

February 25, 2022

VPAA Herbert Lee
Chancellor's Office

Re: Revised Proposed Remote Work Guidelines for Senate Faculty

Dear Herbie,

Thank you for providing the Academic Senate with an opportunity to provide feedback on the revised proposed guidelines for remote work and the associated remote work agreement. The committees on Affirmative Action and Diversity (CAAD), Academic Personnel (CAP), Education Policy (CEP), Faculty Welfare (CFW), Information Technology (CIT), Teaching (COT), and Graduate Council (GC) have responded. The committee responses are insightful and detailed, and are therefore enclosed. Although some questions and concerns raised by the Senate during the initial review in 2020-21¹ have been addressed in this revision, responding committees raised concerns about those that were left unanswered, and about the continued need for a broader campus discussion on the topic of remote work before associated guidelines and/or policies are drafted.

The committee responses noted that the revised proposal has addressed some of the questions and concerns that were raised last year by the Senate during the initial review. In particular, CAAD was pleased to see that the revised guidelines now include an explicit appeals process for cases in which a faculty member's request for a remote work agreement has been denied. COT noted the effort to address previously raised questions and concerns regarding restrictions on overseas remote work, expectations to attend meetings at remote locations, and the need for a requirement of a detailed plan for the supervision and mentorship of students. However, questions regarding what other campuses are doing with regards to Senate faculty remote work, and what constitutes a compelling or "exceptional personal need," remain unanswered. Further, concerns about the lack of clear criteria for assessing remote work requests, and the underlying motivation for this proposal, continue to be raised.

The revised guidelines have raised additional questions and concerns, including:

- The appearance of stricter conditions on the use of faculty funds for remote work than normally apply to on-campus expenditures. (CAAD)
- The absence of a proposed timeline detailing steps such as how far in advance faculty are required to complete the Remote Work Agreement form. (COT)
- A need to clarify new language about the requirement for departments to be "willing and able to make all meetings remotely accessible." (CAAD)

¹ Brundage to Lee, 4/16/21, Re: Proposed Remote Work Policy for Senate Faculty

- A need to articulate a distinction between remote instruction and other remote work. (CFW)
- The potential impacts of an increase in remote work on the overall quality of education, and the distribution of work in departments/units. (CEP / COT / GC)

You will see in the responses that there continues to be no consensus of support for a remote work policy for Senate faculty. As stated in the Senate's response to the original draft of this proposal, there is a clear need for a broader campus discussion on the topic of remote work in order to determine an appropriate path forward before guidelines and policies can be drafted and approved. As such, I would like to invite you to consult with the Senate Executive Committee (SEC) so that we may collaborate on making plans for such a discussion.

Thank you once again for the opportunity to provide feedback on this proposal. We look forward to meeting with you in the near future.

Sincerely,



David Brundage
Chair, Academic Senate

encl: Senate Committee Response Bundle

cc: Kirsten Silva Gruesz, Chair, Committee on Affirmative Action and Diversity
Stefano Profumo, Chair, Committee on Academic Personnel
Tracy Larrabee, Chair, Committee on Educational Policy
Nico Orlandi, Chair, Committee on Faculty Welfare
Peter Alvaro, Chair, Committee on Information Technology
Catherine Jones, Chair, Committee on Teaching
Melissa Caldwell, Chair, Graduate Council
Grace McClintock, Assistant Vice Provost, Academic Personnel
Matthew Mednick, Director, Academic Senate

February 15, 2022

David Brundage, Chair
Academic Senate, Santa Cruz Division

Re: Revised Proposed Remote Work Guidelines for Senate Faculty

Dear David,

The Committee on Affirmative Action and Diversity (CAAD) has reviewed and discussed the revised proposed remote work guidelines. CAAD was pleased to see that the revised guidelines now include an explicit appeals process for cases in which a faculty member's request for a remote work arrangement is denied by their department chair. However, CAAD still has several concerns about the content and imprecise wording of the policy.

