

**COMMITTEE ON PRIVILEGE AND TENURE &
COMPLAINT ADVISOR PANEL
ANNUAL REPORT
2019-2020**

To the Irvine Divisional Senate Assembly:

The Committee on Privilege and Tenure (CPT) respectfully submits its activities for the 2019-20 academic year.

I. Committee Charge and Operation

The primary 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 of these deliberations and proceedings are confidential.

Irene Tucker, Professor of English, chaired the Committee on Privilege and Tenure. The Committee as a whole met five times.

The Committee meets as needed, forming subcommittees to review and manage the early stages of the grievance and disciplinary processes. In addition, there are email exchanges throughout the year to discuss reviews of policy proposals at both the campus and system levels.

II. Campus and Divisional Issues

A. Dispute Intervention, Advising, and Cases

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 faculty member understand the process without entering into specific recommendations about specific cases, and 2) clarify the nature of issues and identify various avenues by which informal resolution with acceptance by all parties might be achieved.

In the past year, the chair engaged in multiple discussions with faculty and the administration about six active and potential “cases.” As a result of these efforts, and those of the Complaint Advisor Panel, the issues in many of these matters were clarified, deescalated, and/or resolved. It is the belief of the Irvine Committee on Privilege and Tenure that informal discussion and participation by the Committee can lead to effective compromises, a quicker resolution of concerns, and a reduction in formal hearings, antagonism and discontent.

The Committee reviewed one grievance during the 2019-20 academic year. This grievance involved the merit and promotion process. The Committee determined that the prima facie standard had been met for this grievance. A hearing will take place regarding this grievance in Fall 2020.

No disciplinary cases were reviewed by the committee.

No early termination cases were reviewed by the committee.

B. Policies and Procedures

In 2019-2020, CPT reviewed two divisional issues.

The Committee reviewed the Institutional Reference Check Policy proposed by Academic Personnel. Some members questioned the overall usefulness of such a policy. The Committee submitted comments that included some confusion about the timing of the reference check request, confidentiality of candidates throughout the process, what may define “substantiated misconduct,” access to records shared by a candidate’s previous institution, who may have access to a reference check report, how standardized the process may be considering the variety of institutions involved.

The Committee reviewed the Guidance Regarding Abusive Conduct and Bullying by Faculty proposed by Academic Personnel. The Committee submitted comments that included clearer definitions of “persistent” and “severe” behavior, suggested that the language in APM 015 and APM 016 be revised in light of the proposed guidelines, and indicated that the language in the guidance was vague about examples and consequences of abusive behavior, what may be considered “appropriate” action in cases of abusive conduct and bullying, and who may make a determination about whether abusive conduct occurred.

III. Complaint Advisor Panel

The Complaint Advisor Panel is composed of former CPT members who advise faculty on procedures relating to grievances and disciplinary actions.

Several faculty members were directed to panel members for assistance and advice with grievance procedures.

IV. Systemwide Issues

In 2019-2020, there were no systemwide issues circulated to CPT for review.

The University Committee on Privilege and Tenure, which includes CPT representatives from all ten campuses, met three times during 2019-2020 to discuss areas of common concern. Chair Tucker attended these meetings on behalf of CPT.

V. Carry-forward Items for 2020-21

The Committee will consider how best to utilize the Complaint Advisor Panel in fulfilling its charge with respect to addressing and responding to faculty grievances, discipline, and early termination cases. The Committee will also expect updates from Academic Personnel regarding the Institutional Reference Check Policy and the Guidance Regarding Abusive Conduct and Bullying by Faculty. Finally, the Committee plans to continue revising Appendix III of the Senate Manual, which addresses the Faculty Code of Conduct and Administration of Discipline.

VI. 2019-20 Committee on Privilege and Tenure

Irene Tucker, English (Chair and UCPT Representative)
Miles Coolidge, Art

James Earthman, Engineering
Michelle Garfinkel, Social Sciences
Steven Gross, Biological Sciences
Mahtab Jafari, Health Sciences (Pharmaceutical Sciences)
Raymond Novaco, Social Ecology
William Parker, Physical Sciences
Jennifer Terry, Humanities
Stephen White, Medicine (Basic)

VII. 2019-20 Complaint Advisor Panel

Donald Blake, Physical Sciences
Simon Cole, Social Ecology
Rodrigo Lazo, Humanities
Kristen Monroe, Social Sciences

Senate Analysts:

Julie Kennedy, Academic Senate
Gina Anzivino, Academic Senate
Kate Brigman, Academic Senate