



Assembly of the Academic Senate
Notice of Meeting
Thursday, January 15, 2026
2:00 pm – 5:00 pm

AGENDA

Assembly members are pre-registered and sent unique Zoom links for the meeting.
Other UC Academic Senate members who wish to participate in the videoconference must register at: <https://UCOP.zoom.us/meeting/register/mNUWB2tXQLuGiRI2lSF8mA>

| Item | Enclosures |
|--|--|
| I. Roll Call of Members (2:00 - 2:10 pm) | Page 2 |
| II. Minutes [ACTION] <ol style="list-style-type: none">1. Approval of Draft Minutes of the Meeting of October 9, 20252. Appendix A: Assembly Attendance, October 9, 20253. Approval of Draft Minutes of the Special Meeting of November 20, 20254. Appendix A: Assembly Attendance, November 20, 2025 | Pages 3-7 Page 8 Pages 9-11 Page 12 |
| III. Announcements by the Chair (2:10 - 2:30 pm) <ul style="list-style-type: none">▪ Ahmet Palazoglu | |
| IV. Reports of Standing Committees (2:30 - 3:00 pm) <ol style="list-style-type: none">A. Academic Council<ul style="list-style-type: none">▪ Ahmet Palazoglu, Chair1. Amendments to Academic Personnel Manual Sections 015 and 016 [Action] | Pages 13-52 |
| V. Announcements by Senior University Managers (3:00 - 4:00 pm) <ul style="list-style-type: none">▪ James B. Milliken, President▪ Katherine S. Newman, Provost and Executive Vice President, Academic Affairs▪ Nathan Brostrom, Executive Vice President and Chief Financial Officer, UC Finance | |
| VI. Unfinished Business (4:00 - 4:30 pm) <ol style="list-style-type: none">1. Resolution Concerning the Disclosure of Names of Faculty, Students, and Staff to the Federal Government [Action] | Pages 53-54 |
| VII. Special Orders [NONE] | |
| VIII. Reports of Special Committees [NONE] | |
| IX. Petitions of Students [NONE] | |
| X. University and Faculty Welfare Report [NONE] | |
| XI. New Business | |

I. Roll Call

2025-26 Assembly Roll Call –Meeting of January 15, 2026

President of the University:

James B. Milliken

Academic Council Members:

Ahmet Palazoglu, Chair
Susannah Scott, Vice Chair
Mark Stacey, Chair, UCB
Katheryn Russ, Chair, UCD
Jane Stoeve, Chair, UCI
Megan McEvoy, Chair, UCLA
Kevin Mitchell, Chair, UCM
Kenneth Barrish, Chair, UCR
Rebecca Jo Plant, Chair, UCSD
Errol Lobo, Chair, UCSF
Rita Raley, Chair, UCSB
Matthew McCarthy, Chair, UCSC
David Volz, Chair, BOARS
Partho Ghosh, Chair, CCGA
Gareth Funning, UCAADE Vice Chair (alt for
Kristen Holmquist, Chair)
Nael Abu-Ghazaleh, Chair, UCAP
Catherine Sugar, Chair, UCEP
Karen Bales, Chair, UCFW
James Weatherall, UCORP Chair
Robert Brosnan, UCPB Chair

Berkeley (5)

Doris Bachtrog
Chris Hoofnagle
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Linda Bisson
Rachael Goodhue
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Irvine (4)

Yousef Al-Bulushi
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Merced (1)

Shilpa Khatri

Riverside (2)

Marcus Kaul
Manuela Martins-Green

San Diego (5)

Marianna Alperin
Christina Gremel
Randy Hampton
Britta Larsen
Julia Ortony

San Francisco (5)

Ana Delgado
Jennifer James
Leigh Kimberg
Kewchang Lee
Margaret Wallhagen

Santa Barbara (3)

Eileen Boris
Christopher Kruegel
Lisa Parks

Santa Cruz (2)

Melissa Caldwell
Roger Schoenman

Secretary/Parliamentarian

Katherine Yang (UCSF)



ASSEMBLY OF THE ACADEMIC SENATE
October 9, 2025
Minutes of Meeting

I. ROLL CALL OF MEMBERS

Pursuant to the call, the Assembly of the Academic Senate met on Thursday, October 9, 2025. Academic Senate Chair Ahmet Palazoglu presided and called the meeting to order at 2:00 pm. Senate Executive Director Monica Lin called the roll of Assembly members and confirmed a quorum. Attendance is listed in Appendix A of these minutes.

II. MINUTES

ACTION: The Assembly approved the minutes of June 12, 2025.

III. ANNOUNCEMENTS BY SENATE LEADERSHIP

- Ahmet Palazoglu, Chair
- Susannah Scott, Vice Chair

Chair Palazoglu welcomed Assembly members and other attending Senate members. He reviewed the Assembly's authority under the Standing Orders of the Regents, encouraged respectful, efficient discussion, and reminded members that only appointed Assembly representatives may make motions or vote.

UC Nobel Laureates: Chair Palazoglu celebrated several 2025 Nobel Prize awards recognizing the achievements of UC faculty and alumni and reflecting UC's global research impact. Fred Ramsdell, an alumnus of UCLA and UC San Diego, received the Nobel Prize in Physiology or Medicine. Professor John Clarke of UC Berkeley, together with Professors Michel Devoret and John Martinis of UC Santa Barbara, received the Nobel Prize in Physics for their discovery of macroscopic quantum mechanical tunneling and energy quantization in an electric circuit. Professor Omar Yaghi of UC Berkeley received the Nobel Prize in Chemistry for his work on metal-organic frameworks.

UCLA Grant Suspensions: Chair Palazoglu addressed the suspension of federal grants at UCLA and related demands from the U.S. Department of Justice. The Board of Regents has discussed the issue during recent meetings, with Senate leadership participating. President Milliken shared a [letter](#) with the UC community on October 3 outlining the potential impacts of the federal actions and reaffirming UC's commitment to academic freedom. On October 3, the Academic Council issued a [statement](#) opposing any agreement that would compromise UC's autonomy or academic mission and emphasizing the Senate's expectation of meaningful participation in any related discussions. Chair Palazoglu added that the federal government has circulated a draft "compact" that would make some universities' eligibility for federal funding conditional on new requirements. Governor Newsom and many faculty have voiced opposition, and the Senate will continue to monitor developments closely.

Incident Reporting and Data Release: Chair Palazoglu addressed the U.S. Department of Education's Office for Civil Rights (OCR) request for UC Berkeley incident reports related to Title VI complaints. UC initially provided redacted summaries, but OCR deemed the response inadequate and required fuller documentation, including personally identifiable information (PII). The Council has discussed this matter with President Milliken and is preparing a statement. Chair Palazoglu

emphasized that the Senate has a duty to accuracy and accountability and is treating this issue with care and sensitivity.

Regents' Meeting: The September 16–17 Regents' meeting at UCSF followed a new two-day format and included key presentations from Chief Financial Officer Brostrom on the preliminary 2026–27 budget and the proposed renewal of the Tuition Stability Plan, which the Regents will vote on in November.

Task Forces and Workgroups: Chair Palazoglu provided updates on several Senate task forces and workgroups.

- The Task Force on UC Adaptation to Disruptions ([UCAD](#)) continues its work and has, in addition, joined the administration to form UCAD Plus, which will oversee workgroups on (i) Research Activities and Infrastructure, (ii) Academic Personnel Evaluations, (iii) Academic Program Evaluation and Alignment, (iv) Instructional Opportunities and Course Offerings Across Modalities, and (v) Future of Graduate Education. A joint letter from Provost Newman, Chair Palazoglu, and UCI Executive Vice Chancellor Stern outlining the UCAD Plus structure and charge will be released soon.
- The Task Force on the Performance of Undergraduate Degree Programs (PUDP), co-chaired by Vice Chair Scott, will focus on defining and ensuring quality in both online and in-person undergraduate programs. It will build on existing University Committee on Educational Policy ([UCEP](#)) guidelines for online education and develop best practices, guidance, and data standards to help campuses evaluate new online and hybrid courses and programs. The task force will deliver an interim report by mid-December.
- A Senate workgroup under the University Committee on Privilege and Tenure ([UCPT](#)) will review [proposed revisions to APM 015/016](#), conforming revisions to Senate Bylaw 334–337, and interim guidelines on extramural speech in collaboration with the University Committee on Academic Freedom. Academic Council is expected to discuss and vote on the proposed changes in November, followed by the Assembly in January. The Board of Regents will consider final approval at its January 2026 meeting.
- Relatedly, a joint workgroup is addressing streamlined data collection and reporting for faculty discipline cases and the development of a single investigation model. It aims to finish its work by January 2026.

Discussion highlights

- Assembly members asked how the Assembly might engage further on the UCAD interim report. Chair Palazoglu explained that feedback should be submitted through divisional Senate channels as part of the systemwide review. Individual faculty may also submit feedback through AcademicSenateUCAD@ucop.edu.
- A question was raised about the administration's response to the [Assembly Resolution on Use of Trellix and Similar Monitoring Software](#). Chair Palazoglu noted that the administration had responded in a message from Chief Information Officer Williams. He reiterated that Senate advice is advisory and the Senate continues to prioritize faculty privacy and transparency. He encouraged Senate committees on computing and information technology to collaborate with campus IT offices to ensure oversight.
- Faculty also questioned the proposal to establish a systemwide Privilege and Tenure (P&T) committee, expressing concern that the change may be premature given limited data on case timelines and outcomes and the potential loss of campus context within a systemwide committee. Chair Palazoglu explained that the Regents have requested more systematic data collection and that a Discipline Data and Investigation Model Workgroup has been convened, with Senate representation, to develop consistent reporting across campuses.
- Questions were raised about the proposed 14-day timeline for forming P&T hearing panel/committees and the basis for claims that local processes are slow. Chair Palazoglu noted

that the new timelines align with Title IX and discrimination case procedures to promote consistency and encouraged members to provide feedback through divisional reviews before the Regents' January vote.

- Some faculty suggested collecting data on instances when chancellors do not follow P&T recommendations and raised concerns about how private expressive activities are addressed in the proposed systemwide guidelines. Chair Palazoglu acknowledged these points and encouraged engagement through the systemwide review process.

IV. REPORTS OF STANDING COMMITTEES

A. Academic Council

▪ Ahmet Palazoglu, Chair

1. Proposed revisions to Senate Regulation 750 [Action]

At its September 2025 meeting, the Academic Council approved a revision to Senate Regulation 750 adding "Math Fellow" (formerly "Visiting Assistant Professor in Mathematics") as an instructional title authorized to teach both lower- and upper-division courses. This change is a conforming update required to implement the UC-UAW bargaining agreement and to respond to a recent California Public Employment Relations Board (PERB) ruling, both of which reclassify such positions under the "Math Fellow" title as a narrowly defined instructional role. The revision also brings Senate regulations into alignment with Academic Personnel Manual (APM) - 230, which recently eliminated references to the "Visiting Assistant Professor in Mathematics" title and replaced it with "Math Fellow."

ACTION: A roll call vote was taken on a motion to approve the revisions. It passed with 53 in favor and none opposed.

V. ANNOUNCEMENTS BY SENIOR UNIVERSITY MANAGERS

- **James B. Milliken, President**
- **Katherine Newman, Provost and Executive Vice President, Academic Affairs**
- **Nathan Brostrom, Executive Vice President and Chief Financial Officer**

President Milliken noted that recent federal actions have dominated his attention since he joined the University on August 1. He explained that UC is willing to participate in good-faith discussions with the federal government, noting that other universities who declined to engage in such discussions have seen significant consequences and that no other UC campuses have seen additional actions thus far. He stated that UC has not agreed to any compact or arrangement and that any agreements would require the Board of Regents' approval.

He noted that a proposed "higher education compact" currently under federal discussion with several universities could impose new conditions in exchange for research funding. He said the higher education community and state leadership have broadly opposed the proposal in its current form, and that UC is monitoring developments closely and coordinating with peer institutions through national associations.

President Milliken also discussed broader federal proposals that could affect UC research, including possible reductions to science agency budgets, changes to indirect cost recovery, and challenges to the Bayh-Dole Act of 1980 governing intellectual property. He emphasized the importance of maintaining federal investment in research and innovation and said UC is working with national partners to advocate for the research enterprise.

Discussion highlights

- In response to faculty questions, President Milliken noted that the release of incident reports to the OCR was in response to an investigation into whether the University responded adequately

to complaints of antisemitism and was not an investigation of individuals or specific cases. He said UC continues to protect sensitive personally identifiable information wherever possible and weighs the sensitivity of information and its legal obligations in each case. President Milliken said he could envision circumstances where UC would refuse or challenge a federal directive, particularly if the University believed compliance would exceed lawful requirements or undermine core principles.

- Faculty also raised concerns about the deployment of Trellix endpoint detection software. President Milliken acknowledged faculty opposition and the Assembly's prior resolution. He said he has been reviewing the issue and intends to respond formally. He explained that the software decision originated 10 years ago as part of UC's cybersecurity strategy, and that his IT team is evaluating the current approach in light of both privacy concerns and the need to protect against cyberattacks.
- In response to a question about UC's commitment to gender-affirming health care, President Milliken said UC has not agreed to any federal restrictions and that any mandate affecting medical services would likely bring broad legal action from California and other states.
- Several faculty members expressed concerns about the political misuse of antisemitism allegations and the role of law in constraining universities. President Milliken responded that UC is working with the broader higher education community to strategize and coordinate national responses to federal actions and defend academic freedom and research.

Comments from Provost Newman:

UCAD Plus: Provost Newman commended the UCAD interim report as a thoughtful and substantive response to current challenges. To advance its recommendations, the administration and the Senate are establishing UCAD Plus, a joint structure that will include UCAD members, campus executive vice chancellors, and others. UCAD Plus will operate through five workgroups. A steering committee—composed of Provost Newman, Chair Palazoglu, and Convener, Council of Executive Vice Chancellors Stern—will issue regular updates to faculty. A systemwide review of the workgroups' recommendations is expected to begin in February 2026.