- In our previous correspondence, CAAD requested that the conditions on international remote work be clarified. The revised guidelines still fall short in this respect. VPAA Lee's memo on Dec. 16, 2021 says:

“The restriction that routine remote work must be done within the United States is due to tax, employment, and immigration laws.”

And the revised guidelines read:

“Any UCSC employee working remotely must be based in a location within the United States...Consult with the Academic Personnel Office before conducting or approving remote work outside of the United States.”

CAAD is confused as to why APO could be contacted regarding remote work outside the US if the “Office of the President does not provide any flexibility to the campuses on this issue,” as the same memo states. Either remote work is permitted abroad, or it is not.

CAAD also reiterates that this policy clearly disadvantages faculty who conduct research abroad, and/or who might need to be located in another country during “an exceptional personal need” (e.g. to care for a family member living in another country, or to deal with visa issues interfering with a return to the US). If this policy does not provide all faculty with equivalent opportunities for remote work, it poses a significant equity issue.

- CAAD recommends that this policy should explicitly state that remote work arrangements under this policy are not alternatives or replacements for existing policies relating to family leave and disability-related accommodations.
- VPAA Lee's Dec. 16 memo states that “use of research funds or start-up for equipment for remote work...would generally be allowable for the remote work location if they are allowable expenditures for on-campus work.” However, the revised remote work agreement states that “expenses will be reimbursed from university funds only if the chair and department manager agree to the purchase in advance.” This would appear to place stricter conditions on the use of faculty funds for remote work than normally applies to on-campus expenditures. That seems at odds with the suggestion that normal purchasing practices would apply under a remote work agreement.

- The proposed policy requires faculty working abroad to complete a Self-Certification Safety Checklist before beginning remote work, and notes that “Employees are responsible for ... resolving any safety concerns ... before routine telecommuting/remote work begins.” It is unclear whether faculty research funds could be used for resolving safety concerns, or whether faculty would be required to pay out of pocket for such expenses, as apparently is the case for ergonomic evaluations (the draft Faculty Remote Work Agreement reads, “I understand I am responsible for arranging the alternate worksite in an ergonomically sound manner, at my own expense”).
- The assertion in the revised remote work policy that “The University expects that [routine work] obligations would normally be met through physical presence on campus **every weekday** throughout the academic year” is still not supported by any reference to established CAPM or APM policy, as far as CAAD is aware.
- The proviso in the revised guidelines that “The department must be willing and able to make all meetings remotely accessible” is worded ambiguously. It could be read either as imposing an obligation on the department (i.e. the department is required to make all meetings remotely accessible if a faculty member requests remote work accommodations) or as placing a condition on approval of the request (i.e. the request will only be approved if the department is willing to commit to making all meetings remotely accessible). We recommend that this language be clarified.
- CAAD is unconvinced that liability considerations support the restriction against any in-person meetings at the remote worksite (VPAA memo). If off-campus meetings at third-party locations are acceptable in Santa Cruz County, there is no obvious reason why the relevant liability considerations should be different elsewhere. That said, CAAD does support the restriction against in-person meetings at the remote worksite “to be clear that graduate students cannot be expected to meet at the remote location” (VPAA memo).

Thank you for the opportunity to weigh in on these proposed policy changes.

Sincerely,



Kirsten Silva Gruesz, Chair
Committee on Affirmative Action and Diversity

cc: Stefano Profumo, Chair, Committee on Academic Personnel
Tracy Larrabee Chair, Committee on Educational Policy
Nico Orlandi, Chair, Committee on Faculty Welfare
Melissa Caldwell, Chair, Graduate Council
Peter Alvaro, Chair, Committee on Information Technology
Julie Guthman, Chair, Committee on Privilege and Tenure
Kate Jones, Chair, Committee on Teaching

February 18, 2022

David Brundage, Chair
Academic Senate

Re: Revised Proposed Remote Work Guidelines for Senate Faculty

Dear David,

During its meeting of January 13, 2022, the Committee on Academic Personnel (CAP) reviewed VPAA Lee's revised proposed Remote Work Guidelines for Senate Faculty. The committee raised concerns about the top down approach of the policy, the possibility of inequity concerns with staff colleagues, and the need to include more examples of reasons why faculty may need to work remotely.

