

**COUNCIL ON FACULTY WELFARE, DIVERSITY, AND ACADEMIC FREEDOM
ANNUAL REPORT
2020–2021**

To the Irvine Divisional Senate Assembly:

The Council on Faculty Welfare, Diversity and Academic Freedom (CFW) respectfully submits its report of activities for the 2020-21 academic year.

I. INTRODUCTION

The Council on Faculty Welfare, Diversity and Academic Freedom (CFW) 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 Teresa Dalton chaired CFW during the 2020-21 academic year. The Council Chair served as the Council's representative to the Senate Cabinet, the Irvine Divisional Senate Assembly, and the University Committee on Faculty Welfare (UCFW).

The Council sent representatives to one other UC committee (University Committee on Academic Freedom – Teresa Dalton) and the UCI Committee on Child Care (Lorraine Lau-Gesk). The Council has four standing subcommittees: Emeriti Affairs, Faculty Welfare, Academic Freedom and Affirmative Action & Diversity. 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.

CFW met nine times during the 2020-21 academic year, including a special meeting on September 22nd, 2020. The Council reviewed and discussed a wide range of issues, proposals, policies, and reports as detailed below.

II. COUNCIL ISSUES

A. University Hills Internet Issues and Internet Connectivity

Meeting date: 9/22/2020

Memo date: 10/1/2020

Residents in University Hills notified the Council on Faculty Welfare, Diversity, and Academic Freedom (CFW) that internet access is inadequate in most areas. Residents have asked ICHA and Academic Personnel to provide better or alternate access and increased bandwidth. The Senate has been in discussion with the Provost on this issue, as quality internet access is essential while faculty are teaching and working remotely. OIT has also offered to assist individual faculty members with particular issues. CFW has been asked by Senate Chair Barrett to provide further recommendations on the issue.

Members considered that instructors were expected to work remotely for an indefinite period of time, but have not been given adequate tools to do so thus far. The issue should be considered for all faculty, not just those residing in University Hills. Individual assistance from OIT for faculty was appreciated, but was not always sufficient enough to resolve connectivity problems. Other areas of the institution offer reimbursements for internet access and cell phone usage. The Council on Research, Computing, and Libraries (CORCL) should also be consulted on this issue.

Ultimately, members voted unanimously to recommend the following: The administration should consider a more significant resolution to the issue which would include professional internet access and connectivity equivalent to campus-level capability for all faculty working remotely.

B. Child Care and Dependent Care

Meeting date: 9/22/2020

Memo date: 10/2/2020

Faculty members expressed concern that UCI was not offering sufficient and timely information regarding faculty options for child care and dependent care relief during the COVID-19 pandemic. While faculty are teaching and working remotely, it is difficult to also care for children or other dependents, particularly when typical accommodations (child care centers, home health aides) are not available at this time.

Members expressed concern that the campus child care centers are not available to faculty, due to a lack of open centers, waitlists for open centers, and fees to enroll infants and children. Members were presented with COVID-19 leave options from Academic Personnel after courses were enrolled for the fall quarter. Classes were open for enrollment starting in April. The leave options were circulated in May and more recently in August. While these leave options were appreciated, faculty, departments, and programs are unable to make accommodations if funding is not immediately available to pay for lecturers. Members strongly preferred options that would provide more flexibility with accommodations including a direct source of funding for said accommodations. In addition, many faculty have ongoing research programs, mentor graduate students, and serve as administrators making leave an untenable option. It was stated that a leave for faculty members may not resolve the issue and that, for the majority of faculty, most would welcome any options that allowed them to continue working.

Further concern was expressed regarding the possible implications of a leave on merit and promotion. Junior faculty, in particular, may be hesitant to take leaves if there is any prospect that it may hinder their careers. Members also expressed concern that it wasn't entirely clear how the leaves are funded. Members stated that this issue is also an issue for equity and inclusion, as not all faculty are affected, not all have the same access to resources such additional caregivers, and not all have the same teaching and research obligations.

Members recommended that Academic Personnel and the Office of Inclusive Excellence should provide chairs with best practices regarding how to mentor faculty in choosing among the leave options and how to direct faculty to necessary resources. Chairs should use and distribute funds as needed for leaves or other accommodations. There should be a system of accountability on funding disbursement. Outreach should be conducted for all Schools on campuswide assistance options. The Senate should be consulted on decisions concerning the discretionary spending of federal funds.

C. Systemwide Review of the Report of the Online Undergraduate Degree Task Force

Meeting date: 10/13/2020

Memo date: 11/6/2020

Last year, the Academic Council formed an Online Undergraduate Degree Task Force to examine the implications of creating full-time, online, undergraduate degree programs at the University of California. Its July 2020 report provides three distinct policy options and outlines the strengths and weaknesses of each.

