



## UNIVERSITY COMMITTEE ON FACULTY WELFARE

### Minutes of Meeting

October 10, 2025

Attendance: Karen Bales, Chair (UCD); Sasha Sher, Vice Chair (UCSC); J. Keith Gillless, UCB; Ben Lourie, UCI; Reza Ahmadi, UCLA; David Rouff, UCM; Salman Asif, UCR; Julie Marek Bykowski, UCSD; Alon Witzum, UCSF; Matt Helgeson, UCSB; Yat Li, UCSC; Vickie Mays, HCTF Chair (UCLA); Jill Hollenbach, TFIR Chair (UCSF); David Kleinfeld, UCRS Advisory Board Member (UCSD); Zoran Nenadic, UCRS Advisory Board Member (UCI); Amy Block Joy, CUCEA Vice Chair (UCB)

#### I. Individual Incident Report Disclosures

*Allison Woodall, UC Legal*

In response to a request from the federal Department of Education, the University turned over to Office of Civil Rights case files from the Berkeley campus related to Title VI complaints involving anti-semitism. Initially the University provided redacted information, but OCR requested additional information or enforcement proceedings would begin. The government also requested incident reports that had been filed regarding the same. UC Legal determined no reasonable way to decline the requests since the University has a legal obligation to cooperate with oversight requests so long as they are pertinent to an investigation and legitimate purpose, and so additional information from the Office of Prevention of Harassment and Discrimination was provided. The stated purpose of the request is to evaluate the procedure used by Berkeley in these situations.

The University is also still subject to an agreement entered into in December 2024 under the Biden administration obligating it to provide information including complainant, respondents, and witnesses, redacted whenever possible. Berkeley was not in this resolution agreement, however.

Members asked why personally identifiable information would be necessary for a process evaluation. The government indicated that records were needed to assess compliance, and the OCR is also expected to maintain confidentiality. UC Legal expects that federal regulations indicate that only authorized representatives of the requesting agency can access the documents, with limited exceptions for law enforcement purposes, if requested in writing.

Members were concerned that this event would set a precedent for other campuses or other types of federal inquiries. Members were further concerned that complaints, not

findings, were shared, speculating that any complaint could be weaponized, regardless of validity.

Members noted that international students and faculty were increasingly concerned. UC Legal will follow the same process, regardless.

Members asked how impacted individuals were being made aware that their information had been shared with the federal government as a result of this type of request and how individual rights were being weighed against enterprise priorities. Individual notices are not being sent, but University-wide communications from the Office of the President have been sent. Balancing individual and University-wide interests is challenging and each situation will be evaluated as it arises.

Members asked who determined if redacted records were insufficient and if such a decision could be challenged in court. Court filings prior to an administrative outcome could be dismissed, but findings could be appealed. Loss of an appeal could bring further loss of funds or other negative consequences.

## **II. Consultation with Academic Senate Leadership**

*Ahmet Palazoglu, Academic Council Chair*

*Susannah Scott, Academic Council Vice Chair*

- The Academic Assembly met yesterday, off cycle in order to 1) meet a California Public Employee Relations Bureau (PERB) deadline to enact changes to Senate Regulation 750 removing Visiting Professors of Math and adding Math Fellows, which passed unanimously and 2) engage with President Milliken. Topics such as federal demands on UCLA and a proposed compact among universities in defense of academic freedom were discussed. The Academic Council recently issued a statement of “redlines” that must not be crossed. The Incident Report disclosures were presented as consistent with past practice. 3) The Assembly also heard from Chief Financial Officer Brostrom, who reported that the state budget is looking better due to stock market increases. Next steps for the final year of the budget compact with the state are under consideration as several items were deferred. The state has proposed establishment of a foundation to address research funding shortfalls. Revisions to the tuition stability plan will be presented to the Regents in November.
- The Senate is involved in two joint task forces this fall. 1) The University Committee on Adaptations to Disruptions (UCAD) has issued an interim report addressing four categories of change the University must consider in light of the changing federal landscape (see also Item V below). A joint task force will add senior leaders to the faculty roster and be known as UCAD+. Chair Palazoglu, Provost Newman, and UCI EVCP Stern are the steering committee. UCFW Chair Bales is also a member. 2) Vice Chair Scott is co-chair of the Performance of Undergraduate Degree Programs (PUDP) Task Force with Vice Provost Varsanyi from Faculty Affairs and Academic Programs (FAAP). PUDP is the successor to the instructional modalities task force that recently ended its work. The type of programs to be developed and the rate at which to do so, as well as success metrics, will all be discussed. Members noted that the external pressure on the

Senate and other academics do develop more online courses and programs is of growing concern. Improved relationships with those providing the pressure could be a partial solution.

