



Ahmet Palazoglu
Chair, Assembly of the
Academic Senate
Faculty Representative,
UC Board of Regents

Academic Senate

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November 20, 2025

Monica Varsanyi
Vice Provost, Faculty Affairs and Academic Programs

Amy K. Lee
Deputy Provost, Systemwide Academic Personnel

Re: Systemwide Senate Review of Proposed Revisions to APM - 015 and
016, and Proposed Systemwide Guidelines

Dear Vice Provost Varsanyi and Deputy Provost Lee,

As requested, I distributed for systemwide Academic Senate review the proposed revisions to Academic Personnel Manual (APM) - 015 and 016 and Proposed Systemwide Guidelines. All 10 Academic Senate divisions and five systemwide Senate committees ([UCAP](#), [UCFW](#), [UCORP](#), [UCOLASC](#), and [UCPT](#)) submitted comments. These comments are available in [this link](#). In addition, UCPT convened a workgroup to conduct a detailed analysis of the proposed APM revisions and attachments. Its report is available in [this link](#). Both documents informed the Academic Council's discussion at its November 17, 2025 meeting.

Overall, Senate reviewers recognize the importance of ensuring a timely, consistent, and transparent process for adjudicating cases of faculty misconduct and the significant work undertaken by the Senate–Administration Workgroup on Faculty Discipline to develop recommendations responsive to Regents' directives. However, most reviewers expressed substantial concerns that the proposed timelines, procedural changes, and new guidelines may adversely affect due process, Senate authority, and academic freedom.

Timelines and Due Process: Most reviewers agreed that the proposed 30/120/40-day sequence for assessment, investigation, and charge-filing, along with the requirement to appoint a Privilege and Tenure (P&T) hearing panel within 14 days of the chancellor's filing of charges, may be too rigid to ensure a fair process. Reviewers emphasized that the 14-day requirement should specify the appointment of the hearing committee chair within 14 days of the filing of charges, rather than requiring the full

hearing committee to be constituted within that period, to better reflect the realities of panel formation and support the committee's ability to begin its work effectively.

Reviewers cautioned that overly compressed timelines could compromise due process, put inappropriate pressure on parties and committees, and impede the careful, deliberative work essential to P&T proceedings. Many urged greater flexibility, clearer standards for "good cause" extensions, and explicit affirmation that procedural fairness must take precedence over expedited timelines.

Academic Freedom and Expressive Activity Guidelines (Attachments A and B): A consistent theme across divisions and committees was deep concern that Attachments A and B, intended to clarify expressive activity and disciplinary sanctions, instead introduce ambiguity and potential chilling effects on faculty speech. Reviewers agreed that the attachments, as written, are overly prescriptive, ambiguous, and in tension with *APM - 010 (Academic Freedom)* and *APM - 015 (The Faculty Code of Conduct)*.

Attachment A was viewed as overly prescriptive and poorly grounded in policy references. Reviewers said it fails to distinguish clearly between expressive activities protected by academic freedom and those subject to discipline. *Attachment B* was considered the most problematic document, as it mischaracterizes extramural speech, fails to recognize faculty's constitutional and APM-protected rights, and risks undermining both academic freedom and First Amendment protections. Many cautioned that these documents could be read to discipline legitimate forms of protest or dissent and could chill protected expressive activity.

Several reviewers cited or endorsed the legal and policy analysis by Professors Seana Shiffrin and Brian Soucek, which underscores the need for any guidance on expressive activity to align with established academic freedom principles and constitutional standards. Reviewers urged UCOP to substantially revise or withdraw the attachments pending clearer integration with existing University policy.

Shared Governance and Senate Authority: Many reviewers expressed concern that the proposed Systemwide Network P&T Committee could weaken campus autonomy and blur the Senate's jurisdiction over faculty discipline. Several recommended that any systemwide committee operate under clear Senate oversight to maintain consistency with [Senate Bylaw 336](#) and preserve the faculty's primary role in disciplinary adjudication.

Clarity and Implementation: Several reviewers noted that the collection of policy documents is complex and difficult to navigate. They recommended that UCOP prepare a concise explanatory summary or crosswalk clarifying the relationship among the policies, guidelines, and procedural steps to

ensure consistent application.

UCPT Workgroup Analysis: The UCPT workgroup [report](#) provides a comprehensive and authoritative review of the proposals. The workgroup concluded that the proposed “Systemwide Network Committee on Privilege and Tenure” would likely slow—rather than expedite—hearings, duplicating functions already provided under Senate Bylaw 336. The workgroup instead recommends the establishment of a systemwide Reserve Privilege and Tenure Pool, coordinated by UCPT, to provide available faculty for hearings as needed.

The UCPT workgroup further found that *Attachments A* and *B* introduce unnecessary ambiguity and significantly undermine academic freedom and the First Amendment rights of faculty as private citizens. It recommends that UCOP revise or withdraw these attachments and ground any future guidance in the protections already articulated in *APM - 010, 011, and 015*. The workgroup also proposes conforming amendments to Academic Senate Bylaws 334–337 to align Senate procedures with its recommendations. Finally, the workgroup found that the details about timelines in the draft *APM - 016, Section III* are administrative policies inappropriate for the APM and the bylaws.

Recommendations from Professors Shiffrin and Soucek: UCPT and several reviewers also referenced and endorsed the memo from Professors Seana Shiffrin (UCLA Law) and Brian Soucek (UC Davis Law), which provides an authoritative analysis of academic freedom and constitutional protections for faculty speech. Their recommendations highlight the need to safeguard faculty due process, uphold Senate authority, and ensure that discipline related to expressive activity is imposed only when conduct clearly and significantly impairs University functions. The Council concurs with UCPT and other reviewers that the University should adopt the Shiffrin–Soucek recommendations as a foundation for revising *Attachments A* and *B* to ensure alignment with *APM - 010* and *015* and established First Amendment standards.

Next Steps: The Academic Council recommends that the University use the analyses of the UCPT workgroup and Professors Shiffrin and Soucek as the foundation for final revisions to *APM - 015*, *APM - 016*, and the associated guidelines. Together, these recommendations provide a coherent framework for aligning the University’s disciplinary processes with constitutional protections, academic freedom, and shared governance.

The Council endorses UCPT’s proposal to establish a systemwide Reserve Privilege and Tenure Pool as a more effective alternative to the proposed Systemwide Network P&T Committee and supports UCPT’s recommendation to substantially revise or remove *Attachments A - D* to

eliminate ambiguity and reaffirm faculty speech rights. The Council also endorses the Shiffrin–Soucek recommendations as the appropriate basis for redrafting any future guidance on expressive activity.

Thank you for the opportunity to opine. Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Palazoglu', with a stylized, flowing script.

Ahmet Palazoglu
Chair, Academic Council

cc: Academic Council
UCPT
Provost and Executive Vice President Newman
Secretary and Chief of Staff Lyall
Associate Director Woolston
Senate Division Executive Directors
Senate Executive Director Lin