Although the report seemed thorough, it did not outline a funding infrastructure including how faculty would be compensated for creating and maintaining the courses. It was unclear what the definition of “quality” meant in the report, and whether that would be obtained through full-time faculty or by other means. Further, it was expressed that there is a higher cost associated with high-quality online programs than in-person high-quality programs. It was also unclear how teaching would be evaluated in the merit and promotion process, given how distinct remote instruction is as opposed to the traditional in-person instruction.

Members expressed concern that online programs may create a second class citizen group of students. It was not clear if there was a practical plan for implementation of these programs. On the whole, the report did not provide enough specificity for members to respond in kind, but members would not support any option without a clear outline of funding and compensation for faculty.

D. Systemwide Review of the Proposed Revisions to the Leave-Related Policies of the 700 Series of the Academic Senate Personnel Manual (APM)

Meeting date: 11/10/2020

Memo date: 12/11/2020

The revisions seemed like progress towards UC being a more family-friendly employer, but the policy should be competitive with comparable institutions. The definition of “child rearing” was unclear. Members questioned whether the term would apply to children who are engaged in remote learning at home or to grandparents raising grandchildren. These revisions were encouraging and piqued the interest of members. However, it was suggested that the policy should continue to explore and expand family care and care of dependents, and be more inclusive to reflect the households of the labor force at UCI.

E. APPENDIX III: Policies on Faculty Conduct and the Administration of Discipline

Meeting date: 12/8/2020

Memo date: 1/6/2021

At the May 26, 2020 special meeting of the Divisional Senate Assembly, members voted to return Appendix III to the Committee on Privilege and Tenure for revision and additional review. Members may also discuss a recommendation on whether Appendix III should be removed from the Academic Senate manual entirely, as the administrative processes it describes are not under our jurisdiction, or included in the Academic Senate manual with an explicit disclaimer that its purpose is to provide information to faculty on Academic Personnel procedures.

The Committee on Privilege and Tenure (CPT) met on October 27, 2020 to discuss the Divisional Senate Assembly’s feedback on Appendix III of the Senate Manual. The

members of CPT felt that the explanations provided appropriately addressed the Assembly's various concerns. Since Appendix III is a description of administrative procedures under the purview of the Office of Academic Personnel rather than Senate policy, CPT recommended that the text of Appendix III be removed from the Senate Manual and replaced with a link to an updated section of Academic Personnel Procedures. CPT suggested that this link should be accompanied by an explicit statement that the linked administrative procedures are provided as a resource for faculty, and are not under the Senate's purview.

CFW Members voted unanimously in agreement with the recommendations from CPT and, specifically, that the text of Appendix III should be removed from the Senate Manual.

F. University of California Outside Activities Tracking System (UC OATS)

Meeting date: 12/8/2020

Memo date: 2/2/2021

Colleagues have reported concerns about the University of California Outside Activities Tracking System (UC OATS), launched at UCI in fall 2019. The system website reports that "UC OATS is an easy-to-use, web-based application through which university faculty members can report outside activities and income, in accordance with UCOP conflict of commitment policies. It employs a simple, yet interactive format that facilitates the collection of information about outside professional activities, and helps faculty understand the related policies." However, multiple Senate faculty have reported frustration with the system, indicating that it is neither efficient nor easy to use.

Members agreed that the system is not intuitive and should not have been sold as "easy to use." There are trainings available, but one-on-one tutorials are the most effective. Some departments have created and disseminated "cheat sheets" for faculty members. These have been helpful and should be made more broadly available or formalized through Academic Personnel. Members agreed faculty should submit comments and concerns directly to Academic Personnel.

G. UCI Staff Welfare

Meeting date: 12/8/2020

Memo date: 12/9/2020

On November 4, 2020, Associate Chancellor Ramona Agrela announced to UCI employees that the Winter Administrative Recess for 2020-21 would be extended by 3 days, thereby forcing employees to use 6 days of vacation or unpaid leave during this period. This announcement was provided without explanation and despite announcements from UCOP that there would be no systemwide curtailment plan and employees would continue to accrue vacation days beyond their maximum allotment. The additional days required during the upcoming Winter Administrative Recess would disrupt services provided to faculty, staff, and campus constituents and put needless pressure on employees to meet performance expectations during a time of extraordinary stress due to the effects of the global pandemic and other factors. There is an equity concern considering these days will be a greater burden to employees in lower salary tiers who do not accrue vacation days at the same rate as those in upper tiers. A principal concern is

the effect this has and will continue to have on employee morale. This issue was discussed as it pertains to the UCI Academic Senate Bylaw 99.3.2.3: “Formulate and disseminate recommendations on any matter influencing faculty welfare.”

