

**COUNCIL ON FACULTY WELFARE, DIVERSITY, AND ACADEMIC FREEDOM  
ANNUAL REPORT  
2022–2023**

**To the Irvine Divisional Senate Assembly:**

The Council on Faculty Welfare, Diversity and Academic Freedom (CFW) respectfully submits its report of activities for the 2022-23 academic year.

**I. INTRODUCTION**

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 Lisa Naugle served as Chair of CFW during the 2022-23 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 the University Committee on Academic Freedom in addition to Chair Lisa Naugle.

CFW met nine times during the 2022-23 academic year, and two times for social occasions. The Council reviewed and discussed a wide range of issues, proposals, policies, and reports as detailed below.

**II. COUNCIL ISSUES**

**A. Systemwide Senate Review - Draft Policy on Abusive Conduct**

Meeting date: 10/11/2022

Memo date: 10/12/2022

Systemwide Senate Chair Susan Cochran distributed for review a second draft policy on abusive conduct that covered abusive conduct and retaliation in the workplace. The Council had some concerns and specific recommendations for revising the language of the draft policy. Members' concerns included how those faculty who have experienced abusive behavior from their managers or supervisors, such as department chairs and deans, should report conduct they believe to be abusive to the same managers or supervisors.

The Council recommended including resources for parties to help ensure that abusive conduct is not escalated and would not diminish the very real stress and/or difficulty such situations can create. This is especially important when it comes to academic freedom and political speech. Members stated that the reporting system seemed cumbersome and suggested that any future workgroup reviewing this policy consider designating an appropriate office for reporting and handling complaints. The Council also requested additional language clarifying how to address power differentials.

**B. Second Systemwide Senate Review: Draft Revised APM-025 and APM-671**

Meeting date: 10/11/2022

Memo date: 10/12/2022

Systemwide Senate Chair Susan Cochran distributed for a second systemwide review a draft revised APM-025 (Conflict of Commitment and Outside Activities of Faculty Members) and APM-671 (Conflict of Commitment and Outside Activities of

Health Sciences Compensation Plan Participants) to address concerns identified during the first systemwide review.

Members opined that the policies are overreaching and not likely to be applied equally and consistently. They found the policies to be unclear and suggested that they may violate labor laws. While Council members recognized there may be cases where outside activities are a conflict of interest and of concern to the university, they strongly expressed that what faculty do in their free time and what compensation they receive for activities unrelated to their employment by the university are not the UC's business. Members also thought that administrative obstacles to working with "foreign entities" contradicts what faculty are expected to do, which is to have a national and international profile and impact. This contradictory message is concerning given that a lot of international research could be affected by a misapplication of such policies. Additionally, the draft language seemed focused on business and STEM fields and did not address some of the complexities of research in other areas such as social sciences, arts, and humanities.

While members recognized that the University of California must comply with the law, however reasonable or unreasonable, regarding foreign influence, they thought the UC should not do more than the minimum to help enforce unreasonable rules, and faculty should be free to pursue activities unrelated to their profession without interference. They viewed the policy as the UC's effort to protect itself at the expense of faculty civil liberties.

Finally, members felt there was no justification for requiring prior approval and annual disclosure of compensated and uncompensated appointments at non-UC institutions. The Council was concerned that the policies for pre-approval of appointments and/or research would delay such projects and have a very negative effect on the merit and promotion process.

### **C. Faculty Housing**

Meeting dates: 11/8/2022, 3/14/2023

Memo date: 11/18/2022

Guests:

11/8/2022 – Victor Van Zandt, CEO & President, Irvine Campus Housing Authority (ICHA); Karlie George, Vice President of Real Estate Sales and Administration, ICHA  
3/14/2023 - Diane O'Dowd, Vice Provost for Academic Personnel and Professor, Developmental and Cell Biology

The Council heard general updates regarding faculty housing, waitlists, and future projects. Irvine Campus Housing Authority (ICHA) representatives explained the conditions for owning a home in University Hills and noted that ICHA has been increasing enforcement of these conditions; "enforcement" includes communicating with UCI regarding which faculty members may have separated from university employment. They also reported that waitlist times for newly recruited Senate faculty are longer, with single family homes in highest demand. Senate faculty appointed from 2019 to present are still waiting for resale home opportunities.

Future projects include the development of University Hills Area 12-1 which will include 102 condos with the first home delivered in Summer 2024, development for Area 12-2 beginning in 2026, and ongoing demolition of Las Lomas apartments.

ICHA currently has furnished units for visiting professors and scholars, and UC retirees can continue their ownership provided the terms of the ground sublease are followed.

