

COMMITTEE ON FACULTY WELFARE & ACADEMIC FREEDOM (FWAF)

Thursday, February 15, 2024

11:30am – 1:00pm

ADMIN 245

MINUTES OF MEETING

Pursuant to call, the Committee on Faculty Welfare and Academic Freedom met at 11:30am on February 15, 2024. Chair Jayson Beaster-Jones presiding.

I. Chair's Report – Jayson Beaster-Jones

A. [DivCo Updates](#) (January 22 and February 12)

Interim EVC/Provost Zatz reported that next year the UC expects to be in deficit. The state is proposing to not give the UC the usual amount of funding, but the following year they will provide double the funding. The Governor wants to include language in the budget that states that for next year the UC will get funding before anyone else, however, it is unknown if the Legislature will approve this.

There was an extensive discussion regarding the Area H Ethnic Studies requirement. Academic Council voted in favor of sending the Area H issue back to the campuses.

At the recent UC Regents meeting, the pending policy about university websites was tabled after Academic Council objected on a procedural point.

Online degree programs were also discussed at the UC Regents meeting. There were concerns surrounding outcomes, graduation rates, and the quality of education from these programs.

Senate Vice-Chair Mitchell provided an update on the two TAS Work Groups and each of their goals. The goal for the TAS work group is to have recommendations in place that could impact Spring 2025.

Co-Chair Khatri provided an update on the Financial Management and Reporting Task Force. All three work groups under the task force will present their plans at a future task force meeting as each work group has been asked to articulate challenges in their processes and identify three short-term and long-term problems that can be fixed. Additionally, Chair Beaster-Jones spoke with Co-Chair Khatri as the task force has been mentioned at UCFW. UCFW has requested more information as other UC campuses are also experiencing significant problems when they transitioned to Oracle.

II. Consent Calendar

A. Today's agenda

B. [January 18 draft Meeting Minutes](#)

Action: Today's agenda and the January 18 Meeting Minutes were approved as presented. The FWAF analyst will update the Senate website accordingly.

III. MCS Instructional Budget Memo

The Management of Complex Systems (MCS) Department sent a memo to Senate leadership regarding challenges with the implementation of the new instructional budget model. Both FWAF and CAPRA have been asked to review the memo and respond.

On November 22 CAPRA issued a response, available [here](#).

Members discussed the draft response memo and provided additional comments. Members wanted clarification regarding nascent programs as mentioned in the School of Engineering Executive Committee's letter of support. It was noted that there is a potential faculty welfare concern if the instructional budget model privileges nascent programs. Overall, members agreed that nascent programs should be allotted a certain amount of resources, however, it is currently unclear what parameters define a nascent program as well as the timeline a program has to stay in a nascent status. Greater clarification surrounding this would help to ensure that unequal advantages are not given to some programs over others.

Action: The FWAF analyst revised the memo to include the committee's additional comments and circulated the updated memo to members for their review and approval.

IV. Systemwide Updates**A. UCFW Updates (February 9) – Jayson Beaster-Jones**

Issues were noted with healthcare costs. The Healthcare Savings Plan may be removed and there may also be a reduction in benefits for UC Care. Specifics surrounding the reductions, however, are still unclear.

In order to be compliant with recent California law, faculty will soon need to declare sick days. The issue may present itself to FWAF later in the Spring, however Chair Beaster-Jones noted that there is not much that can be done as it is state law.

There was a discussion regarding mandatory background checks dating back the past seven years for all new employees hired by the UC. This may slow down the hiring process, especially when it comes to hiring undergraduate students.

There may be a revision to the salary scale to put the UC in line with peer institutions. The peer institutions that the UC currently uses may also be reevaluated.

There was an extensive discussion regarding educating incoming faculty about the retirement plan options. Individuals are still being defaulted to the Pension Choice plan, however, faculty are now encouraged to begin with the Savings Choice plan and then shift to the Pension Choice plan after 5 years.

The UCFW Health Care Task Force reported that the contract with Anthem is currently being renegotiated. The task force also reported that dental providers are leaving the Delta Dental network.

A consultation was held with the UCOP Procurement Officer to discuss the Oracle Financial Accounting software. Additionally, Chair Beaster-Jones reported to UCFW on the status of

UC Merced's Financial Management and Reporting Task Force.

Action: Members are encouraged to submit questions to the FWAF analyst in preparation for a future consultation with the UC Merced Health Care Facilitator.

- B. [UCAF Updates](#) (February 14) – David Jennings
UCAF members discussed the UC Regents Policy on Use of University Administrative Websites.

UCAF members continued to discuss the UCAF Chair not having a seat on Academic Council. One suggestion was to build a consensus at the local campus level by having each UCAF representative gain the support of their respective Divisional Council. UCAF members also discussed the distinction between UCAF and UCFW, and how it might be beneficial in the future to separate the two committees at the local campus level.

V. [Academic Senate Awards Call](#) – Chair Beaster-Jones

The Call for Nominations for the [Senate Award for Excellence in Faculty Mentorship](#) will be sent out soon.