Members expressed concern regarding campus operations and business. Some faculty members have been alerted to the extended recess days by their departments and have been asked to modify their schedules accordingly. The conflicting communication to staff in terms of any real need for an extended recess was troublesome. A clear and concise explanation should be circulated as soon as possible. It appears that no consideration was given to how these extended days would affect staff of certain titles and pay levels adversely while it would have no effect on others. It is unclear why a “tiered” system, as proposed in the original Systemwide curtailment plan, would not be utilized at the local campus level. Concern was expressed regarding the current state of staff morale on campus and how this decision would affect campus culture and climate. It was recommended that, if these days be required of staff, there should be an option to take the days throughout periods that would not disrupt regular campus operations and allow staff to prioritize duties and expectations in a timely manner.

Regarding the APM 700 series as it pertains to faculty on modified duty, there is a clear statement about how there should not be extra work required of the faculty member prior to and/or following the modified duty period. In essence, no one should be expected to work more in order to use a modified duty type of leave. This was certainly not true for the staff requirement to take vacation as everything is just being ramped up in terms of date of completion. Grades at quarter end are an example of this requirement, the faculty have fewer days to submit them because the staff has fewer days to deal with them. There is no expectation of reduction in work output.

Finally, the rationale for the holiday vacation time was originally to save energy. There should not be this issue during the pandemic. Indeed, in the past staff may have enjoyed having these extras days during the holidays. Currently however, many, if not most, cannot have any plans as Southern California is under a three week stay-at-home order, not to expire until December 27th and then we are still in the midst of a pandemic. This cannot and should not be viewed as a vacation in any common use of the word.

It was strongly recommended that the Academic Senate be consulted on future matters regarding campuswide decisions related to staff concerns. Faculty consider staff a vital asset to this campus as they are essential to the support of faculty welfare.

H. Parking and Transportation and Distribution Services

1. *Meeting date:* 10/13/2020

Memo date: 10/27/2020

Members discussed Parking and Transportation updates to the Sustainable Transportation program due to the COVID-19 pandemic. In the past, faculty who walk or bike to campus could get an “eco-pass” and be able to park for 60 days with a sticker. Now they are required to log in each day they wish to park and only 50 days are available. Members have expressed concern regarding the burdensome nature of taking on an additional task at this time. Presumably, those driving to campus are doing so due to time constraints, weather, etc. Logging in for a parking pass instead of being provided with a sticker is an

extra, unnecessary step during an already stressful period. It was not clear why Transportation and Distribution Services (TDS) reduced the number of days from 60 to 50. It was encouraged that current eco-pass holders be surveyed to assess any access issues or opinions on the policy changes. It was clarified that parking permits are not required on campus at this time. However, members expressed concern that this had not been made explicitly clear to eco-pass holders or other commuters, particularly since commuters were asked to sign up for a sustainable transportation option and were under the assumption that a permit would be necessary. It was strongly encouraged that TDS provide clearer communication on the current status of parking permits and eco-passes, and that further, clearer updates be provided as statuses change.

Members voted unanimously in approval of the following resolution: “CFW members disagree with the new process with which eco-pass holders must log in to obtain a parking permit. Any benefits in process are not evident and it is unnecessarily burdensome. Members strongly urge that the number of parking days allowed for eco-passes be reinstated to 60 days.”

2. Meeting date: 2/9/2021

Memo date: 3/12/2021

Guests: Ron Fleming, Director, Transportation and Distribution Services, and Julianna Bayley, Interim Assistant Director, TDS

The Council submitted concerns and recommendations to Senate Chair Barrett on October 27, 2020 and a memo response was received from the Vice Chancellor of the Division of Finance and Administration (DFA) on November 18, 2020.

The response was found to insufficiently address the Council’s issues and members requested a presentation and discussion from Transportation and Distribution Services (TDS). Ron Fleming, Director, TDS, and Julianna Bayley, Interim Assistant Director TDS attended the meeting on February 9, 2021. As a result of that presentation from TDS, the Council has fewer remaining concerns, but would like to reaffirm an assurance made by Ron Fleming during the presentation: “Eco-passes will continue to provide for 60 on-campus parking days per academic year and usage of these on-campus parking days will NOT require online registration each day utilized.”

CFW expects to be part of the conversation when it comes to decisions about any radical changes to the current sustainable transportation user system.

