

**COUNCIL ON FACULTY WELFARE, DIVERSITY, AND ACADEMIC FREEDOM
ANNUAL REPORT
2014 – 2015**

To the Irvine Divisional Senate Assembly:

The Council on Faculty Welfare, Diversity and Academic Freedom (CFW) respectfully submits its report of activities for the 2014-15 academic year.

I. INTRODUCTION

The Council considers issues relevant to faculty welfare, academic freedom, affirmative action and diversity, and emeriti affairs. Its membership and duties are described in Irvine Bylaw 99. Professor William Parker chaired CFW during the 2014-15 academic year. The Council's Chair served as the Council's representative to the Senate Cabinet and the Irvine Divisional Senate Assembly. The Council sent representatives to three UC committees and two UCI committees: University Committee on Faculty Welfare, University Committee on Academic Freedom, University Committee on Affirmative Action and Diversity, the Chancellor's Advisory Committee on Child Care, and the UCI Mental Health Initiative. The Council has four standing subcommittees. The Subcommittee for Emeriti Affairs consisted of the three emeriti members of the Council and the Chair of the UCI Emeriti Association (UCIEA). The other faculty members served on one of the other three subcommittees: Faculty Welfare, Academic Freedom and Affirmative Action & Diversity.

CFW met eight times during the academic year of 2014-15. The Council reviewed and discussed the following issues, proposals, policies, and reports. When appropriate, it responded to the Chair of the Academic Senate, UCI administrators, or UC Senate committees.

II. FACULTY WELFARE ISSUES

A. Academic Freedom Complaint – Limited Access to Undergraduate Assistants for Research

(Meeting date: 12/09/15, Memo date: 01/06/15)

The Council received a complaint of an academic freedom violation. The complaint highlighted the question of whether limiting enrollment to courses thus affecting access to undergraduate assistants for research is a matter of academic freedom. The Council found no issues with academic freedom as the complaint did not allege that any action was taken as a result of disapproval of an area of research or of the specific content of instruction. The Council further noted that not every decision that adversely affects one's ability to conduct research is an attack on academic freedom. As the original complaint was submitted as a possible act of retaliation, the Council recommended the Council on Privilege and Tenure as the appropriate body for adjudicating concerns raised in the complaint.

B. Child Care Services

(Meeting date: 06/09/15)

UC Irvine has five centers on campus: the Extended Day Center (after-school program), the Early Childhood Education Center (full-day program), the Children's Center (full-day program), the Verano Preschool and the Infant Toddler Center. Child Care Services are a part of Student Affairs clustered with Wellness, Health and Counseling Services under Marcelle Holmes.

Three of the centers: the Children's Center, the Infant Toddler Center and Extended Day Center are subsidized by a grant from the California Department of Education. The Early Childhood Center and the Verano Preschool serve faculty, staff, students, and the greater UC Irvine community. Priority is given to faculty, staff, and students. The other three serve faculty, staff, and students exclusively. A new policy affecting sabbatical is anticipated, providing faculty with easier access for re-admittance to the centers. The Council found the new policy favorable but cautioned that it be made transparent in order to promote fairness among applicants. The Council also explored options for providing subsidized care for faculty and staff as well as increased capacity for the Extended Day Center. The Council continues to evaluate these and other related policies.

C. Employee Assistance Program (EAP)

(Meeting dates: 02/10/15 & 04/14/15, Memo date: 05/08/15)

EAP is a free and confidential service open to all faculty, staff and dependents. EAP provides a broad range of services including counseling in areas such as finance, marriage, and legal in multiple languages. The service has been provided by an outside vendor, Cascade Services, for more than six years. The Council opined that the program has the potential of being a cost effective service and could be highly beneficial to the campus community. Data trends show value in the services offered through the consistent levels of usage since the program's inception. However, much of the campus community is unaware of the program. After polling members, the Council discovered that none of its members had heard of EAP. The Council recommended HR increase advertising to raise awareness about EAP and services offered.

