Minutes of Meeting
November 3, 2003

Present: M. Alkin, Chair; R. Schonmann; R. Maly; C. Spillenger; S. Cochran; A. Coleman; J. Castro
(Undergraduate Student Representative)

Absence: V. Shetty; C. Parodi-Lewin; M. Dapretto; S. Stokes

Staff: M. Avila; D. Dang

Guests: S. Banks

Meeting: The meeting was called to order at 2:00 pm

1. CHAIR’S ANNOUNCEMENTS

- The minutes of October 13, 2003 were approved as distributed.
- Report on discussion at UCFW’s October 17, 2003 meeting:
  - UCFW members were asked to assess the adequacy of the faculty home loan programs on their campuses and report back at the November meeting. It was noted that during these times of straitened budgets, this is one of the few areas where additional progress might be achieved.
  - UC is proposing to revise the Policy on Sexual Harassment and Procedures for Relationships and adopt a policy that addresses Conflicts of Interest Created Consensual Relationships. The review response deadline was extended by one month.
  - As a result of the lawsuit in which San Jose Mercury News took the University to court for not disclosing its capital venture funds and won the case, UC has now been excluded from several of the top producing private equity funds. There is no question that this will have a negative impact on UC’s investment portfolio.

2. CONSULTATION WITH OFFICE OF OMBUDS SERVICES—Sean Banks, Director

Chair introduced and welcomed Sean Banks. Banks explained his office’s functions, reported on the range of issues brought before the office and identified current faculty concerns. His remarks follow:

- The Ombuds Office adheres to four basic tenets: confidentiality, neutrality, independence, and informality.
- Both the Ombuds Office and the ABA are working to establish national standards.
- Last year the office handled 667 cases.
  - 295 of these cases were student complaints. Among the 295 cases by students, about 50% involved faculty and student’s grades. Some of the student cases were initiated by graduate students against their advisors. Other student complaints involved parking (permit denials and citations).
  - Staff issues have risen and more group cases came in than in the previous two years.
  - The number of complaints brought by administrators also rose.
  - 72 of the total cases were initiated by faculty, which is less than two years ago. The concerns included tenure issues, intellectual property rights (who is first or second author), teaching assignments or lack of teaching assignment, dealing with difficult students, and lab or office space.
• The Office of Ombuds Services also taught a mediation program to train faculty, staff and students in conflict resolution.

When asked how often conflicts of interest or sexual harassment issues are brought to the office, Banks responded that his office has dealt with those complaints but, did not have the numbers. Director Banks reported that an annual report will not be produced until the Ombuds Office has gathered three years of data. This will ensure Client’s anonymity.

3. PROPOSED NEW POLICY ON CONFLICTS OF INTEREST

The University is proposing to adopt a policy that addresses potential conflict of interest situations that may be created when one individual in a consensual relationship has supervisory, decision-making, oversight, evaluative, or advisory responsibilities over the other. This policy would be applicable to all members of the University community: faculty and other academic personnel, students, senior managers, administrators, staff employees, and contract employees.

After a lengthy discussion, the committee will report to Senate Chair Brunk and the UCFW that the new proposed policy should include procedural guidelines for responding to allegations of conflicts of interest created by consensual relationships.

4. PROPOSED NEW POLICY ON SEXUAL HARASSMENT AND PROCEDURES FOR RESPONDING TO REPORTS OF SEXUAL HARASSMENT

The University is proposing to revise the Policy on Sexual Harassment and Procedures for Responding to Reports of Sexual Harassment that were issued April 23, 1992.

The committee discussed the proposed new policy and had no comment to report to the Senate Chair and UCFW.

5. MOP AND SHLP LENDING PROGRAMS

UCFW asked the Divisional campuses to gather data on the adequacy of the faculty home loan programs on their campuses and to bring the results to their November meeting.

**ACTION:** The FWC agreed to survey all department chairs to assess whether the MOP loans are sufficient in size and availability to meet the campus's recruiting needs and to evaluate if sufficient SHLP loans are available to provide needed assistance for down payments?

6. DRAFT PROPOSAL ON ACADEMIC SENATE REORGANIZATION

Margaret Avila presented an overview of the proposal to reorganize the Academic Senate.

• The chair will report to the Executive Board that the committee supports combining Academic Freedom, FWC, and UPRRC into the Council on Faculty Affairs but there was some objection to including CODEO into the new proposed Council on Faculty Affairs committee.

7. ADJOURNMENT

The meeting was adjourned at 3:10pm