Members expressed concern that some units have construction issues, but ICHA does not have a policy on responding to construction defects and instead refers residents to homeowners' warranties from homebuilders. Members also expressed concern about noise originating from Mariner's Church and its effect on some residents. ICHA has an internal tracking system for service requests, but a better system for tracking will be rolled out soon. It was noted that safety issues are prioritized.

Members also discussed the lottery and waitlist. ICHA representatives clarified that ICHA does not manage the housing priority list. Decisions reside with the Provost, not chairs or deans, and the list of homes for sale is sent to the Provost for decision-making. Members also asked for clarification on University Hills oversight and maintenance in general. It was explained that the Homeowners' Representative Board (HRB) manages care and programming, and ICHA directs the business operations and the ground lease.

There were two major issues that were not addressed satisfactorily: the confusing and vague waitlist process and sustainable practices in University Hills. Members noted a lack of transparency in how decisions are made regarding waitlists and prioritizing applicants and requested additional information from the Provost. Members also questioned whether ICHA would be following the recent systemwide policies currently under review regarding sustainability. ICHA representatives explained that ICHA was not subject to the same policies as the main campus, but they were making good efforts regarding sustainability. Members were not satisfied with this response and recommended that ICHA make a more diligent effort to align its policies with campus policies.

Members discussed the importance of considering equity and diversity regarding the priority list, and some expressed concern that renters have limited representation on the Homeowner's Representative Board (HRB) and are unable to vote. Vice Provost (VP) O'Dowd explained waitlists for new faculty. She noted that in the past, new faculty typically received an offer for a home within two years. Due to an increase in faculty hiring and interest in University Hills, however, that wait time has increased.

Members expressed serious concerns regarding poorly maintained homes. These homes are offered to faculty with a very limited timeframe to respond or other homes to consider. As a result, faculty sometimes accept homes in disrepair or that may not be a good fit for their particular needs. VP O'Dowd also explained the lottery. Faculty may only participate in the lottery once and are then added to the waitlist. She noted that there may be changes to the lottery in the future, particularly with the new homes being built. She added that future offer letters to faculty may not include information regarding University Hills. Members expressed concern about eliminating University Hills as a recruitment tool. VP O'Dowd explained the Zip Loan program, which can aid faculty in purchasing a home outside of University Hills.

Members reiterated the importance of needs-based housing. They also discussed the "second home issue." VP O'Dowd explained that ICHA is attempting to be more

diligent about “enforcement” of this issue. Finally, members expressed concern that the overall process to obtain a home in University Hills can be unpleasant and stressful, and encouraged a more transparent and realistic process. Overall, members recommended that there should be more space-efficient units, support for retirees who no longer require or desire large homes, more affordable housing in the area surrounding UCI, more creative ways of thinking about the needs of individuals and families, and efforts to distribute resources fairly and equitably.

#### **D. Presidential Policy on Vaccination Programs**

Meeting dates: 11/8/2022, 1/10/2023

Memo date: 1/11/2023

On August 30, 2022, the Presidential Policy on Vaccination Programs – with Interim Amendments was issued, with an effective date of September 1, 2022. Based on feedback received from the systemwide review and discussions with leadership, updated interim amendments were made to the policy to include an option for members of the University community to opt out of COVID-19 boosters as well as technical edits. On December 12, 2022, the Policy on Vaccination Programs – with Updated Interim Amendments was issued. Members discussed the original draft policy on 11/8/2022 and, subsequently, the interim amendments on 1/10/2023.

Members had many questions including how visitors may prove they have met the vaccination requirement and strongly disagreed with the proposed annual review of vaccination programs, as it seemed too frequent to be meaningful. Members also expressed some minor concern that “laboratory directors” were not defined in the draft policy.

#### **E. Proposed Revisions to Presidential Policy on Sustainable Practices**

Meeting date: 11/8/2022

Memo date: 12/7/2022

Systemwide Senate Chair Susan Cochran distributed for systemwide review proposed revisions to the Presidential Policy on Sustainable Practices. The systemwide Sustainability Steering Committee reviews the policy annually for required updates and revisions. This year’s changes included updates to some existing targets and some new requirements, as well as minor revisions to clarify intent and improve the readability of the policy. Members noted that issues with the previous policy seem to have been addressed. The sustainable practices plan outlines some good aspirational goals for improvements across UC campuses, but members questioned how effectively these goals would be implemented at each campus. They thought it would be useful to know about the local working groups and activities involved in implementing the plan at UCI. Members also thought this policy should apply to the University Hills community.

