, staff, and students' work; indeed, it is also a faculty and staff recruitment and retention issue. FWAF members discussed the possibility of the ECEC extending its hours to allow for after-school care, but recognized that this is cost-prohibitive for many parents. Another critical issue is the lack of transportation for children to be taken to after-school locations. FWAF members also acknowledged the misalignment of UCM's academic calendar with that of the Merced Unified School District. VPF Camfield agreed with the need for a UCM liaison to consult with local schools and find ways to ameliorate this problem.

ACTION: FWAF will submit a memo to VPF Camfield containing recommendations for addressing the lack of after-school, summer, and holiday child care.

II. Consultation with the Administration

Associate Chancellor Luanna Putney and Director of Campus Climate De Acker attended a portion of the meeting to discuss issues of free speech.

FWAF members pointed out that the APM makes clear what is protected free speech for faculty and what is not. Similar rules apply for the definition of free speech for students. However, there does not appear to be a policy that articulates how to handle external speakers who are neither students nor faculty. Faculty and student free speech policies include a framework of responsibility – external speakers are not limited in this way. FWAF members appreciated the Chancellor's recent email on this subject, but questions remain about how to handle an external speaker who comes to campus for the purpose of using speech intended to incite violence.

Associate Chancellor Putney responded that the campus currently uses Regents guidelines and policies on handling external speakers. However, she acknowledged the need to have campus policies, and announced that she is working on drafting campus policies on protests, postings, and speakers.

FWAF members emphasized the importance of separating the First Amendment as a constitutional right from the right to access property owned by the Regents (UC campuses). External speakers should understand that if they are invited to campus, they must adhere to campus policies and be told that campus individuals have the right to rebut the speakers' comments. There must be the opportunity for opposing views.

FWAF members also discussed human rights versus civil rights. Civil rights refer to the national, legal context, but human rights include the right to safety and freedom from fear. The campus should not deprioritize our campus constituents' right to feel safe on campus from speakers who incite violence against members of certain communities.

Associate Chancellor Putney stated that she and Campus Counsel Elisabeth Gunther would like to continue brainstorming with faculty and administration in order to finalize policies around these issues.

Director Acker announced to FWAF members that UCM will be piloting a project in October or November that is based on UCSD's inclusivity modules

from the National Conflict Resolution Center. UCSD representatives will visit UCM to conduct training on “The Art of Inclusive Communication.”

Director Acker also announced the future creation of a bias incident response team. The team would be tasked with handling informal complaints. UCSF has a similar model.

Associate Chancellor Putney announced that the campus has invited Erwin Chemerinsky, dean of UC Berkeley’s law school and a free speech legal scholar, to UCM in the spring semester.

ACTION: FWAF will submit a memo to Associate Chancellor Putney with recommendations for policies on protests, posting, and external speakers.

III. Consultation with VPF Camfield

VPF Camfield announced the following:

- The Chancellor has requested a series of events about questions on academic freedom and freedom of speech, and requested that faculty conduct teach-ins on these issues.
- The VPF will hold another faculty open forum on academic freedom on September 29 at 1:00 pm in KL 232. FWAF members suggested he encourage TAs, unit 18 lecturers, and undergraduate and graduate students to participate. FWAF members also suggested that the VPF hold joint panels with students, faculty, and staff, and consider combining this event with the Associate Chancellor’s effort to develop campus policies on protests, postings, and external speakers. Discussion resulting from such panels can help the campus articulate these policies.

ACTION: FWAF will provide VPF Camfield with a list of suggested participants and the VPF will forward the suggestions to the Chancellor.

IV. Other Business

Chair Malloy raised the following:

- Mental health care for faculty. A carry over item from last year's FWAF, members remain concerned by the lack of mental health practitioners in this area. FWAF will continue to advocate for accessible and culturally-competent mental health care. VPF Camfield expressed his appreciation and stated that this issue is a high priority for him and the Provost/EVC.

ACTION: FWAF will submit a memo to VPF Camfield, reiterating its strong support for mental health care for faculty.

- Faculty incidental funds. As stated above, FWAF's previously-drafted principles on the management of such funds was transmitted from the Senate Chair to the administration. A FWAF member in today's meeting raised the issue of the lack of equity and transparency of the handling of his funds in his school.

ACTION: FWAF will submit a memo to the VPF, reiterating the need for predictability, transparency, and equity in the handling of incidental funds.

There being no further business, the meeting adjourned at 12:00 pm.

Attest: Sean Malloy, Chair