

Academic Senate Chair Jim Chalfant
Remarks to the University of California Board of Regents
November 2016

Thank you, Regent Reiss. The comments we have heard already this morning and President Napolitano's remarks reflect deep concern over many issues, both inside UC and beyond. Today I will speak about one of each, with the common theme of safe spaces: inside UC, the Senate's ongoing efforts concerning sexual assault and sexual harassment, and the faculty disciplinary process. I'll begin with some comments about the world beyond UC, and our place in it.

The world today is an unsettling place and we need to keep in mind that, for many in our communities, it is far more so than when we met at UCLA two months ago. What I am hearing and reading is not just anxiety but fear.

My remarks address students, but they apply equally to every member of the UC community. To comment on the election's effect on UC, all I have to do is to reiterate to the Board the Senate's past statements and faculty support for all of the University policies that define our commitment to access and inclusion, for our commitment to nondiscrimination, and for the various principles of community on the campuses. That support applies specifically to the Regents policy on intolerance adopted last year.

It is also worth mentioning our fundamental commitment to academic freedom. Academic freedom cannot exist in an environment of fear. Bradford DeLong, an economist at UC Berkeley, put this very succinctly on his blog. I will paraphrase slightly: "a university is first of all, a safe space for ideas; second, a safe place for scholars". I would add that the first cannot occur without the second.

I do not know any faculty member who does not share that view; it would be considered a core value by my faculty colleagues. The President and Chancellors wrote recently that

"We remain absolutely committed to supporting all members of our community and adhering to UC's Principles Against Intolerance. As the Principles make clear, the University "strives to foster an environment in

which all are included” and “all are given an equal opportunity to learn and explore.” The University of California will continue to pursue and protect these principles now and in the future, and urges our students, faculty, staff, and all others associated with the University to do so as well.”

I am confident that this statement would be strongly supported by UC faculty. That was true before the election and it will remain true.

I am going to turn to a second topic that I wish I was not talking about. Try me during lunch: I'd love to talk about funding for UCRP, new graduate programs, food insecurity, or anything about food; transfer pathways, time to degree, faculty diversity, even rebenching. Especially rebenching. I'm instead going to talk about a second aspect of the faculty's relationship to students. This extends directly and just as strongly to staff and other faculty, but I will focus on students. Any form of sexual harassment or sexual assault, or seeking a romantic relationship with a student a faculty member supervises, is a violation of the faculty code of conduct. I will quote from the code:

The integrity of the faculty-student relationship is the foundation of the University's educational mission. This relationship vests considerable trust in the faculty member, who, in turn, bears authority and accountability as mentor, educator, and evaluator. The unequal institutional power inherent in this relationship heightens the vulnerability of the student and the potential for coercion. The pedagogical relationship between faculty member and student must be protected from influences or activities that can interfere with learning consistent with the goals and ideals of the University.

Contrary to what has been said in the press, the Senate does not seek to “protect its own” when faculty violate the code of conduct. In the last year, many faculty have worked to re-examine the already-robust disciplinary processes that follow from Title IX and other complaints. Dan Hare and Sheryl Vacca co-chaired a joint committee to examine every aspect of the investigations and disciplinary proceedings when complaints of sexual harassment, sexual assault, or sexual violence are made against faculty. The Senate is currently reviewing proposed changes to the code of conduct and Senate bylaws that follow from the committee's recommendations. I should add that this effort has involved ongoing, close, and effective

collaboration with the administration. Each campus has a process to deal with violations of the Faculty Code of Conduct. The process works, and the faculty wants the administration to use it. Each division chair is seeking to advise their chancellor on the creation of the peer-review committees that will advise chancellors on appropriate sanctions, and how these committees fit within current procedures. I expect there will be significant interest in coordinating these committees across the campuses.

The revisions to the Code of Conduct and the Senate bylaws that are currently under review emphasize that there is no statute of limitations that protects bad behavior *and there never has been*; a complainant does not face a three-year or any other limit on bringing forward a complaint. Shane and I have tried to hear every system-wide committee's discussion of these matters, and we can assure you that every faculty member involved has shown a fundamental belief that every student---everyone in our community---needs to feel that they are safe and supported, and the reality needs to match the rhetoric.

With others at UCOP, Shane and I have also discussed our recently introduced cyber-risk training, and what to do if there is less than 100% compliance. The vast majority of faculty take the training because it is the right thing to do, and the same has been true of the sexual-harassment training that has existed since 2005. I believe the faculty would strongly support the proposal from Chair Lozano to require the same training and expectations for the Board. The Regents will be demonstrating that this is not just important for appearances; it's a responsibility everyone shares.

Current events may distract us from more familiar and more comfortable topics, but I felt that my remarks today could not have been about any topic other than to emphasize the faculty's commitment to these two aspects of safe spaces on campus. Let me conclude with this statement. To LGBTQ students, to students of color, to undocumented students, to every international student, and to any students concerned about whether they can count on faculty support: You are our students and you are our future. Nothing has changed about the faculty's commitment to your safety and your welfare, and you should not doubt that commitment.

Thank you, Regent Reiss. This concludes my remarks.