#### **F. Impact of UAW Strike and Post-Strike Issues**

Meeting dates: 12/13/2022, 2/14/2023

Memo dates: 12/15/2022, 3/14/2023

The Council discussed issues, concerns, and recommendations regarding the impact of the UAW strike. Members noted that the strike did not seem to have equally

affected faculty and discussed the importance of rebuilding relationships between students and instructors post-strike. Members expressed concern regarding whether the impact of the strike would be considered in merit and promotion files, and it was stated that teaching evaluations from fall quarter will contain a strike watermark to explain the context.

Members also discussed important questions about the future of the teaching and research enterprise.

Council members were very concerned that faculty were not consulted about the contracts between the UC and the UAW and that this will lead to challenges with faculty recruitment and retention at UCI and throughout the system. Additionally, current faculty will now have smaller research groups in some cases, and smaller funding portfolios may have an overall negative effect on their merit cases unless academic review guidelines and expectations are modified. Members were also very concerned about faculty stress and burnout, particularly after the overwhelming challenges of COVID and the experience of the strike. Members agreed that there was poor communication on all levels and a lack of shared governance which compounded these issues.

The new agreements will likely have a long-term impact on budgets. However, schools and departments engage TAs differently, and members expressed concern about how administration will manage the varying needs. Members agreed that UCI and UC should reexamine what graduate education means and how to adapt to this new environment, and most also agreed that it would be a mistake to reduce the number of graduate students. Finally, members would like to reaffirm the importance of faculty consultation and shared governance.

## **G. ADA Compliance and Accessibility**

Meeting date: 1/10/2023

Memo date: 2/13/2023

Guest: Andrew Berk, ADA Coordinator, OEOD

In 2019, CFW reviewed ADA compliance and accessibility on campus and sent a memo to the Senate Chair and the administration that outlined many ADA recommendations for the campus. The Council heard updates on those recommendations and changes as well as other campus ADA future goals and learned how it may assist with current ADA issues and make them a priority for campus administration.

Issues and updates regarding Otter.ai and recording lectures for students with accommodations were discussed. Members were directed to systemwide recommendations on the mandated recording of classes. Coordinator Berk explained that instructors are always encouraged to follow the concept of “universal design.”

Members asked about the specific definition of “reasonable accommodation.” Coordinator Berk noted that UCI does not have a formal definition but follows federal ADA guidelines, which include standards for “undue financial or administrative burdens” and “fundamental alterations.” He further explained that buildings are not “grandfathered in” to ADA accommodations. Buildings built prior to ADA regulations do not have to comply, but there should be reasonable “program access” accommodations.

Recent ADA accomplishments include the installation of 240 evacuation chairs in 34 campus buildings (in addition to the 201 chairs already installed in 25 campus buildings); multiple architectural accessibility projects conducted in collaboration with various groups and units; and outreach on digital accessibility issues through innovative programs such as the AccessibiliTrees Program. Ongoing ADA efforts include the Disability Infrastructure Work Group, an IT Accessibility Workgroup, continued updates to emergency plans, and evaluating access issues.

Future ADA efforts include building awareness through partnerships and education; continued improvement to architectural accessibility; enhancing UCI community support for the accessibility of web pages and electronic materials; engaging in emergency planning for all people in our community; assessing support and services that students, faculty, and staff with disabilities need to succeed; and recruiting students, faculty, and staff with disabilities to UCI.

#### **H. Updates from the Office of Inclusive Excellence**

Meeting date: 2/14/2023

Guest: Sharon Block, Associate Vice Chancellor for Equity, Diversity, and Inclusion, and Professor, History

Associate Vice Chancellor (AVC) Block updated the Council on current issues and goals from the Office of Inclusive Excellence (OIE). She noted that OIE was undergoing a transition from previous Vice Chancellor Doug Haynes to Rodrigo Lazo, Interim Vice Chancellor for Equity, Diversity, and Inclusion. An outside firm was conducting the search for a new Vice Chancellor. OIE areas of concern include the after-effects of the strike, cuts to graduate programs' budgets, and how graduate student diversity and success will be affected as a result. AVC Block noted that some DECADE funds are available to address graduate student diversity and equity issues within departments.

OIE's core values (expect equity, support diversity, practice inclusion and honor free speech) guide current challenges and changes. Graduate Division will offer a donor-funded Chancellor's fellowship to assist with graduate student recruitment. Members asked what support exists on campus for URM faculty, and what the current retention rate was for URM faculty. AVC Block stated that there is currently no significant retention difference between URM faculty and non-URM faculty. Members also asked what resources may be available for faculty with regard to trans issues, expanding LGBTQ education, and faculty involvement with these issues. Members discussed that there is often an undue burden on LGBTQ and URM faculty to mentor undergraduate and graduate students. It was suggested that this service should be considered in merits and promotions, and that CAP should be more creative in taking these aspects into account. Members suggested that there should be a broader conversation about values to be considered in the merit and promotion process and pointed out several issues related to CAP. It was therefore suggested that Vice Provost Diane O'Dowd be invited to a CFW meeting to discuss academic personnel issues.