Early Career Faculty Award Program: A new competitive grant program will support junior faculty whose research resources have been disrupted. It will provide 60 awards of \$50,000 each year across the UC system. Each campus may nominate up to 10 faculty, with at least two awards guaranteed per campus. Funds may be used flexibly for research-related purposes such as course release, summer salary, travel, or support for students and postdoctoral scholars. Applications will be reviewed at the campus level and then evaluated by an external national panel to minimize bias.

Degree Plus: UCSB and UCSD are piloting a two-year initiative that enables undergraduates to earn UC Extension certificates aligned with labor market needs alongside their bachelor's degrees and paid internships. Funded by the Lumina and Strada Foundations and UCOP, the initiative integrates three components: the undergraduate degree, a UCOP-funded paid internship, and a three-course UC Extension certificate. The goal is to improve career readiness without extending time to degree. Each campus will enroll 120 students annually during the pilot phase, which will assess student demand and program effectiveness before possible expansion.

Advocacy Initiatives: UC is pursuing multiple funding strategies, including philanthropy and partnerships, to sustain its research mission. The University supports State Senate Bill (SB) 607 (Wiener), which would place a \$23 billion research bond on the November 2026 ballot. The measure is intended to help offset potential federal funding reductions affecting California's public universities, including UC.

Academic Congress: An Academic Congress later this month will focus on the changing labor market for graduates, including rising unemployment among degree holders, and how UC can respond to those trends.

Comments from CFO Brostrom:

Budget: CFO Brostrom described the fiscal environment as volatile at both the federal and state levels. He noted uncertainty surrounding federal research funding and potential reductions to agencies such as NIH and NSF. UC receives \$17 billion in total federal funding across research, healthcare, and student aid, and 36% of UC students are Pell Grant recipients. At the state level, UC initially faced an 8% budget cut, later reduced to 3% in the May Revision and ultimately reversed by the Legislature, resulting in a flat budget for 2025–26. However, he cautioned that restoring over \$600 million in deferred state funding commitments may be difficult in the future.

Capital: Three capital funding proposals are under discussion in Sacramento: a general obligation bond; a housing bill that could include UC faculty and staff housing; and SB 607, the research bond measure, which appears most promising because it would establish a state-based, peer-reviewed research funding mechanism. UC hopes the measures can be placed on the November 2026 ballot.

Enrollment: UC enrollment is at record levels and already exceeds targets for 2026–27 under the compact with the governor, demonstrating continued student demand.

Tuition Stability Plan: UCOP is considering modifications to the plan, which freezes tuition for each entering UC student cohort and provides predictable costs for families and reduced student debt. These include: 1) maintaining the 5% annual cap on increases but allowing unused increases to be “banked” for future years; 2) reducing the share of incremental tuition revenue set aside for financial aid from 45% to 35%; 3) switching from California CPI to the Higher Education Price Index (HEPI) as the inflation measure; 4) adding a modest adjustment to hedge against inflation.

Discussion highlights

- In response to questions, CFO Brostrom credited faculty advocacy with helping preserve federal funding levels for NSF and NIH. Regarding UC employee healthcare costs, he said the University increased its employer contribution by 9.5% this year, allowing the average employee premium to rise only 0.3%. He acknowledged that an overhaul of UC’s health plan portfolio will result in greater changes for individuals but said program quality will be maintained.

VI. SPECIAL ORDERS

- A. Consent Calendar [NONE]**
- B. Annual Reports [2024-25]**

VII. UNIVERSITY AND FACULTY WELFARE REPORT [NONE]

VIII. REPORTS ON SPECIAL COMMITTEES [NONE]

IX. PETITIONS OF STUDENTS [NONE]

X. UNFINISHED BUSINESS [NONE]

The meeting adjourned at 4:30 pm

Minutes Prepared by: Michael LaBriola, Assistant Director, Academic Senate

Attest: Ahmet Palazoglu, Academic Senate Chair

Attachments: Appendix A – Assembly Attendance Record, Meeting of October 9, 2025

**Appendix A – 2025-2026 Assembly Attendance Record
Meeting of October 9, 2025**

President of the University:

James B. Milliken

Academic Council Members:

Ahmet Palazoglu, Chair
Susannah Scott, Vice Chair
Mark Stacey, Chair, UCB
Katheryn Russ, Chair, UCD
Jane Stoever, Chair, UCI
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Melissa Caldwell
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Secretary/Parliamentarian

Katherine Yang (UCSF)



**ASSEMBLY OF THE ACADEMIC SENATE
November 20, 2025
Minutes of Special Meeting**

I. ROLL CALL OF MEMBERS

Pursuant to the call, the Assembly of the Academic Senate met on Thursday, November 20, 2025. Academic Senate Chair Ahmet Palazoglu presided and called the meeting to order at 3:00 pm. Senate Executive Director Monica Lin called the roll of Assembly members and confirmed a quorum. Attendance is listed in Appendix A of these minutes.

II. RESOLUTION CONCERNING THE DISCLOSURE OF NAMES OF FACULTY, STUDENTS, AND STAFF TO THE FEDERAL GOVERNMENT

Chair Palazoglu convened the special meeting pursuant to [Senate Bylaw 110.A.3.C](#), explaining that the meeting was called by a petition signed by more than 25 Senate members. He noted that a special meeting may consider only the item stated in the petition unless new business is added by unanimous consent. He reviewed procedures: the Assembly follows the Standard Code of Parliamentary Procedure with the Parliamentarian's assistance; only Assembly members may make motions or vote; and speakers should keep comments to one minute.

Chair Palazoglu summarized the background. The petition requested an Assembly discussion and vote on a resolution concerning UC's disclosure of names from UCLA, UCSB, UCSD, UCD, and UCSC in federal investigations to the U.S. Department of Education's Office for Civil Rights (OCR). On October 27, 2025 the Academic Council issued a [statement](#) raising concerns about privacy protections, transparency, and shared governance related to the disclosure at UCB. President Milliken [responded](#) to the Council's statement on November 13. UC Legal reviewed the petitioners' original resolution, and that review was shared with the petitioners and Assembly members. The petitioners submitted a substantially revised version of the resolution approximately one hour before the special meeting, and the amended text was provided to Assembly members by email and posted in the Zoom meeting chat. Chair Palazoglu then invited a motion to begin discussion.

Deputy General Counsel Allison Woodall was present to answer legal questions.

Professor Walter Leal, speaking for the petitioners, explained that the amended version incorporated feedback from UC Legal, removed language that could be interpreted as criticizing the current UC administration, and added an explicit endorsement of the Academic Council's October 27 statement.

Discussion highlights

- Faculty asked procedural questions, including whether the University Committee on Academic Freedom had reviewed the resolution (it had not), and sought clarification from UC Legal on the voluntary resolution agreement with the OCR and UC's disclosure practices.
- Deputy General Counsel Woodall reiterated that no personally identifiable information (PII) was disclosed under the voluntary resolution agreement covering UCLA, UCSB, UCSD, UCD, and

UCSC. As a condition of the voluntary resolution agreement with OCR, UC submitted a spreadsheet of Title VI complaints, with all PII redacted. UC Berkeley's release of unredacted records occurred under a separate, later federal investigation, and Berkeley is the only UC campus that has released unredacted information to OCR. She also explained that notification requirements differ depending on the type of federal request, such as a subpoena versus other forms of inquiry.

Comments in Support of the Resolution

Faculty speaking in support emphasized:

- The importance of a unified, systemwide faculty voice to defend academic freedom, privacy, and due process, particularly for students and scholars who may fear retaliation or deportation. An Assembly endorsement would also reinforce the Academic Council's statement.
- A lack of Senate consultation before UCOP entered into the voluntary resolution agreement, before Berkeley released PII, and throughout subsequent developments. Several described the events as a failure of shared governance requiring greater transparency.
- Concerns that UC's actions and limited communication with UC community members could deter individuals from filing civil rights complaints or participating in protected speech, protest, and academic activities, especially among vulnerable groups.
- The broader political context, including concerns that Title VI investigations are being used as political tools rather than genuine civil rights protections, and that UC should more forcefully resist federal actions that undermine academic freedom.
- The uneven disclosure practices across campuses, and the associated risks of doxxing, harassment, and other forms of targeting.

Questions and Concerns About Specific Language

Several faculty members raised concerns about the phrasing of particular resolves:

- The phrase "until all legal processes have run their course" was viewed as ambiguous and potentially limiting.
- Some argued that the resolution should include more concrete commitments, such as safety resources, legal support, and clearer limits on information sharing, as was the case in the related Academic Council statement.
- Others questioned the relationship between the amended resolution and the Council's statement, asking whether the resolution duplicated or weakened the Council's stronger statement.

Additional Comments and Concerns

Some faculty raised additional cautionary points:

- Some argued that the resolution did not fully address the risk of identification even when PII is redacted and sought clarification from UC Legal about the granularity of the complaint data that was withheld.
- Others suggested that the Assembly avoid framing UCOP as adversarial and instead recognize areas of alignment with the administration and questioned whether portions of the "be it further resolved" clauses diluted the strength of the Academic Council's statement.
- Several faculty members called for stronger systemwide standards and protective measures.

Debate Over an Amendment

Late in the meeting, an Assembly member proposed an amendment to end the resolution after the paragraph endorsing the Academic Council's statement, removing all subsequent resolves.

Supporters contended that the additional clauses were vague or repetitive. Opponents argued that the omitted sections were necessary because they addressed due process rights, timely notification, and the use of personal information in federal negotiations.

Before the amendment was formally proposed, the mover of the resolution called the question to close debate. Chair Palazoglu explained that a motion to close debate takes precedence and requires a two-thirds vote. A point of order was raised about whether the Assembly should vote on closing debate before hearing the amendment. The mover then withdrew the motion to close debate in order to allow the amendment to be stated. The amendment was then formally offered but not accepted by the petitioners. This was followed by a point of order clarifying that any amendment to the resolution must be approved by the Assembly either by general consent or majority vote.

Motion to Postpone: With time nearly expired and unresolved disagreement over the amendment and final language, a motion was made to postpone consideration. By roll call vote (46 in favor, 3 against), the Assembly agreed to postpone discussion and action on the resolution to the January 15, 2026 Assembly meeting.

III. NEW BUSINESS

None.

The meeting adjourned at 4:05 pm

Minutes Prepared by: Michael LaBriola, Assistant Director, Academic Senate

Attest: Ahmet Palazoglu, Academic Senate Chair

Attachments: Appendix A – Assembly Attendance Record, Meeting of November 20, 2025

**Appendix A – 2025-2026 Assembly Attendance Record
Special Meeting of November 20, 2025**

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James B. Milliken (absent)

Academic Council Members:

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Melike Pekmezci (alt for Ana Delgado)
Jennifer James
Stuart Gansky (alt for Leigh Kimberg)
Tracy Lin (alt for Kewchang Lee)
Margaret Wallhagen

Santa Barbara (3)

Eileen Boris
Christopher Kruegel
Lisa Parks

Santa Cruz (2)

Melissa Caldwell
Roger Schoenman

Secretary/Parliamentarian

Katherine Yang (UCSF)

III. ANNOUNCEMENTS BY THE CHAIR (2:10 - 2:30 pm)

- Ahmet Palazoglu

IV. AMENDMENTS TO ACADEMIC PERSONNEL MANUAL SECTION 015 AND 016 (2:30 - 3:00 pm)

Background and Justification: In August 2025, UC Systemwide Academic Personnel released for [systemwide Senate review](#) a set of revisions to Academic Personnel Manual (APM) Sections – 015 (The Faculty Code of Conduct and 016 (University Policy on Faculty Conduct and the Administration of Discipline) and Interim Systemwide Guidelines on Faculty Discipline. The systemwide review resulted in several hundred pages of comments from Senate divisions and systemwide committees as summarized in a [November 20, 2025 letter from Senate Chair Palazoglu](#). In addition, the University Committee on Privilege and Tenure (UCPT) convened a workgroup to conduct a detailed analysis of the proposed APM revisions and attachments. Its report is available [here](#).

Reviewers expressed widespread and near-unanimous concern that aspects of the proposed revisions and interim guidelines risked undermining UC's commitments to academic freedom, constitutional free-speech protections, and shared governance. Faculty urged substantial revision, including clearer standards, concrete examples distinguishing acceptable from unacceptable conduct, and alignment of disciplinary consequences with established policy violations. Many reviewers called for removal or substantial revision of content related to extramural activities and the proposed discipline calibration guidelines. Where retention of such materials was contemplated, numerous reviewers endorsed the analytical framework offered by two UC legal scholars, Professors Seana Shiffrin (UCLA) and Brian Soucek (UCD), and urged that it serve as a foundation for any revisions.

In response to systemwide Senate feedback, Systemwide Academic Personnel proposed significant revisions to APM - 015, APM - 016, and the associated systemwide faculty discipline guidelines. Key changes include:

- Replacing the proposed Systemwide Network Privilege and Tenure Committee with a Systemwide Reserve Privilege and Tenure Pool, coordinated by UCPT, which draws on existing Senate practices by including faculty with prior P&T experience who may be called upon as needed to constitute part or all of a hearing committee, if a campus is unable to appoint sufficient faculty in a timely way. This ensures the process stays within campus control except when the campus is unable to manage the process in a timely way.
- Replacing open-ended or indeterminate benchmarks earlier in the disciplinary process with defined timeframes, by specifying that initial assessments should be completed within 30 business days, investigations and investigation reports should be completed within 120 business days, and disciplinary charges should be filed within 40 business days of receipt of the investigation outcome by the Chancellor or Chancellor's designee, unless different timelines are required by applicable policies or campus procedures (e.g., Sexual Violence/Sexual Harassment) or a timeline is extended for good cause, as defined in Senate Bylaw 336 and incorporated into the amended APM - 015.
- Revising APM - 015 to align hearing timelines with Senate Bylaw 336, by requiring that a Privilege and Tenure hearing commence no later than 60 calendar days from the filing of disciplinary charges with the P&T Committee, unless extended for good cause, replacing the prior 90-day requirement tied to the date of the notice of intent.
- Clarifying hearing committee appointment timelines, by requiring appointment of the hearing committee chair within 14 calendar days of receipt of disciplinary charges and appointment of the full hearing committee no later than 50 calendar days from the date charges are filed.