- New guidelines for APM 015 and 016 are out for systemwide review (see also Item V below). The Academic Assembly is expected to discuss the review feedback ahead of the January Regents meeting. The University Committee on Privilege and Tenure (UCPT) also has a workgroup reviewing in detail the proposals, and the University Committee on Rules and Jurisdiction (UCRJ) is considering conforming amendments that would be needed elsewhere in Senate regulations, etc. The University Committee on Academic Freedom (UCAF) is looking closely at the expressive activities presented in Appendix B.

Members asked about the University response to the new visa fees imposed by the federal government, but no details are available yet. There was no carve out for higher education, but lobbying is on-going.

### **III. Update: Health Care Task Force**

*Vickie Mays, HCTF Chair*

Chair Mays reviewed the task force's charge and recent activities. HCTF is charged to review the health plans, consider faculty welfare in academic, research, and clinical settings at UC Health, and to monitor interactions between the Office of the President's UC Health office and the UC Health systems. HCTF is populated by subject-matter experts, including a liaison from the University Committee on Planning and Budget (UCPB), not by divisional representation. HCTF consults regularly with systemwide Human Resources – including Labor Relations, UC Health, and Procurement. HCTF continued to improve communications across the board in order to create the necessary trust to allow HCTF early access to confidential and preliminary data and materials. This year, HCTF will focus on multi-year benefits rate setting, access to care at campuses without medical schools, access to mental health professionals across the state, and upcoming RFPs in the health and welfare benefits arena.

Members asked about changes to retiree benefits that may be coming soon. No decisions have yet been made, but most expect positive changes to the subsidy rate for Medicare retirees, both in-state and out-of-state.

Members also asked about 2026 benefits rates, and the timing of Open Enrollment this year. Final rates should be announced any day now, and delays are tied to changes in university leadership which led to delays in internal review practices, in addition to budgetary concerns. Members also noted that when providers or insurers leave contract in the middle of the plan year, the disruptions and changes are difficult to understand and accept. Can Open Enrollment materials indicate which plans will be up for renewal in the coming year, or can the timelines be adjusted to match? It is hoped that a multi-year benefits plan can ease these difficulties.

Members emphasized that access issues at the non-medical center campuses were only worsening and that some providers have indicated that joining a UC (Care) network is fraught.

Members also asked about medical inflation continuing to outpace general inflation. The increases to UC plans this year will match those to other plans, but there are several considerations, including union contracts and federal reimbursement uncertainty. GLP-1s and UC's new infertility benefit also have impacts on UC's costs.

#### **IV. Introductions and Chair's Announcements**

*Karen Bales, UCFW Chair*

- The members introduced themselves.
- Today's agenda includes incident reporting (above); the UCAD interim report (below) which focuses on research changes, academic personnel evaluations, and resizing academic programs, including graduate education; updates from HCTF (above) and UCFW's Task Force on Investment and Retirement (TFIR, below); consultation with FAAP and SWAP (below).

UCFW should also consider revisions to the Universitywide Police Policies and Administrative Procedures, aka, the "Gold Book". Even though the Senate representative to the workgroup could not be present today, concerns were relayed about the pre-workgroup process, workgroup engagement (only two meetings are planned), and the 30-day review timeline. If there is a December deadline, responsiveness to feedback may be limited. The Director of Community Safety will be invited to an upcoming UCFW meeting.

#### **V. Systemwide Review Items**

- University Committee on Adaptations to Disruption (UCAD) Interim Report

*Salman Asif, UCR, Lead Reviewer*

Many of the recommendations are laudable, but all would require further detail to be adopted. In Section 1, for example, the source of current and future bridge funding would need to be identified, and whether orphaned endowments could be used needs discussion. The ability of the Office of the President to raise and provide provisional funding is unclear.

Section 2 should clarify the path faculty can use to change from a research to a teaching focus and what new training reviewers would need.

