

UNIVERSITY COMMITTEE ON PRIVILEGE & TENURE (UCPT)

Minutes of Meeting
November 9, 2018

I. Chair's Comments/Updates

Adebisi Agboola, UCPT Chair

Chair Adebisi Agboola thanked everyone for coming to the meeting today, and welcomed the members to the meeting.

II. Consent Calendar

Approval of October 10, 2018 UCPT meeting minutes and today's agenda.

III. Proposed Senate Bylaw 336 Revision

The Committee had a discussion in order to clarify certain remaining issues concerning the proposed revisions to Senate Bylaw 336. The main topics discussed were:

- The need to use calendar days versus business days in describing certain timelines.
- The composition of hearing committees, and whether to allow external members from a different division to serve on a hearing committee. After some discussion, the consensus was that divisional chairs and directors should be allowed to exercise the option of appointing an Academic Senate member from a different division if necessary.
- The logistics involved in scheduling a hearing within a limited amount of time.
- The need for additional resources in order to be able to comply with 60-day mandate. This is a major concern of the divisional executive directors and they propose a revision to the bylaws in order to address this. The additional resources required include: reserving external facilities, technical support, additional staff time (i.e., monitoring, more people to train, to schedule quickly, etc.), and summer compensation for 9-month faculty. The bylaws currently state that the administration covers the cost of a court reporter employed during a hearing (SB 335.D.9; SB 336.D.11; 337.B.9). The executive directors suggest that the following language be included in the bylaw: Suggested: "the cost of the court reporter as well as other costs associated with the hearing will be borne by the administration." After some discussion, the Committee decided to accept this suggestion.
- There was some discussion about modifying the following section of SB 336 in order to give hearing committees broader powers to impose sanctions than is currently the case: *The Hearing Committee shall not have power to recommend the imposition of a sanction more severe than that proposed in the notice of proposed disciplinary action. In determining the appropriate sanction to recommend, the Hearing Committee may choose to consider previous charges against the accused if those charges led to prior sanctions either after a disciplinary hearing or pursuant to a negotiated or mediated resolution.* The Committee decided to revisit this issue.

Action taken: Eight in favor to forward the proposed revisions of Senate Bylaw 336 to the University Committee on Rules and Jurisdiction (UCRJ).

IV. Update from Senate Leadership, *Kum-Kum Bhavnani, Academic Senate Vice Chair* Area “d”

Last year, the Academic Senate Assembly approved changes to the Undergraduate Admission area “d”. The changes included increasing from 2 to 3 years of the requirement of science and changing the name to Science to broaden the area (i.e., to include Earth Science and Computer Science). It should go to the Regents for approval; however, the Provost is opposed to the change, and suggests a joint workgroup with the CSU system to conduct an eligibility impact analysis.

Transfer Guarantee

There was a memorandum of understanding (MOU) signed last year by the UC President and the California Community College (CCC) Chancellor about having a UC Transfer Guarantee by Fall 2019. The Senate committee of the Board of Admissions and Relations with Schools (BOARS) is looking at policies and requirements. BOARS is to have a proposal by the end of December 2018, then a 90-day review will occur.

Librarians and Academic Freedom

The union representing UC's librarians is asking that Academic Freedom be part of the negotiated contract. The Council of University Librarians (i.e., the University Librarian from each campus) and the Academic Council have issued statements about the need for appropriate protections along with attendant obligations and responsibilities. A small working group co-chaired by Robert May and Chancellor Blumenthal will be convened to develop a draft policy, which will be widely distributed for comment no later than April 2019. This working group will discuss the proper protections for non-faculty appointees.

Elsevier negotiations

The UC libraries are negotiating a contract renewal with Elsevier site licenses, and UC is a big customer of Elsevier. The expiration date is December 31, 2018. If negotiations fall through, the libraries will employ various methods to mitigate any interruptions to access of Elsevier publications. Reviewers, editors, and authors are not affected by these negotiations. Germany went on for 18 months during negotiations; however, Sweden was cut off right away. Discussion included that if there is no success with the negotiations, there will be no access to Elsevier publications. However, there will be access with publications through inter-library loans, which is cheaper than Elsevier. UC is willing to look into Open Access, through the UC California Digital Library (CDL).

Standardized Testing Task Force

There will be a joint administrative-Senate task force to examine the predictive value of standardized tests (e.g., SAT and ACT). The task force will be a mix of individuals who have expertise in testing, the topic, and individuals who do not have a vested interest in testing. The report should be completed by the end of this academic year.

V. Proposed Revised Presidential Policy on Sexual Violence and Sexual Harassment

Suzanne Taylor, Interim Systemwide Title IX Coordinator

Coordinator Taylor described the timeline for implementing the policy. At the end of February 2019, it will go to the Office of Civil Rights (OCR), and the policy should be issued

during Summer 2019. A few UCPT members commented that the comments will go through their divisions. UCPT members will share their divisional comments with UCPT and will review by December 5, 2018. Discussion followed on issues of authority and scheduling of the Title IX office versus the timeline restrictions on PT committees. The 60-day timeline was imposed by the California State Auditor.