Members noted that during the original review of these proposed guidelines, the Senate made a clear statement on the need for a broader conversation regarding remote instruction in order to determine the "appropriate path forward"¹. This call has not been answered, and as such, CAP is concerned about the top down directive of this unprecedented policy. We recommend that a campus-wide conversation occur at a Senate meeting or town hall meeting, before such proposed guidelines may be appropriately considered and, if necessary, revised. Members also noted that concerns may be raised about inequities with staff colleagues, who are governed by different remote work guidelines. In addition, members suggest including language in the guidelines to acknowledge that the expectation of physical presence may not be met by every faculty member in the same way, especially under conditions similar to those the ongoing pandemic has brought about.

The guidelines state that remote work should only be approved when there is a compelling reason such as "research or an exceptional personal need". CAP recommends that the guidelines include specific examples of research and personal need in order to better define the reasons why faculty may need to work remotely. Research productivity in particular should be addressed as part of pandemic contingency in the same explicit and systematic way as it is in the campus letter on COVID impacted personnel reviews of May 2021². If these guidelines more fully linked planning for the pandemic impact on teaching and research in a remote context, they would strengthen the overall coherence of what have necessarily been fragmented messages scattered over the past two years. CAP finally notes that the word "senate" should be capitalized throughout the documents.

Thank you for the opportunity to opine.

Sincerely,



Stefano Profumo, Chair
Committee on Academic Personnel

¹Brundage to Lee, 4/16/21, Re: Proposed Remote Work Policy for Senate Faculty

² Kletzer and Ito to Senate Faculty, 5/11/21, Re: Addressing Impacts of COVID-19 in the Faculty Personnel Review Process

cc: Kirsten Silva Gruesz, Chair, Committee on Affirmative Action and Diversity
Nico Orlandi, Chair, Committee on Faculty Welfare
Tracy Larrabee, Chair, Committee on Educational Policy
Peter Alvaro, Chair, Committee on Information Technology
Catherine Jones, Chair, Committee on Teaching
Melissa Caldwell, Chair, Graduate Council
Julie Guthman, Chair, Committee on Privilege and Tenure
Senate Executive Committee

February 4, 2022

David Brundage, Chair
Academic Senate, Santa Cruz Division

Re: Revised Proposed Remote Work Guidelines for Senate Faculty

Dear David,

The Committee on Educational Policy has reviewed the revised proposed remote work guidelines for Senate faculty. The committee continues to have several concerns including the underlying motivation for the proposal, the scope of its use, and its consequences for the quality of undergraduate education.

The initial response from the academic senate began by noting that the motivation for the proposed policy was unclear. CEP members think that the revision does not yet provide sufficient explanation of the reasoning behind the proposed guidelines for faculty working remotely. The cover letter points out that guidelines for staff who are interested in an ongoing remote work arrangement were recently developed which allow flexibility to work partly or completely remotely. The motivation for the proposal appears to be inquiries from some faculty about working remotely partly or completely as well. The functions and responsibilities of staff positions vary widely. In-person contact and presence on campus may not be required for many staff positions as evidenced by the use of the Scotts Valley location for business, finance, and similar functions. Alternatively, many staff responsibilities cannot be carried out away from the physical facilities of the campus or in-person contact.

- CEP members are concerned that this motivation does not take account of the importance of meeting with students in person for instruction, advising, and mentoring. The substantive differences between the proposed policy and current policies seem to impact teaching. The consequences for undergraduate education need to be acknowledged and addressed.
- Current policies enable temporary absences, for professional or emergent reasons, from campus during the academic year. The proposed policies would allow a change in duty station for a full term. For example, CAPM 902.000 allows for remote work during periods of regular service when necessary to carry out research. The proposed change would allow a change of duty station even if the research materials or facilities are available at another time of year. CEP members ask that the need and justification for this change be addressed.
- CEP members did not find the proposal clear as to whether a remote working accommodation could be permanent or only temporary.
- We wonder whether the proposed policy is needed to allow a faculty member to work remotely due to a temporary circumstance. CEP members were under the impression that the discretionary authority of the campus already allows exigencies to be accommodated. Are we mistaken? Is this policy meant to accommodate exigent circumstances?

