

**COMMITTEE ON PRIVILEGE AND TENURE**  
**Annual Report 1999-2000**

To the Academic Senate, Santa Cruz Division:

During the course of the year, the Committee on Privilege and Tenure (P&T) met about a dozen times, its subcommittees met more frequently than that, and, in addition, P&T held one formal hearing.

**POLICY:**

The Committee provided input to UCP&T on several matters. We commented on several aspects of the new draft Senate bylaws dealing with faculty grievances, early termination, and discipline as well as on draft revisions to APM 015 dealing with faculty discipline. We also provided additional comments on the mechanisms being put in place for providing legal expertise to P&T committees on campuses without law schools.

The Privilege and Tenure Committee was in communication with the Narrative Evaluations Student Grievance Hearing Committee about Senate bylaws and the jurisdiction of P&T. We also had communications with both the Committee on Academic Personnel and with Provost Simpson about certain aspects and interpretations of the APM in personnel cases.

The Committee had occasion to comment on working conditions for emeriti -- specifically office space and support services. The Committee strongly urged that a campus policy be developed in this area and that its implementation should enhance the ability of emeriti to remain an active part of the academic enterprise at UCSC.

The Committee decided to delay until 2000-2001 a detailed review of the UCSC disciplinary policy (APM 002.015). We did this for two reasons. (1) We gained considerable practical experience regarding faculty discipline during 1999-2000, and (2) there were many modifications to both the systemwide bylaws and APM being drafted last year. A careful review of our own policy will be more effective in the light of new systemwide policies.

**GRIEVANCE:**

The Committee actively dealt with formal grievances from five faculty members this year. The committee received three grievances this year, and one had been received too late in 1998-99 for formal action. In addition, one grievance from the previous year was already in active negotiation at the start of the 99-00 academic year, and a resolution satisfactory to all parties was achieved for this particular grievance.

The four sets of grievances on which the Committee initiated work this year have led to the following results. For one set of grievances, the Committee found that the grievant did not establish a prima facie case that his/her rights had been violated. For two sets of grievances, the Committee did find a prima facie case for the violation of the grievant's rights, and a satisfactory resolution was reached among the grievant, the Administration, and the Committee. In one case, the Committee did find a prima facie case for violation of the faculty member's rights, but a successful resolution of the matter has not yet been achieved.

The Committee would like to praise the work of the P&T Advisors who made our job easier. The P&T Advisors are a group of faculty, usually with experience on P&T, who are available to provide advice and assistance to faculty who believe that their rights and privileges may have been violated. These advisors can help faculty members determine if they have a viable grievance, and they can also provide help to faculty in preparing and filing a grievance complaint with P&T.

**DISCIPLINE:**

During the year, the Committee had before it formal disciplinary charges [in the sense of UCSC APM 002.015 (E)] against two members of the faculty. In one of these cases, the Administration, the accused, and the Committee all agreed that there was good cause to hold the matter over until the 2000-2001 academic year. To help deal with the legal issues involved in real cases of proposed faculty discipline, P&T was able to again recall Emeritus Professor Dick Wasserstrom, with funding from the administration, to provide legal assistance to the Committee. The Committee is extremely grateful to Professor Wasserstrom for his help and advice during both prehearing and hearing phases of these cases.

During the Winter and Spring of 2000, a formal hearing on one of the disciplinary cases was held. Incidentally, this represents the second consecutive year in which a formal disciplinary hearing was held, after a hiatus of more than 15 years at UCSC. A subset of P&T constituted the formal Hearing Committee, which issued a formal report to the Chancellor following the closing of the hearing. The Chancellor's ultimate decision in this matter was completely in accord with the recommendations of the Hearing Committee.

Respectfully submitted,

COMMITTEE ON PRIVILEGE AND TENURE

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