D. Faculty Salaries in 2015-16 and Beyond

(Meeting dates: 10/14/14, 12/09/14, & 06/09/2015, Memo date: 01/05/15)

The Council reviewed the UC Systemwide Faculty Salary Costing Draft for information about goals, cost-benefit trade-offs, and possible options for using increased funding to enhance faculty salaries for the 2015-16FY. The Council's recommendation was in alignment with the Senate's final recommendation that faculty be awarded 3% across the board. UC President Napolitano divided the 3%, giving faculty 1.5% effective August 1, 2015 and the administration the other 1.5% for use at their discretion for faculty salary increases. The Council is concerned with the final decision and lack of credence given to the Senate's input, especially in light of reductions in contributions to the UC Retirement plan and higher healthcare costs, affecting overall total remuneration. The Council will continue to monitor issues related to faculty salary in the coming year.

E. Long Range Development Plan for University Hills/Faculty

(Meeting date: 11/10/14 & 02/10/15)

A new phase for development in University Hills, Phase 11 is under consideration. The Irvine Campus Housing Authority (ICHA) will take the estimated number of hires between now and 2022 and the average number of people anticipated to separate from the University into consideration to calculate the number of homes needed. To that end, ICHA has been asked to model three scenarios for the new development phase: 1) a development with the same density and home types as Phase 10; 2) a development with the same density and inclusive of four to six home types with large entertainment areas so as to be attractive to higher administrative positions such as Vice Provosts and Vice

Chancellors; 3) a development with the number of units needed in terms of price and density that will fit within the lot.

All faculty requests for housing go through the chair, then to the dean, and finally Vice Provost Diane O'Dowd. New recruits are automatically entered into the housing lottery. All interested parties must submit an application to ICHA specifying the type of house in which they have an interest. Each person is given three chances at purchasing a home. If the offer is turned down three times, then the person is removed from the list. The Council noted that forcing faculty to rank homes they have no interest in purchasing for reasons such as affordability is a faulty system. The Council also noted that the two-year window for eligibility often does not fall within a time frame where the person can make a commitment due to unknown factors such as tenure. The Council suggested the system be modified to allow such faculty members the chance to choose when to begin their period of eligibility so as not to lose the opportunity to purchase a home. The Council will continue to monitor the development of Phase 11 and policies affecting home purchases.

F. Mortgage Orientation Program (MOP)

(Meeting date: 12/09/14)

The Council reviewed the Mortgage Orientation Program (MOP) that provides home loans for UC Faculty at all UC campuses and the Lawrence Berkeley National Laboratory. Funding for the loans is provided by the Office of the President and was developed to support the recruitment and retention of all Senate members, faculty with equivalent titles, Medical Clinical X faculty at the UC Medical Centers, and Senior Management. The UC Regents authorizes new allotments to the UC campuses every two years. For UCI, MOPs are usually provided for all of Orange County and Long Beach. Another level of approval is required for housing loans that are further away. UCI has provided over 1000 loans to date. The only UC campuses to provide more loans are UCLA and UCB.

Approximately 80% of new faculty are offered a MOP loan. The Council noted a lack of consistency in the distribution of information regarding MOP loans. Not all academic units notify faculty of the program and some do not apprise faculty of the program until the time of hire. Additionally, some, but not all schools offer a faculty recruitment allowance which can be used as a housing down payment, while other academic units provide supplemental home loans. The Council remains concerned about the various policies across academic units and believes the inconsistencies may create tension among faculty members. The Council will continue to monitor the program and provide recommendations for areas of improvement as they are identified.

G. myData

(Meeting date: 02/10/15)

A pilot advisory group with faculty from five different schools is helping to update myData. The University has contracted with Digital Measures. Two of the new options added to improve user interface includes an option to allow users to pull publication information from PubMed and other systems such as Google Scholar and Reference Manager for direct upload and an option to export publication information automatically to the UC publication management system in compliance with the Open Access Policy. The Council recommended that information export to file formats such as Word or Excel

so that it can be used for other institutions. The Council continues to monitor myData and will provide updates as new enhancements are added.

