

Office of the President

TO MEMBERS OF THE ACADEMIC AND STUDENT AFFAIRS COMMITTEE:

ACTION ITEM

For Meeting of January 21, 2026

**AMENDMENT OF ACADEMIC PERSONNEL MANUAL SECTIONS 015 AND 016 –
THE FACULTY CODE OF CONDUCT AND UNIVERSITY POLICY ON FACULTY
CONDUCT AND THE ADMINISTRATION OF DISCIPLINE AND REPORT ON
SYSTEMWIDE REVIEW OF FACULTY DISCIPLINE PROCEDURES**

EXECUTIVE SUMMARY

Beginning in August 2024 and continuously since then, the University of California has undertaken a comprehensive review of its faculty disciplinary policies and procedures in response to the California Budget Act of 2024 (SB 108) and the Board of Regents' January 2025 directive to reduce case resolution times and promote consistency in disciplinary sanctions. As part of these efforts, System Provost and Executive Vice President Newman appointed a Joint Workgroup of the Administration and Academic Senate ("Joint Workgroup"), which was convened to examine the University's systemwide policies and procedures, including Academic Personnel Manual Section 015 (APM - 015), The Faculty Code of Conduct, Section 016 (APM - 016), University Policy on Faculty Conduct and the Administration of Discipline, and Academic Senate Bylaw 336. The original policy revisions and guidelines were proposed by the Joint Workgroup, presented to the Regents in May 2025, and issued as interim systemwide guidelines in June 2025 by Provost Newman.

From August 18, 2025, through November 26, 2025, a 90-day systemwide review of the draft policy revisions and interim guidelines was conducted, with robust comments submitted suggesting numerous revisions, many of which have been incorporated into further revised versions as presented. This item proposes amending The Faculty Code of Conduct (APM - 015) and the Policy on Faculty Conduct and the Administration of Discipline (APM - 016), to:

1. Incorporate the establishment of a Systemwide Reserve Privilege and Tenure Pool, coordinated by the Academic Senate's University Committee on Privilege and Tenure.
2. Incorporate timeframes for completion of initial assessments, investigations and investigation reports, and the filing of disciplinary charges, as well as extensions for good cause.
3. Reflect the deadline for the appointment of the full hearing committee.
4. Reflect conforming language with, and timeframes specified in, Academic Senate Bylaw 336.

The proposed amendments to APM – 015 and APM - 016 are endorsed by Provost Newman and by the Academic Council at their meeting on December 17, 2025. The amendments to APM - 015 will be reviewed by the Assembly of the Academic Senate at their meeting on January 15, 2026.¹

Regents Policy 7401 stipulates that the Faculty Code of Conduct and University Policy on Faculty Conduct the Administration of Discipline are Regents Policies, as set forth in APM 015 and 016, and therefore amendments to APM - 015 and APM - 016 require Regents' approval. The proposed amendments to APM - 015 are shown in Attachment 1, and amendments to APM - 016 are shown in Attachment 2.

Although not an action item for the Regents, revisions were also made to the Systemwide Interim Guidelines in response to systemwide comments. The following amended versions are presented for discussion at the January Regents meeting:

- *Attachment 3: Draft Faculty Respondent Disciplinary Sanction Guidelines After a Formal Investigation of Allegations of Faculty Misconduct Related to Expressive Activities and a Finding that a Policy Violation Has Occurred; the Following Guidelines Assist in Calibrating the Disciplinary Sanction(s) Recommended and/or Imposed and Companion Document*
- *Attachment 4: Draft Non-Senate Academic Appointee Respondent Corrective Action/Disciplinary Sanction Guidelines After a Formal Investigation of Allegations of Misconduct Related to Expressive Activities and a Finding that a Policy Violation Has Occurred*
- *Attachment 5: Draft Guidelines on Good Cause Factors Regarding Extensions of Time*

The proposed amendments to the policies and guidelines that resulted from the robust systemwide review will further the University's goals of reducing the time it takes to resolve faculty discipline cases, promoting consistent application of discipline across the system, and remaining fundamentally grounded in joint governance.

ACTION ITEM AND RECOMMENDATION

The President of the University recommends that the Academic and Student Affairs Committee recommend to the Regents amendment of Academic Personnel Manual Section 015: The Faculty Code of Conduct, as shown in Attachment 1, and Section 016, University Policy on Faculty Conduct and the Administration of Discipline, as shown in Attachment 2, effective no later than March 1, 2026, or as soon as other conforming processes can be implemented.

