

UNIVERSITY OF CALIFORNIA, RIVERSIDE



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

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June 14, 2012

Robert Anderson
Professor of Economics and Mathematics
UC Systemwide Academic Senate
1111 Franklin Street, 12th Floor
Oakland, CA 94607

Dear Bob,

RE: PROPOSED TECHNICAL REVISIONS TO APM 035 AND 190 – APPENDIX A-1

Five standing Senate committees on our campus, Academic Personnel, Charges, Faculty Welfare, Privilege and Tenure and Diversity and Equal Opportunity reviewed the proposed technical revisions to APM sections 035 and 190, Appendix A-1 which aim to ensure consistency with existing federal and state laws. All the committees had no substantive comments to make and they approve the changes as recommended.

Sincerely yours,

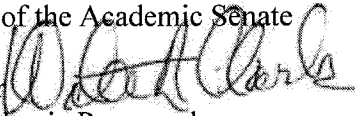
Mary Gauvain
Professor of Psychology and Chair of the Riverside Division

CC: Martha Kendall Winnacker, Executive Director of the Academic Senate
Sellyna Ehlers, Director of UCR Academic Senate office

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

May 31, 2012

To: Mary Gauvain, Chair
Riverside Division of the Academic Senate

From: Walter Clark, Chair 
Committee on Academic Personnel

Re: Systemwide Review of APM Sections 035 and 190 (Appendix A-1)

On May 21, 2012, CAP voted unanimously to approve all changes to the above referenced APM sections.

UNIVERSITY OF CALIFORNIA
UCRIVERSIDE | *Academic
Senate*
COMMITTEE ON CHARGES

May 31, 2012

To: Mary Gauvain, Chair
Riverside Division of the Academic Senate

From: Timothy Close, Chair
Committee on Charges

Re: **Systemwide Review of APM Sections 035, 190 (Appendix A-1), 010,
015, and 016**

The Committee on Charges reviewed the revisions to the APM and has no substantive comments or suggestions to add.

UNIVERSITY OF CALIFORNIA
UCRIVERSIDE | *Academic
Senate*
COMMITTEE ON FACULTY WELFARE

May 31, 2012

To: Mary Gauvain, Chair
Riverside Division of the Academic Senate

From: Irving Hendrick, Chair
Committee on Faculty Welfare

Re: Committee on Faculty Welfare's Positions on Revisions to APM Sections
035, 190 (Appendix A-1), 010, 015, and 016

At its meeting on May 23, the Committee on Faculty Welfare arrived at a consensus position on each of the above referenced proposed changes to the Academic Personnel Manual.

With regard to Sections 035 and 190, we agree that these involve only non-controversial technical changes and should be approved.

We do not support the proposed changes to Sections 010, 015, and 016 because we find that puzzling language has been introduced with negligible or insufficient explanation as to why it is needed. The Academic Freedom section, APM 010, includes new language affirming rights of academic freedom for faculty "when acting as a member of the faculty." This language begs the question of when a faculty member's freedom begins and ends. Does it begin and end with classroom speech and scholarly expression in publications? Does it extend to political speech outside of class? Does it extend to comments about administrative action and student issues?

Section 015 appears to make clear that faculty do enjoy freedom to address any matter of institutional policy or action "when acting as a member of the faculty whether or not as a member as an agency of institutional governance." If this language is intended only to enforce internal discipline among administrators who also hold faculty titles, it may be easier to appreciate, but absent a clear explanation of intention, we do not find it acceptable.

Section 016 is troubling in that it introduces a new category of "policies" to the current categories of "rules and regulations" for which faculty members may be subject to

“appropriate administrative [disciplinary] actions.” The problem here is one of definition and differentiation between rules, regulations, and policies. Why is it necessary to add a new term without an explanation of why it is needed or how it differs from a rule or a regulation? May a policy exist only in the mind of an administrator? What is most worrisome is that it could be applied impulsively. Are policies subject to prior review by the Academic Senate before they are implemented? Must they be written and conveyed prior to implementation?

Parenthetically, we are aware from correspondence and conversations with faculty outside our committee that the concerns expressed above are not unique to the committee.

UNIVERSITY OF CALIFORNIA | *Academic
Senate*
UCRIVERSIDE
Committee on Privilege and Tenure

May 31, 2012

To: Mary Gauvain
Chair, Riverside Division Academic Senate

Fr: Victor Lippit
Chair, Committee on Privilege and Tenure

Re: Systemwide Review of Changes to APM 035, 190, 010, 015, and 016

P&T supports the proposed amendments to the APM.



May 31, 2012

TO: MARY GAUVAIN, CHAIR
RIVERSIDE DIVISION

FR: MICHAEL J. OROSCO, CHAIR
COMMITTEE ON DIVERSITY AND EQUAL OPPORTUNITY

RE: APM 035 & 190 Response

The committee discussed the response to APM 035 & 190, and our recommendation is that CAP should approve all changes.

Michael J. OroSCO