H. Sponsored Project Administration (SPA)

(Meeting dates: 12/09/15, 02/10/15, & 03/10/15)

Jean-Daniel Saphores served as a member to the Council on Research, Computing and Libraries' (CORCL) Subcommittee to evaluate the submission process of extramural grants to SPA. The Council raised concern regarding the submission of proposals to NIH and NSF and the lengthy requirement for a 10-day review period by UCI's SPA staff. Other UC campuses have a shorter review. The Council plans to continue monitoring the grant submission process through consultation with CORCL.

I. Transportation Services

(Meeting date: 06/09/15)

The Council identified campus signage, lack of environmental sustainability with the ASUCI bus fleet, traffic at the Adobe/California intersection, and traffic at the West Peltason/Campus intersection as areas in need of improvement. The Council found that inadequate campus signage continues to be problematic for campus visitors. Additionally, the lane transitions across Campus Drive where West Peltason Drive transitions to Bridge Road heavily impact traffic with drivers trying to shift lanes at the light. The Council noted that one of the lanes that appears to go straight onto Bridge Road is actually a turn left only lane, which is not identified until you are at the intersection. Parking has shared they are working to address these concerns. The Council will continue to monitor and make recommendations for areas of improvement.

J. UCI Mental Health Initiative

(Meeting dates: 10/14/14, 12/09/14 & 03/10/15, Memo date: 01/14/15)

Jean-Daniel Saphores served as the Council's representative to the UCI Mental Health Initiative. The task force works to promote mental health awareness, to destigmatize mental health issues, and address areas of concern across campus affecting faculty and staff. The Council remains concerned most department chairs are unaware of the mental health services available for faculty on campus, and as a result are unprepared to deal with issues involving the mental health of faculty as they arise within a department. To move towards resolving those issues, the Council requested funding through the Senate Cabinet for a high profile mental health event/lecture and regular training on mental health issues for department chairs with a requirement to attend a training session every two or three years. It is anticipated that both requests will be fulfilled in the coming academic year.

III. DIVISIONAL ISSUES

None.

IV. SYSTEMWIDE ISSUES

A. Proposed Revised APM 080, Medical Separation and APM 330, Specialist Series

(Meeting date: 11/10/14, Memo date: 11/13/14)

The Council was uncomfortable with the vagueness of the proposed revisions to APM 080, but after considering various scenarios, decided that there was no obvious way to improve clarity. The Council was unable to determine any reason why the process and timelines for the medical separation of tenured and untenured faculty should be different

and therefore recommended they be made the same. It was noted that a Medical Separation is rarely invoked.

For APM 330, the Council was concerned about the proposed wording in section APM 330-18 Salary “a. Individuals appointed to the Specialist series are compensated on the fiscal year salary scales issued by the Office of the President for the Specialist Series.” In order to have greater flexibility to respond to marketplace variables, the Council suggested the addition of the following sentence to section 330-18 Salary, a. “*The Chancellor shall have the authority to approve off-scale salaries when appropriate.*”

B. Proposed Final Review of APM 080, Medical Separation

(Meeting date: 04/14/15, Memo date: 04/15/15)

The Council found the revisions offered for the final review incorporated feedback received during the systemwide review conducted November 2014 and had no additional comment on the proposed revisions.

C. Proposed Revisions to APM for Sections 133-17-g-j, 210-1-c&d, 220-18-b, and 760-30-a

(Meeting date: 11/10/14, Memo date: 11/13/14)

The Council reviewed the proposed revisions and found they were all of a technical nature, clarified the language as intended, and were found to be reasonable. No objections or recommendations for changes were identified.

D. Proposed Revisions to APM 360, Librarian Series and APM 210-4 Instructions to Review Committees

(Meeting date: 04/14/15, Memo date: 04/15/15)

The Council agreed with the goal of having represented and non-represented librarians subject to the same policies and procedures for appointment, promotion, and advancement. However, the Council did not feel it had sufficient knowledge to comment on the details outlined in the revisions.