¹ APM - 015 must undergo review and a vote of approval by the Assembly of the Academic Senate, but APM - 016 has no such requirement.

BACKGROUND

In August 2024, then-President Drake directed Provost and Executive Vice President 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 then-Academic Council Chair Cheung and then-Interim Vice Provost Haynes with convening a Joint Workgroup to review APM - 015 and APM - 016 and developing recommendations that would enhance consistency in responses to policy violations across the system. The workgroup found that existing policies adequately address conduct involving free speech, campus safety, and access to educational facilities and opportunities, and that APM - 016 is robust in its allowance of disciplinary consequences for policy violations. To further promote consistency, the Joint Workgroup's final report proposed the development and dissemination of systemwide discipline calibration guidelines for expressive activities after a finding of a policy violation. This recommendation was modeled after systemwide discipline calibration guidelines that currently exist for violations of the Sexual Violence and Sexual Harassment (SVSH) Policy.

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

At the direction of Provost Newman, then-Academic Council Chair Cheung and then-Interim Vice Provost Haynes re-convened the Joint Workgroup. They also convened multiple meetings with campus Privilege and Tenure (P&T) committees and administration representatives from Academic Personnel, Civil Rights, and Compliance offices. In addition, the Joint Workgroup co-chairs met regularly with representatives from the Regents. The Joint Workgroup's April 2025 report formed the basis for recommendations accepted by the Regents in May 2025, followed by interim systemwide guidelines issued by the Provost in June 2025.

A full systemwide review of APM - 015 and APM - 016 was conducted from August through November 2025, and further proposed revisions were made to the policies in response to comments received. Following consultation with Regents Anguiano, Leib, and Sarris, and approval by Provost Newman and the Academic Council, the Assembly of the Academic Senate will review and vote on the amended language at its meeting on January 15, 2026. Because authority for faculty discipline ultimately derives from the Regents, amendments to APM - 015 and APM - 016 are now submitted for Regents' approval following review and endorsement by the UC Provost and Executive Vice President for Academic Affairs, review and approval by the Academic Council of the systemwide Senate, and pending approval by the Assembly of the Academic Senate. Following the Regents' review and approval of the APM - 015 and APM - 016 revisions, the Academic Senate will make conforming Senate bylaw revisions.

Amendment of Academic Personnel Manual Section 015: The Faculty Code of Conduct

Section Preamble and Section III, Enforcement and Sanctions

The Preamble and Section III, Enforcement and Sanctions, of APM - 015 was originally proposed to incorporate a Systemwide Network Privilege and Tenure Committee that would operate at the systemwide level, rather than at the local campus level. Based on feedback from systemwide review, this proposed structure has been revised. Instead, APM - 015 Part III has been revised based on the Academic Council's recommendation to establish a Systemwide Reserve Privilege and Tenure Pool (P&T Reserve Pool), coordinated by the Academic Senate's University Committee on Privilege and Tenure (UCPT). The P&T Reserve Pool may constitute part or all of the hearing committee, as necessary depending on the circumstances. The P&T Reserve Pool will be composed of faculty with the broad or specialized knowledge necessary to conduct a hearing, including former Privilege and Tenure (P&T) committee members, senior faculty, and emeriti faculty with relevant P&T experience.

The P&T Reserve Pool approach offers a more efficient and reliable mechanism for forming hearing committees by mitigating the primary scheduling challenges that arise from coordinating the availability of faculty, other parties, attorneys, and witnesses. A P&T Reserve Pool provides a larger roster of experienced faculty—coordinated by UCPT to ensure appropriate expertise—who can step in when additional hearing committee members are needed or when a campus determines that inclusion of an external faculty member would strengthen the hearing committee, as permitted under Senate Bylaw 336.F(1)(a). The amendment to APM - 015 also incorporates the provision in Senate Bylaw 336.A that allows for the convening by UCPT of a Special Committee composed of Senate members from any Senate division to carry out the proceedings. Modeled on the successful structure of a Reserve/Shadow Committee used by campus Academic Personnel Committees, the P&T Reserve Pool supports the ongoing work of local P&T committees while providing access to qualified faculty should a Special Committee be required.

