

**COMMITTEE ON PRIVILEGE AND TENURE**  
**Annual Report 2016-17**

To: Academic Senate, Santa Cruz Division

**Grievances**

Three grievances were filed with the committee during the 2016-17 academic year. Of these, two have been resolved and the third will carry forward into the 2017-18 year.

**Charges**

Charges were presented by the administration against one member of the faculty this year. A hearing was conducted during the spring quarter on the matter. The hearing committee is awaiting closing briefs from the parties.

**Proposed Revisions to Academic Personnel Manual Sections 15 and 16 and to Senate Bylaw 336**

The Committee on Privilege and Tenure (P&T) reviewed the proposed revisions to Academic Personnel Manual sections 015 and 016 and Senate Bylaw 336 during the 2016-17 academic year. In general P&T thought that there remained unnecessary vagueness in the text of the proposed revisions and suggested substitute language where possible, particularly in Academic Personnel Manual sections 015 and 016. Comments were more substantive related to Systemwide bylaw 336. Here the committee felt strongly that the systemwide bylaw should be brought into line with UCSC practice with regard to how charges are served upon the faculty member (respondent) or the UCSC practice brought in line with the method described under SB 336.B.1. The committee also recommended that the terms "respondent" and "Divisional Privilege and Tenure Committee" be used consistently throughout the document to avoid confusion.

The more specific comments related to SB 336.C and its interrelated subsections. First, the original language in SB 336.C said "The Committee may refer the case to mediation (SBL 336.C) or appoint a hearing committee (SBL 336.D)." The proposed amendment deletes "refer the case to mediation (SBL 336.C) or", leaving "The Committee may appoint a hearing committee (SBL 336.D)." The resulting language is inconsistent with APM 015.III.A.4, which says that "In cases where the Chancellor wants a disciplinary action to proceed, the Divisional hearing committee must hold a hearing ...". SB 336.B.3 should say "The divisional P&T committee must appoint ...".

In that same section 336.C.1.c reads: "If a negotiated resolution is reached after charges are filed, the Chancellor ... should inform the Privilege and Tenure Committee if the matter is resolved." We have two issues with this language. First, we think it should be that the Chancellor *must* inform the P&T committee, since in that situation P&T will be in the process of making arrangements for a hearing, and really *must* be informed if a negotiated resolution has been reached. The second issue is that under the circumstances described, the P&T committee should not be notified *if* the matter has been resolved (since it has), but *that* the matter has been resolved.

**Title IX Training**

During the winter quarter P&T members participated in a Title IX training led by Tracey Tsugawa, Title IX Officer for UCSC.

Respectfully submitted;

COMMITTEE ON PRIVILEGE AND TENURE

Josh Deutsch

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