

COMMITTEE ON FACULTY WELFARE & ACADEMIC FREEDOM (FWAF)

Thursday, April 18, 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 April 18, 2024. Chair Jayson Beaster-Jones presiding.

**I. Chair's Report – Jayson Beaster-Jones**

A. DivCo Updates (February 26, March 11, and April 15)

EVC/Provost Dumont discussed her new role as Provost. Some topics of discussion included graduate student funding and a comment from Chair Beaster-Jones acknowledging that many faculty are overstretched in their service roles.

Chancellor Muñoz invited ASUCM President Craven to the DivCo meeting. The Chancellor summarized future campus projects including the Promise Housing Residence Hall, COB 3, and the Field Education Center. The Field Education Center will be built near the site of the old barn and the goal is to have the Center ready for use by Fall 2024. It will be an open-air pavilion that would allow individuals to enjoy the views and see vernal pools. The Legislative Analyst's Office (LAO) recommended a claw back of some funds to UC Merced, but the Chancellor stated his intention to try to avoid this. As of now, the new housing project and COB 3 are tentative.

DivCo members discussed Senate Regulation 630.E. (Campus Experience Requirement) and its relation to the push for fully online UC programs. UC Merced's Academic Senate already has a policy like Senate Regulation 630.E. and DivCo members agreed to draft a statement reaffirming that policy. AFAC Chair Eaton will lead this initiative.

Chair Beaster-Jones provided a UCFW update to DivCo members. He noted that a request for proposals for UC health insurance programs will be issued due to broad dissatisfaction with Anthem. Benefits will likely be reduced but it is unknown which specific ones will be affected. There is also a strong likelihood that Delta Dental will no longer be offered as many dentists have elected to stop participating in the plan. DivCo members voiced concerns similar to ones that FWAF members have raised in previous meetings.

B. UCFW Updates (March 8 and April 12)

At the April 18 Assembly of the Academic Senate, a vote was to be held to change the default retirement savings option from the Pension Choice Plan to the Savings Choice Plan. The rationale for the change is that 60-70 percent of UC employees do not stay employed with the UC long enough to vest in the Pension Choice Plan.

UCFW members discussed healthcare issues. Chair Beaster-Jones raised FWAF's healthcare concerns with members, and specifically, with the UCFW Healthcare Task Force who will elevate the issue regarding UC Care Tier 1 providers. Once Chair Beaster-Jones hears back

from the UCFW Healthcare Task Force, then FWAF will look into drafting a formal response regarding this issue.

## II. Consent Calendar

- A. Today's agenda
- B. [March 14 draft Meeting Minutes](#)

**Action:** Today's agenda and the March 14 Meeting Minutes were approved as presented. The FWAF analyst updated the Senate website accordingly.

## III. Consultation with VPAP Hansford

- A. Continued discussion on the Collaborative on Academic Careers in Higher Education (COACHE) Survey Results.

Member Tokman stated that it would be helpful to receive some clarity in terms of what the university's financial investments. Specifically, is the university strategically investing money in areas to improve the lives of people within the community and by extension, its employees? Healthcare and the overall quality of life in Merced have been constant concerns. Perhaps charitable giving could be used to address and improve these concerns for the community. Members agreed and added that people of the community even feel ignored by the university at times.

Chair Beaster-Jones stated that the availability of healthcare, childcare, and mental healthcare in Merced are significant issues and that these types of facilities are a public good. At times, it appears that the university prioritizes revenue over the general good that such facilities would provide for the community.

Members discussed possible next steps with VPAP Hansford. VPAP Hansford noted that he had presented the survey results to Administrative leadership and the Deans' Council. He added that he can only elevate certain issues to the appropriate campus bodies, but he can work more directly with the campus climate issues. In addition, VPAP Hansford stated that he agreed with FWAF's suggestion at their last meeting that it would be useful to disseminate some sort of annual aggregate level report to the campus.

Members consulted with VPAP Hansford regarding their future plan to elevate their healthcare concerns in the form of a memo or meeting with the administrative body that assigns healthcare providers. VPAP Hansford stated that he would be happy to support FWAF's action in this matter as the limited healthcare providers in the Merced area is a prime reason for faculty leaving UC Merced.

Members then consulted with VPAP Hansford regarding individuals leaving due to reasons with campus climate and where the accountability lies with those types of departures. VPAP Hansford noted that there are strategies in place from UCOP down to create a more positive working environment within the UC. Also, VPAP Hansford noted that aggregate data could be assembled and disseminated if it would be helpful.

VPAP Hansford briefly described the process for when a formal faculty misconduct complaint is filed. Members inquired if the complainant ever receives the outcome of their case. VPAP

Hansford noted that they do to some extent. Members wondered how more could be done for the victims in the process as the respondent often seems to be more protected than the complainant. VPAP Hansford noted that this issue has been raised in other committees as well. He then suggested that FWAF invite AVPAP Song to a future FWAF meeting for further information on the topic.

**Action:** The FWAF analyst will invite AVPAP Song to the May 9 FWAF meeting for further discussion.

#### IV. Systemwide Review Items – Chair Beaster-Jones

- A. [Proposed UC Regents Policy on Public and Discretionary Statements by Academic Units](#)  
This proposed policy supersedes the previous Regents [Policy on the Use of Administrative Websites](#), which the [Senate recently reviewed](#) in March. UCM's comments are available [here](#).

