

**UNIVERSITY COMMITTEE ON PRIVILEGE AND TENURE  
ANNUAL REPORT 2001-2002**

**TO THE ASSEMBLY OF THE ACADEMIC SENATE:**

The Universitywide Committee on Privilege and Tenure (UCP&T) met twice during the 2001-2002 academic year. UCP&T wishes to acknowledge the hard work and commitment of its administrative consultants, Carole Rossi, University Counsel; and Sheila O'Rourke, Executive Director Academic Compliance and Special Assistant to the Provost.

**Revision to Senate Bylaw 195 Privilege and Tenure**

In May 2001 the Academic Assembly overwhelmingly approved a series of revisions to Senate Bylaws, as proposed by UCP&T, including a revision to Bylaw 195. Revised Bylaw 195 requires UCP&T to maintain statistical records of the grievance, disciplinary, and early termination cases taking place on each of the campuses (as specified in newly-enacted Senate Bylaw 334).

*Statistical record keeping.* So that a database may be maintained, Divisional P&T Committees are to provide UCP&T with general, non-confidential information on their caseloads. Because discipline and grievance cases are relatively rare and always treated as confidential, P&T Committees and even UCP&T do not have a good perspective on the nature or disposition of these cases. It would be useful to know how many cases there are, whether the number is increasing or decreasing, what kinds of Code of Conduct violations are being prosecuted, what sanctions are appropriate for each type of violation, and whether different campuses generate different types or numbers of cases.

*Format for reporting; reporting guidelines.* UCP&T discussed the issue of reporting guidelines during its last meeting on April 5, 2002. In compliance with revised Senate Bylaw 195, a format for reporting is being created for use by Divisional P&T Committees. Both the format and the reporting guidelines will be finalized by the 2002-03 UCP&T.

*Provision for a UCP&T Chair revision in process.* UCP&T's Bylaw 195 needs to be revised in order to provide for a Chair. An Academic Council working group on bylaws is in the process of recommending this revision.

**Divisional P&T Bylaws**

Divisional P&T bylaws need to be revised to be in conformance with the recent changes to Senate Bylaws 334-337 and APM 015-016, and most campuses have not yet completed this task.

**Proposed Revised Draft Policies Regarding University Policy Implementing the Amended California Whistleblower Protection Act**

At its January 2002 meeting, UCP&T reviewed the proposed revised draft policies and requested that the intersection between Divisional P&T Committees and the proposed

revised policies needs clarification, and that disciplinary actions must be carried out through existing P&T processes. A re-revised draft policy, incorporating UCP&T's suggested revisions, was distributed at the Committee's April 2002 meeting.

### **Faculty-Student Relations**

The UC Board of Regents recently raised a question concerning policy governing faculty-student relations. Beginning in January 2002 UCP&T began discussions about possible courses of action, and those discussions were continued on campus at the Divisional P&T Committees. At its April 5, 2002 meeting, UCP&T members unanimously approved the motion to propose to the Academic Council that the November 30, 1983 Academic Assembly Resolution on Faculty-Student Relations be added as an appendix to both APM 015 The Faculty Code of Conduct, and to APM 035 Affirmative Action and Nondiscrimination in Employment (sexual harassment policy).

Although not uniform in their agreement about all of the statements in the 1983 Assembly resolution (some campus P&T Committees preferred appending definitions of conduct that violate the Code of Conduct, rather than the 1983 resolution's general statement of philosophy), UCP&T members regard the 1983 Assembly resolution as a useful guide to faculty-student relations. Once appended to systemwide policy, the resolution will become visible and accessible.

The 1983 Assembly resolution, in its final point, requests that UCP&T consider proposing an addition to the Faculty Code of Conduct in order to give force to the Assembly resolution. Before UCP&T begins drafting this revision language, which would define specific activities that could result in faculty disciplinary proceedings, the Committee requested an initial response about this proposed action from the Academic Council. This item will be considered by the 2002-03 UCP&T.

Respectfully submitted,

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