COUNCIL ON FACULTY WELFARE, DIVERSITY, AND ACADEMIC FREEDOM (CFW)
MINUTES
Tuesday, December 10, 2013
3:30 - 5:30 P.M.

I. CHAIR’S REPORT
Web Site Changes
Chair Saphores welcomed new member Gilberto Conchas to the Council.

II. CONSENT ITEMS
The minutes from November 12, 2013 were unanimously approved as amended.

III. SUBCOMMITTEE ON EMERITI AFFAIRS – Status Report
No Report

IV. FACULTY WELFARE ISSUES UNDER REVIEW
   A. Policy Changes Regarding APM 35
   Issue
   Guests Kirsten Quanbeck, Title IX Officer and Equal Opportunity and Diversity Director, presented on the Violence Against Women Reauthorization Act (VAWA) of 2013.
   Discussion
   (For additional information, see section below on APM 35)
   The policy changes for APM 35 and Appendices 1 and 2 are in response to recent federal legislation. The University has some discretion in the way the policy is put together however all changes are mandated by law and must be included. Title IX legislation was introduced in 1972 and covered discrimination in relation to gender. In 1982, cases were introduced that identified sexual harassment as a form of sexual discrimination under Title IX. In 2011, guidance from the Office for Civil Rights, a sector of the Department of Education which oversees Title IX, stated sexual violence is a form of sexual harassment and directed higher education institutions including colleges and university to take note of sexual violence. The “Dear Colleague” letter released by the Office for Civil Rights outlined very specific items for institutions of higher education to implement including a Title IX Officer, processes in place for complaint resolution, a preponderance of evidence standard, notice to both parties involved, and the appeals process.

   As a result, our Title IX Officer worked with campus counsel and the Office of Student Conduct to evaluate the current policies and procedures, implementing the Interim UC Irvine Student Sex Offence Policy and Interim UC Irvine Student Sex Offense, Harassment and Discrimination Hearing Procedures. In March 2013, legislation was passed codifying the “Dear Colleague” letter requirements and also included specifics about training. The California State Legislation voted to audit two California State and two University of California schools. UC Los Angeles will be audited in January 2014. UC Berkeley has been audited for several months now. Now with the student policy in place, systemwide has decided to generate a policy systemwide policy covering all employees and students. This policy has information specific to students and specific to employees with several procedural directives. It specifically identifies areas of sexual violence, sexual assault, dating and domestic violence, and stalking. This is the first time stalking has been a part of the sexual harassment policy. Additionally, per the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, certain categories of crimes must be reported. This will go into effect March of 2014.
UC Irvine process complaints a team comprised of a representative from OEOD, the UCIPD, the Office of Student Conduct, Palo Verde, and campus counsel. The team meets every other week to discuss reported incidents, strategize how they should be handled, evaluate whether or not everything was done that could be done, and evaluate whether or not both parties were protected.

OEOD has concerns regarding the new ways UCOP policies are being implemented. The departments being listed as contacts on the front of the policies are not the actual departments responsible for implementing and conducting training for the policy. OEOD will work to make the policy as user friendly as possible and to educate the campus community in an effort to reduce confusion and to ensure complaints are directed to the right place.

**Action**
None

**B. UCI Mental Health Initiative**

**Issue**
Guests Robert Moeller, Co-Chair of the UCI Mental Health Initiative and Negar Shekarbi from the counseling center attended the meeting to discuss training and resources available for mental health issues affecting faculty and staff.

