



SYSTEMWIDE ACADEMIC PERSONNEL
FACULTY AFFAIRS AND ACADEMIC PROGRAMS

OFFICE OF THE PRESIDENT
1111 Franklin Street, 10th Floor
Oakland, California 94607-5200

August 18, 2025

CHANCELLORS
ACADEMIC COUNCIL CHAIR CHEUNG
LABORATORY DIRECTOR WITHERELL
ANR VICE PRESIDENT HUMISTON

**Re: Systemwide Review of Proposed Revisions to Academic Personnel Manual (APM)
Section 015, The Faculty Code of Conduct and Section 016, University Policy on
Faculty Conduct and the Administration of Discipline; Systemwide Review of
Disciplinary Sanction Guidelines for Misconduct Related to Expressive Activity and
Guidelines re Good Cause Extension Factors**

Dear Colleagues:

Enclosed for systemwide review are proposed revisions to the Academic Personnel Manual (APM) as follows:

- Section 015, The Faculty Code of Conduct
- Section 016, University Policy on Faculty Conduct and the Administration of Discipline

The proposed revisions are intended to address substantive matters discussed in more detail below.

In addition, the following systemwide guidelines are subject to systemwide review:

- Faculty Respondent Disciplinary Sanction Guidelines for Misconduct Related to Expressive Activity
- Companion Document – Faculty Disciplinary Sanctions Guidelines re Expressive Activity
- Non-Senate Academic Appointee Respondent Corrective Action/Disciplinary Sanction Guidelines for Misconduct Related to Expressive Activity
- Guidelines on Good Cause Factors re Extensions of Time

Background

In August 2024, then-President Michael V. Drake directed Provost and Executive Vice President Katherine S. Newman to conduct a comprehensive review of policies relevant to expressive activities, with the goal of ensuring compliance with the statutory requirements of the California Budget Act of 2024 (SB 108). In response, Provost Newman charged Academic Council Chair Steven W. Cheung and then-Interim Vice Provost Douglas Haynes to convene a Joint Senate-

Administration workgroup to review APM - 015 and APM - 016 and develop recommendations that would enhance consistency in responses to policy violations across the system. In its final report, the Senate-Administration workgroup proposed the development and dissemination of systemwide guidelines for expressive activities similar to the systemwide Sexual Violence/Sexual Harassment (SVSH) Faculty Respondent Disciplinary Sanction Guidelines.

In late January 2025, the UC Board of Regents also directed then-President Drake and Academic Council Chair Cheung to undertake a comprehensive review of the policies and procedures governing the faculty disciplinary process, including APM - 015, APM - 016, and the Academic Senate Bylaws. The Regents were particularly concerned with reducing the time that it takes to resolve faculty discipline cases, promoting consistent application of discipline across the system, and remaining fundamentally grounded in joint governance.

Academic Council Chair Cheung and then-Interim Vice Provost Haynes re-convened the Joint Senate-Administration Workgroup on Faculty Discipline Policies and Procedures. They also convened multiple meetings with campus Privilege and Tenure (P&T) committee members and administration representatives from Academic Personnel, Civil Rights, and Compliance offices. In addition, the workgroup co-chairs met regularly with representatives from the Regents. On April 16, 2025, the Senate-Administration workgroup delivered its report and recommendations, which were the basis of a presentation to the Board of Regents at their May meeting. Following the May Regents meeting, the Regents accepted the Senate-Administration workgroup recommendations with a request for appropriate policy revisions and the issuance of interim systemwide guidelines based on the report recommendations, effective beginning of Fall term 2025.

On June 23, 2025, Provost Newman issued interim systemwide guidelines, which will be in place pending the completion of this 90-day systemwide review. In addition, under established procedures, any substantive revisions to APM - 015 and APM - 016 are required to be reviewed and approved by the UC Board of Regents; that review will occur at the January 2026 Board of Regents meeting, with all materials due to the Regents in December. Following the UC Board of Regents' review and approval of the APM - 015 and APM - 016 revisions, the Academic Senate will make conforming Senate Bylaw revisions.

Key Policy Revisions

In accordance with the directive from the Regents to ensure more timely adjudication of allegations of misconduct by faculty members and academic appointees, the following key revisions are proposed to APM policies following 90-day review and review and approval by the Board of Regents:

Timelines for Faculty Disciplinary Process: Proposed revisions to APM - 015 and APM - 016 incorporate the following timelines, unless extended for good cause:

- The initial assessment of allegations of misconduct will be completed within 30 business days following the receipt of a report (*similar to SVSH cases*).
- The investigation and investigation report will be completed within 120 business days following the initial assessment (*similar to Abusive Conduct cases*).

- The Chancellor will file disciplinary charges within 40 business days following the conclusion of the investigation (*similar to SVSH cases*).
- Campus P&T committees should appoint a hearing panel no more than 14 calendar days after the Chancellor files charges.

Systemwide Network Privilege and Tenure (P&T) Committee: Proposed revisions to APM - 015 and APM - 016 incorporate references to the Systemwide Network P&T Committee, which must be established by March 1, 2026. The Systemwide Network P&T Committee will be comprised of members from the campus P&T committees who are available to hear cases if a campus P&T hearing panel is unable to be appointed within 14 calendar days of the administration filing disciplinary charges. This hearing panel may invite faculty from the faculty respondent's campus to consult and provide expertise on the campus procedures, norms, atmosphere, and culture, as well as on the conduct in question in that particular case. Fourteen days was selected as the time limit for invoking the Systemwide Network P&T Committee because Senate Bylaw 336 requires that hearings start within 60 days after charges are filed unless there is a good cause extension. If campuses cannot appoint their local P&T hearing panel within 14 days, the Systemwide Network P&T Committee hearing panel will still have time to be appointed and review all the necessary materials within the 60-day timeframe to hold the hearing. In order to facilitate timely appointment of a campus P&T hearing panel, when the administration files disciplinary charges, whenever possible the notice should include at least five dates when the administration is available for a hearing.

