

**COMMITTEE ON FACULTY WELFARE & ACADEMIC FREEDOM (FWAF)**  
**ANNUAL REPORT**  
**AY 2020-2021**

To the Merced Division of the Academic Senate:

In AY 2020-2021, FWAF held a total of 11 regularly scheduled meetings and 4 special meetings in order to conduct business with respect to its duties as outlined in UC Merced's Senate Bylaw [II.IV.6](#). Additional business was conducted via electronic discussions by email as well as via electronic collaborative document editing.

**Areas of Focus**

*Childcare*

An ongoing issue for FWAF is its advocacy for solutions to the challenges of after-school, holiday, and summer childcare 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 childcare. 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 and AY 2020-21. The conversation with the administration focused instead on the reopening of the Early Childhood Education Center (ECEC), which remained closed in Fall 2020.

FWAF discussed ECEC's continued closure and concerns about its possible privatization during its regular meetings as well as three special meetings during Fall 2020. EVC/Provost Camfield attended one regular and two special meetings. Then-interim Chief Financial Officer Mike Riley and faculty and graduate student parents were additional participants at one of the meetings. FWAF consulted with multiple administrators (see page 3), and FWAF members collected and presented information from UC Merced parents as well as from other campuses and universities to build a strong case against ECEC privatization and for its reopening. On December 11, FWAF was notified by the administration that ECEC would reopen in Spring 2021.

After ECEC reopened on February 1, 2021, FWAF continued its engagement with ECEC, shifting its focus to longer term issues of sustainable operation, communication, and governance structure. FWAF consulted with Interim CFO Schnier on ECEC finances and financial planning, and with both Interim CFO Schnier and ECEC Director Danielle Waite on communication and governance, to ensure that ECEC parents and staff could actively participate in decision-making

on ECEC operation beyond the day-to-day aspects. Suggestions included a more comprehensive participation of the Parent Advisory Committee in ECEC decisions, and the creation of the Committee for Family Friendly Policy, which was recommended by UCFW and UCAADE (see p.4 for more information).

### *Covid-19 Mitigation*

FWAF actively participated in the preparation of campus Covid-19 mitigation measures. On the first day of Fall 2020 semester, FWAF issued its Covid-19 mitigation guidelines for consideration by the Divisional Council (DivCo) that acknowledged the variance in the pandemic's impact on individual faculty members and strongly encouraged creative and collaborative solutions that would provide immediate or future teaching release for those most affected. FWAF Chair Frank participated in the Covid-19 mitigation Senate-Administration Task Force. FWAF also provided comments on the task force's draft guidance on May 6, 2021.

### *Faculty-Graduate Student Conflict Resolution*

In response to FWAF's joint memo with the Graduate Council to DivCo in December 2019 calling for the establishment of an infrastructure to support the resolution of faculty-graduate student disputes, a workgroup was convened in Fall 2020. FWAF member Mehmet Baykara participated in the workgroup as the FWAF representative and provided regular updates to the committee, which in turn provided its feedback to the workgroup. FWAF also consulted with Associate Vice Provost for the Faculty (AVPF) Zulema Valdez on the workgroup's activities (more information is found under "Consultation" below). The workgroup produced its final report in June 2021. It is expected that FWAF will review the report, and continue to be engaged in the discussion of faculty-graduate student conflict resolution infrastructure in general, in AY 21-22.

### *Teaching Professor*

FWAF continued to advocate for a Teaching Professor to be added to the membership of the Committee on Academic Personnel (CAP). The suggestion to add a Teaching Professor to CAP's membership was originally made in AY 18-19, following the substantial revision of APM-285 which governs the appointment and promotion of the Lecturer with Security of Employment series. In 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). During AY 20-21, FWAF further consulted with the chairs of relevant Senate committees--CRE, Committee on Committees (CoC), and Committee for Diversity and Equity--as well as with the Vice Chair of CAP in preparation for submitting a revised proposal to DivCo. FWAF issued a memo to DivCo on March 10, 2021, which reflected the consensus between FWAF and all committees consulted that the Senate Bylaws should make it explicit that "Professors" included Teaching Professors. The memo also urged CoC to consider including a Teaching Professor in CAP membership as a best practice.

## *Senate Action Plan to Address Anti-Black Racism & Structural Racism: Bylaws Review and Campus, Culture and Climate Working Group*

As a part of the Senate's anti-racism action plan, all committees were invited to review its bylaws. FWAF examined its bylaws with special attention to hidden biases, and proposed changes including to its membership, which now recommends having at least one (as opposed to two) senior faculty while (as FWAF had proposed to the Committee on Rules and Elections in AY 19-20) encouraging to recruit retiree/emeriti members to ensure a comprehensive representation of faculty welfare issues at the systemwide level; and to the itemized list of faculty welfare matters, which was expanded to specifically mention childcare and intra-group relationships.

Additionally, Chair Frank and Member Lempiälä represented FWAF in the Campus, Culture and Climate Working Group. The working group examined the results of past campus climate surveys in Fall 2020 and issued its recommendations in Spring 2021. The FWAF representatives to the working group updated the committee, which provided its feedback at regular meetings.

