

**COMMITTEE ON PRIVILEGE AND TENURE ANNUAL REPORT
2015-2016**

To the Irvine Divisional Senate Assembly:

The Committee on Privilege and Tenure (CPT) respectfully submits its activities for the 2015-16 academic year.

I. Introduction

The principal function of the Committee on Privilege and Tenure (CPT) is to consider potential and formal grievances brought by members of the Academic Senate and to consider disciplinary charges against members of the Academic Senate. Details are confidential.

The committee as a whole meets as needed. Subcommittees are formed and meet for early stages of the grievance process. In addition, throughout the year there are e-mail exchanges to discuss reviews of various policy proposals at both the campus and system levels as needed.

The following is a summary of committee activities from September 1, 2015 to August 31, 2016.

II. Committee Membership

Gregory Evans, Chair and UCPT Representative
Donald Blake
Stephen Bondy
Richard Brestoff
Jennifer Chacon
Simon Cole
Sanjeev Dewan
Michelle Garfinkel
Stuart Kleinfelder
Alfred Kobsa
Maria Pantelia
Donald Senear

Shu, LAUC-I
Natalie Schonfeld, Committee Analyst

III. Summary of Cases

Grievance Cases

The committee received one grievance in summer 2016. An initial review of the grievance was completed by the chair and a committee member; a more formal review of the grievance will take place in 2016-17 to determine if it meets the prima facie standard.

Disciplinary Cases

One disciplinary case was reviewed by the committee. A hearing committee was appointed. The case was resolved informally.

Early Termination Cases

One early termination case was reviewed by the committee. A hearing committee was appointed. Efforts to resolve the case informally were unsuccessful. Because the faculty member was a non-Senate faculty member and they served out the term of their appointment prior the start of a CPT hearing, their dismissal became a non-reappointment and the faculty member was no longer entitled to a Senate hearing.

Dispute Intervention and Advising

The Chair of CPT engages in discussions with members of the Academic Senate who seek advice and guidance about the P&T process. These interventions are designed to 1) help the potential grievant understand the process without entering into specific recommendations about specific cases, and 2) clarify the nature of issues and identify various avenues by which it could be settled informally and with acceptance by all parties.

In the past year, the chair engaged in three such “cases” As a result of these efforts, and those of the Complaint Advisor Panel below, these situations were resolved in the informal discussion phase thereby avoiding the costly and disputatious formal grievance procedure. It is the belief of the Irvine Committee on Privilege and Tenure that such actions can lead to effective compromises, a quicker resolution of concerns, and a reduction in antagonisms and unhappiness.

IV. Complaint Advisor Panel

The Complaint Advisor Panel is composed of former CPT members who advise faculty on procedures relating to grievances and disciplinary actions. The Complaint Advisor Panel members are Professors Leo Chavez, Stuart Krassner, Chin Lee, and Samuel Eric Wilson.

Five faculty members were directed to panel members for assistance and advice with grievance procedures; as of this date, none of these have resulted in the filing of a grievance.

V. Issues Reviewed by the Committee

1. Divisional Issues:

The Committee generated a recusal policy that extends the Irvine Academic Senate’s recusal policy for CPT members to better reflect and respond to the sensitive nature of the work of the committee. This expanded Recusal Policy was endorsed by CPT and will be reviewed by CRJ and brought to the Cabinet for review and endorsement in 2016-17.

The Committee continued its revision of Appendix III, *University Policy on Faculty Conduct and the Administration of Discipline, UCI Procedures for Hearing Complaints of Faculty Code Violations and Grievances by the Senate Committee on Privilege and Tenure (CPT)*. The appendix details the procedures for investigating allegations of faculty misconduct, imposing disciplinary sanctions, and the responsibilities of the administration and the Committee on Privilege and Tenure in these matters. As a result of the high level of activity systemwide related to the implementation of sexual harassment and violence policies and the review of administrative processes for the adjudication of sexual assault and harassment faculty cases, the committee decided to pause its revision efforts pending the completion of these systemwide reviews and communication to the divisions of procedural expectations for the resolution of sexual harassment and violence cases involving faculty.

2. Systemwide Issues:

There was an unusually high level of activity systemwide as a result of both of the systemwide review of proposed revisions to the Presidential Policy on Sexual Violence and Sexual Harassment, and media coverage of incidents of sexual harassment cases involving UC faculty. In October 2015, the President formed the Joint Committee to review the university’s processes and procedures for handling cases of sexual harassment and sexual violence involving faculty. Following review of their report and recommendations, each campus was tasked with implementing a series of changes to their procedures. In addition, the President reconvened the committee to look more closely at a number of procedures, most notably issues associated with the timeframe for review and adjudication of cases. A second report was submitted to the President on August 1, 2016.

UCPT met twice this year, in December and May and discussed areas of common concern.

VI. Carry-forward Items for 2016-17

Appendix III: University Policy on Faculty Conduct and the Administration of Discipline, UCI Procedures for Hearing Complaints of Faculty Code Violations and Grievances by the Senate Committee on Privilege and Tenure (CPT)

Based on the required changes to CPT procedures implemented following the first Joint Committee of the UC Administration and Academic Senate and other changes in University policy, CPT will update Appendix III.

Implementation of modifications to the adjudication process for faculty disciplinary cases involving allegations of sexual harassment and/or violence.