#### **I. UCI Draft Budget Principles**

Meeting date: 2/14/2023

The Council provided feedback on a draft of campus “budget principles” from the administration. Overall, members found the document lacked any clear or substantive meaning or objectives and expressed serious concern that this document would be used to guide UCI’s budget. Members strongly recommended a revised draft that includes examples, specific plans for action, transparency, and consultation moving forward.

**J. Academic Senate Leadership Meeting on WSCUC Reaffirmation of Accreditation Site Visit**

Meeting date: 2/14/2023

Academic Senate leadership, including CFW Chair Naugle, met with the WSCUC review team on February 16th. Feedback from the Council was welcomed regarding campus strategies for improvement. Members did not have any substantive feedback on this issue.

**K. Proposed Presidential Policy on Anti-Discrimination**

Meeting date: 3/14/2023

Memo date: 3/30/2023

Systemwide Senate Chair Susan Cochran distributed for review a proposed presidential policy on anti-discrimination. The proposed policy affirms the University’s commitment to creating and maintaining a healthy working and learning environment that is inclusive and free of discrimination, harassment, and retaliation.

Members recommended that gaslighting should be added to the list of prohibited conduct and noted that the policy did not cover or explain more subtle forms of discrimination. In light of recent budget issues, members expressed concern regarding new offices and staff at UCOP that would oversee the implementation of this policy. Some members thought the policy seemed redundant and there was no clear delineation between similar policies such as the Abusive Conduct Policy and the Sexual Harassment and Sexual Violence Policy.

**L. Systemwide Review: Proposed Presidential Policy – Interim Clery Act Policy**

Meeting date: 4/11/2023

Memo date: 4/25/2023

Systemwide Senate Chair Susan Cochran distributed for review prior to finalization the Interim Clery Act Policy – Campus Safety and Security Reporting as currently posted publicly. After the policy’s interim issuance in July 2022, a systemwide working group was formed to gather feedback on the interim policy from key stakeholder groups and to begin the development of implementation guidance. In addition to feedback received from stakeholders, the working group will consider feedback collected through this systemwide review.

Members were unsure whether University Hills incidents were included in the Clery Act reporting; some expressed concern that, if so, there could be privacy concerns. Other members thought that since UCIPD responds to incidents in University Hills, these should be included in the reporting. The Council requested clarification on this question. Members also suggested that the “hate crime” definition should include categories like age, pregnancy, marriage, and civil partnership.

#### **M. Faculty Mental Health and Support Services**

Meeting date: 4/11/2023

Guest: Negar Shekarabi, Psy.D., Coordinator of Faculty & Staff Support Services

The Council was provided with updates on faculty mental health on campus, including trends and support services. The Faculty & Staff Support Services office provides robust clinical and supportive services for UCI and UCI Health employees and includes Faculty and Staff Mental Health Care and Complainant Support Services.

The office complements the resources available to employees through the Life Resources Program (formerly EAP), medical plan benefits, and other campus support services. Specific services include individual problem assessment, campus and community referrals, critical incident and crisis intervention, and individual and group consultation. Complainant Support Services assists faculty and staff who have brought or may desire to bring forth complaints of alleged conduct that violates the UC Policy on Sexual Violence and Sexual Harassment. Specific services include serving as a liaison, campus or community referrals, and investigation and accompaniment.

At its inception in 2016, the office served mostly main campus staff. However, there has been an increasing number of UCI Health staff and faculty utilizing its services. Most services utilized are wellbeing sessions, psychological assessments, and individual therapy. Mental health programs and training opportunities include mental health first aid, wellbeing sessions, faculty webinars, and an interactive screening program.

The Council expressed some concern that the office has only one FTE at this time. As the need for services increases, and the numbers of those utilizing services increases, there will most likely be a need for additional staff in the future.

#### **N. Systemwide Review: Proposed Presidential Policy – Responding to Immigration Enforcement Issues Involving Patients in UC Health Facilities**

Meeting date: 4/11/2023

Memo date: 4/25/2023

Systemwide Senate Chair Susan Cochran distributed for review proposed revisions to a presidential policy on responding to immigration enforcement issues involving patients in UC Health facilities. The proposed revisions address the following key issues: 1) clarify custody related requirements; 2) address private and public designated areas within a health facility; and 3) require an immigration policy resource for coverage during all shifts.

