



Office of the Provost and Executive Vice Chancellor  
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June 30, 2020

Dylan Rodriguez, Faculty Senate Chair

SUBJ: Proposed Transition of VPAR Role at UCR

Dylan,

On July 1, 2020, the current Vice Provost for Academic Resolution (VPAR) will become the Vice Provost for Academic Personnel (VPAP), providing a need to address how administrative resolution work will proceed on the campus.

For the past 10 years UCR has operated with a Vice Provost of Administrative Resolution (VPAR) to handle disciplinary cases per the procedures described in Appendix 5 of the local [UCR bylaws](#), and is the only UC campus to have a VPAR. All other campuses embed administrative resolution into the academic personnel office (APO), with each campus doing it somewhat differently.

The attached document discusses a proposal for a proposed transition of the VPAR role at UCR for the Senate's review.

Thank you,

A handwritten signature in blue ink that reads "Thomas M. Smith".

Thomas M. Smith

Interim Provost and Executive Vice Chancellor

cc: Cherysa Cortez  
Daniel Jeske

## Proposed Transition of VPAR Role at UCR

6/30/2020

### 1. Problem to be Solved

For the last 10 years UCR has operated with a Vice Provost of Administrative Resolution (VPAR) to handle disciplinary cases per the procedures described in Appendix 5 of the local UCR bylaws. The first two VPARs (David Funder and Daniel Ozer) were 50% faculty administrator appointments. During the term of the third VPAR (John Andersen) the position changed to a 100% faculty administrator appointment. UCR is the only campus that has a VPAR. All of the other campuses embed administrative resolution into the academic personnel office (APO), with each campus doing it somewhat differently. At UCR, the only time that the VPAR discusses work pertaining to administrative resolution with the Vice Provost of Academic Personnel (VPAP) is to respond to inquiries about if there are any disciplinary issues of relevance to the candidacy of faculty for administrative appointments on the campus. On July 1, 2020, the current VPAR (Daniel Jeske) will become the VPAP. The problem that needs to be solved is how administrative resolution work will proceed on the campus. This memo discusses a proposal for a proposed transition of the VPAR role at UCR.

### 2. A Plan for July 1, 2020

The current VPAR, Dan Jeske, becomes the VPAP. A search committee for a faculty administrator to fill a 50% Associate Vice Provost of Administrative Resolution (AVPAR) would be formed. The search committee will consist of Dan Jeske, Kiersten Boyce, Katina Napper, and two faculty members to be recruited. All tenured faculty will be qualified to apply for the AVPAR position, with a preferred qualification being a Full Professor or Full Professor of Teaching.

### 3. A Plan for Prior to the Appointment of the AVPAR

Dan will continue to work as the VPAR until the AVPAR is appointed. Faculty members who have been involved in an administrative resolution case that Dan worked on as VPAR may, at their discretion, request that Dan recuse himself from the review of their M/P file. Dan will automatically recuse himself from reviewing M/P files of faculty with current cases, unless written request is received from the candidate by the Provost requesting that he remain part of the review.

### 4. A Plan for After the Appointment of the AVPAR

It is expected the AVPAR would be filled before the start of fall quarter. Onboarding activities for the AVPAR will be handled by Dan. When the AVPAR appointment is made the position of

VPAR on the campus will be retired and the division of work of the previous VPAR will be divided between the AVPAR and VPAP as depicted in Figure 1.

As shown in Figure 1, the AVPAR will handle intake and informal resolution efforts, per Appendix 5.3.2 and 5.3.3, for all new administrative resolution cases. The AVPAR will also coordinate early resolution efforts. Early resolution is an optional process that is used only with mutual consent from the complainant and respondent, and it is a process that occurs outside of Appendix 5 with the objective to resolve the conflict through dialogue that involves any and/or all of the Department Chair, Dean, AVPAR and Ombudsperson.

To match the workload of the AVPAR to the 50% appointment, other responsibilities such as campus committee service, VPAR involvement with student conduct appeals, and VPAR involvement with Title IX investigations will be transferred to the VPAP.

The VPAP will be available to the AVPAR for consultation on administrative resolution in a non-identifying manner (e.g., no names of individuals or departments) unless/until the cases move forward to the committee on Charges. Cases that do go to Charges, and probable cause is determined, the committee on Privilege and Tenure subsequent to that, will be handled by the VPAP. The VPAP will submit the formal academic complaint form (Appendix 5.3.4) to Charges, and will make the final decision on probable cause (Appendix 5.3.6). If the case goes to P&T, the VPAP will submit the disciplinary charges along with the recommended sanction (Appendix 5.3.6). Per Appendix 5.3.3 and UCR Bylaw 336.D, an informal resolution is permissible at any appropriate stage in disciplinary proceedings. To that end, the VPAP will work on informal resolution efforts for case that have reached the stage of being sent to Charges and/or P&T.