Action: Members established an Awards Subcommittee.

VI. **SSHA Hiring – All**

At FWAF's December 13 meeting, members discussed SSHA's restructuring and its potential connection to staff hiring within the School. Chair Beaster-Jones noted that in a conversation with Interim EVC/P Zatz, she said she had approved of seven lines for SSHA already, however none of them have been hired yet.

Members noted that hiring has now started, however there still appears to be a staff deficit in SSHA.

VII. **Systemwide Review Items – Chair Beaster-Jones**

- A. [Proposed UC Regents Policy on Use of University Administrative Websites](#)

Background: This policy first appeared in another form as [Item J3](#) on the January 24, 2024 agenda of the joint meeting of the Regents Academic and Students Affairs Committee and the Compliance Audit Committee as an action item for adoption by the full Board. The Academic Council [expressed concerns](#) about the process leading to this proposed action and requested an opportunity for an expedited Senate review of the policy in time for discussion at the Regents' March 19-20 meeting. Please also see the Academic Council's June 2022 [Recommendations for Department Political Statements](#).

Academic Council will hold a special meeting in March to discuss this policy and has requested the UC Divisions' comments by March 8, 2024.

Chair Beaster-Jones and Member Jennings agreed to serve as lead reviewers via email.

Comments are due to the Senate Chair by **5:00 pm, Thursday, February 22, 2024**.

Members discussed the draft response and provided additional comments. It was noted that when referring to the previous policy, it is actually a recommendation, not a policy. Also, members believed the use of the word “opinion” was too ambiguous as there are various interpretations of the word.

Action: Members provided additional comments to incorporate into the memo. The FWAF analyst circulated the updated version to members for their review and approval. Comments were due by 12:00pm, Tuesday, February 20 in order to be finalized and sent to the Senate Chair by 5:00pm, Thursday, February 22, 2024.

B. [Proposed Revisions to Presidential Policy BFB-BUS-50: Controlled Substances Use in Research and Teaching](#)

Key revisions:

- Clarify in detail the scope of duties of the Campus Controlled Substances Programs and the Controlled Substances Program Officers;
- Define the Campus Designation form of Drug Enforcement Agency (DEA) Registration and address requirements applicable to DEA Registrations other than Campus Designation, such as individual schedule I DEA Registrations;
- Provide more specific procedures regarding Powers of Attorney;
- Provide additional guidance as to import, export, interstate and intrastate use, transfer, and transport of Controlled Substances, as well as Controlled Substances Analogues and DEA-exempt chemical preparations; and
- Establish responsible units and individuals for patient care and clinical Controlled Substances Program.

FWAF is a lead reviewer.

Member Dodson agreed to serve as a lead reviewer. He discussed the comments that were circulated prior to the meeting.

Action: Member Dodson provided minor edits to the draft response memo. The FWAF analyst circulated the updated version to members for their review and approval. Comments were due by 5:00pm, Thursday, February 22 in order to be finalized and sent to the Senate Chair by 5:00pm, Monday, February 26.

Comments are due to the Senate Chair by **5:00 pm on Monday, February 26, 2024.**

VIII. Campus Wide Review Items – Chair Beaster-Jones

A. [Proposal for the Establishment of a Psychology B.S. program and Proposed Amendments to the Psychology B.A. program](#)

The Psychology B.S. program proposal and the proposed amendments to the existing Psychology B.A. program are available on pp. 3-63. They are preceded by letters from the SSHA Dean and the SSHA Curriculum Committee, and followed by support letters from the following departments:

- Applied Mathematics – p. 64
- Biology – p. 65
- Chemistry and Biochemistry – pp. 66-68

- Cognitive & Information Sciences – pp. 69
- Computer Science & Engineering – pp. 70-78
- Economics – pp.79
- Global Arts, Media, and Writing Studies – pp. 80
- Management of Complex Systems pp. 81-83
- Molecular and Cell Biology – p. 84
- Physics – p. 85
- Political Sciences – p. 86-88
- Public Health – p. 89

Comments are due to the Senate Chair by **5:00 pm on Friday, February 23, 2024.**

Action: FWAF members declined to opine. The FWAF analyst notified the Senate Chair that FWAF declined to opine.

B. [Policy on Transmission of Documents to the University Archive](#)

The proposed policy codifies instructions currently present in the UC Records Retention Schedule regarding the transferring of relevant campus records to the University Archives. The policy applies to UCM employees who handle administrative records, and all inactive records documenting the University’s decision-making processes, the functions of the University, and the essential cultural history of the campus, such as administrative records, general publications, and records concerning student organizations.

Comments are due to the Senate Chair by **5:00 pm, Friday, March 1, 2024.**

Action: FWAF members decided to conduct the review of this item via email. The FWAF analyst reached out to members for lead reviewers.