**Discussion**
The UCI Mental Health Initiative came from an ad-hoc working group in 1999 which did needs assessment of mental health on campus. This led to a standing committee in 2004 comprised of the UCIPD Chief and representatives from the Division of Undergraduate Education, Academic Personnel (AP), the Counseling Center, and a graduate student, OEOD, Psychiatric Services and Student Health. The goal is to promote outreach and education for all parts for campus. In 2006 there was a review of mental health services on campus conducted by the head of counseling at Georgetown, MIT, and the head of psychiatric services for Kaiser Permanente North resulting in assessments and recommendations for the campus. 26.2% of Americans ages 18 or older, suffer from diagnosable mental disorders. Major depressive order is the largest cause of disability for people ages 15 – 44. 90% of people who commit suicide have a diagnosable mental disorder. Additionally, 20% of adults have problems with anxiety disorder. Depression, anxiety, and mental disorders cause billions of days of missed work.

The UCI Mental Health Initiative Committee has been working AP to conduct more training and outreach. Last year, the workshops were attended mainly by staff. The Committee was however successful in conducting training with department chairs. UCI Mental Health would like to promote the culture of see something, do something, say something, as well as the awareness that being smart and being mentally ill are not mutually exclusive possibilities, thereby creating a compassionate scholarly community.

The Provost has been supportive about hiring a full-time PH.D position clinical psychologist who would be available to faculty and staff as triage person to get vetted referrals. Hiring this person would also help to affirm the campus takes mental health issues seriously and is committed to mental wellness. This position would also be responsible for training and outreach programs.

The counseling center was introduced in 2012 as a result of funding awarded from the Cal Mesa Student Mental Health Initiative Grant. The counseling center was initially intended to be student oriented. However, the director of the counseling center has also been committed to enhancing mental health and wellness resources and training for faculty and staff. The grant made three requests:
1. Enhance suicide prevention efforts campuswide.
2. Enhance training efforts campuswide around mental health.
3. Enhance peer to peer programming.

Because of the grant, we now have workshops developed for faculty and staff only. Offered every quarter, it’s a three part workshop series and the campus locations rotate so everyone has access. The first workshop introduces everyone to the campus consultation team, contact information and an overview of the process. The second workshop is suicide prevention training. The third training is about campus climate and how to report when you see something. Approximately 20 – 50 people attend each session. Of this group, approximately 99% are staff. The counseling center is working to increase faculty attendance through more targeted marketing. (The red folder with emergency contact numbers and information was distributed to Council members). The grant has also allowed the center to be more technologically advanced. Beginning 2014, the counseling center and mental health initiatives will have a greater web and social media presence.

The campus consultation team has also been created and is comprised of members from the counseling center, Assistant Vice Chancellor of Counseling Services, the UCIPD, and campus social workers. The group originally met on an as-needed basis to handle issues of students in distress. The group has now been expanded to also include faculty and staff. The group meets one to several times a week. Any member of the group can be contacted to address concerns which activate the team.

Members felt the hiring of a dedicated person for staff and faculty is a step in the right direction. However, members shared concern over the possibility of one person becoming overwhelmed and suggested the counseling center’s resources be expanded to include providing services to faculty as well as students. This way if the dedicated faculty person is on vacation or out of the office, someone is still available that understands and can address faculty needs. Members also thought the department chairs should request presentations from Negar Shekrabi at their faculty meetings.

Action
The Council unanimously voted to forward a memo to the Senate Cabinet stating the Council on Faculty Welfare recommends the Academic Senate forward to the Provost, the Senate’s endorsement of expanding dedicated psychological counseling services for faculty in the counseling center to the extent consistent with funding constraints. Additionally, the Council requests the responsibilities of counseling center staff be expanded to include assisting faculty and access to the consultation team when appropriate.

V. UCI SENATE ISSUES UNDER REVIEW
None

VI. UC SENATE ISSUES UNDER REVIEW
A. UC Final Review of Proposed Revisions to Bylaw 55
Issue
The Council was asked to review and comment on the proposed amendments to Senate Bylaw 55. The proposed amendments would allow the extension of departmental voting rights on academic appointment and promotion actions to salaried non-Senate faculty in the Adjunct Professor or Health Sciences Clinical Professor series. Additionally, the proposed revisions would permit Senate members in an academic unit to vote on whether to extend Bylaw 55 rights to non-Senate titles and would require that a decision to do so must be reconsidered annually.
Discussion

Members found some benefits to providing clinical faculty members with voting rights, including, but not limited to assisting departments with small numbers of faculty members achieve a larger voice. Members also believe given the history of clinical faculty members feeling disenfranchised, providing voting rights would be a modest first step in addressing their concerns. This step of limiting voting rights to academic appointments and promotions also protects the Senate from having decisions involving undergraduate education made by those with largely no experience. Members were however concerned departments might extend voting rights one year while revoking the next thereby creating even greater feelings of disenfranchisement.