APM - 015 was proposed to require the development of procedures for a single investigation model. Following systemwide review and consultation with experts in the Title IX, Anti-Discrimination, and Academic Personnel offices, the amended APM - 015 retains the language in the current policy regarding the development of procedures that encourage a single formal investigation. Instead, a Senate-Administration workgroup is currently developing a best practices document to be issued in Spring 2026 to provide systemwide guidance related to streamlining investigations.

Section III, Enforcement and Sanctions

Additionally, Section III, Enforcement and Sanctions, was proposed to incorporate: (1) firm deadlines in the disciplinary process timeline, except when extended for good cause, in accordance with Academic Senate Bylaw 336; (2) the expectation that the notice of proposed discipline include at least five hearing date options for the availability of campus administration to participate in a hearing; and (3) the expectation that each campus would develop procedures for a single formal investigation.

Following systemwide review, these proposed amendments were replaced with defined timeframes specifying that initial assessments should be completed within 30 business days, investigations and investigation reports should be completed within 120 business days, and disciplinary charges should be filed within 40 business days of receipt by the Chancellor or Chancellor's designee of the investigation outcome, unless specific policies or campus procedures require a different timeframe (e.g., University policy on SVSH requires that an investigation be concluded within 60 to 90 business days), or there is an extension for good cause. The definition in Senate Bylaw 336 of a "good cause" extension was incorporated into the proposed amendments to APM - 015.

In addition, a conforming revision to APM - 015 is proposed to reflect that Senate Bylaw 336 requires the P&T hearing to commence no later than 60 calendar days from the date of filing disciplinary charges with the P&T Committee, unless extended for good cause. The current APM - 015 language requires that the P&T hearing commence within 90 days from the date on which the accused faculty member has been notified of the intent to initiate disciplinary proceedings. Furthermore, based on the UCPT workgroup's response to systemwide review, APM - 015 has been revised to reflect that the chair of the hearing committee will be appointed within 14 calendar days of receipt of the disciplinary charges and the full hearing committee will be appointed no later than 50 calendar days from the date disciplinary charges are filed.

Amendment of Academic Personnel Manual Section 016: University Policy on Faculty Conduct and the Administration of Discipline

Section I, Introduction and General Policy and Section III, Procedures for Imposition of Disciplinary Sanction

Section I, Introduction and General Policy and Section III, Procedures for Imposition of Disciplinary Sanction, of APM - 016 were proposed to incorporate the establishment of a Systemwide Network Privilege and Tenure Committee. As stated above, based on feedback from systemwide review, instead of a Systemwide Network Privilege and Tenure Committee, APM - 016 Sections I, II, and III, have been revised to accept the Academic Council's recommendation to establish a Systemwide Reserve Privilege and Tenure Pool and to incorporate the Special Committee, as already provided for in Senate Bylaw 336.

Section III, Procedures for Imposition of Disciplinary Sanction

Additionally, Section III, Procedures for Imposition of Disciplinary Sanction, was proposed to establish timeframes for completion of initial assessments, investigations and investigation reports, and disciplinary charges, as well as the expectation that a hearing panel would be appointed within 14 calendar days of the administration filing disciplinary charges. Based on feedback from systemwide review, timeframes from the initial assessment through the filing of charges were added to APM - 015. The proposal also removes the provision in APM - 016 requiring appointment of the hearing committee within 14 days because all timeframes associated with the hearing committee are now reflected in the amended APM - 015. Amended APM - 016 also reflects that, depending on whether the Academic Senate or a University office

is responsible for adhering to the specified timeframes, the Academic Senate or the designated University office may extend the timeframes for good cause, as defined in applicable policies and Senate bylaws.

Other technical revisions to APM – 016 were proposed to reflect conforming language with Academic Senate Bylaw 336; and to update the number of divisional Academic Senate Committees on Privilege and Tenure from nine to ten.

DISCUSSION OF GUIDELINES

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 process. They were implemented as interim systemwide guidelines at the beginning of the Fall 2025 term. In response to systemwide review, revisions were made to these interim guidelines. The amendments are described below and are attached. Following the issuance of APM - 015 and APM - 016, they will be reissued as systemwide guidelines (no longer interim).