Our concern is maintaining a UC quality education for our undergraduate students. The proposed policy poses a challenge for CEP because it suggests regularizing remote teaching, which members believe should only be allowed in exceptional circumstances. The broad

consensus in the UC and elsewhere is that for most courses remote teaching during the pandemic has been less effective than the status quo ante. If we are mistaken in following this consensus, we would be open to receiving information about this.

CEP recommends inviting Vice Provost for Academic Affairs Lee to attend a Senate Executive Committee (SEC) meeting for a deeper and more specific consultation.

Sincerely,



Tracy Larrabee, Chair
Committee on Educational Policy

cc: Senate Executive Committee
Kirsten Silva Gruesz, Chair, Committee on Affirmative Action and Diversity
Stefano Profumo, Chair, Committee on Academic Personnel
Nico Orlandi, Chair, Committee on Faculty Welfare
Melissa Caldwell, Chair, Graduate Council
Peter Alvaro, Chair, Committee on Information Technology
Catherine Jones, Chair, Committee on Teaching
Julie Guthman, Chair, Committee on Privilege and Tenure

February 9, 2022

David Brundage, Chair
Academic Senate

Re: Revised Proposed Remote Work Guidelines for Senate Faculty

Dear David,

During its meeting of January 20, 2022, the Committee on Faculty Welfare (CFW) reviewed the revised remote work guidelines for Senate Faculty provided by VPAA Lee. Members raised concerns about the administration's attempt to push through a remote work policy without a broad campus discussion on the topic. The committee also recognized the need to redefine the word "presence" in the current climate, and to separate the discussion of remote instruction from that of remote service and research.

First and foremost, CFW notes that the Senate's response to the original proposed work guidelines clearly stated the need for a "broader Senate discussion on the topic of remote work in order to determine an appropriate path forward, before guidelines and policies are drafted and approved."¹ This discussion has not taken place, yet the Senate is being asked to provide feedback on a revised remote work policy. This does not reflect our campus's long standing commitment to shared governance.

The topic of remote work is of significant importance to the university as a whole, and we think that it requires a broad discussion and consensus prior to the drafting of policy. Such a discussion could take place during a Senate or campus town hall meeting. The discussion should address what is meant by the word "presence," and how the word should be interpreted in campus and systemwide policy amidst the current climate. Further, CFW members recognized that departments are handling remote work and instruction differently, and we recommend that the campus discussion of remote work include a conversation of how departments and divisions are approaching the topic in order to reduce variations and enhance equity in terms of remote work access, approval criteria, and implementation.

Members noted that the revised proposed guidelines speak to "remote work" in a way that seemingly lumps together teaching, research, and/or service. CFW contends that remote instruction should be separated from remote service as there is quite a bit of variance between the effect of teaching remotely and the effect of remote attendance at department meetings, for example, on the overall structure and mission of our institution. Such distinctions should be included in the campus discussion.

¹ Senate Chair Brundage to VPAA Lee, 4/16/21, Re: Proposed Remote Work Policy for Senate Faculty

CFW notes that remote work is an increasingly complex issue. As such, and in the absence of a broad campus discussion with stakeholder consensus on terminology, expectations, and criteria, CFW is unable to support any proposed policy on remote work.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nico Orlandi', written in a cursive style.