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- Removing the requirement that campuses adopt a single-investigation model and instead committing to the development of a systemwide best practices document on streamlining investigations, to be issued in Spring 2026.
- Substantially revising the discipline calibration guidelines to clarify that they apply only after a finding of a policy violation; incorporating a general statement on extramural speech and academic freedom consistent with existing policy (including APM - 010); removing former Attachment B (Faculty Disciplinary Sanction Guidelines Re Expressive Activity) as a standalone document; eliminating the “severity of impact” column; and refining mitigating and aggravating factors.
- Revising and expanding existing APM guidance on Good Cause Factors for extensions of time.
- Committing to continued Senate-administration collaboration, including participation by the University Committee on Academic Freedom (UCAF) in a joint workgroup to develop future guidance addressing when expressive activity constitutes a policy violation.

While the revisions address many of the concerns raised during systemwide review, some issues—particularly guidance related to expressive activities—are intentionally deferred. The materials before the Assembly do not finalize standards for expressive conduct; instead, further guidance will be developed collaboratively with Senate committees and will undergo separate systemwide review.

APM – 015 and APM – 016 require review and approval by the Assembly of the Academic Senate and by the UC Board of Regents, which meets January 20–21, 2026. The Academic Council approved the revisions to APM - 015 and APM - 016 (which primarily includes revisions to conform with APM – 015) at its December 17, 2025 meeting. Pending the outcome of the January Regents meeting, the Assembly may consider conforming amendments to Senate Bylaw 336 at its February 12, 2026 meeting.

ACTION REQUESTED: The Assembly is asked to approve the proposed revisions to APM - 015 and APM - 016

ATTACHMENTS

Attachment 1: Proposed Revision of Academic Personnel Manual Section 015: The Faculty Code of Conduct (tracked changes)

Attachment 2: Proposed Revision of Academic Personnel Manual Section 016: University Policy on Faculty Conduct and the Administration of Discipline (tracked changes)

Attachment 3: Draft Faculty Respondent Disciplinary Sanction Guidelines After a Formal Investigation of Allegations of Faculty Misconduct Related to Expressive Activities and a Finding that a Policy Violation Has Occurred; the Following Guidelines Assist in Calibrating the Disciplinary Sanction(s) Recommended and/or Imposed and Companion Document

Attachment 4: Draft Non-Senate Academic Appointee Respondent Corrective Action/Disciplinary Sanction Guidelines After a Formal Investigation of Allegations of Misconduct Related to Expressive Activities and a Finding that a Policy Violation Has Occurred; the Following Guidelines Assist in Calibrating the Sanction(s) Recommended and/or Imposed

Attachment 5: Draft Guidelines on Good Cause Factors Regarding Extensions of Time

Figure 1: Graphical Overview of Pre-Hearing Preparation Timeline

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OFFICE OF THE PROVOST AND
EXECUTIVE VICE PRESIDENT FOR ACADEMIC AFFAIRS

OFFICE OF THE PRESIDENT
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200

January 5, 2026

ACADEMIC COUNCIL CHAIR AHMET PALAZOGLU

Re: Assembly of the Academic Senate Review of Proposed Revisions to Academic Personnel Manual (APM) Section 015

Dear Chair Palazoglu:

I am conveying to you, as Chair of the Academic Council, proposed revisions to Section 015 of the Academic Personnel Manual (APM - 015), The Faculty Code of Conduct, and Section 016, University Policy on Faculty Conduct and the Administration of Discipline (APM - 016). It is my understanding that the Assembly of the Academic Senate will consider these revisions to APM - 015 in their meeting on January 15, 2026. The amendments to both APM - 015 and APM - 016 require approval by the UC Board of Regents and have been transmitted to the Regents for the January 20-21 meeting.

This letter provides extensive background on this work, followed by an analysis of comments received on the proposed policy changes and explication of decisions I need to make to complete our work together. I am copying colleagues who were informed about the systemwide review, so that they too are brought up to date.

Background

In August 2024, then-President Michael V. Drake directed me to conduct a comprehensive review of policies relevant to expressive activities, with the goal of ensuring compliance with the statutory requirements of the California Budget Act of 2024 (SB 108). In response, I charged then-Academic Council Chair Steven W. Cheung and then-Interim Vice Provost Douglas Haynes with convening a Joint Workgroup of the Administration and Academic Senate (“Joint Workgroup”) to review APM - 015 and APM - 016 and develop recommendations that would enhance consistency in responses to policy violations across the system.

The Joint Workgroup found that existing policies adequately address conduct involving free speech, campus safety, and access to educational facilities and opportunities, and that APM - 016 is robust in its provisions for disciplinary consequences of policy violations. To further promote consistency, the Joint Workgroup’s final report proposed the development and dissemination of systemwide discipline calibration guidelines for expressive activities that would follow from a finding of a policy violation. This recommendation was modeled after similar guidelines that have been approved for violations of the Sexual Violence and Sexual Harassment (SVSH) Policy.

In late January 2025, the UC Board of Regents requested that the University undertake a comprehensive review of the policies and procedures governing the faculty disciplinary process, including APM - 015, APM - 016, and the relevant Academic Senate bylaws. The Regents were particularly concerned with reducing the time it takes to resolve faculty discipline cases, the consistent application of discipline across the system, and reinforcement of joint governance.

At my request, Chair Cheung and Interim Vice Provost Haynes re-convened the Joint Workgroup. They also held multiple meetings with campus Privilege and Tenure (P&T) committees and administration representatives from Academic Personnel, Civil Rights, and Compliance offices. In addition, they met regularly with Regents on the ASAC committee. The Joint Workgroup's April 2025 report formed the basis for recommendations accepted by the Regents in May 2025, followed by interim systemwide guidelines issued by my office at the request of the Regents in June 2025.

A full 90-day systemwide review of APM - 015 and APM - 016 was conducted from August through November 2025, and further proposed revisions were made to the policies in response to comments received. Following consultation with Regents Anguiano, Leib, and Sarris, and with my approval, the Academic Council reviewed and approved the amended language at its meeting on December 17, 2025. Because authority for faculty discipline ultimately derives from the Regents, amendments to APM - 015 and APM - 016 will be submitted for Regents' approval pending approval by the Assembly of the Academic Senate. Following the UC Board of Regents' review and approval of the APM - 015 and APM - 016 revisions, the Academic Senate will make conforming Senate bylaw revisions.

Amendment of Academic Personnel Manual Section 015: The Faculty Code of Conduct

Section Preamble and Section III, Enforcement and Sanctions

The Preamble and Section III, Enforcement and Sanctions, of APM - 015 was originally proposed to incorporate a Systemwide Network Privilege and Tenure Committee that would operate at the systemwide level, in the event that a campus was unable to form a hearing committee in a timely fashion. Based on feedback from systemwide review, APM - 015 Part III has been revised based on the Academic Council's recommendation to establish a Systemwide Reserve Privilege and Tenure Pool (P&T Reserve Pool), coordinated by the University Committee on Privilege and Tenure (UCPT). The P&T Reserve Pool may constitute part or all of the hearing committee, as necessary depending on the circumstances. The P&T Reserve Pool will be composed of faculty with the broad or specialized knowledge necessary to conduct a hearing, including former Privilege and Tenure (P&T) committee members, senior faculty, and emeriti faculty with relevant P&T experience.

This approach offers a more efficient and reliable mechanism for forming hearing committees by mitigating the primary scheduling challenges that arise from coordinating the availability of faculty, other parties, attorneys, and witnesses. It makes available a larger roster of experienced faculty—coordinated by UCPT to ensure appropriate

expertise—who can step in when additional hearing committee members are needed or when a campus determines that inclusion of an external faculty member would strengthen the hearing committee, as permitted under Senate Bylaw 336.F(1)(a).

The amendment to APM - 015 also incorporates the provision in Senate Bylaw 336.A that allows for the convening by UCPT of a Special Committee composed of Senate members from any Senate division to carry out the proceedings. Modeled on the successful structure of a Reserve/Shadow Committee on Academic Personnel (CAP) already in use across campuses, the P&T Reserve Pool supports the ongoing work of local P&T committees while also providing access to qualified faculty should a Special Committee be required.

APM - 015 was proposed to require the development of procedures for a single investigation model. Following systemwide review and consultation with experts in the Title IX, Anti-Discrimination, and Academic Personnel offices, the amended APM - 015 retains the language in the current policy regarding the development of procedures that encourage a single formal investigation. A workgroup consisting of both Administration and Senate members is currently developing a best practices document to be issued in Spring 2026 to provide systemwide guidance related to streamlining investigations.

Section III, Enforcement and Sanctions

Additionally, Section III, Enforcement and Sanctions, was proposed to incorporate (1) firm deadlines in the disciplinary process timeline, except when extended for good cause, in accordance with Academic Senate Bylaw 336; (2) the expectation that the notice of proposed discipline include at least five (5) hearing date options for the availability of campus administration to participate in a hearing; and (3) the expectation that each campus would develop procedures for a single formal investigation.

Following systemwide review, these proposed amendments were replaced with defined timeframes. Upon receipt of a report of an alleged Faculty Code of Conduct violation, an initial assessment, including a limited inquiry when appropriate to determine how to proceed, should be completed within 30 business days following receipt of the report; the investigation and the investigation report should be completed within 120 business days following the notice of investigation to the parties; and disciplinary charges should be filed within 40 business days of receipt of the investigation outcome., unless specific policies or campus procedures require a different timeframe (e.g., University policy on SVSH requires that an investigation be concluded within 60 to 90 business days), unless there is an extension for good cause.

The definition in Senate Bylaw 336 of a “good cause” extension was incorporated into the amended APM - 015.

In addition, a conforming revision was made to APM - 015 to reflect that Senate Bylaw 336 requires the P&T hearing to commence no later than 60 calendar days from the date of filing disciplinary charges with the P&T Committee, unless extended for good cause. The current APM - 015 language requires that the P&T hearing commence within 90 days

from the date on which the accused faculty member has been notified of the intent to initiate disciplinary proceedings. Furthermore, based on the UCPT workgroup's response to systemwide review, APM - 015 has been revised to reflect that the chair of the hearing committee will be appointed within 14 calendar days of receipt of the disciplinary charges and the full hearing committee will be appointed no later than 50 calendar days from the date disciplinary charges are filed.

Amendment of Academic Personnel Manual Section 016: University Policy on Faculty Conduct and the Administration of Discipline

Section I, Introduction and General Policy and Section III, Procedures for Imposition of Disciplinary Sanction

Section I, Introduction and General Policy and Section III, Procedures for Imposition of Disciplinary Sanction, of APM - 016 were proposed to incorporate the establishment of a Systemwide Network Privilege and Tenure Committee. As stated above, based on feedback from systemwide review, instead of a Systemwide Network Privilege and Tenure Committee, APM - 016 Sections I, II, and III, have been revised to accept the Academic Council's recommendation to establish a Systemwide Reserve Privilege and Tenure Pool and to incorporate the Special Committee, as already provided for in Senate Bylaw 336.

Section III, Procedures for Imposition of Disciplinary Sanction

Additionally, Section III, Procedures for Imposition of Disciplinary Sanction, was proposed to establish timeframes for completion of initial assessments, investigations and investigation reports, and disciplinary charges, as well as the expectation that a hearing panel would be appointed within 14 calendar days of the administration filing disciplinary charges. Based on feedback from systemwide review, timeframes from the initial assessment through the filing of charges were added to APM - 015. APM - 016 was also amended to remove the provision requiring appointment of the hearing committee within 14 days because all timeframes associated with the hearing committee are now reflected in the amended APM - 015. Amended APM - 016 also reflects that, depending on whether the Academic Senate or a University office is responsible for adhering to the specified timeframes, the Academic Senate or the designated University office may extend the timeframes for good cause, as defined in applicable policies and bylaws.

Other technical revisions were made to APM - 016 to reflect conforming language with Academic Senate Bylaw 336; and to update the number of divisional Academic Senate Committees on Privilege and Tenure from nine to ten.

SYSTEMWIDE GUIDELINES

The interim systemwide guidelines contained four documents that, while not part of the APM, were identified as appropriate for inclusion in the 90-day systemwide review process. They were implemented as interim systemwide guidelines at the beginning of the Fall 2025 term. In response to systemwide review, revisions were made to these interim

guidelines. The amendments are described below and are attached hereto. Following the issuance of APM - 015 and APM - 016, they will be reissued as systemwide guidelines (no longer interim). The below documents are included here, not for approval, but for discussion.

Faculty Respondent Disciplinary Sanction Guidelines After a Formal Investigation of Allegations of Faculty Misconduct Related to Expressive Activities and a Finding that a Policy Violation Has Occurred; the Following Guidelines Assist in Calibrating the Disciplinary Sanction(s) Recommended and/or Imposed and Companion Document (Attachment 3¹)

The original charge from then-President Michael Drake to Provost Newman was for a Joint Workgroup to provide recommendations for the University to adhere to California's Budget Act of 2024 (SB 108). Specifically, the Joint Workgroup was to determine if University policies needed to be revised to cover expressive activities, and if not, whether the University could promote better consistency across the system in response to policy violations. The Joint Workgroup found that UC policies do cover expressive activities but recommended the issuance of systemwide guidelines on calibrating disciplinary actions to promote greater consistency across the system after a finding of a policy violation. The original charge and Joint Workgroup recommendation were limited to promoting greater consistency in disciplinary sanctions related to expressive activities *after* a finding of a policy violation, not *before*.

