COUNCIL ON FACULTY WELFARE, DIVERSITY, AND ACADEMIC FREEDOM (CFW)
MINUTES
Tuesday, November 27, 2012
3:30 - 5:30 P.M.

I. CHAIR’S REPORT

Acknowledgements
Chair Meenakshisundaram announced James Givens’ retirement and he was presented with a gift on behalf of the Council.

Composite Benefit Rates
Composite benefit rates were discussed by the Senate Cabinet and UCFW. Chair Meenakshisundaram also met with Meredith Michaels, Vice Chancellor of Planning and Budget. The initial proposal from administration was to have one single rate for the UC system. The new goal is to have multiple rates for each individual campus inclusive of groups such as faculty, staff, graduate students, and post doctorates.

CFW Wordpress Blog
Chair Meenakshisundaram reminded members upcoming issues for meetings are posted to the blog before each meeting for discussion. Members made suggestions for multiple comment threads, e-mail notifications for new comments, confidentiality on comments/posts, and direct questions for topics to help facilitate use and discussion. Members also expressed interest in being taken directly to the discussion topic when accessing links through e-mail notification. At this time, members are redirected to a log-in page and are not redirected to the blog. Additionally multiple threads and e-mail notifications for comments are not available. Chair Meenakshisundaram took an informal vote and by unanimous consensus, members noted they would use the blog if they had full functionality.

II. CONSENT ITEMS
The minutes from October 30, 2012 were unanimously approved as amended.

III. SUBCOMMITTEE ON EMERITI AFFAIRS – Status Report
None

IV. FACULTY WELFARE ISSUES UNDER REVIEW
None

V. UCI SENATE ISSUES UNDER REVIEW

A. UCI Review of UCI Abroad White Paper

Issue
The Council was asked to review the UCI Abroad White Paper and to endorse one of two possible response statements offered by the Senate Cabinet. The white paper describes a “feasibility study for establishing a branch campus of the University of California, Irvine—‘UCI Abroad’ — in a location outside the United States to be determined.

Discussion
This item was not discussed.

Action
Council members will review the white paper on the CFW blog and comments will be forward via memo to the Senate Cabinet.
VI. UC SENATE ISSUES UNDER REVIEW

A. UC Review of Proposed Revision to APM 430, Visiting Scholars

Issue

The Council was asked to review and comment on the UC Review of proposed revisions to APM – 430, Visiting Scholars. The proposal is responsive to campus requests to create a new title to accommodate domestic and international visitors who are students enrolled in universities in the United States and abroad, and academics employed at other institutions who are visiting the University of California for short-term academic or cultural exchange experiences.

Discussion

Council members supported the proposed revisions. Members found the proposal to be reasonable, noting it decreases overall liability for the University produced by departments that have in the past been forced to create academic titles for visiting scholars.

Action

There was unanimous endorsement of the proposal. Council comments will be forward via memo to the Senate Cabinet.

B. UC Review of APM – 700, Leaves of Absence

Issue

The Council was asked to review and comment on the proposed revisions to APM – 700, Leaves of Absence. The proposal is designed to prompt an appointee who does not return to their appointment following the expiration of a leave of absence, or if he/she chooses to be absent from that appointment without obtaining approval for a leave, to take affirmative steps to counter the University’s presumptions that the appointee’s intention is to resign the University appointment.

If an appointee is out of contact with the University for 30 days, an official letter will be sent to their residence giving them 60 days to respond. If the appointee does not respond, the University may interpret this to mean the appointee has resigned. Appointees have the right to an appeal after this deadline. In the past, if an appointee disappeared, it could take over a year to cancel their appointment.

Discussion

Council members noted that although instances when faculty disappear do not happen often, the current process for handling such instances can be lengthy and inadequate. The Council felt the proposed revisions offered a reasonable means of handling unexpected leaves of absence.

Action

There was unanimous endorsement for the proposal. Council comments will be forward via memo to the Senate Cabinet.

C. UC Review of Open Access Policy

Issue

The Council was asked to review and comment on the proposed Open Access policy developed by the University Committee on Library and Scholarly Communication. The policy proposes to expand open access to research publications by University of California faculty by changing the default relationship between faculty authors and scholarly publishers to one in which authors grant the University a non-exclusive license to the work.

Discussion

Council members expressed three main concerns regarding the Open Access Policy. The first concern was the proposed policy did not address whether or not there are any adverse effects for professional societies. Members felt the motivation for the policy appeared to be in response to the
monopolistic power of the for-profit publishers. Most of the non-profit professional organizations require subscriptions to their journals to operate. Members noted that going completely open access with no subscriptions could cause the quality of publications, dissemination, and the peer review process to go down.

