

## UNIVERSITY COMMITTEE ON PRIVILEGE & TENURE

### ANNUAL REPORT 2012-13

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The University Committee on Privilege & Tenure (UCP&T) met twice during 2012-13 and deliberated by email to carry out its duties under [Senate Bylaw 195](#) to advise on general policies involving academic privileges and tenure and to maintain statistical records on grievance, disciplinary, and early termination cases. The committee was not called upon to constitute any special hearing committees as provided for in Bylaw 336.A. In addition to deliberating and opining on specific issues as described below, the committee took advantage of the opportunities presented at both meetings to consult extensively with Cynthia Vroom, the Office of General Counsel's designated attorney advisor to committees on privilege and tenure; the systemwide Senate leadership; the Vice Provost for Academic Personnel; and to engage in in-depth exchanges of information on privilege and tenure procedures and practices in members' divisions, including the form and frequency of interactions with campus administrations.

UCP&T formally opined on the following:

**APM 150 revisions.** The committee affirmed its 2011-12 recommendation that APM 150 be revised to clarify notice, process, and timelines, with conforming amendments of Bylaw 337 if the proposed APM revision is adopted. Academic Council adopted the recommendation and transmitted it to Vice Provost Carlson for review in 2013-14.

**APM 600 series revisions.** Recommended that the review of a large number of proposed revisions be reopened and that a "redline" version of the proposed policy revisions be circulated in order to allow reviewers to see precisely how changes will affect the policy. Academic Council conveyed this recommendation to Vice Provost Carlson, who agreed to resubmit those parts of the proposed revisions that elicited comment for further review and to circulate the "redline" version of the relevant parts of the series.

**Senate Bylaw 336 "three year rule."** Agreed to send a letter to division chairs for distribution to department chairs that will advise them of the three-year rule; advise the use of informal quasi-disciplinary tools when appropriate to correct bad behavior; and advise that failure to escalate to formal discipline when indicated will result in loss of evidence in future proceedings if the bad behavior becomes chronic.

Agreed that divisional Privilege & Tenure hearing panels should make clear statements for the record when they do not have sufficient information to determine whether allegations of gender bias are valid.

Recommended that the Vice Provost – Academic Personnel be formally appointed as a consultant to the committee and that the committee be included in early consultations regarding revisions to the Academic Personnel Manual.

Recommended that in 2013-14 the committee consider further discussion of whether to recommend some form of access to Privilege and Tenure procedures for non-Senate faculty. Members noted that Legislative Ruling 12.80 allows a Chancellor to appoint a Privilege & Tenure hearing panel for a non-Senate member, although this would not be recognized as a Senate process.

Recommended that in 2013-14 the committee consider how the three-year rule applies to evidence in grievance cases; how UCP&T can strengthen education, particularly for new faculty, about rights in the Privilege & Tenure context; and how UCP&T can create an institutional memory for general reference.

Members affirmed the value of exchanging information and views on the complex issues that divisional Privilege & Tenure committees address. The committee wishes to acknowledge the expert advice, assistance, and support provided by Cynthia Vroom, Office of General Counsel, and Academic Senate Executive Director Martha Winnacker.

Respectfully submitted,

David Brundage, Chair (UCSC)

Jeffrey Lansman, Vice Chair (SF)

Vern Paxson (B)

Philip Kass (D)

Rodrigo Lazo (I)

Stuart Banner (LA)

Robert Hillman (M)

Helen Henry (R)

Duncan Agnew (SD)

Allison Butler (SB)

Onuttom Narayan (SC)