Systemwide review comments revealed confusion as to whether the Systemwide Calibration Guidelines and Companion document were to be invoked before or after a finding of a policy violation. Revisions to both documents now clarify that they are to be invoked only after a finding of a policy violation. Specifically, with respect to the Systemwide Calibration Guidelines, the following revisions have been made:

1. Clarified that Attachments 3 and 4 are to be used only after a finding of a policy violation, and removed content relating to determining whether there has been a policy violation.
2. Clarified that the purpose of Attachments 3 and 4 is to assist P&T and the Chancellor/Chancellor's designee in recommending or determining the discipline to be imposed after a finding of a policy violation.
3. Removed the column regarding "Severity of Impact" from the attachments, in response to reviewers' recommendations to consolidate that column into the "Mitigating vs. Aggravating Factors" column.
4. Provided more precise language in the attachments regarding when to apply less severe versus more severe sanctions.
5. Provided more precise language in the attachments regarding the purpose of the mitigating and aggravating factors.
6. The calibration guidelines now make clear that such procedures are only triggered when there has been a finding of a violation of a policy related to expressive activities.

¹ Attachment 4 is the Non-Senate Academic Appointee Respondent version of the Guidelines.

In consultation with faculty experts on academic freedom and free speech, as well as with UC Legal, the following revisions have been made to the Companion documents, which is now a part of Attachment 3:

1. Added a general statement about extramural speech and academic freedom in the introduction section, reflecting current policies, principles, and procedures.
2. Listed the policies related to expressive activities that, if violated, would cause the P&T Committee and Chancellor/Chancellor's designee to use the guidelines to calibrate the discipline to be recommended, or imposed, to promote consistency across the system with regard to disciplinary responses.

Although not within the charge to the Joint Workgroup, the Senate and Administration wish to continue working on the issue of providing systemwide guidance for the purpose of determining whether a policy has been violated. A Senate-Administration workgroup will be formed to develop such guidance, reflecting the need for that surfaced as a result of systemwide review. When the guidance is developed, it will be issued as new systemwide guidelines after a full 90-day systemwide review has been conducted.

Guidelines on Good Cause Factors re Extensions of Time (Attachment 5)

Based on feedback from systemwide review, the following revisions have been made:

1. Expanded the list of good cause factors developed by the Systemwide Office of Civil Rights by incorporating additional best practices from systemwide review comments.
2. Clarified that, depending on whether the Academic Senate or a University office is responsible for adhering to the specified timeframe, the Academic Senate or the designated University office may extend the timeline for good cause.

Next Steps

The next steps, as you well know, are consideration by the Assembly of the Academic Senate of the revised language in the attached proposed revisions to APM – 015 at their scheduled meeting of January 15, 2026. The Regents are considering these revisions during the January 21, 2026 meeting.

I appreciate the Academic Senate's sustained engagement throughout this extensive and complex review process. Your partnership has been essential to developing amendments that both honor the principles of shared governance and respond to the Regents' expectations for a more consistent and timely disciplinary process. I believe the attached proposed revisions reflect the collaborative work of the Joint Senate-Administration Workgroup and the thoughtful feedback received during systemwide review. Thank you in advance for presenting these revisions to the Assembly of the Academic Senate and for your continued leadership as we move toward final approval and implementation.

Best wishes,



Katherine S. Newman
UC System Provost and
Executive Vice President for Academic Affairs

UC Berkeley Chancellor's Distinguished Professor
of Sociology & Public Policy

Attachments

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- Attachment 5: Draft Guidelines on Good Cause Factors Regarding Extensions of Time

cc: President Milliken

Academic Council Vice Chair Scott

Chancellors

Executive Vice Chancellors/Provosts

Executive Vice President and Chief Operating Officer Nava

Executive Vice President Rubin

Senior Vice President and Chief Compliance Officer Bustamante

Vice President Brown

Vice President and Chief of Staff Kao

Vice President Gullatt

Vice President Lloyd

Vice President Maldonado

Vice Provosts/Vice Chancellors for Academic Affairs/Personnel

Deputy General Counsel Woodall

Assistant Vice Provosts/Assistant Vice Chancellors for Academic Personnel

Associate Vice President Matella

Associate Vice President McRae

Chief Policy Advisor McAuliffe

Executive Director Anders

Executive Director Lin

Chief of Staff Beechem

January 5, 2026

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Deputy Chief HR Officer and Chief of Staff Henderson

Chief of Staff Levintov

Director Chin

Director Weston-Dawkes

Associate Director Woolston

Assistant Director LaBriola

DRAFT - General University Policy Regarding Academic Appointees: APM - 015 - The Faculty Code of Conduct

This policy is the Faculty Code of Conduct as approved by the Assembly of the Academic Senate on June 15, 1971, and amended by the Assembly on May 30, 1974, and with amendments approved by the Assembly on March 9, 1983, May 6, 1986, May 7, 1992, October 31, 2001, May 28, 2003, June 12, 2013, ~~and~~ February 8, 2017, and Month DD, 2026, and by The Regents on July 18, 1986, May 15, 1987, June 19, 1992, November 15, 2001, July 17, 2003, July 18, 2013, ~~and~~ March 15, 2017, and Month DD, 2026. In addition, technical changes were made September 1, 1988, June 11, 2010, and September 23, 2020.

Additional policies regarding the scope and application of the Faculty Code of Conduct and the University's policies on faculty conduct and the administration of discipline are set forth in APM - 016, the University Policy on Faculty Conduct and the Administration of Discipline.

**The Faculty Code of Conduct as Approved
by the Assembly of the Academic Senate**

(Code of Professional Rights, Responsibilities,
and Conduct of University Faculty, and
University Disciplinary Procedures)

Preamble

The University seeks to provide and sustain an environment conducive to sharing, extending, and critically examining knowledge and values, and to furthering the search for wisdom. Effective performance of these central functions requires that faculty members be free within their respective fields of competence to pursue and teach the truth in accord with appropriate standards of scholarly inquiry.

The faculty's privileges and protections, including that of tenure, rest on the mutually supportive relationships between the faculty's special professional competence, its academic freedom, and the central functions of the University. These relationships are also the source of the professional responsibilities of faculty members.

It is the intent of the Faculty Code of Conduct to protect academic freedom, to help preserve the highest standards of teaching and scholarship, and to advance the mission of the University as an institution of higher learning.

Part I of this Code sets forth the responsibility of the University to maintain conditions and rights supportive of the faculty's pursuit of the University's central functions.

Part II of this Code elaborates standards of professional conduct, derived from general professional consensus about the existence of certain precepts as basic to acceptable faculty behavior. Conduct which

departs from these precepts is viewed by faculty as unacceptable because it is inconsistent with the mission of the University. The articulation of types of unacceptable faculty conduct is appropriate both to verify that a consensus about minimally acceptable standards in fact does exist and to give fair notice to all that departures from these minimal standards may give rise to disciplinary proceedings.

In Part II a clear distinction is made between statements of (1) ethical principles and (2) types of unacceptable behavior.

1. **Ethical Principles**

These are drawn primarily from the 1966 *Statement on Professional Ethics* and subsequent revisions of June, 1987, issued by the American Association of University Professors. They comprise ethical prescriptions affirming the highest professional ideals. They are aspirational in character, and represent objectives toward which faculty members should strive. Behavior in accordance with these principles clearly precludes the application of a disciplinary sanction. These Ethical Principles are to be distinguished from *Types of Unacceptable Faculty Conduct* referred to in the following paragraph. The *Types of Unacceptable Faculty Conduct*, unlike the Ethical Principles, are mandatory in character, and state minimum levels of conduct below which a faculty member cannot fall without being subject to University discipline.

2. **Types of Unacceptable Faculty Conduct**

Derived from the Ethical Principles, these statements specify examples of types of unacceptable faculty behavior which are subject to University discipline because, as stated in the introductory section to Part II, they are “not justified by the Ethical Principles” and they “significantly impair the University’s central functions as set forth in the Preamble.”

The Ethical Principles encompass major concerns traditionally and currently important to the profession. The examples of types of unacceptable faculty conduct set forth below are not exhaustive. It is expected that case adjudication, the lessons of experience and evolving standards of the profession will promote reasoned adaptation and change of this Code. Faculty may be subjected to disciplinary action under this Code for any type of conduct which, although not specifically enumerated herein, meets the standard for unacceptable faculty behavior set forth above. It should be noted, however, that no provision of the Code shall be construed as providing the basis for judging the propriety or impropriety of collective withholding of services by faculty. Rules and sanctions that presently exist to cover such actions derive from sources external to this Code.

Part III of this Code deals with the enforcement process applicable to unacceptable faculty behavior. That process must meet basic standards of fairness and must reflect significant faculty involvement. In order to guide each campus in the development of disciplinary procedures that comply with this policy and Senate Bylaws, Part III provides an outline of mandatory principles to which each Division must adhere and discretionary principles which are strongly recommended.

Part I – Professional Rights of Faculty

In support of the University's central functions as an institution of higher learning, a major responsibility of the administration is to protect and encourage the faculty in its teaching, learning, research, and public service. The authority to discipline faculty members in appropriate cases derives from the shared recognition by the faculty and the administration that the purpose of discipline is to preserve conditions hospitable to these pursuits. Such conditions, as they relate to the faculty, include, for example:

1. free inquiry, and exchange of ideas;
2. the right to present controversial material relevant to a course of instruction;
3. enjoyment of constitutionally protected freedom of expression;
4. freedom to address any matter of institutional policy or action when acting as a member of the faculty whether or not as a member of an agency of institutional governance;
5. participation in the governance of the University, as provided in the Bylaws and Standing Orders of The Regents and the regulations of the University, including
 - (a) approval of course content and manner of instruction,
 - (b) establishment of requirements for matriculation and for degrees,
 - (c) appointment and promotion of faculty,
 - (d) selection of chairs of departments and certain academic administrators,
 - (e) discipline of members of the faculty, and the formulation of rules and procedures for discipline of students,
 - (f) establishment of norms for teaching responsibilities and for evaluation of both faculty and student achievement, and
 - (g) determination of the forms of departmental governance;
6. the right to be judged by one's colleagues, in accordance with fair procedures and due process, in matters of promotion, tenure, and discipline, solely on the basis of the faculty members' professional qualifications and professional conduct.

Part II – Professional Responsibilities, Ethical Principles, and Unacceptable Faculty Conduct

This listing of faculty responsibilities, ethical principles, and types of unacceptable behavior is organized around the individual faculty member's relation to teaching and students, to scholarship, to the University, to colleagues, and to the community. Since University discipline, as distinguished from other forms of reproof or administrative actions, should be reserved for faculty misconduct that is either serious in itself

or is made serious through its repetition, or its consequences, the following general principle is intended to govern all instances of its application:

University discipline under this Code may be imposed on a faculty member only for conduct which is not justified by the ethical principles and which significantly impairs the University's central functions as set forth in the Preamble. To the extent that violations of University policies mentioned in the examples below are not also inconsistent with the ethical principles, these policy violations may not be independent grounds for imposing discipline as defined herein. The *Types of Unacceptable Conduct* listed below in Sections A through E are examples of types of conduct which meet the preceding standards and hence are presumptively subject to University discipline. Other types of serious misconduct, not specifically enumerated herein, may nonetheless be the basis for disciplinary action if they also meet the preceding standards.

A. Teaching and Students

Ethical Principles. "As teachers, the professors encourage the free pursuit of learning of their students. They hold before them the best scholarly standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to assure that their evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom." (AAUP Statement, 1966; Revised, 1987)

The integrity of the faculty-student relationship is the foundation of the University's educational mission. This relationship vests considerable trust in the faculty member, who, in turn, bears authority and accountability as mentor, educator, and evaluator. The unequal institutional power inherent in this relationship heightens the vulnerability of the student and the potential for coercion. The pedagogical relationship between faculty member and student must be protected from influences or activities that can interfere with learning consistent with the goals and ideals of the University. Whenever a faculty member is responsible for academic supervision of a student, a personal relationship between them of a romantic or sexual nature, even if consensual, is inappropriate. Any such relationship jeopardizes the integrity of the educational process.

In this section, the term student refers to all individuals under the academic supervision of faculty.

Types of unacceptable conduct:

1. Failure to meet the responsibilities of instruction, including:

- (a) arbitrary denial of access to instruction;
 - (b) significant intrusion of material unrelated to the course;
 - (c) significant failure to adhere, without legitimate reason, to the rules of the faculty in the conduct of courses, to meet class, to keep office hours, or to hold examinations as scheduled;
 - (d) evaluation of student work by criteria not directly reflective of course performance;
 - (e) undue and unexcused delay in evaluating student work.
2. Discrimination, including harassment, against a student on political grounds, or for reasons of race, color, religion, sex, sexual orientation, gender, gender expression, gender identity, ethnic origin, national origin, ancestry, marital status, pregnancy, physical or mental disability, medical condition (cancer-related or genetic characteristics), genetic information (including family medical history), or service in the uniformed services as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), as well as state military and naval service, or, within the limits imposed by law or University regulations, because of age or citizenship or for other arbitrary or personal reasons.
 3. Sexual violence and sexual harassment, as defined by University policy, of a student.
 4. Violation of the University policy, including the pertinent guidelines, applying to nondiscrimination against students on the basis of disability.
 5. Use of the position or powers of a faculty member to coerce the judgment or conscience of a student or to cause harm to a student for arbitrary or personal reasons.
 6. Participating in or deliberately abetting disruption, interference, or intimidation in the classroom.
 7. Entering into a romantic or sexual relationship with any student for whom a faculty member has, or should reasonably expect to have in the future¹, academic responsibility (instructional, evaluative, or supervisory).

¹ A faculty member should reasonably expect to have in the future academic responsibility (instructional, evaluative, or supervisory) for (1) students whose academic program will require them to enroll in a course taught by the faculty member, (2) students known to the faculty member to have an interest in an academic area within the faculty member's academic expertise, or (3) any student for whom a faculty member must have academic responsibility (instructional, evaluative, or supervisory) in the pursuit of a degree.

