



CHAIR, ACADEMIC SENATE
RIVERSIDE DIVISION
UNIVERSITY OFFICE BUILDING, RM 225

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March 12, 2019

Robert May, Chair, Academic Council
1111 Franklin Street, 12th Floor
Oakland, CA 94607-5200


RE: [Systemwide Review] Proposed Revisions to Senate Bylaw 336

Dear Robert,

During our March 11, 2019 meeting, the Executive Council of the Riverside Division conducted a significant discussion on the matter of these Proposed Revisions. The Division's P&T Analyst offered contextual information as part of this discussion. Council voiced concern about the apparent possibility that Chancellors can wait up to three year before acting on an allegation. Some members voiced concern at the language of the Bylaw, stating that it seems to be phrased in terms that are best understood by someone trained in jurisprudence as opposed to a common faculty member. Another important point that emerged concerned the possible unreliability of email correspondence as the primary or exclusive method of communication in cases that concern Bylaw 336.

I have included all standing committee responses to the Proposed Revisions. There is feedback throughout, although i will emphasize that a few of the most important points concern applicability to international students (as well as procedures to ensure appropriate method of communication across cultural and linguistic differences), congruence of deadlines with existing procedures of divisional committees, and the anticipated difficulty of meeting expedited deadlines during the summer months due to faculty serving 9 month appointments (and often assuming research or other responsibilities during the summer). I trust the attached consultative memos will further aid the review process.

peace



Dylan Rodriguez
Professor of Media & Cultural Studies and Chair of the Riverside Division

CC: Hilary Baxter, Executive Director of the Academic Senate
Cherysa Cortez, Executive Director of UCR Academic Senate Office

 UNIVERSITY OF CALIFORNIA
UCRIVERSIDE | **Academic Senate**
COMMITTEE ON ACADEMIC FREEDOM

February 25, 2019

To: Dylan Rodriguez, Chair
Riverside Division of the Academic Senate

From: John S. Levin, Chair 
Committee on Academic Freedom (CAF)

Re: **Proposed Bylaw Revision: Proposed Revisions to Senate Bylaw 336**


The Committee on Academic Freedom considered “Proposed Bylaw Revision: Proposed Revisions to Senate Bylaw 336.” Only one member of the Committee commented. Essentially the revisions conform to the previous policy but speed up the process. Does this pace jeopardize the rights of faculty or the fairness of the process? This issue needs to be considered. Finally, a technical matter on item #4, the use of “videoconferencing” is noted, but not “teleconferencing” for testimony. Testimony by “teleconferencing” should be permitted.



COMMITTEE ON ACADEMIC PERSONNEL

January 14, 2019

To: Dylan Rodriguez
Riverside Division Academic Senate

From: Rajiv Gupta, Chair 
Committee on Academic Personnel

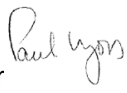
Re: UPDATED. Systemwide Review. Proposed Bylaw Revision. Proposed Revisions to Senate Bylaw 336

The Committee on Academic Personnel considered the updated proposal to revise Senate Bylaw 336 and did not identify any issues or problems relevant to the Committee on Academic Personnel. However, members did note concerns with the shortened time frame being unrealistic as well as questioning if email is a sufficient method of notification.



February 11, 2019

To: Dylan Rodríguez, Chair
Riverside Division

From: Paul Lyons, Chair 
Committee on Educational Policy

Re: Proposed Revisions to Senate Bylaw 336

The Committee on Educational Policy (CEP) reviewed the proposed revisions to Senate Bylaw 336 at their February 8, 2019 meeting and were supportive of the revisions to require a hearing no later than 60 days after charges are filed by the Chancellor and the delivery of a hearing report to the Chancellor no later than 30 days after the conclusion of the hearing.



February 14, 2019

To: Dylan Rodriguez
Chair, Riverside Division Academic Senate

Fr: Timothy J. Close
Chair, Committee on Charges

Re: Systemwide Review of Proposed Revisions to Senate Bylaw 336

The Charges Committee considered the proposed revisions to Senate Bylaw (SBL) 336. The Committee finds the proposed revisions to be clear and has no further comments to provide.

We appreciate the opportunity to review and opine on this systemwide matter.

UNIVERSITY OF CALIFORNIA, RIVERSIDE



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EXECUTIVE COMMITTEE:
COLLEGE OF HUMANITIES, ARTS, AND SOCIAL SCIENCES

RIVERSIDE, CALIFORNIA 92521-0132

February 28, 2018

TO: Dylan Rodriguez, Chair
Academic Senate

FROM: Johannes Endres, Chair
CHASS Executive Committee

RE: Proposed Bylaw Revision: Proposed Revisions to Senate Bylaw 336

The CHASS Executive Committee discussed the Systemwide Review of the Proposed Bylaw Revision: Proposed Revisions to Senate Bylaw 336 at the regular meeting on January 23, 2019. The committee recognized the recommendation from the California State Auditors to streamline the process and make the process quicker. There were no objections and the committee approved the proposed revision.