I. Academic Freedom Statement

Meeting date: 2/9/2021

Memo date: 3/1/2021

The UCLA Academic Senate Committee on Academic Freedom recently released a statement on academic freedom in the context of classroom instruction. The Council on Faculty Welfare, Diversity, and Academic Freedom (CFW) was invited to reflect on whether it might be helpful for the UCI Academic Senate to release a statement or guidance for faculty on this important subject. Members agreed that an academic freedom statement from UCI would be beneficial to provide guidance for faculty and other

campus populations. Two CFW members drafted revisions to the UCLA statement and Chair Dalton provided final modifications.

J. Guidance Regarding Abusive Conduct and Bullying by Faculty at UC Irvine

Meeting date: 3/9/2021

Memo date: 3/22/2021

Over the past several years, AP received a number of reports from Senate faculty, department chairs, and deans about incidents of bullying by faculty members. Last academic year, the Office of Academic Personnel proposed Guidance Regarding Abusive Conduct and Bullying by Faculty. The purpose of the guidance is twofold: 1) to provide guidelines for faculty and department chairs to create a culture of safety, respect, and inclusivity in their units; and 2) to create a framework, including shared expectations of professional behavior, to enable leadership to respond effectively to allegations of abusive conduct and bullying by faculty.

Members agreed that the definitions are not consistently clear throughout the document. For example, one definition requires the behavior to be recurring while the other states it can be a single act. There should be more specificity around the protocols and steps for complainants, as the process does not seem very transparent. The document correctly identifies the situations in which bullying is more likely to occur (in settings with large power imbalances), but the reporting is supposed to go through chairs and deans - these are the individuals most likely to be in large power imbalances with faculty and, perhaps, the source of some bullying. Including the equity advisor doesn't do much to change the dynamics since equity advisors are chosen by deans. The roles of each unit involved should be clarified. Members questioned how these issues should be discussed in department meetings, particularly if there is an active complaint. It was suggested that some guidance on how to discuss these issues with colleagues would be helpful.

K. CAP Practices Survey

Meeting date: 3/9/2021

The Council reviewed a survey of divisional CAP practices. Members stated that the data was not displayed in a convenient or coherent manner for an appropriate review. The objective for reviewing the data was unclear. There seemed to be no diversity data in the survey other than gender. It was suggested that the UCI CAP Chair attend an upcoming meeting to provide additional information on CAP membership and the review process.

L. Security Camera Policy

Meeting dates: 2/16/2021, 3/9/2021, 4/13/2021

Memo date: 5/12/2021

Guest: Thea Bullock, Director of the Public Records Office (4/13/2021)

At the February 16, 2021 Cabinet meeting, Thea Bullock, Director of the Public Records Office, presented members with the proposed policy for security camera use on campus. Following discussion, Director Bullock encouraged members to return to their Councils to get more feedback on the proposed policy.

Members expressed concern regarding the scope and pervasiveness of surveillance on campus. A policy that allows the recordings to be kept indefinitely is problematic. Recordings should be kept for no more than two weeks. Access to recordings online should be significantly limited. Considering the most recent UC data breach, online recording breaches are an alarming possibility. Any committees formed regarding these policies must include Academic Senate faculty representation and consultation with the appropriate Academic Senate councils.

M. Systemwide Review of the Gold Book

Meeting date: 3/9/2021

Memo date: 4/8/2021

Systemwide Senate Chair Gauvain forwarded for review proposed changes to Universitywide Police Policies and Administrative Procedures, which are applicable to UC Peace Officers.

The “Systemwide Response Teams” policy was drafted based on recommendation by the Robinson/Edley report to create specialized response teams to respond to crowd management situations. “When reasonable and practicable, officers should consider attempts to de-escalate situations in their interactions with subjects through the use of advisements, warnings, verbal persuasion, and other tactics and alternatives to higher levels of force.” This should be mandatory, not simply something to “consider.” “Active Resistance” is defined as: “The subject is intentionally and unlawfully opposing the lawful order of a peace officer in a physical manner; Examples may include bracing, tensed muscles, interlocked arms/legs, pushing, kicking, breaching police lines, pushing over police barricades, running away or other actions to evade or escape etc.” It is entirely unclear how a reasonable individual may be able to interpret “tensed muscles” in a situation.

Members expressed concern that this document did not address a requirement for implicit bias and de-escalation training. A member questioned what may be considered a “medical emergency,” and how that may be assessed by first responders. This should also require additional training. Overall, these proposed changes do not seem to reflect any recent policing assessments.