In Sections 3 and 4, many inferred that any restructuring or resizing would be done through a top-down process and could negatively impact faculty recruitment and retention, especially for junior faculty, as well as student success. More online courses and programs and more cross-campus enrollments could threaten the smaller campuses. Faculty should lead any possible restructuring to set the priority of programs to evaluate, ensure academic quality, and to ensure faculty lines are not eliminated, but redirected. Many felt that self-supporting graduate and professional degree programs (SSGPDPs) require greater scrutiny regarding research and teaching impacts and overall solvency.

Overall, members noted that the report assumes that most of the changes it is responding to will be permanent, not temporary. If these changes are not reversible, the Senate needs to consider the overall mission of the University

and how best to support it and how best to shape the future of the University. Members also noted that beyond changes and redirects, cuts are very seldom restored.

- Presidential Interim Policy for UC's Use of Online Program Management Companies (OPMs)

*Kenneth Feer, Analyst, Lead Reviewer*

While there are no major concerns with the policy itself – indeed, the prohibition of incentive payments is commendable, the motives of increased use of OPMs brings into question the direction of education and faculty recruitment and retention. The faculty should not cede curricular authority, especially at this point and time, when program restructuring and resizing are under active consideration. It is foreseeable that faculty intellectual property could be jeopardized. Reliance on OPMs could further erode the faculty ranks by presenting a cheaper payroll alternative.

Policy implementation guidelines should specify who can enter into these contracts and after what level of Senate review of academic considerations. Future policy iterations might usefully cap the number of OPM courses allowable by department or other unit.

- Interim Systemwide Guidelines on Faculty Discipline and Revisions to APM 015, 016

*David Rouff, UCM, Lead Reviewer*

First, terms must be better defined throughout. “Major” and “minor”, business days or calendar days, “significant”, the exact nature of what constitutes time, manner, and place (TMP) violations, who designated officials are, and “aggravating” factors, for example, are open to interpretation since they are not specified. The use of certain language at the federal level is changing, but UC should remain firm in its defense of academic freedom and faculty protections offered by the status quo.

Second, while we appreciate the need for a more standardized process, particularly in terms of timeline, we worry that the proposed response deadline is too short and that inadequate due diligence could result. Further, the Interim Guidelines disempower the proposed systemwide Privilege and Tenure Committee by allowing it to respond only to requests from the administration. The interactions of the proposed group and the current University Committee on Privilege and Tenure (UCPT) remain vague. UCFW was told the proposed committee would only be invoked if a campus could not seat a panel in the deadline, but absent a draft bylaw, we are skeptical of the composition and scope of the body.

Third, members noted that retaliation against complainants is real and can even occur years after a finding is issued. Thus, retaliation should be explicitly prohibited, and complainants should be warned about it.

Fourth, we have significant concerns regarding Appendix B and the undefined category of “extramural expression.” UCFW views this as overreach into personal expression and threatens protections guaranteed by the First

Amendment. This additional monitoring and interference comes after academic freedom has already been demonstrably curtailed in the classroom.

Finally, UCFW is concerned that these permanent changes are in response to a limited series of events for which there is clear proximate cause. As such, dangerous precedents could be set 1) in terms of how new policies or revisions to extant policies begin, proceed, and are adopted, and 2) in terms how such policies could be selectively or broadly interpreted and enacted at the University – especially given public or political pressure, either from within or outside the University,

## **VI. Consultation with the Office of the President – Faculty Affairs and Academic Programs (FAAP) and Systemwide Academic Personnel (SWAP)**

*Monica Varsanyi, Vice Provost, FAAP*

*Amy Lee, Deputy Provost, SWAP*

*Kelly Anders, Executive Director, SWAP*

- Deputy Provost Lee noted that there are important policies out for review. 1) APM 036 (Employment) regarding providing letters of recommendation and the author's due diligence regarding a check for previous SVSH filings. APM 036 also involves the Fair Labor Standards Act and meeting requirements for provision of lactation facilities. Responses are due in December. 2) APM 015, 016 (Faculty Code of Conduct and Disciplinary Procedures) has already received much attention. The recommendations were developed by a joint Senate-administration workgroup in response to a request from the Regents. Some campus Charges committees have trouble receiving information from UCPDs, depending on the stage and nature of the investigation, which therefore impedes their ability to submit filings. Other campuses have trouble finding enough faculty to serve on panels, so allowing them access to faculty at other campuses may be advisable, which is the function the network proposed network Privilege and Tenure committee would serve. It is hoped that an MOU can be entered into for all areas, not just Title IX and sexual violence/sexual harassment cases. The task force consulted with faculty experts in academic freedom and with UC Legal prior to drafting the section on extramural speech. The Senate would be expected to draft bylaws for the new network P&T committee. Members felt that the timelines included should be more explicit as to what they were intended to govern. Members also noted that the definition of political activities in APM 015 is open to interpretation, but it is incumbent language, not subject to the current review.
- Vice Provost Varsanyi noted two upcoming programmatic changes. 1) As the Advancing Faculty Diversity program is sunsetting, those funds will be redirected to an Early Career Fellowship intended to support junior faculty while they seek tenure. Another goal is to recreate the most successful aspects of AFD projects in a permanent form. 2) Eligibility for the President's Post-doctoral Fellowship Program will be broadened.

