

February 23, 2023

TO: Jessica Cattelino, Chair, Academic Senate

FROM: Norweeta G. Milburn, Chair, Charges Committee

Re: UCLA Academic Senate Diversity, Equity and Inclusion (DEI) Plan

The Charges Committee frequently must review allegations of misconduct that either involve underrepresented faculty or allegations that specifically allege some element of discrimination or harassment. At their February 15, 2023 meeting, Charges members revisited the UCLA Academic Senate Diversity, Equity, and Inclusion (DEI) Plan ("Plan") and the steps proposed by the Executive Board in their May 5, 2022 memo. Charges offers the following updates on their committee efforts.

Some Charges members report that they individually promote volunteering for Senate service in their respective departments and encouraged others to do so. Many committee members, even those with a number of years on campus, commented that they were unaware of the Charges Committee until they were nominated to serve on it! It is clear that in order to have more faculty volunteer and/or be willing to serve, that there should be more awareness on the campus of the important role Charges plays in both preserving faculty due process rights and holding faculty accountable.

The Charges Chair has been implementing the communication tips suggested to chairs in the Fall orientation to good effect. The Committee has five (of eight) new members this year, which has made dividing case review for different perspectives at the start of the year challenging. As we are mid-way through Winter Quarter, the newer faculty are gaining confidence in presenting, which improves the diversity of voices. Due to the subject matter, Charges has its share of difficult conversations. The diversity of the committee helps balance these, but it might help in future years if Senate committee members had some sort of guide to meeting participation. Charges is considering developing their own as the year progresses.

The Charges Committee has a particular responsibility that impacts DEI on campus and is therefore integral to the committee's own DEI efforts. The intention of the disciplinary process is to preserve conditions that protect faculty rights, including the right to an environment that equally applies policies and is free from discrimination and harassment. The Committee has the following concerns that have DEI implications that are perhaps more visible to Charges: (1) It is a high bar to file charges. Any individual may file a charge, but those "embraced" by deans have more resources. Because they are less likely to be able to engage a dean to file charges, it is therefore inherently more difficult for underrepresented community members, including faculty, to file charges; (2) Faculty with more "power" and visibility may more easily avoid the charges process, which means that underrepresented faculty with little means to address charges may be more vulnerable; (3) Charges is strictly a disciplinary process. That is, it is only for imposing sanctions for "faculty misconduct that is either serious in itself or is made serious through its repetition, or its consequences." While the Faculty Code of Conduct allows that there are "other forms of reproof and administrative actions," there exists no mechanism to implement those. Charges believes that such a "warning" system would benefit all community members, but especially would empower those who are underrepresented.

The Committee looks forward to continued discussion of DEI efforts by the Senate and its committees.