Academic Council plans to discuss the Divisions' comments on this proposed policy at its April 24 meeting and has requested comments by April 22. The Regents plan to adopt some version of a policy at their May meeting.

Comments were due to the Senate Chair by **5:00 pm on Wednesday, April 17, 2024**.

Chair Beaster-Jones shared that there were a number of concerns raised in DivCo regarding the proposed policy, especially the expedited timeline given for Senate review.

Members reviewed the definition of Discretionary Statements within the policy. Some members believed the language was sufficient while others still felt it to be unclear. Members then discussed how the policy states that Discretionary Statements should not appear on the main homepage of a website of an Academic Unit, and instead should be posted on a separate page identified for such statements. Members questioned whether linking a statement on the homepage was the same as being on the homepage? Members then discussed the importance of what is linked on an Academic Unit's homepage and considered how statements on a homepage should be well founded and professional, yet still not limit one's Academic Freedom.

Following the discussion, members agreed that the policy was improved from the original policy yet was still concerning as the implementation and enforcement of the policy is unclear especially when it comes to Discretionary Statements. Members believed guidelines for the policy would be beneficial. Also, members stated that greater specificity on a number of points would improve the policy including what is a Discretionary Statement, what administrative body will be maintaining the policy, what will the enforcement mechanisms be, and what type of sanctions might result from non-compliance?

**Action:** The FWAF analyst updated the draft memo based on the committee's comments and circulated a revised version of the memo for the committee's review.

- B. [Proposed Revisions to APM 016-University Policy on Faculty Conduct and the Administration of Discipline](#)

The proposal addresses the handling of simultaneous academic misconduct investigations and

personnel actions. The policy revisions are provided in tracked changes on pp. 4-10 and a clean version of the policy is available on pp. 11-17.

This proposal is based on a May 2023 recommendation from the Academic Council and the University Committee on Privilege and Tenure. Please see the relevant correspondence [here](#).

Key revisions:

- **Pause on Academic Personnel Review Actions:** At the beginning of a formal investigation of alleged misconduct by a faculty member, if the Chancellor (or Chancellor’s designee) finds that any of the alleged misconduct is relevant to the assessment criteria for academic personnel review actions, the Chancellor (or Chancellor’s designee) may impose a no-fault pause on any current or future academic personnel action (e.g., for merit, promotion, or advancement) of that faculty member. Locations are responsible for developing implementation procedures that address at what stage in existing local procedures the pause occurs and that identify the offices that have responsibility for providing written confirmation of the pause to the respondent, giving a respondent periodic updates on the status of the investigation, and for notifying relevant administrators of the beginning and end of the pause.
- **Conclusion of the pause:** The pause will end when the investigative and disciplinary processes are concluded. In the event of a disciplinary process following a formal investigation, the pause will end when a final decision is made whether to impose disciplinary sanctions. The academic personnel process may then proceed according to campus procedures.
- **Assistant Professors in Year 8:** If the investigative and disciplinary processes are not concluded by the beginning of the faculty member’s eighth year of service at the rank of Assistant Professor (or a combination of equivalent titles), the Chancellor is authorized to recommend to the President that the appointment be extended beyond the eighth year, in accordance with Regents Bylaw 40.3(c).

*FWAF is a lead reviewer.*

Comments are due to the Senate Chair by **5:00 pm on Monday, May 6, 2024.**

FWAF Members briefly consulted with VPAP Hansford on this review item. Members noted that if necessary, it would be best to pause the personnel action as late in the process as possible. Some members did not agree with the idea of a pause at all and believed that instead of a pause, the personnel action could be reversed once the disciplinary process was concluded. VPAP Hansford stated that it would be more difficult to reverse the personnel action in the case that the individual was going up for tenure. Member Dodson added that it would be useful to include such a justification in the proposal to help explain why the pause could be useful.

**Action:** Chair Beaster-Jones and Member Dodson agreed to serve as lead reviewers. Their comments will be circulated via email by Friday, April 26 in order to be finalized and sent to the Senate Chair by Monday, May 6.

## V. **Campus Wide Review Items – Chair Beaster-Jones**

- A. [Proposal from SSHA for the Establishment of a B.A. or B.S. Major and Minor in Neuroscience](#)  
Comments are due to the Senate Chair by **5:00 pm, Friday, May 3, 2024.**

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

- B. [Proposal to Change the Name of Materials Science & Engineering Department to Chemical & Materials Engineering](#)

This proposal intends to align the department name with the two undergraduate degree programs now offered by the Department following [approval of the Chemical Engineering B.S. degree program in May 2023](#) and to avoid confusion for the first class of Chemical Engineering students entering in AY 24-25. The proposed effective date for this name change is July 1, 2024.

Comments are due to the Senate Chair by **5:00 pm on Friday, May 3, 2024.**

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

- C. [Five-Year Planning Perspectives 2024-2029](#)

Provided as contextual information, a memo from UC Provost Newman to the Chancellors and a memo from EVC/P Dumont has been included.

The Senate previously reviewed the Five-Year Planning Perspectives in 2022. The relevant correspondence is available [here](#).

Comments are due to the Senate Chair by **Friday, May 3, 2024.**

Members reviewed the documents and noticed that there appeared to be inaccuracies in the current draft of the plan. Specifically, some of the newly established programs were missing from the document.

**Action:** The FWAF analyst will draft a memo based on the committee's comments and circulate it for the committee's review.

## VI. Other Business

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

Attest: Jayson Beaster-Jones, FWAF Chair