N. Faculty Remote Work Program

Meeting date: 4/13/2021

Memo date: 4/23/2021

The Council on Faculty Welfare, Diversity, and Academic Freedom (CFW) was invited to reflect on the benefits and consequences of a potential program whereby faculty might request, with department and school approval, to work 100% remotely--fulfilling their research, teaching, and service duties fully from a distance--for a set period of time (perhaps one or two years), to the extent that this may be possible

There were no objections to this potential program, especially to the extent that it encourages faculty to keep the best of online learning and not do away with everything faculty have spent so much hard work on developing for this year. Members would like some flexibility to allow faculty to use what has worked in the remote settings (some type

of instructional videos and breakout rooms in Zoom for example) without needing approval for a hybrid course. Perhaps a requirement that courses meet in-person for 50% of the class contact time could be a place to start the conversation. It was emphasized that it may be best to allow hybrid courses for the next 1-2 years without formal approval through the Subcommittee on Courses (SCOC). It was suggested that further assessment and evaluation would be necessary to examine best practices for teaching and learning that adapt to technological advances and flexibilities while preserving the values of higher education.

O. Systemwide Review of SVSH Frameworks for Faculty and Staff

Meeting date: 4/13/2021

Memo date: 4/19/2021

Systemwide Senate Chair Gauvain has forwarded for review proposed revisions to sexual violence and sexual harassment (SVSH) frameworks for faculty and staff. These revisions were proposed by the systemwide Title IX office in efforts to comply with federal regulatory changes that went into effect August 14, 2020. The proposed revisions consist of additional changes to interim policies issued last summer. There has been accompanying Senate work to address regulatory impacts on procedures for Senate faculty. This includes both the recent change in the evidentiary standard to be used in Committee on Privilege and Tenure hearings for alleged violations of the SVSH policy as well as a forthcoming proposal to preclude unnecessary duplication when hearings are conducted at both the Title IX and P&T phases.

Members agreed that providing these additional safeguards (live hearings and appeals for cases) for an individual accused of sexual violence or sexual harassment seems reasonable. However, members were disappointed that the standard for P&T decisions was lowered to preponderance of the evidence from clear and convincing.

P. Systemwide Review of Proposed Revision to Senate Bylaw 336.F.3

Meeting date: 4/13/2021

Memo date: 4/27/2021

Systemwide Academic Senate Chair Gauvain has forwarded for review a revision to Senate Bylaw 336.F.3 proposed by the University Committee on Privilege and Tenure (UCPT). The proposed revision is the result of work by a UCPT Task Force formed in the wake of federal regulatory changes that now require a hearing at the Title IX phase for cases involving sexual violence and sexual harassment (SVSH). Earlier this year, the Academic Senate adopted a change to Bylaw 336.F.8 related to the evidentiary standard used in such cases to address another provision of the new federal regulations.

Members voted unanimously to reject this revision.

Q. Proposed Bylaw Revision to Expand CAP Membership

Meeting date: discussed electronically

Memo date: 4/30/2021

The Council on Academic Personnel (CAP) proposed that there be two at-large members elected from the above group of small schools and programs, with the caveat that the two

at-large members not be from the same school. This would guarantee that at least 3 members of CAP are from College of Health Sciences (CoHS), and it also increases the likelihood that Education would have its own representative as well. CAP's motivation for having two at-large members from the group rather than one member from Education and one from the set of small CoHS schools is to account for a situation in a given year where Education is unable to find a willing candidate.

Members had no concerns and found the bylaw revision to be reasonable under the circumstances.

R. Faculty Welfare Task Force on Investment and Retirement (TFIR)

Meeting date: 5/11/2021

Guest: David Brownstone, Professor Emeritus, Economics, and Chair, UCFW TFIR

The Task Force on Investment and Retirement (TFIR) is a task force of the University Committee on Faculty Welfare (UCFW). The purpose of TFIR is to review proposals, policies and administrative procedures related to institutional investing and retirement at UC. TFIR evaluates both the specific consequences of proposals presented to the Task Force on investment and retirement, and their broader consequences on the overall well-being of the University, and develops alternative proposals when needed. TFIR advises UCFW, UCPB, and, via UCFW, the Academic Council. The Chair of TFIR reports to the Chair of UCFW, the sponsoring committee.

TFIR membership shall consist of up to 15 faculty Senate representatives: eight at-large members, and seven ex-officio members. At-large members shall serve one-year renewable terms, with the expectation that they will serve multiple terms, for a maximum of nine years of continuous service. Under exceptional circumstances, they can serve a tenth year. Service as an ex-officio member does not count against the maximum number of years of continuous service. The Chair of UCFW nominates to UCOC at-large members and (annually) the chair of TFIR.