E. Proposed New UC Policy on Open Access for Non-Senate Members

(Meeting date: 12/09/14, Memo date: 12/11/14)

The Council reviewed the proposed policy and was unable to identify any areas of concern. Furthermore, the Council did not find any objections to extending the open access policy to non-Senate members within UC. As the policy also affects graduate students, the Council recommended consulting graduate students for possible areas of concern.

F. Proposed Revised Presidential Policy – Sexual Harassment and Sexual Violence

(Meeting date: 03/10/15, Memo date: 04/03/15)

The Council reviewed the proposed policy and identified three areas of concern in the revisions with respect to reporting, training, and language. The Council noted a high level of discomfort exists among faculty related to the requirement to report all conversations of potential harassment. Many members regarded this as a breach of confidentiality between faculty and students, however, were unable to resolve the issue as reporting is federally mandated. The Council recommended exploring possible language to address reporting that would allow faculty to retain their student’s trust, integrating training on sexual violence with the existing required training for sexual harassment. The Council

found several areas of the policy with ambiguous language and further recommended suggested language provided by the Office of Equal Opportunity and Diversity be taken into consideration.

G. Proposed Revisions to UC Policy on Protection of Whistleblowers from Retaliation and Procedure for Reviewing Retaliations Complaints, APM 190 and Appendix 2
(Meeting date: 10/14/14, Memo date: 10/16/14)

The Council discussed the draft policy and felt there was insufficient time for an in-depth review. A cursory review identified no issues of major concern. The changes from the earlier draft appear to be primarily clarifications and the replacement of such language as “reasonable time” with specific time periods. However, what is meant by days is not consistently defined. The Council recommended defining days in terms of calendar, academic calendar or business days.

H. Request for Nominations to the UCRS Advisory Board
(Meeting date: 04/14/15, Memo date: 04/16/15)

The Council reviewed a request for nominations to the UCRS Advisory Board. The Council proposed the nominee have experience related to fiduciary responsibilities and/or working with complicated systems. The Council identified the Paul Merage School of Business as the most likely place to identify such a candidate and recommended the Senate Chair query Dean Eric Spangenberg for suggestions.

V. SUBCOMMITTEE REPORTS

A. Subcommittee on Emeriti Affairs

CFW’s standing Subcommittee on Emeriti Affairs acts as a liaison to the UCI Emeriti Association (UCIEA), keeping the Association informed of current campus issues and providing advice to CFW on issues from an emeriti perspective. Emeriti-related issues during 2014-15 included:

- Retirement Housing
- UC Retirement Plan

Subcommittee members:

William Parker, CFW Chair and President of UCIEA
Kenneth Baldwin
James Meeker

B. Subcommittee on Academic Freedom

CFW’s Subcommittee on Academic Freedom advised CFW on academic freedom issues mentioned previously in this report. Hugh Roberts represented the Irvine Division at the meetings of University Committee on Academic Freedom (UCAF). UCAF issues for 2014-15 included:

- Academic freedom and civility statement
- Accepting equity in exchange for access
- Administration protections against harassment of researchers from animal rights activists
- External evaluation letter for advancement to Professor Step VI
- Guidelines for protecting non-tenured and non-Senate faculty

- Instructor autonomy over course content and grading
- Learning assessments, accreditation and encroachment on faculty autonomy
- Limited access to undergraduate assistants for research
- Openness in research
- Presidential Open Access Policy for non-Senate members
- Revisions to APM 210-1-d
- UC Policy on Copyright and Fair Use

Subcommittee members:

Hugh Roberts, Chair and UCI Representative to UCAF
Annette Schlichter
Kyoko Yokomori
Yaming Yu

C. Subcommittee on Affirmative Action and Diversity

CFW's Subcommittee on Affirmative Action and Diversity advised CFW on affirmative action and diversity issues mentioned previously in this report. Michael Dessen represented the Irvine Division at the quarterly meetings of the University Committee on Affirmative Action and Diversity (UCAAD). UCAAD issues for 2014-15 included:

- APM 210
- Equity in faculty merit cases
- Proposition 209
- UCAAD name change to University Committee on Affirmative Action, Diversity, and Equity
- UCOP Task Force on Sexual violence

Subcommittee members:

Michael Dessen, Chair and UCI Representative to UCAAD
Claire Kim
Nasrin Rahimieh
Craig Walsh

D. Subcommittee on Faculty Welfare

CFW's Subcommittee on Faculty Welfare advised members on faculty welfare issues mentioned previously in this report. William Parker represented the Irvine Division at the monthly meetings of the University Committee on Faculty Welfare (UCFW). UCFW issues for 2014-15 included:

- Faculty housing implications for total remuneration
- Funding for disease cures with high-cost impact
- Health insurance options
- Investment and retirement
- Negotiated Salary Trial Program
- Presidential Open Access Policy for non-Senate members
- Proposed revisions to APM's 080 (Medical Separation), 279 (Volunteers), 210 (Librarians), and 360 (Librarians)
- Proposed revisions to Senate Bylaw 182

- Proposed revisions to UC Copyright and Fair Use
- Retirement counseling
- UC Care
- UC Retirement Plan funding
- Total remuneration strategies

Subcommittee members:

Teresa Dalton

William Parker, Chair and UCI Representative to UCFW

Belinda Robnett-Olsen

Daniel Whiteson

VI. NEW AND/OR CONTINUING BUSINESS FOR AY2015-2016

- Child Care Services
- Faculty Housing
- Funding for Mental Health Event and Training for Faculty
- Healthcare
- Salary equity
- Total Remuneration Study
- UC Retirement Plan

VII. INVITED GUESTS

Laura Finley-Sanbrano, Interim Director – Child Care Services (*Meeting date: 06/09/15*)

Ron Fleming, Director – Transportation Services (*Meeting date: 06/09/15*)

Nancy Mazmanian, Executive Support Coordinator – Transportation Services
(*Meeting date: 06/09/15*)

Robert Moeller, Co-chair – UCI Mental Health Initiative (*Meeting date: 12/09/14*)

William Molzon, Chair – Academic Senate (*Meeting date: 10/14/14*)

Diane O’Dowd, Vice Provost for Academic Personnel – Academic Affairs
(*Meeting date: 02/10/15*)

Susan Rupp, Analyst – Campus Asset Management (*Meeting date: 12/09/14*)

Natalie Schonfeld, Executive Director – Academic Senate (*Meeting date: 04/14/15*)

Theresa Truman, Assistant Director/Deputy Title IX Officer, Office of Equal Opportunity
and Diversity (*Meeting date: 03/10/15*)

Victor Vanzandt, Director – Irvine Campus Housing Authority (*Meeting date: 11/10/14*)

VIII. COUNCIL MEMBERSHIP

Senate Members (voting)

Gilberto Conchas, Education

Teresa Dalton, Social Ecology

Michael Dessen, Arts

Rebeca Helfer, Humanities (Winter Quarter)

Claire Kim, Social Sciences

Nasrin Rahimieh, Humanities

Hugh Roberts, Humanities

Belinda Robnett-Olsen, Social Sciences

Jean-Daniel Saphores, Engineering

Annette Schlichter, Humanities

Craig Walsh, Biological Sciences
Daniel Whiteson, Physical Sciences
Kyoko Yokomori, Medicine
Yaming Yu, Information and Computer Sciences

Emeritus Members (voting)

Kenneth Baldwin, Medicine
James Meeker, Social Ecology
William Parker, Physical Sciences, Chair

Consultants (non-voting)

Gwen Kuhns Black, Senior Associate Director – Office of Equal Opportunity and Diversity
Jeri Frederick, Director – Center for Emeriti & Retirees
Joan Tenma, Assistant Vice Chancellor – Academic Personnel

Representatives (non-voting)

Rikey Chen, Associated Students UC Irvine
Joseph King, Associated Graduate Students
Ying Zhang, Library Association UC Irvine