Members generally agreed that the policy seemed thorough and clear. However, some members expressed concern that it does not provide enough protection for these vulnerable populations.

#### **O. UCIPD Active Shooter Presentation**

Meeting date: 5/9/2023

Guest: Corporal Casey Sivero, UCIPD



The Council received a UCIPD Active Shooter Presentation, which was designed to provide additional information on active shooter incidents.

Members were shown slides with information on active shooter scenarios and mental health resources. Members were also shown two short videos that depicted how to recognize early signs of a potential active shooter as well as how to attempt to stay safe during an active shooter situation. Members expressed serious concern regarding the presentation and thought it was ineffective and would not recommend it moving forward. Their specific concerns included the style and tone of the presenter and the content of the videos, as well as an overall lack of trauma-informed care throughout the presentation. Members recommended that a mental health professional be present for these types of presentations. Members also had multiple questions regarding campus safety.

The Council followed up with UCIPD regarding its concerns and it was decided that another UCIPD representative would attend a meeting in Fall 2023 to follow up with members' questions.

**P. Systemwide Review: Proposed Revisions to APM-210, Review and Appraisal Committees**

Meeting date: 5/9/2023

Memo date: 5/25/2023

Systemwide Senate Chair Susan Cochran distributed for review proposed revisions to Section 210 of the Academic Personnel Manual: Review and Appraisal Committees. The proposed revisions include the addition of mentoring to criteria and assessment, revisions to evaluation and evidence of teaching and mentoring effectiveness, contributions to diversity, equity, inclusion, and equal opportunity for policy-covered librarians, minor additions of numbering for clarity, and technical revisions for grammatical consistency.

Members noted that there were many statements throughout the policy indicating department chair responsibilities in writing a candidate letter, which seemed to indicate that the chair's letter is required. However, according to Academic Personnel at UCI, a chair's letter is optional. Members thought that this should be clarified in the policy.

**Q. Systemwide Review: Proposed Revisions to APM-710, Leave of Absence/Sick Leave/Medical Leave**

Meeting date: 5/9/2023

Memo date: 5/16/2023

Systemwide Senate Chair Susan Cochran distributed for review proposed revisions to Section 710 of the Academic Personnel Manual: Leaves of Absence/Sick Leave/Medical Leave. The proposed changes were largely technical revisions to add a "designated person" for family and medical leave due to changes to the California Family Rights Act (CFRA), effective January 1, 2023. The proposed substantive change allows academic appointees to use accrued sick leave under CFRA for medical appointments or illness of a designated person. Members discussed the revisions and had no objections at this time.

**VI. NEW AND/OR CONTINUING BUSINESS FOR 2023-2024**

- Healthcare and Benefits
- Retirement Issues for Emeriti
- Emeriti Engagement
- UCIPD-UCI Community Relations
- Public Safety Advisory Committee
- University Hills/ICHA waitlists and priority lists
- Affordable Housing for Faculty, and specifically Early-Career Faculty Housing Issues
- Office of Global Engagement
- LMS Data for Research
- Childcare and Dependent Care
- New Labor Agreement Issues
- Academic Freedom
- ADA Compliance on UCI Campus and Medical Facilities

**VIII. COUNCIL MEMBERSHIP**

Faculty Members:

Lisa Naugle, Chair, Arts  
Nadine Abi-Jaoudeh, Medicine (Clinical Science)  
Alexandre Chan, Health Sciences (Pharmacy and Pharmaceutical Sciences)  
Michael Cumsky, *Emeritus* - Biological Sciences  
Monica Daley, Biological Sciences  
Yingying Dong, Social Sciences  
Michael Hebert, Education  
Joyce Keyak, Medicine (Basic Science)  
David Kisailus, Engineering  
Abel Klein, Physical Sciences  
Jack Lerner, Law  
Haoping Liu, Medicine (Basic Science)  
Annie Mcclanahan, Humanities  
William Molzon, *Emeritus* - Physical Sciences  
Kenneth Murphy, Business  
Bonnie Nardi, *Emeritus* - ICS  
James Nowick, Physical Sciences  
Laura Alejandra Reyes Ruiz Del Cueto, Social Ecology  
Thorsten Ritz, Physical Sciences  
Katie Salen, ICS  
Elizabeth Van Es, Education

Consultants (non-voting)

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

Representatives (non-voting)

Ricardo Gonzalez, ASUCI  
Valentina Phung, ASUCI  
Nandini Sharma, ASUCI  
Neil Nory Kaplan-Kelly, AGS

Christina Tsou, LAUC-I

Ex Officio

George Miller, UCIEA

Council Analyst

Julie Kennedy