- Executive Director Anders noted two upcoming policy issuances. 1) SWAP is preparing a final recommendation to the Provost for APM 230, codifying the rescission of Visiting Assistant Professors of Math in favor of Math Fellows. Other clarifications will also be included. 2) SWAP is reviewing the feedback submitted regarding proposed changes to APM 500 (Recruitment) which require misconduct disclosures and employer follow-up from the past 7 years as mandated by state law. The disclosure form is also under review. Members noted that emeriti on recall who may be subject to this disclosure requirement find it problematic and hope for a “friends and family” exception. The UC is required to follow up with the prior employer for any tenure-track/tenure proposed hires regardless of the misconduct disclosure.

Members asked how “achievement relative to opportunity” principles were being codified. ED Anders indicated that this had been delegated to the campuses, and DP Lee noted that former Vice Provost Haynes had sent guidelines previously. Analyst Fear added that the Senate requested more information from the campuses over the summer and the results will be shared.

## **VII. Update: Task Force on Investment and Retirement**

*Jill Hollenbach, TFIR Chair*

- Total Remuneration Study: Opposing complex methodological arguments are being advanced by the contracted external consultant and the faculty experts on the Total Remuneration Advisory Committee. The former is considered industry standard and measures the cost to the employer, which continues to increase over the employee’s life. The latter would focus on the value to the employee, which decreases after a certain age. Centered in this debate is how to value retirement benefits. Which measure best indicates UC’s competitiveness in the recruitment and retention market and against which longitudinal metric should this analysis be conducted are also in question.

The Provost’s intervention may yield a study that presents both perspectives, with appropriate caveats for each. If not, and only the former methodology’s outcomes are reported out, some have suggested that the Senate issue a statement of disavowal of the study. The timing and conditions that would trigger such a statement remain under discussion.

Members asked if the Senate would be given access to the raw data in order to conduct its own analysis. The Senate may get access to the data, but how it will be packaged is unknown.

Members asked how the previous study was conducted. The previous study used the industry standard valuation, but the 2016 UCRP Tier is significantly different to the 2013 and 1976 Tiers, especially given the state’s Public Employee Pension Reform Act (PEPRA) cap. Whether the study should compare current UC to past UC, or current UC to current competitors/comparators, also remains a point of debate. The quality of data available from the competitors/comparators is also a constraint.

Members suggested that more information is more useful than less information, but given the lack of fluency in this topic, others felt that the Senate should take a single methodological position as soon as possible.

Members finally called for campus-by-campus breakdowns to be provided.

- The Office of the Chief Investment Officer has asked if faculty and other employees would be interested in an AI-powered financial education tool to help navigate retirement policies and the like. This effort seems to still be in the proof of concept stage. Such a tool could rival the services provided by Fidelity. Industry partners would need to pass scrutiny, as well.
- The Senate's request to switch the 2016 Tier default enrollment to Savings Choice from Pension Choice is still pending.

#### **VIII. UCFW 2025-26 Priorities**

##### *Members*

- Concerns about the licensing use of UC's name were raised.
- Housing access and affordability concerns were raised, especially given "return to campus" orders and local decisions to convert housing into rental properties. The Office of Loan Programs will be invited to an upcoming UCFW meeting.
- "Soft money" faculty are increasingly at risk. More comprehensive contingency plans, with accompanying resource options, are needed. At the medical centers, changes to reimbursement rates could impact staffing and clinical faculty.
- At least one campus has growing academic review times due to administration disarray; some files take over a year now.

#### **IX. New Business and Further Discussion**

None.

Adjournment: 3:50 pm

Attest: Karen Bales, UCFW Chair

Minutes prepared by Kenneth Feer, Principal Policy Analyst