### **Consultation**

#### *Consultation with Associate Vice Provost for the Faculty (AVPF) Zulema Valdez*

FWAF had fruitful consultation with AVPF Valdez on various initiatives/activities this academic year:

- 1) Drafting the faculty part of the conflict resolution flowchart and accompanying text, for the Faculty-Graduate Student Conflict Resolution Infrastructure Workgroup. The original conflict resolution flowchart and accompanying text provided information for students only. FWAF advocated for inclusion of a faculty counterpart, and AVPF Valdez, who was also a member of the Workgroup, drafted a revised chart and accompanying text in consultation with FWAF. The final flowchart explicitly acknowledged the importance of having a designated individual as the faculty liaison, and identified the AVPF as the recipient of faculty concerns should informal counsel at other (more local) levels not resolve the conflict.
- 2) Draft policies on Authorship Dispute Board and Data Dispute Board.
- 3) Recruitment and Retention of Diverse Faculty. This was a recurring theme during AY 20-21 consultations with the AVPF, in various contexts including the AVPF's updates on the Valuing Black Lives Task Force. AVPF Valdez shared information from other campuses, as well as UC Merced's initiatives, about incorporating equity, diversity and inclusion efforts into the review of faculty performance and promotion.

#### *Consultation on ECEC closure, potential privatization, and financial concerns*

FWAF sought and obtained comprehensive consultation regarding the continued ECEC closure in Fall 2020 and the concerns that it might be privatized, as described in page 1. EVC/Provost Camfield, Chancellor's Chief of Staff Luanna Putney, then-Chief Human Resources Officer Nicole Pollack, and

Interim Chief Financial Officer (CFO) Kurt Schnier attended a special meeting on November 23, 2020. FWAF is especially thankful for EVC/Provost's participation in three of FWAF's meetings regarding ECEC, and for Interim CFO Schnier who, in addition to attending two FWAF meetings, provided responses to FWAF members' questions emailed to him subsequently.

#### *Consultation with ECEC Director Danielle Waite*

FWAF had a productive discussion with ECEC Director Waite on the governance structure of ECEC and how best to improve communication among all stakeholders including parents and staff.

### **PROC Updates**

Vice Chair Jennings represented FWAF in the Periodic Review Oversight Committee (PROC) and provided updates at FWAF's regular meetings. Vice Chair Jennings advocated for moderation of faculty workload related to program review and assessments in light of Covid-19 pandemic.

### **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, majority of which were Covid-19 related:
  - 1) Childcare. Facility closures and lack of communication were common issues across campuses. The UCFW Chair proposed the creation of a systemwide task force on childcare, advocating for affordability and access. FWAF also learned that a number of campuses have a family-issue centered committee separate from FWAF, some with staff and student participation.
  - 2) Covid-19 mitigation measures. Measures other than stop-the-Clock (STC) need to be in place because STC may delay career progress without benefit, and it disproportionately affects women and singles. UCFW's discussion on the mitigation measures culminated in a joint memo with UCAADE issued on January 26, 2021. One of the recommendations is for campuses to establish Family Friendly Policy Committee, which FWAF supports.
  - 3) Proposed curtailment. UCFW opposed any curtailment, given the small impact on the university's overall budget.
  - 4) UC Health affiliation with external healthcare providers. Concerns about possible discrimination stemming from such affiliation, especially against women and the LGBTQ+ community, remained central to UCFW. Its memo expressing these concerns in March 2021 was endorsed by the Academic Council and transmitted to UC President Michael Drake on May 11, 2021.
  
- University Committee on Academic Freedom (UCAF). FWAF Chair Frank represented

FWAF on UCAF and updated FWAF members on the following major topics of discussion:

- 1) Protection of academic freedom on online platforms. UCAF and the Academic Council's advocacy for academic freedom resulted in the private platform Zoom to modify its content moderation policy. Following an incident where Zoom and other private platforms cancelled a UC-affiliated academic discussion for fear of legal risks, UCAF and the Academic Council requested President Drake that the University take legal steps to protect academic freedom.
- 2) Use of DEI statements in faculty appointment and promotion decisions. UCAF continued its discussion from AY 19-20 on the potential impact of the use of DEI statements on academic freedom of individual faculty members and their units.

### **Systemwide Review Items**

- FWAF reviewed and endorsed:
  - Proposed Revisions to the Leave-Related Policies of the APM 700 series
  - Academic Planning Council Faculty Salary Scales Task Force Report and Recommendations
  - Proposed Presidential Policy on Native American Cultural Affiliation and Repatriation
  - Proposed revisions to the Presidential Policy for UC Health Participation in Activities under End of Life Option Act
- FWAF reviewed and commented on:
  - Proposed Revisions to Senate Bylaws 336.F.3 and F.8. in response to new federal Title IX regulations that took effect on August 14, 2020
  - Proposed New Presidential Policy on UC Research Data and Tangible Research Materials
  - Proposed Universitywide Police Policies and Administrative Procedures
  - Proposed Presidential Policy for the SARS-CoV-2 (COVID-19) Vaccination Program
  - Draft Presidential Campus Safety Plan

### **Campus Review Items**

- FWAF reviewed and endorsed:
  - Proposed Retirement of MAPP 2015, 2055, 3035, 3075, and 4015 as well as sections pertaining to Leave of Absence
- FWAF reviewed and commented on:
  - Draft Strategic Plan (2021-2031)

- Proposed AP Guidelines in light of COVID-19 Pandemic
- Proposed New MAPP 016-Discipline
- Proposed revisions to the Grade Appeal Policy presented by the Committee on Rules and Elections (CRE) in response to a request from the Office of the Ombuds

Respectfully submitted:

***FWAF members:***

Carolin Frank (SNS), Chair, UCAF representative

David Jennings (SSHA), Vice Chair, PROC representative

Jayson Beaster-Jones (SSHA), UCFW representative

Mehmet Baykara (SoE), Conflict Resolution Infrastructure Workgroup representative

Néstor Oviedo (SNS)

Tea Lempiälä (SoE)

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

Teenie Matlock, Vice Provost for Academic Personnel (represented by Associate Vice Provost for the Faculty, Zulema Valdez)

***Staff:***

Naoko Kada, Senate Senior Analyst