TFIR members shall be chosen for their subject-matter expertise (e.g., actuarial science, economics, demography, finance, law, or government), and their experience in university governance. Every effort shall be made to ensure that the TFIR membership is both highly qualified and diverse (gender, ethnicity, age, as well as campus diversity), and covers a broad range of desirable expertise as listed above. It is critical to strike the right balance between renewing membership and preserving experience. The ex-officio members of TFIR are the UCFW Chair and Vice-Chair, the Academic Council Chair, the Academic Council Vice-Chair, one UCPB designee, and the two Senate representatives to the UCRS Advisory Board.

Current payroll about \$13 billion. Full cost of pension is about 33% (including 8% employee+ 17% employer contribution plus the cost of the unfunded liability) of payroll. UC share of employee health benefits are about 12% of payroll. UC share of retiree health benefits are about 3% of payroll. Only the pension benefits are guaranteed. The Regents can eliminate other benefits. Anyone hired after July 1, 2016 will need to rely much more on the defined contribution plan (e.g. 403B).

All public equity funds managed by UC (excluding Retirement Savings Program) have divested from any company that owns any carbon reserves. UC worked with MCSI to create an index of worldwide public equities that exclude tobacco and any company that owns any carbon reserves. Can purchase in 403B - UC Global Equity ex Fossil Fuel Fund. UC is working to remove private and hedge fund investments in firms that hold carbon reserves (see <https://www.ucop.edu/investment-office/sustainable-investment/index.html>). UC service qualifies for Public Service Loan Forgiveness.

Interim VP Cheryl Lloyd is clear that there are huge problems with RASC (and UC-RAYS and Redwood), and she seems to be taking appropriate steps to fix this. It is unclear whether she will be given the resources she needs, but TFIR and HCTF have drafted a long memo pushing for a much stronger role for Systemwide HR.

Members were given very thoughtful recommendations on pension and savings issues. However, these recommendations have not yet been approved or endorsed by the Irvine Divisional Academic Senate or the Systemwide Academic Senate. It was suggested that Bill Parker present at a future CFW meeting regarding the Healthcare Task Force.

S. Systemwide Review of the SARS-CoV-2 (COVID-19) Vaccination Program

Meeting date: 5/11/2021

Memo date: 5/14/2021

Systemwide Senate Chair Gauvain has forwarded for review the SARS-CoV-2 (COVID-19) Vaccination Program. The proposed policy would require students, faculty, academic appointees, and staff who are accessing campus facilities at any UC location beginning this fall to be immunized against SARS-CoV-2, the virus that causes COVID-19.

Overall, members agreed that this is a reasonable policy and allows for reasonable accommodation. It will likely end up in litigation, but overall the policy makes sense for health and safety purposes. The racial and ethnic differentials in vaccination rates that we observe among Americans in general suggest that Black and Latinx members of the UCI community will be disproportionately represented among those requesting exceptions. It was suggested that the Office of Inclusive Excellence should also be consulted on this policy from that perspective. It is not clear from the policy how those persons who choose not to be vaccinated, but don't have a valid excuse, will be accommodated, if at all. They won't be permitted to interact in person, but what will they be able to do? For example, will faculty be required to teach non-vaccinated students online?

The exception definition states “An Exception to the COVID-19 vaccine mandate based on a person’s sincerely held religious belief, practice, or observance, which includes any traditionally recognized religion as well as beliefs, observances, or practices, which an individual sincerely holds and which occupy in their life a place of importance parallel to that of traditionally recognized religions.” This seems to be open enough that anybody objecting vaccination may request an exception. So, mandatory vaccination doesn’t seem to be really mandatory. Members questioned how the costs of testing those who have not been vaccinated or receive accommodations for the vaccine would be covered. Last year we were required to take flu shot in the fall. Is the plan to have the flu shot go together with the COVID-19 vaccine this year?

People with underlying medical conditions and those who are immunocompromised may have particular concerns on the safety of the vaccine. The CDC website shows more details and suggestions. It may be helpful to include the CDC reference and some details for the potential groups of people who may have concerns. There should be no expectations that faculty ‘police’ the vaccination status of students in classrooms, office hours, meetings, etc. No faculty should be required (or expected) to deliver a dual modality course because one or more registered students have opted out of vaccination.

T. Systemwide Review of Proposed Presidential Policy on UC Health Participation in Activities under the End of Life Option Act

Meeting date: 5/11/2021

Memo: 5/17/2021

Systemwide Senate Chair Gauvain has forwarded for review a proposed Presidential Policy on UC Health Participation in Activities under the End of Life Option Act. The policy would replace an interim policy issued in 2016.

