

COMMITTEE ON CHARGES

July 31, 2020

To: Dylan Rodríguez, Chair
Riverside Division

From: Timothy Close, Chair
Committee on Charges

Re: [Campus Review] Proposal: Proposed Transition of Vice Provost for Administrative Resolution (VPAR) at UCR

The Committee on Charges discussed the subject proposal and offers the following feedback.

1) UCR Division Bylaw 8.7 includes the following description of the role of the Committee on Charges:

"8.7.3 It is the duty of this committee to:

"8.7.3.1 Receive in writing, through the Chancellor or Chancellor's designee, unresolved complaints regarding Faculty conduct, as per procedures described in SBL336 and UCR Division Appendix 5; (Am 29 Nov. 2011)

"8.7.3.2 Determine whether the allegations in the complaint, if true, would constitute a violation of University policy regulating individual Faculty conduct; and

"8.7.3.3 If answered negatively, recommend to the Chancellor that all references to the complaint shall be expunged from all records except that of the Charges Committee;

"8.7.3.4 If answered affirmatively, request from the Chancellor any supporting evidence already developed and conduct an inquiry to determine if there is probable cause to warrant a disciplinary hearing before the Committee on Privilege and Tenure. The findings shall be submitted to the Chancellor. (Am 31 May 79) (Am 29 May 12)"

2) The Committee is concerned that in matters involving a complaint against an administrator, such as a school dean or associate dean, transfer of resolution responsibility to the VPAP may deprive the complainant of due process or breach the confidentiality of the complaint review process. In this aforementioned case, which person will be responsible?

3) Figure 1 in the proposal bundles the two-step, iterative determination process described in 8.7.3.2 ("...if true, would constitute...") and 8.7.3.4 ("...probable cause") into one step. It may be better to represent the two determination steps as they chronologically occur.

4) It was not clearly stated in the proposal the reason for the change in the duties of the VPAR/AVPAR/VPAP in disciplinary matters. It was also not stated whether the intention is for a very temporary change during a brief transition period or whether the proposed changes are intended to be longer-term. One wonders whether the proposed adjustments of duties might be pragmatically driven, for example given the transition of Professor Jeske from the VPAR to the VPAP position or perhaps to reduce costs by reducing the VPAR position from a 100% appointment again to a part-time position.

5) This feedback from the Committee on Charges should not be taken as “approval” nor “disapproval” of the proposal, but only as comments related to the functions of the Committee on Charges.