Single-Investigation Model

Proposed revisions to APM - 015 reflect that each campus shall develop procedures for a single formal investigation.

Beginning in Fall 2025, the Systemwide Academic Personnel office at the Office of the President (SWAP) will convene a systemwide workgroup of the many disparate offices that engage in investigations to coordinate on achieving a single-investigation model and to agree upon common data fields for reporting. This systemwide workgroup will also include Senate faculty.

Systemwide Calibration Guidelines on Expressive Activities and Guidelines on Good Cause Factors for Extensions of Time

The interim systemwide guidelines contained four documents that, while not part of the APM, were identified as appropriate for inclusion in the 90-day systemwide review. They are being implemented as interim systemwide guidelines at the beginning of the Fall 2025 term. Following 90-day systemwide review, they will be reissued as systemwide guidelines. These documents include:

Faculty Respondent Disciplinary Sanction Guidelines for Misconduct Related to Expressive Activity (Attachment A): This document provides for greater consistency in the administration of discipline across the system for misconduct in the realm of expressive activities. These guidelines provide advisory committees and decision makers with benchmarks for recommending and approving disciplinary sanctions based on several factors.

Companion Document – Faculty Disciplinary Sanctions Guidelines re Expressive Activity (Attachment B): This document provides additional context and guidance, relevant language

from the Faculty Code of Conduct (APM - 015) and other policies, links to the campus Time, Place, and Manner (TPM) policies, and describes the interplay of the policies and extramural speech. The Systemwide Calibration Guidelines and companion document will assist reviewers and decision makers in assessing the appropriate range of potential sanctions if a case involves expressive activities.

Non-Senate Academic Appointee Respondent Corrective Action/Disciplinary Sanction Guidelines for Misconduct Related to Expressive Activity (Attachment C): This document is similar to Attachment A but intended to provide for greater consistency in the administration of discipline across the system for misconduct by non-Senate academic appointees in the realm of expressive activities. These guidelines provide advisory committees and decision makers with benchmarks for recommending and approving disciplinary sanctions based on several factors.

Guidelines on Good Cause Factors re Extensions of Time (Attachment D): At the request of the workgroup, the Systemwide Office of Civil Rights developed Attachment D – Guidelines on Good Cause Factors re Extensions of Time, which provides a framework for assessment to be utilized during each step of this process to determine if a good cause extension is warranted.

Systemwide Review

Systemwide review is a public review distributed to the Chancellors, the Chair of the Academic Council, the Director of the Lawrence Berkeley National Laboratory, and the Vice President of Agriculture and Natural Resources requesting that they inform the general University community, especially affected employees, about policy proposals. Systemwide review also includes a mandatory, 90-day full Senate review.

Employees should be afforded the opportunity to review and comment on the draft policies, available on the [Systemwide Academic Personnel website](#). Attached is a Model Communication which may be used to inform non-exclusively represented employees about these proposals. The Systemwide Labor Relations at the Office of the President is responsible for informing the bargaining units representing union membership about policy proposals.

We would appreciate receiving your comments no later than **Wednesday, November 26, 2025**. Please submit your comments to SystemwideAP-PolicyReviewComments@ucop.edu. If you have any questions, please contact Rebecca Woolston at Rebecca.Woolston@ucop.edu.

Sincerely,



Amy K. Lee
Deputy Provost
Systemwide Academic Personnel



Monica Varsanyi
Vice Provost
Faculty Affairs and Academic Programs

Attachments:

- 1) APM - 015, The Faculty Code of Conduct (clean copy)
- 2) APM - 015, The Faculty Code of Conduct (tracked-changes copy)
- 3) APM - 016, University Policy on Faculty Conduct and the Administration of Discipline (clean copy)
- 4) APM - 016, University Policy on Faculty Conduct and the Administration of Discipline (tracked-changes copy)
- 5) Model Communication
- 6) Attachment A: Faculty Respondent Disciplinary Sanction Guidelines for Misconduct Related to Expressive Activity
- 7) Attachment B: Companion Document - Faculty Disciplinary Sanctions Guidelines re Expressive Activity
- 8) Attachment C: Non-Senate Academic Appointee Respondent Corrective Action/Disciplinary Sanction Guidelines for Misconduct Related to Expressive Activity
- 9) Attachment D: Guidelines on Good Cause Factors re Extensions of Time

cc: President Milliken

Provost and Executive Vice President Newman

Executive Vice Chancellors/Provosts

Executive Vice President and Chief Operating Officer Nava

Executive Vice President Rubin

Senior Vice President and Chief Compliance Officer Bustamante

Vice President Brown

Vice President and Chief of Staff Kao

Vice President Gullatt

Vice President Lloyd

Vice President Maldonado

Academic Council Vice Chair Palazoglu

Vice Provosts/Vice Chancellors for Academic Affairs/Personnel

Deputy General Counsel Woodall

Assistant Vice Provosts/Assistant Vice Chancellors for Academic Personnel

Associate Vice President Matella

Associate Vice President McRae

Chief Policy Advisor McAuliffe

Executive Director Anders

Executive Director Lin

Chief of Staff Beechem

Deputy Chief HR Officer and Chief of Staff Henderson

Chief of Staff Levintov

LBL Chief Human Resources Officer Crosson

Director Chin

Director Weston-Dawkes

Associate Director DiCaprio

Associate Director Soria

August 18, 2025

Page 6

Associate Director Woolston
Assistant Director LaBriola
Assistant Director Wulff
Policy Analyst Durrin
Policy Analyst Wilson
Program Policy Analyst D'Agostino