Nico Orlandi, Chair
Committee on Faculty Welfare

cc: Kirsten Silva Gruesz, Chair, Committee on Affirmative Action and Diversity
Stefano Profumo, Chair, Committee on Academic Personnel
Tracy Larrabee, Chair, Committee on Educational Policy
Peter Alvaro, Chair, Committee on Information Technology
Catherine Jones, Chair, Committee on Teaching
Melissa Caldwell, Chair, Graduate Council
Julie Guthman, Chair, Committee on Privilege and Tenure
Senate Executive Committee

February 15, 2022

David Brundage, Chair
Academic Senate

Re: Revised Proposed Remote Work Guidelines for Senate Faculty

Dear David,

During its meeting of February 2, 2022, the Committee on Information Technology (CIT) reviewed the revised remote work guidelines for Senate Faculty provided by VPAA Lee. Members noted that questions and concerns that were raised during the initial review remain unanswered, raised concerns about tone, and agree that drafting a policy on Remote Work prior to a broad Senate discussion on the topic is premature.

CIT was pleased to find that the revised guidelines provide more clarity about definitions (such as that of "compelling personal need" and expectations regarding remote mentorship) and logistics (e.g., reimbursement of remote work expenses). However, many of the questions and concerns that were raised in the Academic Senate response to the original proposed Remote Work Guidelines¹ remain unanswered in this proposed revision.

The motivation for this policy is still unclear. Members are still questioning what the compelling reasoning is behind establishing such guidelines, and why such guidelines are needed at this current moment in time. In addition, CIT and Graduate Council's request for guidelines and/or a requirement of a detailed plan for mentoring was not met in this revision. More importantly, there has not yet been a broad Senate discussion on the topic of remote work in order to determine an appropriate path forward. Such a conversation could address the philosophical question of how the notion of "presence" referenced in UC and campus policy may be changing, weigh the pros and cons of remote work, and help to separate and determine unique criteria and processes for remote instruction and other forms of remote work.

Members raised concerns around the tone used throughout the draft guidelines, which appears to implicitly discourage the use of remote work. The cover letter for the review appears to suggest that this policy aims to create more flexibility for those who may find themselves in a position where they need to request this type of work. However, the tone in the guidelines suggests otherwise. If the intention and spirit of this policy is actually to help faculty who may need to request remote work, members questioned why remote work would be limited to one quarter, and why there would be so many hurdles to overcome in order to get approval for an online course. Members acknowledged that a faculty colleague who finds themselves in a difficult situation that requires remote work, may not be able to jump through all the required hoops.

¹ Brundage to Lee, 4/16/21, Re: Proposed Remote Work Policy for Senate Faculty

Overall, after review and in depth discussion, CIT members continue to question, “Why this? Why now?” As these and other Senate questions remain unanswered, and there has not yet been a broader discussion on remote work, CIT is unable to support these revised proposed Remote Work Guidelines.

Sincerely,



Peter Alvaro, Chair
Committee on Information Technology

cc: Kirsten Silva Gruesz, Chair, Committee on Affirmative Action and Diversity
Stefano Profumo, Chair, Committee on Academic Personnel
Tracy Larrabee, Chair, Committee on Educational Policy
Nico Orlandi, Chair, Committee on Faculty Welfare
Catherine Jones, Chair, Committee on Teaching
Melissa Caldwell, Chair, Graduate Council
Julie Guthman, Chair, Committee on Privilege and Tenure
Senate Executive Committee

February 15, 2022

David Brundage, Chair
Academic Senate, Santa Cruz Division

RE: Proposed Revised Remote Work Guidelines for Senate Faculty

Dear David,

The Committee on Teaching (COT) has reviewed the revised proposed Remote Work Guidelines for Senate Faculty circulated by Vice Provost for Academic Affairs (VPAA) Herbert Lee. We note the effort to address previously raised questions and concerns, especially with respect to the restriction on overseas remote work, restrictions on meetings conducted off-campus, and relevant provisions regarding graduate student advising. We offer these comments on the revised policy, primarily related to its implementation and possible implications for issues of workload and equity, in the spirit of supportive collaboration in developing a sustainable policy.