Members agreed that this is an enormously serious and sensitive issue due to the careful reflection and heartbreaking reality checks one must go through to choose to end one's own life. However, once someone does so it seems particularly cruel that a medical professional can opt out of assisting that patient. Therefore, members strongly advocated for some way to communicate (on a webpage, from a list one may request) to prospective end-of-life decision patients that a particular MD will not assist.

Does assistance with end-of-life then depend on which MD one happens to have? There needs to be clear information made available about the situation and various options a patient may have before it gets to the point of an end-of-life decision. The pivotal provision here is that healthcare providers who "opt out" must nonetheless *inform* patients about all options and *refer* them to other providers who are willing to participate.

There is a great difference between having a Do Not Resuscitate (DNR) and a physician honoring that and asking a physician to help end a life. MDs are currently faced with many treatment requests with which they do not agree for many reasons both ethical and medical. They are allowed to use their discretion and expertise to not participate. Hence the people we hear about who go to another country for a treatment that their doctors will not do here. MDs already face great pressure from insurance companies related to medical treatments even to the level of how long they meet with patients for certain types of appointments and this external meddling has not benefitted anyone. Finally, MDs are people with individual belief systems. Forcing an MD who does not wish to participate in ending a life or whose specialty directly contradicts ending a life, can present psychological stress to an already stressful position inhibiting their care and also creating staffing issues. Overall, members agreed that this policy should belong in the hands of medical professionals, not administrators.

U. Role of Emeriti

Meeting date: 5/11/2021

Guest: Jim Danziger, Professor Emeritus, Political Science

The Council heard updates on campus emeriti engagement including level of participation on the campus, courses taught, research conducted, grants obtained, service, and any particular issues Emeriti are facing.

The UCI Emeriti Association promotes and protects emeriti issues and focuses on health benefits and retiree data systems. The UCI Retiree Association includes faculty and staff.

A list of ideas proposed by the UCI Emeriti Association to Deans (including a face-to-face meeting between each School Dean and Jim Danziger, President of UCIEA during the 17-18 and/or 18-19 academic years) was presented. It was previously presented to and voted in favor of unanimously by the Academic Senate Cabinet, the Academic Senate Council on Faculty Welfare, Academic Freedom and Diversity, and the campuswide Academic Planning Group. Some of these ideas were implemented with the following implemented campuswide: 1) Allocate central funding for a recalled faculty member as a campus-wide counselor and advocate for all emeriti/ae and soon-to-be emeriti; 2) Establish funding and policies that reduce costs for on-campus parking for emeriti. Bill Parker is the new Faculty Retirement Liaison.

The levels of emeriti engagement vary widely, and each School approaches this differently. Members recommended that a conversation regarding the changing faculty demographics would be helpful. There is an emeriti survey every three years. Jessica Utts is leading the next survey. It was suggested that the survey be conducted annually and that additional emeriti data be disseminated on a broader basis as well as the newsletter.

Chair Dalton will follow up with CFW emeriti for additional suggestions and recommendations for engagement. The Council will continue to promote opportunities for emeriti engagement and will forward any comments and recommendations to Cabinet.

V. Climate Change Committee

Meeting date: 6/8/2021

Memo date: 6/23/2021

Guest: Steven Allison, Professor, Ecology & Evolutionary Biology

Senate Chair Barrett has discussed forming a potential ad hoc climate task force with the Council on Faculty Welfare, Diversity, and Academic Freedom (CFW) and the Council on Research, Computing, and Libraries (CORCL). This task force could explore how UCI may coordinate with other campuses and Systemwide regarding climate change issues.

Climate change is an urgent global and local problem. With the Carbon Neutrality Initiative announced by former UC President Napolitano in 2013, the University of California pledged to become carbon neutral by 2025 and the first major university to reach that goal. Over 100 UCI faculty conduct scholarship on climate change. There is a need for better integration of climate research across campus.

In 2016, UCI provided an update to its Climate Action Plan, which provides a road map to achieve its institutional climate protection commitments in support of University of California (UC) sustainability policy, the UC 2025 Carbon Neutrality Initiative, and campus sustainability goals. The Systemwide Senate supports efforts to create Senate

climate change committees on each campus. There are at least 10 faculty members who have already expressed interest in serving on such a committee.

A potential task force would focus on the following: 1) guide campus in reaching zero carbon emissions; 2) provide a structure to integrate climate change scholarship among the faculty. The task force could provide guidance by contributing expertise across disciplines, collaborating with administration, liaising and advising at the systemwide level, and developing feasible solutions appropriate for UCI. An integrative structure would include coordination with interdisciplinary research, advising on interdisciplinary curricula, providing a form for cross-campus communication, examining ways to evaluate interdisciplinary scholarship, and providing expertise to administration regarding ongoing climate change issues. The task force would, ideally, report to Academic Senate Cabinet and base membership on expertise rather than by School.