8. Exercising academic responsibility (instructional, evaluative, or supervisory) for any student with whom a faculty member has a romantic or sexual relationship.

B. Scholarship

Ethical Principles. “Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end professors devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.” (AAUP Statement, 1966; Revised, 1987)

Types of unacceptable conduct:

Violation of canons of intellectual honesty, such as research misconduct and/or intentional misappropriation of the writings, research, and findings of others.

C. The University

Ethical Principles. “As a member of an academic institution, professors seek above all to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within their institution in determining the amount and character of the work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.” (AAUP Statement, 1966; Revised, 1987)

Types of unacceptable conduct:

1. Intentional disruption of functions or activities sponsored or authorized by the University.
2. Incitement of others to disobey University rules when such incitement constitutes a clear and present danger that violence or abuse against persons or property will occur or that the University’s central functions will be significantly impaired.
3. Unauthorized use of University resources or facilities on a significant scale for personal, commercial, political, or religious purposes.

4. Forcible detention, threats of physical harm to, or harassment of another member of the University community, that interferes with that person's performance of University activities.
5. Discrimination, including harassment, against University employees or individuals seeking employment; providing services pursuant to a contract; or applying for or engaged in an unpaid internship, volunteer capacity, or training program leading to employment on political grounds, or for reasons of race, color, religion, sex, sexual orientation, gender, gender expression, gender identity, ethnic origin, national origin, ancestry, marital status, pregnancy, physical or mental disability, medical condition (cancer-related or genetic characteristics), genetic information (including family medical history), or service in the uniformed services as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), as well as state military and naval service, or, within the limits imposed by law or University regulations, because of age or citizenship or for other arbitrary or personal reasons.
6. Sexual violence and sexual harassment, as defined by University policy, of another member of the University community.
7. Violation of the University policy, including the pertinent guidelines, applying to nondiscrimination against employees on the basis of disability.
8. Serious violation of University policies governing the professional conduct of faculty, including but not limited to policies applying to research, outside professional activities, conflicts of commitment, clinical practices, violence in the workplace, and whistleblower protections.

D. Colleagues

Ethical Principles. "As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates. In the exchange of criticism and ideas professors show due respect for the opinions of others. Professors acknowledge academic debts and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution." (AAUP Statement, 1966; Revised, 1987)

Types of unacceptable conduct:

1. Making evaluations of the professional competence of faculty members by criteria not directly reflective of professional performance.
2. Discrimination, including harassment, against faculty on political grounds, or for reasons of race, color, religion, sex, sexual orientation, gender, gender expression, gender

- identity, ethnic origin, national origin, ancestry, marital status, pregnancy, physical or mental disability, medical condition (cancer- related or genetic characteristics), genetic information (including family medical history), or service in the uniformed services as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), as well as state military and naval service, or, within the limits imposed by law or University regulations, because of age or citizenship or for other arbitrary or personal reasons.
3. Sexual violence and sexual harassment, as defined by University policy, of another member of the University community.
 4. Violation of the University policy, including the pertinent guidelines, applying to nondiscrimination against faculty on the basis of disability.
 5. Breach of established rules governing confidentiality in personnel procedures.

E. The Community

Ethical Principles. “Faculty members have the same rights and obligations as all citizens. They are as free as other citizens to express their views and to participate in the political processes of the community. When they act or speak in their personal and private capacities, they should avoid deliberately creating the impression that they represent the University.” (U.C. Academic Council Statement, 1971)

Types of unacceptable conduct:

1. Intentional misrepresentation of personal views as a statement of position of the University or any of its agencies. (An institutional affiliation appended to a faculty member’s name in a public statement or appearance is permissible, if used solely for purposes of identification.)
2. Commission of a criminal act which has led to conviction in a court of law and which clearly demonstrates unfitness to continue as a member of the faculty.

Part III – Enforcement and Sanctions

The Assembly of the Academic Senate recommends that each Division, in cooperation with the campus administration, develop and periodically re-examine procedures dealing with the investigation of allegations of faculty misconduct and the conduct of disciplinary proceedings.

Procedures shall be consistent with the Bylaws of the Academic Senate. Each Division should duly notify the University Committee on Rules and Jurisdiction and the University Committee on Privilege and Tenure of the procedures it has adopted and any subsequent changes therein. These Committees in turn are directed to report periodically to the Assembly of the Academic Senate on procedures

adopted by the Divisions and to recommend to the Assembly such action as they deem appropriate for assuring compliance with the Bylaws of the Academic Senate or the promotion of uniformity among Divisions to the extent to which it appears necessary and desirable.

- A. In the development of disciplinary procedures, each Division must adhere to the following principles:
1. No disciplinary sanction for professional misconduct shall be imposed by the administration except in accordance with specified campus procedures adopted after appropriate consultation with agencies of the Academic Senate, as prescribed in the introduction to this part of the Code. Systemwide procedures for the conduct of disciplinary hearings are set forth in Academic Senate Bylaw 336.
 2. No disciplinary sanction shall be imposed until after the faculty member has had an opportunity for a hearing before the Divisional Committee on Privilege and Tenure or Special Committee convened pursuant to Academic Senate Bylaw 336 (hereafter, the "Hearing Committee"), and, subsequent to a filing of a charge by the appropriate administrative officer, ~~as described in Academic Senate Bylaw 336.~~
 3. The Chancellor is deemed to know about an alleged violation of the Faculty Code of Conduct when it is reported to any academic administrator at the level of department chair or above. Additionally, for an allegation of sexual violence or sexual harassment, the Chancellor is deemed to know about an alleged violation of the Faculty Code of Conduct when the allegation is first reported to any academic administrator at the level of department chair or above or the campus Title IX Officer. The Chancellor must initiate related disciplinary action by delivering notice of proposed action to the respondent no later than three years after the Chancellor is deemed to have known about the alleged violation. There is no limit on the time within which a complainant may report an alleged violation.
 4. The Chancellor may not initiate notice of proposed disciplinary action unless there has been a finding of *probable cause*. The *probable cause* standard means that the facts as alleged in the complaint, if true, justify the imposition of discipline for a violation of the Faculty Code of Conduct and that the Chancellor is satisfied that the University can produce credible evidence to support the claim. In cases where the Chancellor wants a disciplinary action to proceed, the ~~Divisional Hearing~~ Committee must hold a hearing and make findings on the evidence presented unless the accused faculty member settles the matter with the Chancellor prior to the hearing or the accused faculty member explicitly waives the right to a hearing.
 5. The procedures adopted shall include designation of the following disciplinary sanctions authorized in the University Policy on Faculty Conduct and the Administration of Discipline, of which this Faculty Code of Conduct is an integral part: written censure, reduction in salary, demotion, suspension, denial or curtailment of emeritus status, and dismissal from the employ of the University. The ~~Divisional Hearing~~ Committee ~~on~~

~~Privilege and Tenure~~ shall not recommend the imposition of a sanction more severe than that in the notice of proposed disciplinary action. More than one disciplinary sanction may be imposed for a single act of misconduct, e.g., a letter of censure and a suspension.

B. In the development of disciplinary procedures, it is recommended that each Division adhere to the following principles:

1. In order to facilitate the efficient and timely handling of disciplinary matters, ~~it is recommended that~~ procedures in the Academic Senate Bylaw 336 be developed that allow each Divisional Committee on Privilege and Tenure to sit in hearing panels smaller than the full committee. The University Committee on Privilege and Tenure will establish and coordinate a Systemwide Reserve Privilege and Tenure Pool. The Systemwide Privilege and Tenure Pool may constitute part or all of the Hearing Committee, depending on the circumstances.
2. There should be an appropriate mechanism for consideration and investigation of allegations of misconduct received from members of the faculty, staff, students, the administration, and other members of the University community. Procedures should be developed which encourage a single formal investigation of the allegations leading to the proposed disciplinary action.
3. Because it is desirable that the faculty meaningfully participate in its own self-discipline, and in order to provide the administration with faculty advice in the beginning stages of what may become formal disciplinary proceedings, appropriate procedures should be developed to involve the faculty in participating in the investigation of allegations of misconduct and/or in making recommendations to appropriate administrative officers whether a disciplinary charge should be filed. Divisions are encouraged to develop procedures to provide faculty investigators with training, consultation, or legal counsel to assist with the investigation of faculty disciplinary cases.
4. The following deadlines should be adhered to, unless the timeframes associated with specific policies or campus procedures require a different timeframe (e.g., the University policy on sexual violence and sexual harassment requires that an investigation be concluded within 60 to 90 business days) or there is an extension for good cause:
 - (a) Upon receipt of a report of an alleged Faculty Code of Conduct violation, an initial assessment, including a limited inquiry when appropriate to determine how to proceed, should be completed within 30 business days following receipt of the report;-
 - (b) The investigation and the investigation report should be completed within 120 business days following the notice of investigation to the parties; and
 - (c) Disciplinary charges should be filed by the Chancellor or Chancellor's designee within 40 business days of receipt of the investigation outcome.

- 4.5. There should be provision for early resolution of allegations of faculty misconduct before formal disciplinary proceedings are instituted. Procedures should be developed for mediation of cases where mediation is viewed as acceptable by the Chancellor and the faculty member accused of misconduct. Mediators should be trained in mediation, be regarded as neutral third parties and have experience in the University environment. In cases where a settlement resolving disciplinary charges is entered into after a matter has been referred to an Academic Senate committee, the Chancellor is encouraged to consult with the Chair of the Divisional Hearing Committee ~~on Privilege and Tenure~~ prior to finalizing the settlement.
- 5.6. Appropriate precautions should be taken to safeguard the confidentiality of investigative and disciplinary proceedings. Procedures should be developed that allow information about an ongoing disciplinary proceeding, including information about the outcome, to be shared with complainant(s), to the extent allowable by State law and University policy.
- 6.7. There should be provision, to the maximum feasible extent, for separating investigative and judicial functions. A faculty member who has participated in investigating an allegation of misconduct or in recommending that a charge should be filed should thereafter not participate, as a member of the Committee ~~on Privilege and Tenure~~, in the hearing of that charge.
- 7.8. In the implementation of all procedures, specific provisions should be made for the time span within which certain actions may or must be taken. Every effort should be made to conform to reasonable, specified time frames. Ideally Consistent with Academic Senate Bylaw 336, unless extended for good cause, a hearing should commence ~~within 90 days of the date on which the accused faculty member has been notified of the intention to initiate a disciplinary proceeding~~ no later than 60 calendar days from the date disciplinary charges are filed with the Committee on Privilege and Tenure. The chair of the Hearing Committee will be appointed within 14 calendar days of receipt of the disciplinary charges. The full Hearing Committee, whether drawn from the Systemwide Reserve Privilege and Tenure Pool or not, shall be appointed according to Academic Senate Bylaw 336, and no later than 50 calendar days from the date disciplinary charges are filed. A faculty member who is entitled to a hearing should not be permitted thereafter to delay imposition of discipline by refusing to cooperate or being unavailable for a scheduled hearing. A hearing shall not be postponed because the faculty member is on leave or fails to appear.
- 8.9. There should be consideration of provision for the availability of removal or termination of a sanction, either automatically or by administrative discretion, in individual cases. The nature and circumstances of the offense should determine the severity and type of discipline.
10. Procedures should be developed for keeping records of disciplinary matters in a confidential manner and sharing such records with Senate and administrative officers with a need to know in accordance with State law and University policy.

~~9.11.~~ Pursuant to Academic Senate Bylaw 336, “good cause” consists of material or unforeseen circumstances sufficient to justify the extension sought.

Revision History

Month DD, 2026:

- Substantive revisions to incorporate the recommendation to establish a Systemwide Reserve Privilege and Tenure Pool, coordinated by the University Committee on Privilege and Tenure.
- Substantive revisions to incorporate timeframes for completion of initial assessments, investigations and investigation reports, and the filing of disciplinary charges, as well as extensions for good cause.
- Substantive revisions to reflect a deadline for the appointment of the full Hearing Committee.
- Technical revisions to reflect conforming language with, and timeframes specified in, Academic Senate Bylaw 336.

September 23, 2020:

- Technical revision to remove gendered language.

For details on prior revisions, please visit the policy issuance web page ~~Academic Personnel and Programs website~~.

**DRAFT - General University Policy Regarding Academic Appointees: APM - 016 - University
Policy on Faculty Conduct and the Administration of Discipline**

**University Policy on Faculty Conduct and
The Administration of Discipline**

The University policy on faculty conduct and the administration of discipline is set forth in its entirety in this policy and in the Faculty Code of Conduct.

**Section I -- Introduction and General
Policy**

This policy, as recommended by the President of the University and approved by The Regents on June 14, 1974, November 15, 2001, ~~and~~ March 15, 2017, and Month DD, 2026, supersedes the President's interim statement on the same subject, issued on January 15, 1971. The present policy is to be read in conjunction with the Faculty Code of Conduct.

The Faculty Code of Conduct is set forth in [APM - 015](#). Part I of the Faculty Code of Conduct notes the responsibility of the administration to preserve conditions that protect and encourage the faculty in its central pursuits. Part II defines normative conditions for faculty conduct and sets forth types of unacceptable faculty conduct subject to University discipline. Part III makes recommendations and proposes guidelines to ~~assure~~ensure the development of fair procedures for enforcing the Code.

Nothing in the Faculty Code of Conduct, or in this policy, is intended to change the various authorities and responsibilities of the Academic Senate, the administration, and The Regents as currently set forth in The Regents' Bylaws, the policies and regulations of the University, and the Bylaws and Regulations of the Academic Senate.

The Faculty Code of Conduct explicitly does not deal with policies, procedures, or possible sanctions pertaining to strikes by members of the faculty. These are covered by Regental and administrative policies external to the Code.

Except for the matter of strikes, and with recognition that Part III of the Faculty Code of Conduct consists of mandatory principles and recommendations to the Divisions of the Academic Senate and the campus administrations, the Faculty Code of Conduct, as set forth in [APM - 015](#), is the official basis for imposing discipline on members of the faculty for professional misconduct.