Some of the questions that the policy raises concern the relatively vague language in the draft around the criteria that might guide Department Chairs and Deans in evaluating requests for remote working arrangements. While we understand the value of leaving a certain amount of flexibility in the policy to accommodate a variety of situations, we can also imagine that without more concrete and transparent procedures, equity issues may arise in the process of approving or denying one request or another. Relatedly, the policy's vagueness concerning the number or percentage of faculty in a department who can be approved for remote working in a given quarter leaves open the possibility of labor being disproportionately taken on by faculty and staff who remain in person.

Another area where members of COT raised concerns relates directly to teaching. By providing an avenue for faculty to work entirely remotely for periods of time, the policy would directly affect - and potentially increase - the number of fully online courses taught in a given quarter in a department. Apart from larger issues concerning the purpose and role of online teaching, this might also add complexity to the scheduling process and impact the mix of online and in-person courses delivered in a quarter. These issues are compounded by the absence of a proposed timeline in the draft guidelines detailing steps such as how far in advance faculty are required to complete the Remote Work Agreement form. We would also like to note that in addition to the topic of online teaching, the remote work policy has ripple effects for a range of other departmental, divisional, and campus events, such as faculty meetings and student advising. It is conceivable, for example, that one faculty member or another in a department may be working remotely throughout the year, making it necessary for units to move increasingly towards a model of remote meetings and events.

We appreciate the opportunity to comment on this important policy.

Sincerely,



Catherine Jones, Chair
Committee on Teaching

cc: Stefano Profumo, Chair, Committee on Academic Personnel
Kirsten Silva Gruesz, Chair, Committee on Affirmative Action and Diversity
Tracy Larrabee Chair, Committee on Educational Policy
Nico Orlandi, Chair, Committee on Faculty Welfare
Melissa Caldwell, Chair, Graduate Council
Peter Alvaro, Chair, Committee on Information Technology
Julie Guthman, Chair, Committee on Privilege and Tenure

February 11, 2022

David Brundage, Chair
Academic Senate

RE: Revised Remote Work Guidelines for Senate Faculty

Dear David,

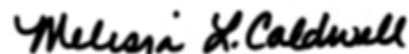
At its meeting of January 27, 2022, Graduate Council reviewed VPAA Lee's proposed "Remote Work Guidelines for Senate Faculty." Council opined on an earlier version of the guidelines during spring 2021.

VPAA Lee notes in his transmittal letter that the purpose of the proposed policy is to provide more opportunity for fully remote work than is currently envisioned under policy. In its response to the first iteration of this proposal, Council (in correspondence dated 4/7/21) noted that while it recognized the value in policy guiding faculty remote workload practices, Council also "believes that the quality of instruction and graduate student mentoring/advising is generally best achieved in person." During this current review, members continued to express these concerns, noting the potential negative impacts on graduate student mentoring and the potential degradation of the student experience of more fully remote work. These issues have not been sufficiently addressed in this revision. Graduate Council continues to be concerned about the impacts on graduate student quality of mentoring and timely progress that this policy might have.

Further, members noted concern about the uneven workload that could result, or the increased workload for faculty who remain in person. Faculty who remain in person could end up picking up the extra workload by virtue of their increased presence and visibility. Additionally, the hybrid model, with some faculty present and others remote, may in fact represent more work for everyone. Putting this on the department chair to manage is also an additional burden and workload. Reducing faculty presence on campus might also bring with it impacts on department climate.

Overall, Graduate Council continues to be concerned with the impacts of remote work on graduate student mentoring and progress to degree, areas that have begun to be addressed, but are not sufficiently resolved in this revised proposal. The degree to which faculty workload could be impacted by remote agreements, and the potential negative impact on department academic culture for a future post-pandemic environment (which Council recognizes we are not yet in), seem to be potential losses that, while difficult to calculate, are not fully grappled with in the proposal.

Sincerely,



Melissa L. Caldwell, Chair
Graduate Council

cc: CAAD Chair Silva Guesz
CAP Chair Profumo
CEP Chair Larrabee
CFW Chair Orlandi
CIT Chair Alvaro
COT Chair Jones
P&T Chair Guthman