

COMMITTEE ON PRIVILEGE AND TENURE
Annual Report, 2006-2007

To the Academic Senate, Santa Cruz Division:

The Committee on Privilege and Tenure (P&T) met regularly during the academic year with the Chair serving as a member of the system-wide UCP&T committee. Subcommittees worked to investigate and report back on individual cases. We held no formal hearings.

Policy and Procedures

The Committee was asked to evaluate proposed changes to the academic personnel manual. We approved of the final changes in APM 220 covering criteria for advancement to Professor Step VI and Above Scale and changes to APM 620 covering policy on off-scale salaries. The Committee also reviewed the UCAP Synopsis on the Present Status of the UC Merit and Promotion System.

The Committee proposed a revision of Santa Cruz Division of the Academic Senate Bylaw 13.26.3 concerning the charge of P&T Advisors. The proposed change brought the Divisional Bylaw into accordance with the UC Bylaw 335B by clarifying that P&T Advisors provide members of the Academic Senate with advice on grievance matters but not on disciplinary matters. The proposed revision was passed by the Senate at the May 30, 2007 meeting.

The Committee responded to a proposal regarding the reporting of allegations of violations of Title IX and/or Equal Employment Opportunity made in a draft report of UCSC Internal Audit #SC-06-11. In responding, we explained that the Committee's charge requires it to address faculty grievances that allege violations of faculty rights and privileges at the University. The Committee concluded that the privacy of a grievant should be protected and their choices of whether to file complaints of violations of non-discrimination laws with the appropriate campus compliance officers be respected. When a grievance contains allegations or possible allegations of violations of Federal or State non-discrimination laws, the Committee chair informs the faculty member of their right to address the issue with the Title IX/Sexual Harassment Office and the Equal Employment Opportunity/Affirmative Action officer (EEO/AA), respectively. The chair also informs the faculty member that the committee does not have the authority or expertise to investigate potential violations of the individual's civil rights. The Committee recommends that its chair provide a written statement to a faculty member to this effect if a grievance raises allegations of possible violations of Title IX or EEO.

The Divisional Committee discussed and contributed to the UC Committee on Privilege and Tenure (UCP&T) responses to two additional policy proposals. UCP&T raised concerns about serious implementation difficulties inherent in the proposed policy on Open Access (follow up to 5/10/06 UC Faculty Scholarly Work Copyright Rights Policy).

The Committee expressed concern for the potential for P&T grievances to arise relating to how publications are characterized in personnel reviews; compliance issues (and related penalties) with the proposed opt-out provisions; the additional bureaucratic burden on faculty; and implications on faculty should university-publisher negotiations break down. The Committee urged that these matters be carefully reconsidered and incorporated into a revised proposal. UCP&T opposed Regents proposed RE-89: Restricting University Acceptance of Funding from the Tobacco Industry on the basis of potential violations of academic freedom, and reiterated the position in opposition taken by the Academic Assembly on October 11, 2006.

Grievances and Disciplinary Hearings:

The Committee handled two grievances this year. One was carried over from the previous year and the second was submitted in 2007. The committee reached an informal resolution of the first grievance. The second grievance required investigation of the circumstances by the committee with the assistance of the campus administration. The Committee ultimately found that no violation of the faculty member's rights and privileges was evident. The Committee prepared a disciplinary hearing for charges delivered by the Campus Provost/ Executive Vice Chancellor (CP/EVC) in 2005-06. The hearing was cancelled after postponement when the faculty member reached a settlement with the university. The CP/EVC delivered a notice of a proposed disciplinary action to another faculty member in 2006-07. The faculty member waived his/her right to a hearing and reached a settlement with the university.

P&T Advisors:

P&T advisors are faculty members who can give advice and assistance to colleagues who believe that their rights and privileges may have been violated. Through the help they give to faculty in analyzing, preparing, and filing their cases, P&T advisors are crucial to the committee's smooth operation. A list of P&T Advisors is available at:

http://senate.ucsc.edu/p_t/P&T%20Advisors0607.pdf

Respectfully Submitted,

COMMITTEE ON PRIVILEGE AND TENURE

Ilan Benjamin
Martin Berger
Lisbeth Haas
Lourdes Martinez-Echazabal
Richard Otte
Ken Pedrotti (F, W)
Ken Kletzer, Chair

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