

**COMMITTEE ON FACULTY WELFARE & ACADEMIC FREEDOM (FWAF)**  
**ANNUAL REPORT**  
**AY 2019-2020**

To the Merced Division of the Academic Senate:

In AY 2019-2020, FWAF held a total of 4 regularly scheduled and one special in-person meetings, and one regularly scheduled zoom meeting, in order to conduct business with respect to its duties as outlined in UC Merced's Senate Bylaw [II.IV.5](#). Additional business was conducted via electronic discussions by email as well as by collaborative document editing through Google applications.

**Areas of Focus**

*Peer Mediation Program*

FWAF regularly consulted with Associate Vice Provost (AVPF) for the Faculty Zulema Valdez on efforts to diversify the faculty, encourage faculty mentoring, improve campus climate and conflict resolution, build a faculty learning community around improving pedagogy, and create a stronger environment of inclusiveness. This academic year FWAF advised the AVPF on the newly launched Peer Mediation Program, providing feedback for the draft application and application process, and helped promote the program by making brief presentations at departmental meetings. A total of ten tenured faculty members applied to participate in the one-week long program.

*Faculty-Graduate Student Conflict Resolution*

FWAF collaborated with the Graduate Council (GC) in collection of information to address issues that have arisen from the apparent lack of formal, universal conflict resolution mechanism involving faculty and graduate students. FWAF had a joint meeting with GC representatives in an executive session, and issued a joint memo to the Divisional Council (DivCo) in December 2019 calling for the establishment of an infrastructure to support the resolution of faculty-graduate student disputes. A working group, led by the EVC/Provost's Office, is scheduled to convene in Fall 2020 with FWAF participation.

*Teaching Professor*

During AY 18-19, FWAF issued a memo to DivCo recommending that the campus draft a policy that sets a campus-wide workload standard for the Teaching Professor series, wherein Teaching Professors will have less teaching load than Unit18 lecturers, and more than the Professor series. In November 2019, EVC/Provost responded to the memo, which stated that he would encourage

the school deans and the VPDGE to instruct department and graduate chairs to work in concert to develop teaching expectations for their units that do, in normal circumstances, put the Teaching Professors' teaching responsibilities below that of non-senate lecturers in any given year.

FWAF also supported the proposal to add a Teaching Professor to the membership of the Committee on Academic Personnel (CAP). The suggestion to add a Teaching Professor to CAP's membership was originally made last academic year, following the substantial revision of APM-285 which governs the appointment and promotion of the Lecturer with Security of Employment series. During AY 2019-20, FWAF presented a proposal to DivCo to consider the addition of a Teaching Professor to the CAP reviews of Teaching Professors, and consulted with the Committee on Rules and Elections (CRE). FWAF anticipates further consultation with relevant Senate committees (CRE, Committee on Committees, and Committee for Diversity and Equity) next academic year, prior to submission of a revised proposal to DivCo.

### *Child Care*

An ongoing issue for FWAF is its advocacy for solutions to the challenges of after-school, holiday, and summer child care for UC Merced employees. In AY 16-17, FWAF issued a survey to all faculty, staff, post docs, and graduate students to elicit input on after-school and holiday child care. The results of the survey were transmitted to academic and administrative leadership. In AY 2018-19, FWAF engaged in conversations with then-AVC for Auxiliaries Enterprises and Fiscal Innovation Alan Coker. Due to his departure in October 2019 without a permanent successor, and the onset of COVID-19 crisis in March 2020, FWAF was unable to engage in further conversations with the administration during AY 2019-20.

During the COVID-19 emergency, FWAF advocated for faculty with young family and expressed concern about childcare availability, resulting in a joint memo with the office of the Vice President for Faculty (VPF), and a support group meeting for parents via an online platform.

The child care issues will be carried over into the next academic year for FWAF's discussion.

### *Co-working Space for Faculty Partners*

In spring 2020, DivCo received a request from a faculty member to consider the creation of a co-working space for faculty spouses. At DivCo's request, FWAF conducted a faculty survey on co-working space for partners. The results, which were favorable to the idea, were presented to DivCo. Due to COVID-19, further discussion of this item was postponed.

## **Consultation**

### *Consultation with Ombuds*

Campus Ombuds Callale Concon attended the November 2019 FWAF meeting with the Chief of Staff to the EVC/Provost, Rich Shintaku, to discuss how to raise the campus awareness on the Policy on Prohibition of Abusive Conduct and Acts of Violence by University Employees and Non-Affiliates. In addition to making suggestions to raise the campus awareness of the policy, including the suggestion that it may be best to offer trainings to new hires in the first semester when they often have their teaching release, FWAF members shared their perspectives and concerns about faculty morale, conflicts between faculty members as well as between faculty members and students, and the skepticism about the effectiveness of the current complaint system. Ombuds Concon acknowledged the prevailing skepticism and expressed her desire to change it and encourage accountability.