Members voted to approve an ad hoc committee on Climate Change under CFW for the 2021-22 academic year. A principle duty for this committee will be to examine a potential long-term task force or committee through the broader Academic Senate. CFW encouraged other Senate Councils, as appropriate, to participate in the ad hoc task force and provide recommendations for review.

W. Draft Presidential Campus Safety Plan

Meeting date: 6/8/2021

Memo date: 6/11/2021

Systemwide Academic Senate Chair Gauvain has forwarded a draft Presidential Campus Safety Plan for review and comment. This plan lays a foundation for transforming UC's culture, policies and practices to achieve a vision of safety in which all members of the community feel equally welcomed, respected and protected from harm. This draft plan was developed based on extensive input from diverse groups of University of California stakeholders, including Campus Safety Task Force members, participants in the campus safety symposia held earlier this spring, and numerous conversations with students, faculty, staff and administrators. Members had many comments and questions.

By many accounts, police unions have been an immovable barrier in all other US reform efforts--how (if at all) will the UC fare any differently? What are the documented best practices with respect to the so-called "tiering" of safety-related community services? Tiering sounds positive, but what is it like in practice?

The document strongly urged accreditation by International Association of Campus Law Enforcement Administrators (IACLEA). Which two UCs have achieved accreditation and what is the evidence of its value? The data reporting is to include Cc complaints (consistent with California Department of Justice requirement). It's not clear if this is simply counts or information what/who/when and so on. Counts are not going to be very useful.

"In consultation with Campus Counsel and Student Affairs, campuses will consider addressing the harm created by the traditional criminal justice system through adjudication of nonviolent and low-level crimes using community-based solutions, such as restorative justice programs or neighborhood courts." How could this be incorporated

or measured? It's not the police who decide whether an individual is ultimately charged, it's the DA's office.

How will additional trainings be funded, and which Systemwide entities will be providing funding? The concepts of advisory roles versus oversight roles were unclear. Who would have access to collected data? Would that data be collected, evaluated, and publicly posted? Who would oversee the makeup of the commissions/committees? Representatives should be elected to these positions, not appointed by administration. Which mechanisms would be needed to implement community-led policing?

Members were encouraged to contact the UCI Public Safety Advisory Committee (PSAC) representatives for any further comments or questions. Overall, members agreed that this plan appears to be a vague and aspirational reframing of campus public safety.

VI. NEW AND/OR CONTINUING BUSINESS FOR 2021-2022

- Faculty Welfare and Remote Instruction Issues and Concerns
- Revisions to Senate Bylaw 99: Council on Faculty Welfare, Diversity, and Academic Freedom
- Anti-Racism Efforts on Campus
- Academic Freedom
- ADA Compliance on UCI Campus and Medical Facilities
- Climate Change
- Retirement Issues for Emeriti
- Emeriti Engagement
- UCIPD-UCI Community Relations and the Public Safety Advisory Committee
- University Hills/ICHA and Affordable Housing for Faculty
- Childcare and Dependent Care
- Sustainable Transportation/Parking on Campus

VIII. COUNCIL MEMBERSHIP

Faculty Members:

Teresa Dalton, Chair, Social Ecology
Drew Baily, Education
Graeme Boushey, Social Sciences
Jorge Busciglio, Biological Sciences
Kenneth Chew, Social Ecology
Luyi Gui, Business
Luohua Jiang, Medicine
Loraine Lau-Gesk, Business
Kenneth Murphy, Business
Rachel O'Toole, Humanities
Thorsten Ritz, Physical Sciences
Katie Salen, ICS
Jonas Schultz, Physical Sciences
Kelli Sharp, Arts
Beatrice Tice, Law
Lorenzo Valdevit, Engineering
Jun Wu, Health Sciences

Emeritus Members (voting)

Kenneth Chew, Social Ecology
Jonas Schultz, Physical Sciences

Consultants (non-voting)

Gwen Kuhns Black, Office of Equal Opportunity and Diversity
Jeri Frederick, Human Resources
Marianne Beckett, Academic Personnel

Representatives (non-voting)

Peijun Gao, ASUCI
Sabrina Rashid, ASUCI
Thao Vu, ASUCI
Jared Celniker, AGS
Melina Pinales AGS
Shu Liu, LAUC-I

Ex Officio

George Miller, UCIEA

Council Analyst

Julie Kennedy