With respect to the imposition of disciplinary sanctions, the Faculty Code of Conduct deals only with the professional responsibilities, ethical principles, and standards of conduct that pertain to the professional obligations of faculty members. No disciplinary sanctions described in this policy may be imposed on faculty members other than through the procedures pursuant to this policy and the

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Faculty Code of Conduct. In addition, faculty members may be subject to certain administrative actions which are outside the scope of faculty discipline. For example, like all other members of the University community, faculty members are subject to the general rules and regulations of the University such as those pertaining to parking, library privileges, health and safety, and use of University facilities. Faculty are subject to appropriate administrative actions for failure to comply with such rules and regulations. Another example applies to faculty members serving in administrative appointments who are subject to administrative actions for misconduct in their role as administrators. Faculty members serving in administrative roles may be subject to disciplinary sanctions under this policy in addition to administrative actions, if the faculty member's misconduct in the role of an administrator also violates the ethical and professional standards for faculty set forth in the Faculty Code of Conduct.

To maintain consistency in the future between the Faculty Code of Conduct, if it should be further amended by the Academic Senate, and any new or changed Regental or administrative policies relating to faculty conduct that might be adopted, the President will consult with appropriate agencies of the Academic Senate, and will undertake to facilitate any needed joint action by the Senate and The Regents or the administration.

Authority for discipline derives from The Regents. The Regents have made the Chancellor of each campus responsible for discipline on the campus ([Regents' Bylaw 31](#)), subject to certain procedures and safeguards involving the President and the Academic Senate ([Regents' Bylaws 30, 31, and 40](#)).

This policy regarding faculty discipline requires a spirit of active cooperation between the administration, as embodied by the Chancellor, and the Academic Senate. In case of disagreement between the administration and the faculty over the interpretation or application of the Faculty Code of Conduct, conflicts will be resolved on a case-by-case basis, with the fullest consideration given to peer judgments achieved through procedures for discipline. In cases where a Chancellor's tentative decision regarding the imposition of discipline on a faculty member disagrees with the recommendation of the Divisional Committee on Privilege and Tenure or Special Committee (hereafter, the "Hearing Committee") as described in Academic Senate Bylaw 336, the Chancellor shall inform the Chair of the Committee ~~on Privilege and Tenure~~ in writing that the Chancellor may disagree and ask if the Chair would like the Chancellor to meet with the Chair or with the whole committee prior to making a final decision or recommendation.

Disciplinary action is to be distinguished from certain other administrative actions taken as the result, not of willful misconduct but rather, for example, of disability or incompetence. The administration naturally bears the responsibility of assuring that the University's resources are used productively and appropriately. In meeting this responsibility, administrators must occasionally take actions which resemble certain disciplinary sanctions but which are actually of an entirely different character. These actions are subject to separate procedures with due process guarantees and should

not be confused with disciplinary action with its implications of culpability and sanction. [APM - 075](#) on Termination for Incompetent Performance articulates the conditions under which faculty members with tenure or security of employment may be terminated for incompetent performance.

Section II -- Types of Disciplinary Sanctions

The types of discipline that may be imposed on a member of the faculty are as follows, in order of increasing severity: written censure, reduction in salary, demotion, suspension, denial or curtailment of emeritus status, and dismissal from the employ of the University. In any disciplinary proceeding, the Chancellor may not impose a type of discipline more severe than that which was set forth in a written notice of proposed disciplinary action to the faculty member. The Chancellor may impose additional appropriate remedial or corrective sanctions not set forth in this Code only with the consent of the accused faculty member. More than one disciplinary sanction may be imposed for a single act of misconduct, e.g. a letter of censure and a suspension. The Chancellor may remove or terminate a sanction, either automatically or by administrative discretion, in individual cases. The severity and type of discipline selected for a particular offense must be appropriately related to the nature and circumstances of the case.

1. Written Censure

A formal written expression of institutional rebuke that contains a brief description of the censured conduct, conveyed by the Chancellor. Written censure is to be distinguished from an informal written or spoken warning, and must be delivered confidentially to the recipient and maintained in a designated personnel file or files indefinitely or for a lesser period of time specified in the writing. Informal written or spoken warning is not an official disciplinary action.

2. Reduction in Salary

Reduction to lower salary without change in rank or step. The authority to reduce the salary of any faculty member rests with the Chancellor. This authority may not be redelegated. The amount and duration of the reduced salary shall be specified.

3. Demotion

Reduction to lower rank or step with corresponding reduction in salary. Demotion as a disciplinary action should be imposed in a manner consistent with the merit based system for advancement. Generally, demotion is an appropriate sanction when the misconduct is relevant to the academic advancement process of the faculty member. The authority to reduce the rank of a faculty member who does not have tenure or security of employment

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rests with the Chancellor. The authority to reduce, within rank, the step of any faculty member to a lower step rests with the Chancellor. This authority may not be redelegated.

Authority for demoting a faculty member with tenure or with security of employment to a lower rank, also with tenure or with security of employment, rests with the President, on recommendation of the Chancellor. Demotion of a faculty member with tenure or with security of employment to a lower rank without tenure or security of employment is not an option.

4. Suspension

Suspension of a faculty member without pay for some stated period of time from the continuance of the appointment on its normal terms. Unless otherwise noted, the terms of a suspension will include loss of normal faculty privileges such as access to University property, participation in departmental governance, voting rights, administration of grants, supervision of graduate students, and use of University administrative staff, and may include loss of other campus privileges such as parking and library privileges. The degree and duration of the suspension shall be specified.

Authority for the suspension of a faculty member rests with the Chancellor and may not be redelegated. Suspension as a disciplinary action is to be distinguished from involuntary leave, which is a precautionary action.

5. Denial or Curtailment of Emeritus Status

Denial or curtailment of current or future emeritus status of a faculty member, including the privileges associated with the emeritus status. The denial or curtailment of emeritus status does not affect the faculty member's entitlement to earned retirement benefits. Authority for the denial or curtailment of emeritus status of a faculty member rests with the President, on recommendation of the Chancellor.

6. Dismissal from the Employ of the University

The Chancellor has authority to dismiss a faculty member who does not have tenure or security of employment. This authority may not be redelegated. Authority for dismissal of a faculty member who has tenure or security of employment rests with The Regents, on recommendation of the President, following consultation with the Chancellor.

Prior to the imposition of any disciplinary sanction(s) as described above, the Chancellor may waive or limit any or all disciplinary sanction(s) on the condition that the accused faculty member performs some specified action(s) designed to address the harm and/or to prevent future harm. Such actions may include, but are not limited to, monetary restitution, repayment of misappropriated resources,

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compliance with a commitment not to repeat the misconduct, or other act to make whole injury caused by the faculty member's professional misconduct or to prevent future misconduct.

If the imposition of a disciplinary sanction is waived, the subsequent failure to perform the required act or otherwise comply with the conditions of the waiver will immediately subject the faculty member to the implementation of the underlying sanction without an additional hearing. The authority to determine whether the faculty member has complied with the conditions of the waiver rests with the Chancellor. The Chancellor may designate a fixed time period for compliance with the terms of the waiver, after which the authority to impose discipline will lapse. If a faculty member disputes the Chancellor's determination, the faculty member may grieve under applicable faculty grievance procedures.

A Chancellor is authorized to initiate involuntary leave with pay prior to, or at any time following, the initiation of a disciplinary action if it is found that there is a strong risk that the accused faculty member's continued assignment to regular duties or presence on campus will cause immediate and serious harm to the University community or impede the investigation of wrongdoing, or in situations where the faculty member's conduct represents a serious crime or felony that is the subject of investigation by a law enforcement agency. When such action is necessary, it must be possible to impose the involuntary leave swiftly, without resorting to normal disciplinary procedures. In rare and egregious cases, a Chancellor may be authorized by special action of The Regents to suspend the pay of a faculty member on involuntary leave pending a disciplinary action. This is in addition to the Chancellor's power to suspend the pay of a faculty member who is absent without authorization and fails to perform duties for an extended period of time, pending the resolution of the faculty member's employment status with the University.

Thereafter, the faculty member may grieve the decision to place the faculty member on involuntary leave pursuant to applicable faculty grievance procedures. The Divisional Hearing Committee ~~on Privilege and Tenure~~ shall handle such grievances on an expedited basis if so requested by the faculty member; the Committee may recommend reinstatement of pay and back pay in cases where pay status was suspended. Within 5 (five) working days after the imposition of involuntary leave, the Chancellor must explain to the faculty member in writing the reasons for the involuntary leave including the allegations being investigated and the anticipated date when charges will be brought, if substantiated.

Every such document must include the following statements: (1) the Chancellor has the discretion to end the leave at any time if circumstances merit; (2) the involuntary leave will end either when the allegations are resolved by investigation or when disciplinary proceedings are concluded and a decision has been made whether to impose disciplinary sanctions; and (3) the faculty member has the right to contest the involuntary leave in a grievance proceeding that will be handled on an expedited basis, if so requested by the faculty member.

Section III -- Procedures for Imposition of Disciplinary Sanction

Safeguards against arbitrary or unjust disciplinary actions, including provision for hearings and appeals, are well established in the University.

The Regents' Bylaws provide that actions of certain types, some of them disciplinary in character, may not be carried out without the opportunity of a prior hearing before, or without advance consultation with, "a properly constituted advisory committee of the Academic Senate" ([Regents' Bylaws 30, 31, and 40.3.](#)).

The Academic Senate has established Committees on Privilege and Tenure in each of the ~~nine~~ten Divisions, as well as a systemwide University Committee on Privilege and Tenure (UCPT). The composition and duties of these Divisional committees and UCPT are defined by the Academic Senate. One of the traditional roles of the Divisional Committees on Privilege and Tenure is to conduct hearings on disciplinary charges initiated by the Chancellor under this policy and make findings of fact and recommendations to the Chancellor regarding proposed disciplinary sanctions. The procedures for disciplinary hearings, including the procedures for the Special Committee and a Systemwide Reserve Privilege and Tenure Pool, are set forth in [Academic Senate Bylaw 336](#).

Another traditional role, to be distinguished from the conduct of disciplinary hearings, is to consider grievances by members of the Academic Senate regarding their rights and privileges as faculty members. The procedures for considering grievances are set forth in [Academic Senate Bylaw 335](#). A disciplinary action is distinguished from a grievance action in that a disciplinary action generally is commenced by the administration against a faculty member based on charges that the faculty member has violated the Faculty Code of Conduct. A grievance action is initiated by a faculty member who believes that he or she has suffered injury as the result of a violation of the faculty member's rights or privileges. A grievance action specifically requests the administration to take appropriate action to eliminate or mitigate the faculty member's injury. A grievance alleging misconduct by another member of the Academic Senate may result in disciplinary proceedings commenced against that faculty member.

The Faculty Code of Conduct applies to all faculty members, Senate and non-Senate. For members of the Academic Senate, the procedures for disciplinary actions are governed by Senate Bylaws and Divisional rules. For academic appointees who are not members of the Academic Senate (and this group includes certain categories of faculty members) there are procedures for disciplinary actions separate from that of the Senate's committees. Those procedures are found in [APM - 150](#) and relevant collective bargaining agreements or Memoranda of Understanding.

The Faculty Code of Conduct also applies to faculty members holding administrative appointments. Faculty members serving as administrators may be subjected to disciplinary action under this Code

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for professional misconduct in their administrative role that violates the ethical principles and falls within the types of unacceptable conduct set forth in this Code. A disciplinary action against a faculty member holding an administrative title may proceed in two parts. One part involves the removal of an administrative title or other administrative action under procedures established by The Regents and the administration. Such action need not adhere to the disciplinary procedures set forth in this policy. The other part involves the proposed imposition of any type of disciplinary sanction set forth in this policy, which must proceed in accordance with the procedures for discipline outlined in the Faculty Code of Conduct and the applicable Senate Bylaws and Divisional rules. The removal of the administrative title or other administrative action does not preclude or require the imposition of a disciplinary sanction under this policy. Administrative incompetence does not in itself constitute a violation of the Faculty Code of Conduct.

It is the responsibility of each Chancellor to establish procedures for the administration of discipline on the campus, in consultation with the campus Division of the Academic Senate and such other advisory groups as are appropriate. No disciplinary sanction for professional misconduct shall be imposed except in accordance with specified procedures. With the exception of systemwide deadlines in the disciplinary process, it is not essential that the procedures be identical on every campus. It is important, however, that the same basic principles and standards prevail throughout the University. Upon receipt of a report of an alleged Faculty Code of Conduct violation, an initial assessment should be made in accordance with the applicable policies, which includes making an immediate assessment concerning the health and safety of the complainant and the campus community. Unless extended for good cause, the following deadlines should be adhered to: the initial assessment, including a limited inquiry when appropriate to determine how to proceed, should be completed within 30 business days following receipt of the report; the investigation and the investigation report should be completed within 120 business days following the notice of investigation to the parties; and disciplinary charges should be filed within 40 business days of receipt of the investigation outcome. The timeframes above should apply unless the timeframes associated with specific policies or campus procedures require a different timeframe (e.g., the University policy on sexual violence and sexual harassment requires that an investigation be concluded within 60 to 90 business days).

Depending on whether the Academic Senate or a University office is responsible for adhering to the specified timeframe above, the Academic Senate or the designated University office may extend the above timeframes for good cause, as defined in the applicable policies and bylaws.

Requirements and recommendations for developing campus disciplinary procedures pursuant to this policy are set forth in the Faculty Code of Conduct and the Senate Bylaws. Chancellors are to keep the President informed about campus procedures and to report any significant changes made in such procedures. The President will consult periodically with the Chancellors and the Academic Senate about procedures that are being employed in order to assure equitable standards for discipline throughout the University.