#### *Consultation with Vice Provost for the Faculty*

FWAF consulted with ex-officio, non-voting committee member, VPF Teenie Matlock, on flexibility related to the stop the clock policy in the APM 133, as well as policy developments on the optional exclusion of teaching evaluations and on review of research productivity, during the COVID-19 emergency.

#### *Consultation with Associate Vice Provost for the Faculty*

FWAF benefited from consultation with Associate VPF Zulema Valdez. She shared with FWAF her main initiatives/activities this academic year:

- 1) Launching the one-week long Peer Mediation Program for tenured faculty, wherein participants would earn a certificate in conflict resolution.
- 2) Providing various support groups for faculty, especially during COVID-19 emergency, including the new Faculty Mentor-Mentee Program in Spring 2020 and a parents support group formed after ECEC closure due to COVID-19, and online continuation of the “Faculty write in” and the Women of Color groups, offering ways to connect with people.
- 3) Workshops on conflict resolution involving interaction with students. The VPF’s office hosted multiple half-day workshops, aimed at supporting faculty members to develop skills to engage well with disruptive/volatile students and with their claims of free speech rights.

#### *Consultation with Chief Campus Counsel*

FWAF consulted with Chief Campus Counsel Elisabeth Gunther on the definitions of Academic Freedom and of Free Speech, in preparation for drafting a campus statement on Academic Freedom, which, when ready, will be submitted to the Divisional Council for review. Counsel Gunther elaborated on the distinction between academic freedom, which belongs to the institution, and freedom of speech, which is a right of individuals as private citizens and thus may not apply to academics performing their jobs as employees. On the other hand, student speeches

in classrooms are protected by their rights to freedom of speech. FWAF members and Counsel Gunther discussed the implications of this distinction regarding faculty and student speech, with the Counsel advising that instructors set ground rules that would enable them to have control over student conduct involving speech, since conducts, but not speeches, can be disciplined.

### **Systemwide Committee Updates**

- University Committee on Faculty Welfare (UCFW). FWAF member Jayson Beaster-Jones was the UCM representative to the UCFW, and kept FWAF members informed of the major items of discussion this academic year:
  - 1) Divesting from fossil fuel industry, as one of the measures for the University to address climate change.
  - 2) Provision of childcare that meets faculty needs
  - 3) Diversity requirements in faculty searches. At another UC campus, a cluster hire was conducted with diversity materials being used as the first criteria. As a result, 75% of candidates were disqualified. There was criticism of how the University is advocating for one particular kind of idea of diversity. It was also mentioned that discussion of including diversity as the 4<sup>th</sup> component of faculty personnel reviews has taken place at some campuses.
  - 4) Issues of importance to retirees. An observation was made that other campuses have a retiree as a member of a Senate committee responsible for faculty welfare. As a result, FWAF recommended to CRE, as part of its proposed revisions, that Bylaws be modified to add a retiree to FWAF membership.
  
- University Committee on Academic Freedom (UCAF). FWAF Chair Frank represented FWAF on UCAF and updated FWAF members on the following major topic of discussion:
  - 1) Academic Freedom Statement. Concerns were expressed that instructors were being forced to share intellectual property, and that the University might be moving toward online instruction, prompting UCAF to draft a statement on academic freedom.
  - 2) Statement on Grading, Online Teaching, and Shared Governance in Time of Crisis. FWAF drafted a campus statement based on the UCAF statement. As other Senate committees issued statements to similar effects prior to FWAF's finalization, the FWAF statement was not circulated outside the committee.

### **Systemwide Review Items**

- FWAF reviewed and endorsed:
  - Proposed Revisions to APM 120 - Emerita/Emeritus Titles
  - Proposed Presidential Policy on Gender Recognition and Lived Name

- FWAF reviewed and commented on:
  - Report of the Working Group on Comprehensive Access. FWAF opined on Working Group on Comprehensive Access Chair's Report of Findings and Recommendations, with opinions from Working Group Members and UC Legal. The central question was whether UC should affiliate with entities that do not share its commitment to equity, diversity and inclusion, and academic freedom. FWAF's review highlighted the difficult balance between faculty welfare, which would be adversely affected by severing of affiliations with non-UC medical service providers, and academic freedom, which these affiliations may infringe upon.

### **Campus Review Items**

- FWAF reviewed and endorsed:
  - Proposed Revisions to Merced Division Bylaws – LASC Membership
  - Reading/Review/Recitation (RRR) Week policy
- FWAF reviewed and commented on:
  - EVC/Provost's Proposal for Summer Session Faculty Compensation

Respectfully submitted:

***FWAF members:***

Carolin Frank (SNS), Chair, UCAF representative  
 David Jennings (SSHA), Vice Chair  
 Mehmet Baykara (SOE)  
 Néstor Oviedo (SNS)  
 Tea Lempiala (SOE)  
 Jayson Beaster-Jones (SSHA), UCFW representative

***Ex officio, non-voting member:***

Teenie Matlock, Interim Vice Provost for the Faculty

***Staff:***

Simrin Takhar  
 Naoko Kada