

Communication from the Committee on Academic Personnel

David Lovett, MD, Chair

June 13, 2019

TO: David Teitel, Chair of the UCSF Division of the Academic Senate

FROM: David Lovett, Chair of the Committee on Academic Personnel

CC: Todd Giedt, Executive Director of the UCSF Academic Senate Office; Kenneth Laslavic, Senior Analyst of the UCSF Academic Senate Office

RE: Academic Personnel Manual Section 011 (APM – 011): *Academic Freedom, Protection of Professional Standards, and Responsibilities of Non-Faculty Academic Appointees*

Dear Chair Teitel:

The Committee on Academic Personnel (CAP) has reviewed the new APM-011: *Academic Freedom, Protection of Professional Standards, and Responsibilities of Non-Faculty Academic Appointees*.

While in theory, CAP is supportive of academic freedom being extended to non-faculty academic appointees, members found that the proposed APM, as currently authored, presented some contradictions and confusion which we would encourage be clarified before being implemented. Broadly speaking these are:

1. Grievance procedures are governed by bylaw 335, and academic freedom matters by bylaw 140. At present, these bylaws have no language identifying them as being applicable to non-faculty academics (NFA). A pathway to access should be created for NFAs such that if an academic freedom infringement happens while they are conducting teaching, research, scholarship or public dissemination of knowledge--within the professional standards of the profession as defined by the faculty—the procedures are clear.
2. The implications and ultimate impact of extending something codified within the Academic Personnel Manual Section 015 (APM – 015): *The Faculty Code of Conduct as Approved by the Assembly of the Academic Senate*, as being one component of “the source of the professional responsibilities of faculty members,” to NFA appointees. If the intention is that NFAs are subject to the *Faculty Code of Conduct*, then it needs to be clarified that they are only for violations of APM – 010/011. If that is not the intention, then this also should be made clear.
3. The extensive list of job titles to whom academic freedom is being extended is problematic. While very few of the included titles exist at UCSF, some that do are not classified as NFAs by the UCSF Division. This includes: Volunteer Clinical Professors (APM – 279), Visiting Faculty (attached to a faculty title and governed by APM – 230-80), University Professors, plus Deans and Chairs. What are the implications of labeling this group of appointees as NFAs? Additional information on this topic should be included to clarify if a division classifies a systemwide NFA as a non-NFA at the divisional level, which APM do they fall under for academic freedom issues?
 - a. Finally if the NFA appointment is coupled with a dual Senate faculty appointment—as is the case with many Deans and Chairs--, but the infringement falls under activities performed while serving in their NFA-capacity, under which bylaw are they governed?

CAP looks forward to seeing a second revision of APM-011 providing clarification on the raised issues. If you have any questions about CAP's comments, please contact me, or Academic Senate Associate Director Alison Cleaver (alison.cleaver@ucsf.edu).