



Table 1: Summary of New Proposed Faculty Discipline Policy and Systemwide Guidelines

In August 2024, then-President Michael Drake directed Provost Katherine Newman 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 ([California Senate Bill 108](#)). 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 Academic Personnel Manual (APM) - [015](#) (*The Faculty Code of Conduct*), APM - [016](#) (*University Policy on Faculty Conduct and the Administration of Discipline*), and the Academic Senate Bylaws. The Regents were particularly concerned with the time it may take to resolve faculty discipline cases, and with the consistent application of discipline across the system.

Key highlights of the proposed faculty discipline policy and systemwide guidelines are summarized in the table below. The resulting changes to the proposal incorporate many of the recommendations made during the systemwide [review](#). Revisions to APM - 015 and 016 will be considered for approval by the Regents at their meeting on January 21, 2026.

	Original Proposal	Rationale for Change	Revised Proposal
1	Revisions to APM - 015 and APM - 016 proposed the establishment of a Systemwide Network Privilege and Tenure (P&T) Committee, which must be in place by March 1, 2026. This Network P&T Committee would address cases where the campus-based hearing committee cannot be convened within 14 calendar days of when disciplinary charges are filed.	Using systemwide expertise in academic personnel (AP) reviews has been a common practice for many years (e.g., shadow Committees on AP) so a new structure with regard to P&T matters is not required. Availability of a systemwide P&T pool provides for more potential hearing committee members as needed, while preserving campus autonomy and the principle of faculty self-governance.	APM - 015 Part III (see redlined copy, starting on p. 30 here) was revised to establish a Systemwide Reserve Privilege and Tenure (P&T) Pool, coordinated by the University Committee on Privilege and Tenure (UCPT). The Reserve P&T Pool will be composed of faculty with the broad or specialized knowledge necessary to conduct a hearing, including former P&T committee members, senior faculty, and emeriti faculty with relevant P&T experience.

2	<p>If campuses cannot appoint their local P&T hearing panel within 14 calendar days of disciplinary charges being filed, Systemwide Network P&T Committee members would constitute the hearing panel and review all the necessary materials within the 60-day timeframe to hold the hearing. Additional systemwide procedures for the conduct of disciplinary hearings are set forth in Academic Senate Bylaw 336.</p>	<p>The original 14-day timeline was not realistic given the challenge of scheduling the various parties involved in a hearing. Conforming revisions more clearly align the APM with Senate Bylaw 336 and reiterate a time-certain schedule for key actions in the disciplinary process.</p>	<p>APM - 015 was revised to reflect that the <u>chair</u> 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 after disciplinary charges are filed, even if the campus decides to draw from the Systemwide Reserve P&T Pool (see redlined copy, starting on p. 33 here). A conforming revision was also made to APM - 015 to reflect that Senate Bylaw 336 requires the P&T hearing to <u>commence no later than 60 calendar days from the date of filing disciplinary charges with the campus P&T Committee</u>.</p>
3	<p>Proposed revisions articulated firm deadlines for major milestones in the investigatory and disciplinary processes (e.g., timeline for appointing the hearing committee), but also allowed for extensions for good cause.</p>	<p>Clarifying deadlines can facilitate timely resolution of faculty discipline cases while ensuring due process rights.</p>	<p>The proposed amendments to APM - 015 now include defined timeframes specifying that upon receipt of a report of an alleged policy violation, 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 there is an extension for good cause (see redlined copy, starting on p. 32 here).</p>
4	<p>If a formal investigation of allegations of faculty misconduct results in the assessment that a policy violation has occurred, the accompanying "Faculty Respondent Disciplinary Sanction Guidelines for Misconduct Related to Expressive Activity" are intended to support calibration of disciplinary actions under APM - 016 (see Attachment A, starting on p. 47 here).</p>	<p>Comments from the systemwide review revealed confusion as to whether the guidelines were to be invoked before or after a finding of a policy violation.</p>	<p>The systemwide calibration guidelines and companion documents were revised to clarify that they apply only <u>after</u> a finding of a policy violation (see Attachments 3 and 4, starting on p. 43 here). The language on mitigating and aggravating factors was also modified in response to the review and recommendations from law Professors Brian Soucek (UCD) and Seana Shiffrin (UCLA).</p>

5	Proposed a companion document, “Faculty Disciplinary Sanctions Guidelines RE Expressive Activity,” to provide additional context and guidance in assisting reviewers and decision makers in assessing the appropriate range of potential sanctions if a case involves expressive activities (see Attachment B, starting on p. 48 here).	The systemwide review elicited deep concerns that Attachment B, despite its intent to clarify expressive activity and disciplinary sanctions, instead introduced ambiguity and could have chilling effects on faculty speech.	The calibration guidelines now explicitly incorporate a general statement about extramural speech and academic freedom, reflecting current policies, principles, and procedures, including APM - 010 (<i>Academic Freedom</i>). Hence, the former Attachment B has been removed as a standalone document.
6	Proposed systemwide guidelines in the form of four documents, Attachments A - D (see pp. 47-55 here).	Comments from the systemwide review called for substantial revision or removal altogether of Attachments A – D to eliminate ambiguity and reaffirm faculty speech rights.	The Senate and administration intend to continue working on developing systemwide guidance to aid in determining when policy violations related to expressive activities have occurred. A joint Senate-administration workgroup will be formed in January 2026 to develop such guidance that will undergo systemwide review by August 2026.