

**UNIVERSITY COMMITTEE ON PRIVILEGE AND TENURE (UCP&T)
ANNUAL REPORT 2003-2004**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

In accordance with Senate Bylaw 195, the University Committee on Privilege and Tenure (UCP&T) considers general policies involving academic privileges and tenure. In addition, the committee constitutes special Hearing Committees for disciplinary cases and maintains statistical records of the grievance, disciplinary, and early termination cases taking place on each of the campuses.

UCP&T met once during the 2003-04 academic year. Highlights of the Committee's activities and accomplishments are noted in this report.

Divisional P&T Activity Survey

As specified in Senate Bylaw 334.B, each divisional P&T committee is required to submit a statistical summary of its cases to UCP&T annually. Last year UCP&T created a "Divisional P&T Activity Survey" form, which must be completed and submitted by each campus P&T committee to fulfill this requirement. The committee reviewed and discussed the results of the 2002-03 Divisional P&T Activity Survey, the first year of statistical information collected from the divisional committees. The committee's discussion focused on the usefulness of the information, difficulties with completing the survey, and the accuracy of the results. Reorganization and minor changes to the Divisional P&T Activity Survey form were made as a result of suggestions from the members for clarification and improvement of the survey.

Divisional P&T Committee Issues

The structure of and procedures followed by the divisional P&T committees vary significantly from one another. To gain a better understanding of these differences and to identify possible best practices, each UCP&T member reported on the composition of and procedures followed by his/her divisional P&T committee. Members also provided advice and related their experiences with a number of procedural and organizational issues concerning divisional P&T committees.

Proposed Revisions to SBL 336.B.4

Senate Bylaw 336.B.4, which governs disciplinary cases, states that "No disciplinary action may commence if more than three years have passed between the time when the Chancellor or Chancellor's designee knew or should have known about the alleged violation of the Code of Conduct, and the delivery of the notice of proposed disciplinary action." The interpretation of this statute of limitations has been problematic on at least one campus, and therefore the committee considered potential options for clarifying this bylaw. Two

problematic phrases were identified as potentially in need of clarification: “Chancellor’s designee” and “should have known.”

Three options for UCP&T action were considered: (1) request that the Rules and Jurisdiction (R&J) committee make a legislative ruling on the bylaw; (2) write a report indicating UCP&T’s interpretation of the bylaw; and (3) revise the bylaw. The committee agreed that the most effective method for clarifying the bylaw would be to revise it. UCP&T submitted a proposal to revise Senate Bylaw 336.B.4 to the Academic Council in August for consideration and action during the 2004-05 academic year.

Other Reports

The Committee also reviewed and wrote opinions on the following policies and proposals:

- Proposed New Policy on Conflicts of Interest Created by Consensual Relationships
- Proposed Revised Policy on Sexual Harassment and Procedures for Responding to Reports of Sexual Harassment
- UCAAD’s Proposed Revisions to APM 210, 240 and 245

Acknowledgment

UCP&T wishes to acknowledge the assistance and support of its Committee Analyst, Kimberly Peterson, and administrative consultants: Maria Shanle, University Counsel; and Sheila O’Rourke, Executive Director of Academic Compliance and Special Assistant to the Provost.

Respectfully submitted:

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