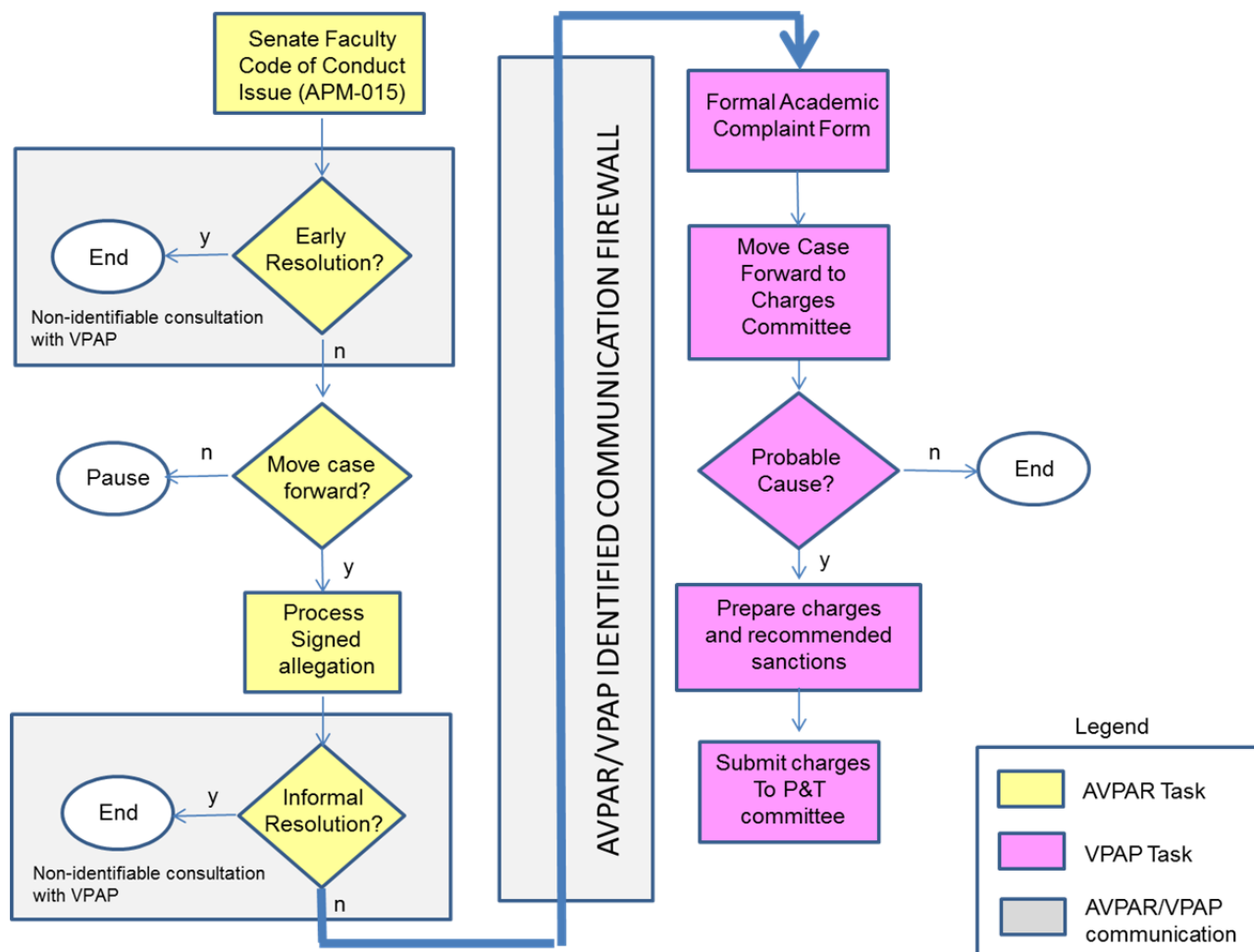


Figure 1. Roles of AVPAR and VPAP in Administrative Resolution

## 5. A Plan for the M/P Process

The administrative resolution cases that the VPAP becomes aware of in an identifiable manner are the small percentage of the cases where early resolution or informal resolution efforts have not succeeded. Such cases are forwarded to Charges for inquiry (Appendix 5.3.5), and possibly to P&T for a hearing (Appendix 5.3.7). For these types of cases the VPAP will hold, as applicable, current M/P files for respondents until the case is resolved either through informal resolution or through a recommendation on disciplinary sanctions (Appendix 5.3.8). As appropriate per section II.A.5 of The Call, the outcome of the case will be considered in the M/P review to the extent it has a bearing on achievements in teaching, research, and service.

Two significant features about the proposed VPAP involvement with administrative resolution are that it features a firewall between administrative resolution and academic personnel for the vast majority of the administrative resolution cases – namely those that resolve before going to

Charges where only allegations have been brought forward. On the other hand, the proposed VPAP involvement with cases that do advance to Charges aligns UCR with other UC campuses that pause the review process of M/P files until the case is resolved. For instance, at UCI the VPAP is aware of all cases that advance to their equivalent of the UCR Charges committee and M/P files are held pending the outcome. At UCD the equivalent of the UCR VPAP (called Vice Provost of Academic Affairs) is looped into cases that advance to their equivalent of the UCR Charges committee, and also holds M/P files pending the outcome. At UCSB, the EVC handles all disciplinary cases, working along with an Associate Vice Chancellor of Academic Personnel, and all M/P files are held until the issue is resolved appropriately. Implementing the plan as described above will both maintain the firewall between AR and M/P cases until a case goes to Charges and bring our process in line with the other UC campuses.