Johannes Endres, Chair

CHASS Executive Committee



January 30, 2019

To: Dylan Rodriguez, Chair
Riverside Division

From: Nicole zur Nieden, Chair
Committee on International Education

RE: Systemwide Review: Proposed Revisions to Senate Bylaw 336

The committee reviewed the proposed revisions to Senate Bylaw 336. The committee would like to know how this applies to international students and if there are any policies or procedures in place to account for cultural differences and languages barriers.



February 20, 2019

To: Dylan Rodriguez, Chair
Riverside Division

From: Louis Santiago, Chair, Executive Committee
College of Natural and Agricultural Science

Re: Systemwide Review: Proposed Revisions to Senate Bylaw 336

The CNAS Executive Committee discussed the Proposed Revisions to Senate Bylaw 336 at its February 19, 2019 meeting. Overall, the committee was in agreement with the proposed revisions and thought that designating specific timelines for the actions required by the Chancellor and Title IX Office was a good idea. There were no concerns over the proposed policy.

Sincerely,

A handwritten signature in black ink that reads "Louis Santiago".

Louis Santiago, Chair
CNAS Executive Committee



Committee on Committees

January 25, 2019

To: Dylan Rodriguez, Chair
Riverside Division

From: Sarjeet Gill, Chair
Committee on Committees

A handwritten signature in black ink, appearing to read "Sarjeet Gill", written over the printed name in the "From:" field.

Re: Systemwide Review of Proposed Revisions to Senate Bylaw 336

The Committee on Committees has reviewed the revisions to Senate Bylaw 336 proposed by the University Committee on Privilege & Tenure. The Committee determined this is outside their purview and therefore provided no comment.



January 23, 2019

To: Dylan Rodriguez, Chair
Riverside Division

From: Djurdjica Coss, Chair
Committee on Research

RE: Systemwide Review: Proposed Revisions to Senate Bylaw 336

The Committee on Research reviewed the proposed revisions to Senate bylaw 336. While the committee agrees that timely responses to charges are necessary, the committee has several concerns: 1) if the deadlines are compatible with current operating procedures of appropriate Academic Senate committees, as already noted by Chairs of these committees, b) if proposed revisions are in compliance with confidentiality rules that already exist, and c) the ambiguity of the actions and consequences in the instances where the hard deadlines are not met.



January 16, 2019

To: Dylan Rodriguez, Chair
Riverside Division

From: Wee Liang Gan, Chair 
Committee on Courses

Re: Proposed Revisions to Senate Bylaw 336


The Committee on Courses reviewed the proposed revisions to Senate Bylaw 336 at their January 15, 2019 meeting and did not note any concerns from their purview of courses of instruction.



COMMITTEE ON FACULTY WELFARE

January 24, 2019

To: Dylan Rodriguez
Riverside Division Academic Senate

From: Daniel Jeske, Chair 
Committee on Faculty Welfare

Re: UPDATED - Proposed Revisions to Senate Bylaw 336

The Faculty Welfare Committee (FWC) met on 1/15/2019 to discuss the proposed revision of senate bylaw 336. The committee supports the proposed revision.



GRADUATE COUNCIL

February 21, 2019

To: Dylan Rodriguez, Chair
Riverside Division

From: Jason Stajich, Chair
Graduate Council

A handwritten signature in black ink, appearing to read "Jason Stajich".


RE: [Systemwide Review] Proposed Revisions to Senate Bylaw 336

Graduate Council discussed the Proposed Revisions to Senate Bylaw 336 at their February 21, 2019 meeting. The Council did not have any comments about the proposed revisions.



January 24, 2019

To: Dylan Rodriguez, Chair
Riverside Division

From: Jiayu Liao 
Committee on Library and Information Technology

Re: [Systemwide Review] Proposed Bylaw Revision: Proposed Revisions to Senate
Bylaw 336

The Committee on Library and Information Technology reviewed the Proposed Bylaw Revision: Proposed Revisions to Senate Bylaw 336 at their January 17, 2019 meeting and did not note any concern relating to the Committee's charge of Library and Information Technology.



PLANNING & BUDGET

March 7, 2019

To: Dylan Rodriguez, Chair
Riverside Division

From: Katherine Kinney, Chair *Katherine Kinney*
Committee on Planning and Budget

RE: [Systemwide Review] Proposed Bylaw Revision: Proposed Revisions to Senate
Bylaw 336

Planning & Budget (P&B) discussed the proposed revisions to Senate Bylaw 336 at their February 19, 2019 meeting. P&B did not have any specific comments that would pertain to the charge of P&B, but members expressed concern over the expectation for faculty with 9-month appointments and research commitments to adhere to the new timelines in the event hearings occur during the summer. Some members expressed concern that shortened timelines may minimize the chances for mediation at earlier stages in the process.



February 5, 2019

To: Dylan Rodríguez, Chair
Riverside Division

From: Deborah Willis, Chair *dwillis*
Committee on Preparatory Education

Re: Proposed Revisions to Senate Bylaw 336

The Committee on Preparatory Education reviewed the proposed revisions to Senate Bylaw 336 at their January 29, 2019 meeting and did not note any concerns relating to the Committee's charge of preparatory education.