The second concern expressed by the Council was the expectation that faculty will be knowledgeable of the opt-out process. The policy states faculty may opt-out for any reason but the procedures have not been clearly identified. Issues such as what are the legal implications for a faculty who signs a "boiler-plate" agreement with a publisher to give the publisher an exclusive right, while at the same time enrolled in UC-open access "by default" are not addressed. The faculty member may later be burdened with the right to secure a certain set of permissions to distribute which is outside of their area of expertise creating an additional burden to publish. Museums may give permission to use their material for a nominal fee. But the rules of reproduction (including in open access) might be restricted. If the faculty is opted-in by default, due to above said reasons, the faculty may be put in unnecessary legal trouble.

The final concern expressed was the reasoning behind the proposal. Members questioned the purpose of creating a policy for open access when funding agencies, driven by mandates from Congress, already have a requirement in place. The current trend of funding agencies is already moving faculty in the direction of open access. For example, beginning next year, NIH requires that faculty deposit their materials in order to renew and/or obtain grants.

**Action**

Council comments will be forward via memo to the Senate Cabinet.

**VII. STATUS REPORTS**

**Faculty Welfare Subcommittee – Gopi Meenakshisundaram, Rep to UCFW**
See Chair’s Report

**Affirmative Action Subcommittee – Grace Tonner, Rep to UCAAD**
No Report

**Academic Freedom Subcommittee – Jean-Daniel Saphores, Rep to UCAF**
Due to time constraints, an abbreviated update was given.

**APM 210**

UCAF discussed that by pushing for diversity too much the University could be encroaching on academic freedom. To that end, UCAF is looking to modify four sentences in APM 210. The current APM reads:

>The University of California is committed to excellence and equity in every facet of its mission. Teaching, research, professional and public service contributions that promote diversity and equal opportunity are to be encouraged and given recognition in the evaluation of the candidate’s qualifications. These contributions to diversity and equal opportunity can take a variety of forms including efforts to advance equitable access to education, public service that addresses the needs of California’s diverse population, or research in a scholar’s area of expertise that highlights inequalities. Mentoring and advising of students or new faculty members are to be encouraged and given recognition in the teaching or service categories of academic personnel actions.

The proposed new text was:

>The University of California is committed to excellence and equity in every facet of its mission. Contributions that promote diversity and equal opportunity can be recognized in the evaluation of the candidate’s qualifications. These contributions to diversity and equal opportunity may take a variety of forms in teaching, research, professional, and public service. Mentoring and advising of
students or new faculty members are to be encouraged and given recognition in the teaching or service categories of academic personnel actions.

Members unanimously voted in favor of the proposed changes.

Additional issues discussed by UCAF included the proposed Open Access Policy, the Electronic Privacy and Information Security Initiative, and Contentious Issues Forums.

**Academic Personnel – Joan Tenma**
No Report

**Equal Opportunity and Diversity Status Report – Gwen Kuhns Black**
No Report

**Human Resources Status Report on Benefits – Melody McCulloch**
No Report

**VIII. INFORMATION ITEMS**
None

**IX. NEW BUSINESS**

**UCI Mental Health Initiative**
A draft memo inclusive of the following points was reviewed by Council members. Chair Meenakshisundaram requested feedback and endorsement from the Council to move forward on the issues.

1. We ask you to consider the development of training programs for new Chairs on dealing with colleagues who are in acute distress, and to promote a culture of openness in the department in dealing with these issues.

2. We ask you to expand the scope of mental health training programs now available for students to include staff and faculty, include specific issues that bring about distress among the faculty and how to handle them. This may include both information sessions to provide and educate about the resources available for this purpose, and also wellness programs like stress management.

3. Finally, we ask you to consider the development of a program that would identify a faculty representative in each School, who would be the “go to” person for faculty and staff who seek assistance in dealing with students or colleagues who are in acute distress. These individuals would obviously not be trained psychologists or psychiatrists, but they would receive training in how to link those in need with the appropriate resources on campus. This would give heightened visibility to the importance of mental health as a key part of our commitment to creating a culture of “wellness” on campus. If it came with the official imprimatur of the EVC and Chancellor, it would also, we are convinced, do much to destigmatize the problems associated with mental illness and encourage those in need to seek assistance.

**Action**
Council members unanimously endorsed the draft. The draft will be finalized and forwarded to the Senate Cabinet for review at their December 4 meeting.

**X. ADJOURNMENT:** 5:33 P.M.

Submitted by Charlene Mandau