Faculty Respondent Disciplinary Sanction Guidelines After a Formal Investigation of Allegations of Faculty Misconduct Related to Expressive Activities and a Finding that a Policy Violation Has Occurred; the Following Guidelines Assist in Calibrating the Disciplinary Sanction(s) Recommended and/or Imposed and Companion Document (Attachment 3²)

The original charge from then-President Drake to Provost Newman was for a Joint Workgroup to provide recommendations for the University to adhere to California's Budget Act of 2024 (SB 108). Specifically, the Joint Workgroup was to determine if University policies needed to be revised to cover expressive activities, and if not, whether the University could promote better consistency across the system in response to policy violations. The Joint Workgroup found that UC policies do cover expressive activities but recommended the issuance of systemwide guidelines on calibrating disciplinary actions to promote greater consistency across the system after a finding of a policy violation. The original charge and Joint Workgroup recommendation were limited to promoting greater consistency in disciplinary sanctions related to expressive activities *after* a finding of a policy violation, not *before*.

Systemwide review comments revealed confusion as to whether the Systemwide Calibration Guidelines and Companion documents were to be invoked before or after a finding of a policy violation. Revisions to both documents now clarify that they are to be invoked only after a finding of a policy violation. Specifically, with respect to the Systemwide Calibration Guidelines, the following revisions to the original documents have been made:

1. Clarified that Attachments 3 and 4 are to be used only after a finding of a policy violation, and removed content relating to determining whether there has been a policy violation.

² Attachment 4 is the Non-Senate Academic Appointee Respondent version of the Guidelines.

2. Clarified that the purpose of Attachments 3 and 4 is to assist P&T and the Chancellor/Chancellor's designee in recommending or determining the discipline to be imposed after a finding of a policy violation.
3. Removed the column regarding "Severity of Impact" from the attachments, in response to reviewers' recommendations to consolidate that column into the "Mitigating vs. Aggravating Factors" column.
4. Provided more precise language in the attachments regarding when to apply less severe versus more severe sanctions.
5. Provided more precise language in the attachments regarding the purpose of the mitigating and aggravating factors.
6. Clarified that such procedures are only triggered when there has been a finding of a violation of a policy related to expressive activities.

In consultation with faculty experts on academic freedom and free speech, as well as with UC Legal, the following revisions have been made to the Companion documents, which are now part of Attachment 3:

1. Added a general statement about extramural speech and academic freedom in the introduction section, reflecting current policies, principles, and procedures.
2. Listed the policies related to expressive activities that, if violated, would cause the P&T Committee and Chancellor/Chancellor's designee to use the guidelines to calibrate the discipline to be recommended, or imposed, to promote consistency across the system with regard to disciplinary responses.

Although not within the charge to the Joint Workgroup, the Senate and Administration wish to continue working on the issue of providing systemwide guidance for the purpose of determining whether a policy has been violated. A Senate-Administration workgroup will be formed to develop such guidance, reflecting the need for that surfaced as a result of systemwide review. When the guidance is developed, it will be issued as new systemwide guidelines after a full 90-day systemwide review has been conducted.

Guidelines on Good Cause Factors re Extensions of Time (Attachment 5)

Based on feedback from systemwide review, the following revisions have been made:

1. Expanded the list of good cause factors developed by the Systemwide Office of Civil Rights by incorporating additional best practices from systemwide review comments.
2. Clarified that, depending on whether the Academic Senate or a University office is responsible for adhering to the specified timeframe, the Academic Senate or the designated University office may extend the timeline for good cause.

ATTACHMENTS

Attachment 1: [Proposed Revision of Academic Personnel Manual Section 015: The Faculty Code of Conduct \(tracked changes\)](#)

Attachment 2: Proposed Revision of Academic Personnel Manual Section 016: University Policy on Faculty Conduct and the Administration of Discipline (tracked changes)

Attachment 3: Draft Faculty Respondent Disciplinary Sanction Guidelines After a Formal Investigation of Allegations of Faculty Misconduct Related to Expressive Activities and a Finding that a Policy Violation Has Occurred; the Following Guidelines Assist in Calibrating the Disciplinary Sanction(s) Recommended and/or Imposed and Companion Document (for information)

Attachment 4: Draft Non-Senate Academic Appointee Respondent Corrective Action/Disciplinary Sanction Guidelines After a Formal Investigation of Allegations of Misconduct Related to Expressive Activities and a Finding that a Policy Violation Has Occurred; the Following Guidelines Assist in Calibrating the Sanction(s) Recommended and/or Imposed (for information)

Attachment 5: Draft Guidelines on Good Cause Factors Regarding Extensions of Time (for information)