C. [Interim Implementing Procedures for Abusive Conduct in the Workplace](#)

The Campus Implementing Procedures are intended to implement and supplement the [University of California Policy on Abusive Conduct in the Workplace](#) (“Abusive Conduct Policy” or “UC Policy”), which became effective January 1, 2023. The systemwide Abusive Conduct Policy and the CIP replace UC Merced’s previous *Policy on Prohibition of Abusive Conduct and Acts of Violence by University Employees and Non-Affiliates*, which was rescinded on January 1, 2023. All campuses are required to develop procedures and supplementary information to support the implementation of the Abusive Conduct Policy (see Abusive Conduct Policy, Section IV.A)

Key Aspects of the CIP:

- Incorporates all definitions from the systemwide UC Policy (CIP, Section III)
- Contains specific provisions for the immediate reporting of emergencies or acts or threats of violence, similar to the campus’s previous *Policy on Prohibition of Abusive Conduct and Acts of Violence by University Employees and Non-Affiliates*. (CIP, Section IV.A & B)
- Explains how to report abusive conduct of a non-violent or non-threatening nature – e.g., either to the reporter’s supervisor, manager or administrator, or directly to Human Resources (HR) or the Academic Personnel Office (APO). Direct links to responsible

- offices are provided. (CIP, Section IV.D, Section IV.C.1)
- Outlines the responsibilities of the supervisor, manager or administrator, or HR or APO, once a report of abusive conduct is received. (CIP, Section IV.C.2 & 3; Section IV.E – Initial Assessments)
 - Outlines the responsibilities of HR or APO to refer to OPHD, all SVSH-related complaints or complaints based on one or more protected categories as outlined in the University’s *Discrimination, Harassment and Affirmative Action in the Workplace* policy (CIP, Section IV.G)
 - Outlines the responsibilities of HR or APO to refer reports of suspected improper governmental activity or alleged retaliation under the University’s Whistleblower or Whistleblower Protection policies to the campus’s Locally Designated Official. (CIP, Section IV.F)
 - Outlines the responsibilities of HR or APO regarding communication with the complainant after the initial assessment of a report of abusive conduct. (CIP, Section IV.C.3)
 - If there is a formal investigation, the CIP refers to UC Policy provisions that contain detailed requirements. The CIP also outlines some of the key provisions from UC Policy (CIP, Section IV.H)
 - Explains that the complainant and respondent will be informed once a formal investigation is completed and whether or not a violation of the UC Policy has occurred. Actions taken to resolve the complaint, if any, that are directly related to the complainant, such as a no-contact directive, will be shared with the complainant. Per UC policies protecting individuals’ privacy, the complainant may be notified generally that the matter has been referred for appropriate administrative action but will not be informed of the details of the recommended action without the respondent’s consent. (CIP, Section IV.H; Abusive Conduct Policy, Section V.F.2.b.9)
 - Explains the ability of employees to file grievances or complaints under established University policies and procedures, including Academic Personnel Manual (APM) 016 and the campus MAPP 016. Among other things, in the case of Senate faculty, APM 016/MAPP 016 procedures shall govern. (CIP, Section IV.I)

Comments are due to the Senate Chair by **5:00 pm, Friday, March 1, 2024.**

Members agreed that it would be beneficial to consult with VPAP Hansford or AVPAP Song before providing a response.

Action: The FWAF analyst will request an extension to the deadline for comments.

D. [Proposal for the Establishment of a Management of Innovation, Sustainability, and Technology \(MIST\) B.A. Degree Program](#)

Materials for the proposal are hyperlinked below.

- [Proposal](#)
- [Addendum](#) (Summary of updates applied to the proposal on Jan 31, 2024)
- [SOE EC Vice Chair Muñoz Support Letter](#)
[SOE Dean Goel Support Letter](#)

Comments are due to the Senate Chair by **5:00 pm, Friday, March 15, 2024.**

Action: FWAF members declined to opine. The FWAF analyst notified the Senate Chair that FWAF declined to opine.

- E. [Proposal from the School of Natural Sciences for the Establishment of a Biochemistry B.S. Degree Program](#)

Comments are due to the Senate Chair by **5:00 pm, Friday, March 15, 2024.**

Action: FWAF members declined to opine. The FWAF analyst notified the Senate Chair that FWAF declined to opine.

- F. [Proposal from the School of Natural Sciences for the Establishment of an Ecology, Evolution, and Conservation Biology \(EECB\) B.S. Degree Program](#)

Comments are due to the Senate Chair by **5:00 pm, Friday, March 22, 2024.**

Action: FWAF members declined to opine. The FWAF analyst notified the Senate Chair that FWAF declined to opine.

IX. Other Business [12:55pm-1:00pm]

Members noted that it would be beneficial to begin an Emeriti Association at UC Merced.

Action: The FWAF analyst will seek the number of emeriti faculty at UC Merced in order to see if there are enough to begin an Emeriti Association.

There being no further business, the meeting was adjourned at 1:00pm.

Attest: Jayson Beaster-Jones, FWAF Chair