Members discussed the effects of granting voting rights to the Health Sciences Clinical Professors on other members of the University community and thought if rights are extended to clinical faculty then we should also consider allowing the same privileges to all non-Senate faculty members. The final concern shared by Council members was the level of commitment/investment of those with voting privileges. Members felt if voting privileges are provided to everyone with a greater than 50% employment commitment then those with as little as a 51% commitment with vested interest in other universities may vote in ways not as UC focused.

Action

The Council’s comments will be forwarded to the Senate Cabinet for review.

B. UC Review of APM 35 & Appendices 1 & 2

Issue

The Council was asked to review and comment on proposed revisions to the UC Policy on Sexual Harassment, APM 35, and Appendices A-1 and A-2. The language implements policy requirements mandated by the Violence Against Women Reauthorization Act of 2013 to include within UC policy several provisions addressing domestic and sexual violence.

Discussion

Members shared concerns regarding proposed language for the policy changes. One specific concern was about the combining of domestic violence and harassment within the policy. Harassment appears to be synonymous with violence. Members felt this created a potential to be overreaching and could incorrectly stigmatize and damage a person’s career and/or image. If both are to be listed together, members strongly felt special attention should be paid to definitions. Additionally, members expressed concern regarding the addition of stalking in relation to sexual violence. Members felt many instances of stalking have nothing to do with stalking and that stalking should be in a policy separate from sexual violence and harassment. One final concern members discussed was that the proposed wording implies informal resolution or mediation is not an option and might deter people who wish to remain anonymous from reporting.

Action

The Council will work with the Office of Equal Opportunity and Diversity to draft a response and forward to the Senate Cabinet.

VII. STATUS REPORTS

Faculty Welfare Subcommittee – Jean-Daniel Saphores, Rep to UCFW

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

Academic Freedom Subcommittee – Yaming Yu/Hugh Roberts, Rep to UCAF
No Report – Meeting Canceled

Academic Personnel – Joan Tenma
Negotiated Salary Trial Plan (NSTP)
AP has received the names of Senate faculty members participating in the review of the Negotiated Salary Trial Plan. The first meeting will be scheduled soon. Additional information will be shared with the Council as it is received.

Equal Opportunity and Diversity Status Report – Gwen Kuhns Black
Campus Climate Survey
The Campus Climate Report is scheduled to be released systemwide for all campuses in March 2014. At this time, the report is being revised for format and readability based on feedback received on sections such as the Executive Summary. The revised reports will go to the campuses in February and will then be sent back for the Regents meeting in March. If the report does not make the Regents agenda, it will still be released in March.

OEOD Grievances
As a follow-up to the November CFW meeting, OEOD reviewed grievances from the last ten years. The lowest number of grievances involving faculty was thirteen filed in the 2009-2010AY. The most complaints filed in one year were thirty, and the average is approximately twenty a year out of eighty to ninety cases. These are grievances related to faculty as either the complainant or respondent.

Human Resources Status Report on Benefits – Jeri Frederick
Open Enrollment & Retirement Counseling
All questions regarding open enrollment should be directed to the Benefits Office. Retirement counseling is still scheduled to transition to the Retirement Administration Center February 2014.

VIII. INFORMATION ITEMS
None

IX. NEW BUSINESS
None

X. ADJOURNMENT: 5:29 P.M.

Submitted by Charlene Mandau