Revision History

Month DD, 2026:

- Substantive revisions to incorporate the recommendation to establish a Systemwide Reserve Privilege and Tenure Pool, coordinated by the University Committee on Privilege and Tenure.
- Substantive revisions to incorporate timeframes for completion of initial assessments, investigations and investigation reports, and the filing of disciplinary charges, as well as extensions for good cause.
- Technical revisions to reflect conforming language with Academic Senate Bylaw 336.
- Technical revision to update the number of Academic Senate divisions from nine to ten that have established a Committee on Privilege and Tenure.

April 20, 2022:

- Technical revisions to update references to Regental governing documents.

September 23, 2020:

- Technical revision to remove gendered language.

For details on prior revisions, please visit the [policy issuance web page](#) ~~[Academic Personnel and Programs website](#)~~.

DRAFT: Attachment 3: Faculty Respondent Disciplinary Sanction Guidelines After a Formal Investigation of Allegations of Faculty Misconduct Related to Expressive Activities and a Finding that a Policy Violation Has Occurred; the Following Guidelines Assist in Calibrating the Disciplinary Sanction(s) Recommended and/or Imposed

Types of Faculty Disciplinary Sanctions under APM - 016

Letter of
Censure

Reduction
in Salary

Demotion

Suspension

Curtailment or Denial
of Emeritus Status

Dismissal

Less Severe Sanction

More Severe

Factors to Consider in Recommending/Imposing Disciplinary Sanctions for Faculty Respondents Following a Finding of a Policy Violation(s)

If There is a Finding of a Violation of a Policy Related to Expressive Activities, the Policy Violation(s) Should Be Evaluated Under the Following Tiers (see attached Companion document for the list of policies)

Tier 1

- Failing to comply with valid instructions of a UC or public official upon initial instruction
- Disturbing the peace
- Camping or unauthorized lodging on UC property
- Climbing or rappelling activities on UC-managed property
- Using amplified sound without a permit

Tier 2

- Failing to comply with repeated valid instructions of a UC or public official
- Escalating misconduct activity contrary to de-escalating instructions of a UC or public official
- Engaging in disorderly conduct as defined by Time, Place, and Manner (TPM) policy
- Blocking entrances or interfering with the normal free flow of traffic on campus and the immediate environs
- Obstructing or disrupting teaching or other UC operations
- Threatening others with forcible detention or harm

Tier 3

- Inciting others to engage in misconduct
- Intimidating or coercing others to engage in misconduct
- Detaining unwilling parties by any means
- Possessing or using a firearm, explosive, or any device that can cause mass casualties

Mitigating vs. Aggravating Factors

Mitigating Factors

- No prior history of counseling or remedial intervention
- Engaging in activity pursuant to a good faith misinterpretation of academic freedom
- Activity does not discriminate on UC policy-protected grounds
- One or rare occurrence(s)
- Accepting responsibility for misconduct without recurrent offense

Aggravating Factors

- Escalating misconduct in view of recent counseling or remedial intervention
- Discriminating on UC policy-protected grounds
- Violating policy in a repeated fashion
- Not accepting responsibility for misconduct
- Major damage to UC property
- Major impact on UC community members and their families
- Major harm to others by physical or other means

Less severe sanctions are typically recommended for cases where the findings of a policy violation(s) are relatively few and mostly in lower tiers
More severe sanctions are typically recommended when there is a finding of multiple policy violations in higher tiers
Mitigating and aggravating factors should also be considered in the final sanction recommendation and/or determination

DRAFT: ATTACHMENT 3 – COMPANION DOCUMENT to Faculty Respondent Disciplinary Sanction Guidelines After a Formal Investigation of Allegations of Faculty Misconduct Related to Expressive Activities and a Finding that a Policy Violation Has Occurred

Preamble – General Principles

APM - 010 provides in relevant part, “The University of California is committed to upholding and preserving principles of academic freedom. These principles reflect the University’s fundamental mission, which is to discover knowledge and to disseminate it to its students and to society at large. The principles of academic freedom protect freedom of inquiry and research, freedom of teaching, and freedom of expression and publication. These freedoms enable the University to advance knowledge and to transmit it effectively to its students and to the public.”

“Academic freedom requires that teaching and scholarship be assessed by reference to the professional standards that sustain the University’s pursuit and achievement of knowledge. The substance and nature of these standards properly lie within the expertise and authority of the faculty as a body. The competence of the faculty to apply these standards of assessment is recognized in the Standing Orders of The Regents, which establish a system of shared governance between the Administration and the Academic Senate. Academic freedom requires that the Academic Senate be given primary responsibility for applying academic standards, subject to appropriate review by the Administration, and that the Academic Senate exercise its responsibility in full compliance with applicable standards of professional care.” “The exercise of academic freedom entails correlative duties of professional care when teaching, conducting research, or otherwise acting as a member of the faculty.”

Faculty members are entitled to the academic freedom protections described in APM - 010 as well as the constitutional right to free expression, which all University employees enjoy. Both APM - 010 and the U.S. and California constitutions provide protections for extramural speech - that is, speech that occurs beyond the scope of a faculty member’s employment.

However, this does not mean that extramural expression by faculty may never be subject to discipline. Constitutional protections for speech by government employees extend only to speech on matters of public concern, as long as its value is not outweighed by the disruption it causes to the University’s ability to carry out its mission, which itself should be understood to incorporate a commitment to academic freedom and shared governance. The protections of APM - 010 and APM - 015 are more concretely articulated. Under those policies, extramural speech by faculty is not subject to discipline unless it falls within one of the prohibited categories identified in APM - 015 (see below) or otherwise can be shown both to be inconsistent with the ethical values described in APM - 015 (drawn from the American Association of University Professors’ Statement on Professional Ethics) and to “significantly impair the University’s central functions,” namely, “to provide and sustain an environment conducive to sharing, extending, and critically examining knowledge and values, and further the search for wisdom.”

APM - 015 protects the rights of faculty both to enjoy “constitutionally protected freedom of expression” and “to be judged by one’s colleagues, in accordance with fair procedures and due process, in matters of promotion, tenure and discipline, solely on the basis of the faculty members’ professional qualifications and professional conduct.”

If There Has Been a Finding of a Violation of One or More of the Below Policies Related to Expressive

Activities, the Accompanying Calibration Guidelines (Attachment A) Should be Consulted in Making the Recommendation, or the Decision On, the Appropriate Disciplinary Sanctions:

If a formal investigation of allegations of faculty misconduct related to expressive activities results in a finding that a policy violation has occurred, the preceding **Faculty Respondent Disciplinary Sanction Guidelines After a Formal Investigation of Allegations of Faculty Misconduct Related to Expressive Activities and a Finding that a Policy Violation Has Occurred** (hereafter, “Guidelines”) is intended to support the Privilege and Tenure Committee or Special Committee (hereafter, “Hearing Committee”) and the Chancellor/Chancellor’s designee in the calibration of the recommendation or imposition of disciplinary sanctions under APM - 016 **after there has been a finding of a policy violation**. The Guidelines and this Companion document are intended to comply with statutory requirements established by California’s Budget Act of 2024 (SB 108) regarding promoting consistency in responses to policy violations across the system.

The following UC policies could be implicated in allegations of faculty misconduct in the realm of expressive activity. As systemwide calibration guidance already exists for the Sexual Violence and Sexual Harassment (SVSH) Policy, SVSH provisions from the Faculty Code of Conduct will not be addressed in this document. While the calibration guidance for the SVSH Policy informed the accompanying disciplinary sanction guidelines, the two guidance documents differ insofar as the accompanying disciplinary sanction guidelines distinguish between findings of misconduct based on tiers and the mitigating and aggravating factors to consider.

The Guidelines do not quantify the extent of damage to UC property, but reviewers may wish to do so in their assessments. As an example, in California, property damage of less than \$400 constitutes a misdemeanor, whereas damage in the amount of \$400 or more represents a felony. Assessing minor versus major severity of impact on or harm to UC community members and their families is far less easily tangibly quantifiable, as, in addition to interfering with University operations or access to educational opportunities, the impact or harm may be physical and/or by “other means,” such as psychological. Quantification alone may be insufficient in reviewers’ assessment, as a single incident that results in physical or psychological harm to one individual may be so egregious as to constitute major impact or harm. As in cases of SVSH policy violations, reviewers will need to assess the frequency, nature, and severity of the APM - 015 violation(s), including whether the misconduct resulted in economic damage, or was threatening, impactful, and/or harmful in a physical or psychological manner.

If there is a finding of a violation of the below policies related to expressive activities, the Hearing Committee and Chancellor/Chancellor’s designee should use the Guidelines to calibrate the discipline that is recommended, or imposed, in order to promote consistency in disciplinary responses.

APM - 015, The Faculty Code of Conduct

Part II, Paragraph A, covers specific situations that provide for protecting safety and protecting access to educational opportunities. Part II, Paragraph A contains the following provisions surrounding failure to meet the responsibilities of instruction:

A.1.a, regarding arbitrary denial of access to instruction;

A.1.b, regarding significant intrusion of material unrelated to the course;

A.1.c, regarding significant failure to adhere, without legitimate reason, to the rules of the faculty in the conduct of courses, to meet class, to keep office hours, or to hold examinations as scheduled;

A.2, regarding discrimination, including harassment, against a student on political grounds or for protected categories;

A.5, regarding the use of the position or powers of a faculty member to coerce the judgment or conscience of a student or to cause harm to a student for arbitrary or personal reasons; and

A.6, regarding participating in or deliberately abetting disruption, interference, or intimidation in the classroom.

Part II, Paragraph C, 1 identifies the following types of unacceptable conduct, engagement in which would constitute a violation of the Faculty Code of Conduct:

1. Intentional disruption of functions or activities sponsored or authorized by the University.
2. Incitement of others to disobey University rules when such incitement constitutes a clear and present danger that violence or abuse against persons or property will occur or that the University's central functions will be significantly impaired.
3. Unauthorized use of University resources or facilities on a significant scale for personal, commercial, political, or religious purposes.
4. Forcible detention, threats of physical harm to, or harassment of another member of the University community, that interferes with that person's performance of University activities.
5. Discrimination, including harassment, against University employees or individuals seeking employment; providing services pursuant to a contract; or applying for or engaged in an unpaid internship, volunteer capacity, or training program leading to employment on political grounds, or for reasons of race, color, religion, sex, sexual orientation, gender, gender expression, gender identity, ethnic origin, national origin, ancestry, marital status, pregnancy, physical or mental disability, medical condition (cancer-related or genetic characteristics), genetic information (including family medical history), or service in the uniformed services as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), as well as state military and naval service, or, within the limits imposed by law or University regulations, because of age or citizenship or for other arbitrary or personal reasons.
6. Violation of the University policy, including the pertinent guidelines, applying to nondiscrimination against employees on the basis of disability.

¹ Paragraph 6 regarding prohibition of sexual violence and sexual harassment is not listed above because a separate systemwide calibration guidance already exists for the Sexual Violence and Sexual Harassment (SVSH) Policy. If there is a finding of a SVSH policy violation and paragraph 6 of the Faculty Code of Conduct, UCPT and the Chancellor/Chancellor's designee should refer to the systemwide calibration guidance on SVSH and not Attachment A.

7. Serious violation of University policies governing the professional conduct of faculty, including but not limited to policies applying to research, outside professional activities, conflicts of commitment, clinical practices, violence in the workplace, and whistleblower protections.

Part II, Paragraph E, item 2 covers situations involving the “commission of a criminal act which has led to conviction in a court of law and which clearly demonstrates unfitness to continue as a member of the faculty.”

Anti-Discrimination Policy and the Abusive Conduct in the Workplace Policy

The Anti-Discrimination Policy and the Abusive Conduct in the Workplace Policy affirm the University’s commitment to maintaining a working and learning environment and the institution’s intolerance of behavior that is discriminatory or that disrupts the functioning of the University community and interferes with individuals’ ability to learn, teach, work, and conduct research.

Campus Time, Place, and Manner Policies (TPM)

Links to local TPM policies are included here:

UC Berkeley: [Berkeley Campus Regulations Implementing University Policies](#) and [Summary of Rules Regarding Expressive Activity](#)

UC Davis: [Freedom of Expression \(PPM 400-01\)](#)

UC Irvine: [Time, Place, and Manner Policy](#)

UCLA: [Time, Place, and Manner \(TPM\) Policies](#)

UC Merced: [Expressive Activities and Assembly: Protests, Demonstrations, Non-University Speakers and Signage on Campus and in University Facilities](#)

UC Riverside: [Policy 700-70, Time Place Manner Regulations](#)

UC San Diego: [Expressive Activity Time, Place, and Manner Policy](#)

UCSF: 600-27: [Expressive Activities Held on UCSF Property](#)

UC Santa Barbara: [Speech and Advocacy -- Policies on Time, Place, and Manner, UC Santa Barbara Campus Regulations](#), and [UC Santa Barbara Campus Guidance](#)

UC Santa Cruz: [Conduct Regulations \(Time, Place, and Manner\)](#)

DRAFT: Attachment 4: Non-Senate Academic Appointee Respondent Corrective Action/Disciplinary Sanction Guidelines After a Formal Investigation of Allegations of Misconduct Related to Expressive Activities and a Finding that a Policy Violation Has Occurred; the Following Guidelines Assist in Calibrating the Sanction(s) Recommended and/or Imposed

Types of Corrective Action/Disciplinary Sanctions under APM - 150

Written
Warning

Written
Censure

Suspension

Reduction
in Salary

Demotion

Dismissal

Less Severe Sanction

More Severe

Factors to Consider in Recommending/Imposing Corrective Action/Disciplinary Sanctions for Non-Senate Academic Appointee Respondents Following a Finding of a Policy Violation(s)

If There is a Finding of a Violation of a Policy Related to Expressive Activities, the Policy Violation(s) Should Be Evaluated Under the Following Tiers

Tier 1

- Failing to comply with valid instructions of a UC or public official upon initial instruction
- Disturbing the peace
- Camping or unauthorized lodging on UC property
- Climbing or rappelling activities on UC-managed property
- Using amplified sound without a permit

Tier 2

- Failing to comply with repeated valid instructions of a UC or public official
- Escalating misconduct activity contrary to de-escalating instructions of a UC or public official
- Engaging in disorderly conduct as defined by Time, Place, and Manner (TPM) policy
- Blocking entrances or interfering with the normal free flow of traffic on campus and the immediate environs
- Obstructing or disrupting teaching or other UC operations
- Threatening others with forcible detention or harm

Tier 3

- Inciting others to engage in misconduct
- Intimidating or coercing others to engage in misconduct
- Detaining unwilling parties by any means
- Possessing or using a firearm, explosive, or any device that can cause mass casualties

Mitigating vs. Aggravating Factors

Mitigating Factors

- No prior history of counseling or remedial intervention
- Engaging in activity pursuant to a good faith misinterpretation of academic freedom
- Activity does not discriminate on UC policy-protected grounds
- One or rare occurrence(s)
- Accepting responsibility for misconduct without recurrent offense

Aggravating Factors

- Escalating misconduct in view of recent counseling or remedial intervention
- Discriminating on UC policy-protected grounds
- Violating policy in a repeated fashion
- Not accepting responsibility for misconduct
- Major damage to UC property
- Major impact on UC community members and their families
- Major harm to others by physical or other means

Less severe sanctions are typically recommended for cases where the findings of a policy violation(s) are relatively few and mostly in lower tiers

More severe sanctions are typically recommended when there is a finding of multiple policy violations in higher tiers

Mitigating and aggravating factors should also be considered in the final sanction recommendation and/or determination

DRAFT: Attachment 5: Guidelines on Good Cause Factors Regarding Extensions of Time

Employee Investigation & Adjudication – Timeframe Factors

Definition of “good cause”

Pursuant to Academic Senate Bylaw 336, “good cause” consists of material or unforeseen circumstances sufficient to justify the extension sought.