February 8, 2019

To: Dylan Rodriguez, Chair
Riverside Division

A handwritten signature in blue ink that reads "Thomas Kramer".

From: Thomas Kramer
Chair, Committee on Physical Resources Planning

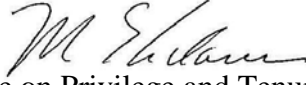
Re: [Systemwide Review] Proposed Bylaw Revision: Proposed Revisions to Senate
Bylaw 336

The Committee on Physical Resources Planning reviewed the Proposed Bylaw Revision: Proposed Revisions to Senate Bylaw 336 at their February 5, 2019 meeting and did not note any concern relating to the Committee's charge of Physical Resources Planning.

UC RIVERSIDE UNIVERSITY OF CALIFORNIA | **Academic
Senate**
Committee on Privilege & Tenure

February 12, 2019

To: Dylan Rodriguez
Chair, Riverside Division Academic Senate

Fr: Michael Adams 
Chair, Committee on Privilege and Tenure

Re: Systemwide Review of Proposed Revisions to Senate Bylaw
336

The Committee on Privilege and Tenure reviewed the proposed revisions to Senate Bylaw (SBL) 336. With respect to fulfillment of the mandate for expedited review during summer months, the Committee reiterates its view that practical limitations will be faced in expecting faculty with 9-month appointments and research commitments elsewhere to serve during this time. Otherwise, the Committee is in support of the revisions with no further recommendations.

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COMMITTEE ON RULES AND JURISDICTION

December 17, 2018

To: Dylan Rodríguez, Chair
Riverside Division

From:  Ziv Ran
Chair, Committee on Rules and Jurisdiction

Re: Systemwide Review: Proposed Bylaw Revision: Proposed Revisions to
Senate Bylaw 336

The Committee on Rules and Jurisdiction finds the proposed revisions consistent with senate code. However, the committee believes that in Section 336.D on early resolution it should perhaps be clarified that while attempts at early resolution are strongly encouraged, P&T itself would not engage in attempts to bring about such an early resolution.

February 6, 2019

TO: Senate Division Chair Dylan Rodriguez

FROM: Maurizio Pellecchia, Chair Executive Committee, School of Medicine

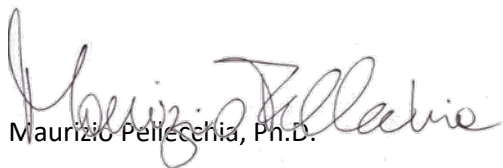
RE: SOM FEC comments on “**Senate Bylaw 336 – Reasons for Proposed Revisions**”

The School of Medicine Executive Committee evaluated the document at the January 2019 FEC meeting.

The FEC members do not object to the modifications that aimed at providing a streamlined procedure, detailing the maximum time allotted to each step and defines provisions to extend that time. However, the committee noted that the document does not seem to address what would happen if any of these hard deadlines are not met. As a suggestion, the committee wonders if perhaps it may be wiser to soften the time lines inserting the words “possibly” or “reasonably” within X days etc. or “possibly no later than”. Alternatively, the document should/could indicate the consequences for missing any of the detailed hard time lines.

Kind regards,

Maurizio Pellecchia



Maurizio Pellecchia, Ph.D.

Professor of Biomedical Sciences

School of Medicine Research Building

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CA 92521 Tel 951.827.7829

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January 28, 2019

To: Dylan Rodríguez, Chair
Riverside Division

From: David Volz, Chair 
Committee on Undergraduate Admissions

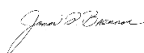
Re: Proposed Revision to Senate Bylaw 336

The Committee on Undergraduate Admissions reviewed the proposed revision to Senate Bylaw 336 at their January 9, 2019 meeting and did not have any concerns with the revision as it relates to the Committee's charge of undergraduate admissions. The proposed revisions adequately address the California State Auditor's (CSA's) request to impose a time limitation between 1) disciplinary charges filed by the Chancellor and initiating a Senate hearing (60 days) and 2) concluding a Senate hearing and delivering a report to the Chancellor (30 days). However, the Committee expressed concerns that, per Part III.A.3 of the APM 015 (The Faculty Code of Conduct), the Chancellor is provided up to three years to file disciplinary charges after being informed of the alleged violation. The Committee recommends that the proposed revision to Senate Bylaw 336 include a strong justification for allowing up to three years to file disciplinary charges following receipt of a complaint, as the Committee expressed concerns that this time period may be too long and, if possible, should be decreased to less than three years. In addition, the Committee recommends that the proposed revision to Senate Bylaw 336 provide greater clarity about the process and time limitations prior to filing disciplinary charges, specifically as it relates to receipt of a complaint, initiating an investigation, concluding an investigation, and filing disciplinary charges.



February 15, 2019

To: Dylan Rodríguez, Chair
Riverside Division

From: James Brennan, Chair 
Committee on University Extension

Re: Proposed Changes to Senate Bylaw 336

The Committee on University Extension reviewed the proposed changes to Senate Bylaw 336 at their February 7, 2019 meeting and did not note any concerns in regards to the Committee's charge of University Extension.