Material circumstances include periods of curtailment of University operations or closure.

Authority for approval of a good cause extension

Depending on whether the Academic Senate or a University office is responsible for adhering to the specified timeframe, the Academic Senate or the designated University office may extend the timeframe for good cause.

Below are employee investigation and adjudication timeframe factors that could potentially justify a good cause extension of time.

Timeframe Factors Related to Support & Assessment

- Unknown or unidentified parties
 - Anonymous
- Delays in response or non-response to outreach
- Availability of impacted person(s)
- Availability of support resources
 - Confidential Advocate, Resource, and Education (CARE) and/or Counseling and Psychological Services (CAPS)
- Implementation of safety and supportive measures
- Coordination with law enforcement (in some instances)
- Outreach to impacted person(s)
- Information
 - rights
 - resources
 - reporting options

- Initial assessment
 - including safety assessment
 - limited factual inquiry to determine next steps

Timeframe Factors Related to the Investigation

- Interim and support measures
- Information gathering
 - Party and witness interview
 - Documentary and other evidence
- Evidence review
- Reliable investigation report
 - documents process
 - evidence gathered
 - reasoned conclusion/preliminary conclusions
- Complexity of the matter
- Severity and extent of the alleged conduct
- Number of witnesses
- Volume of evidence
 - review
 - redactions to ensure privacy
- Availability of parties
- Availability of advisors/support persons
- Investigator caseload

Timeframe Factors Related to the Title IX Hearing (Sexual Violence and Sexual Harassment cases only)

- Whether parties accept preliminary findings
- Availability of external hearing officers
- Willingness of parties and witnesses to participate
- Scope of hearing
- Availability of parties
- Availability of advisors/support persons
- Interim and support measures
- In Department of Education (DOE) Grievance Process and anytime the Respondent is a student
- Title IX Officer will inform parties of:
 - their right to contest or not accept the investigator's preliminary determination; and
 - request a hearing to determine whether the SVSH Policy was violated

General Considerations Regarding Timeframe Extensions

The University's interest in the timeliness, integrity, and reliability of the investigation and adjudication outcomes is paramount.

In addition to above, timeframe extensions may be made when there are material or unforeseen circumstances directly related to the complaint that impede completion within the policy timeframe(s).

- Unavailability of key witnesses/parties
- Interactive process & disability accommodations
- Consideration of the health or emotional well-being of the parties
- Additional time for evidence review
- Serious illness of a party/key witness
- Discovery of new evidence late in the process, including a subsequent complaint with new allegations about a faculty member before the existing complaint/allegation is completely resolved
- Coordination with law enforcement
- Provision of language interpreters
- It is necessary in order to meet a legal requirement

There are limited circumstances under which timeframes may justifiably be extended without good cause, for example:

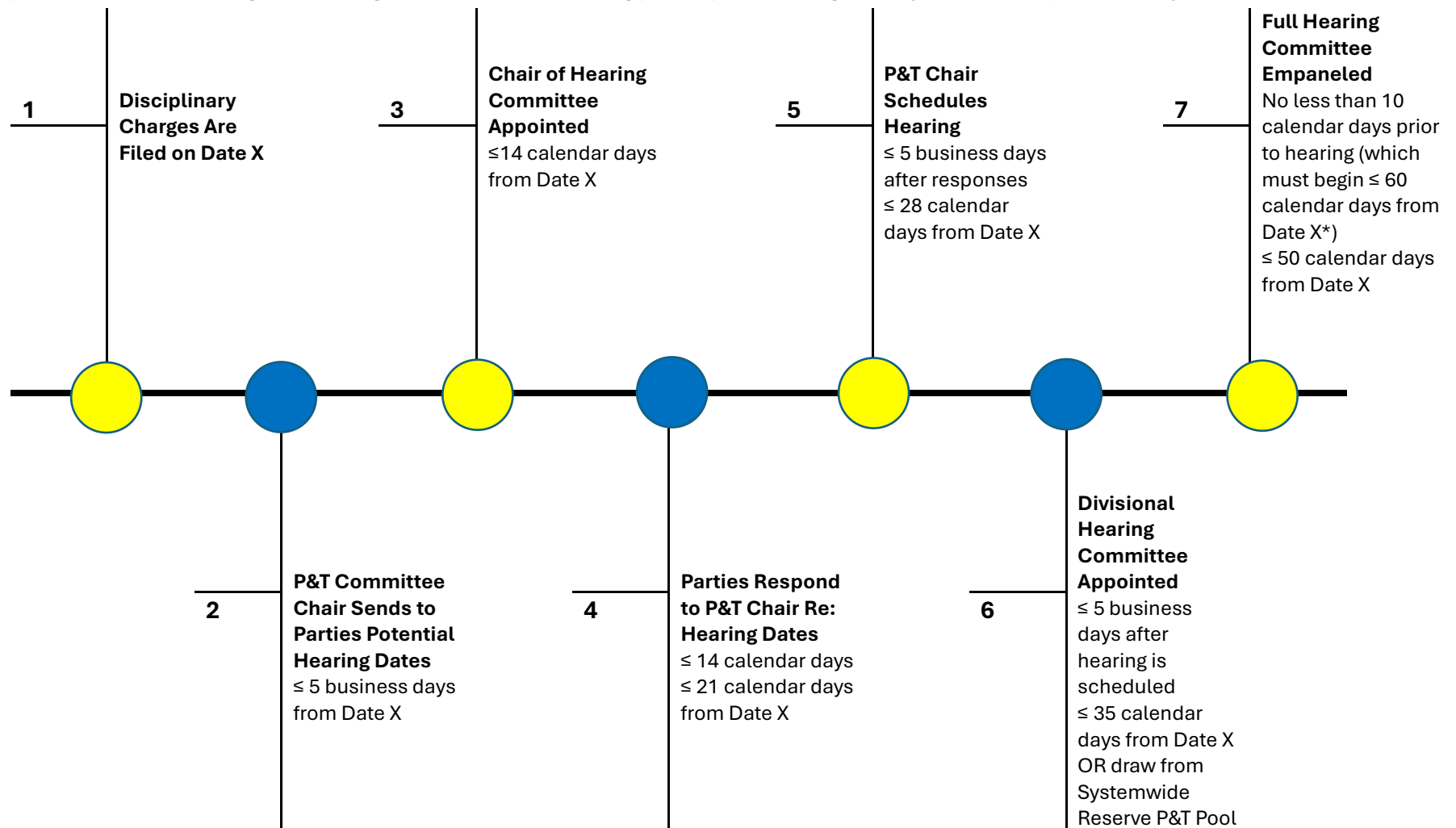
- the assigned investigator is on an approved leave (due to illness, jury duty, adoption of a child, etc.)
- the assigned investigator left the University's employ and the case was transitioned to a new investigator
- the assigned investigator's workload impedes their ability to meet the timeframe because they are assigned more than a full caseload

Figure 1



Overview of Pre-Hearing Preparation

Per Academic Senate Bylaw 336, the below process occurs while additional preparation steps are handled, including initial determination of the issues to be decided, identification of facts on which there is agreement, exchange of lists of witnesses and exhibits to be presented at the hearing, and setting deadlines for submitting pre- or post-hearing briefs (see Senate Bylaw [336.F.2](#)).



*Note: Unless extended for good cause

V. ANNOUNCEMENTS BY SENIOR UNIVERSITY MANAGERS (3:00 - 4:00 pm)

- James B. Milliken, President
- Katherine S. Newman, Provost and Executive Vice President, Academic Affairs
- Nathan Brostrom, Executive Vice President and Chief Financial Officer, UC Finance

VI. UNFINISHED BUSINESS (4:00 - 4:30 pm)

1. Resolution Concerning the Disclosure of Names of Faculty, Students, and Staff to the Federal Government

Background: At its November 20, 2025 special meeting, the Assembly considered a petition-initiated resolution concerning the University's disclosure of personally identifiable information (PII) to the U.S. Department of Education's Office for Civil Rights (OCR) during federal civil rights investigations. The petitioners submitted an amended version of the resolution shortly before the meeting, incorporating feedback from UC Legal and adding an endorsement of the Academic Council's October 27 statement on the Berkeley disclosures.

The Assembly held extensive discussion that included clarification from UC Legal regarding [the voluntary resolution agreement](#) covering UCLA, UCSB, UCSD, UCD, and UCSC; the circumstances under which PII was and was not disclosed; and notification requirements under state and federal law. Faculty raised questions about privacy protections, academic freedom, shared governance, and the phrasing of several clauses in the resolution. Late in the meeting, another amendment was proposed to truncate the resolution after references to the endorsement of the Academic Council's statement. Procedural motions, including a withdrawn motion to close debate, were followed by continued disagreement about the last proposed amendment and the final wording of the resolution.

With time expiring, the Assembly voted by roll call (46–3) to postpone further consideration. The amended resolution and the pending proposed amendment will return as unfinished business for Assembly action at the January 15, 2026 meeting (AIP Standard Code of Parliamentary Procedure, 2nd ed., 2023, Unfinished Business). The Assembly will resume with the unfinished business in the same parliamentary posture in which it was postponed.

ACTION REQUESTED: The Assembly is asked to vote on the amended resolution.

Resolution

Whereas on December 18, 2024, the University of California offered to enter in an agreement with the Department of Education to provide the Office of Civil Rights with “an electronic sortable spreadsheet or other file of the responses by the University or the individual campus to all complaints and reports alleging discrimination, including harassment and disparate treatment, on the basis of actual or perceived national origin, including shared Jewish, Palestinian, Muslim, and/or Arab ancestry, or association with these national origins/ancestries, during the preceding academic year at UCLA, UCSB, UCSD, UCD, and UCSC.”

Whereas the University agreed to share with the Office of Civil Rights the names of faculty members, students, staff, and others who reported (“the reporter”), the individual allegedly subjected to discrimination or harassment (“the complainant”), the individuals who (have been allegedly) engaged in discrimination/harassment (“the respondent(s)”), and any witnesses to the alleged incidents, regardless of the outcome of the cases.

Whereas on November 19, 2025, Deputy General Counsel Allison Woodall from UC Legal clarified that “UC complied with its reporting obligation under the agreement on September 30, 2025, by providing ED-OCR with a spreadsheet of relevant civil rights complaints that redacted all personally identifiable information from the spreadsheet. Therefore, no names or other personally identifiable information were released.”

Whereas there have been credible allegations that the current U.S. Presidential Administration has attempted to deport noncitizens, including scholars and students, who have been lawfully admitted to the United States, based on First Amendment-protected speech and advocacy with which the Administration disagrees.

Whereas on October 27, 2025, the Academic Council of the Academic Senate issued a statement expressing strong concern over the University’s disclosure of personally identifiable information (PII) to federal authorities during an investigation of UC Berkeley by the Office of Civil Rights, warning of harm to academic freedom and trust, and urging the UC administration to strengthen privacy safeguards, ensure timely notifications, and consult faculty experts on future disclosure decisions.

Be it therefore resolved that the Assembly of the Academic Senate of the University of California endorses, affirms, and adopts the Statement issued by the Academic Senate Council.

Be it further resolved that the Assembly of the Academic Senate of the University of California expresses grave concerns regarding the disclosure of PII, which might expose members of the community to potential consequences, particularly non-US citizens, including those against whom allegations were not sustained.

Be it further resolved that the Assembly of the Academic Senate of the University of California urges President James B. Milliken and the Chancellors of all ten campuses to resist and legally challenge any federal mandates that violate the First Amendment, academic freedom, or other applicable state and federal laws.

Be it further resolved that the Assembly of the Academic Senate of the University of California calls on President James B. Milliken to protect the privacy of faculty members, students, and staff members until all legal processes have run their course.

Be it further resolved that the Assembly of the Academic Senate of the University of California urges President James B. Milliken to strongly oppose using faculty, students, and staff information as leverage in negotiations over federal investigations.

Be it further resolved that the Assembly of the Academic Senate of the University of California calls on President James B. Milliken to uphold the due process rights of all campus community members and to promptly notify any individuals whose personally identifiable information has been or will be disclosed.