

February 21, 2024

Gene Block
Chancellor, UCLA

Re: Redelegation of the Authority to impose Involuntary Leave with Pay (Interim Suspension)

Dear Chancellor Block,

At the January 11, 2024, meeting of the Executive Board, members discussed the redelegation of authority of involuntary leave (aka interim suspension with pay) of health sciences faculty members to, and beyond, the Vice Chancellor of Health Sciences. Executive Board members reviewed both the October 30, 2023 letter from Vice Chancellors Levine and Mazziotta titled “Redelegation of Involuntary Leave Authority,” which addressed the redelegation by Vice Chancellor John C. Mazziotta of the authority to place Health Sciences Clinical Faculty members on involuntary leave to Vice Dean for Faculty Affairs at David Geffen School of Medicine (DGSOM) Joaquin Madrenas, and feedback from several Academic Senate committees. Members voted unanimously in favor of a motion to acknowledge Vice Chancellor Mazziotta’s perceived conflict of interest and further support the Executive Board’s prior position (see attached letter dated November 16, 2020) to not delegate or redelegate authority beyond the Vice Chancellor of Academic Affairs and Personnel (VCAAP) per [Appendix XII](#). The unanimous motion also expressed concern about a lack of transparency and shared governance, the need to achieve and document the advisement of faculty about their grievance rights in every involuntary leave letter, and the need to ensure full notification by Administration to the appropriate Senate judicial committee of all involuntary leaves.

Shared Goal, Different Approach

First and foremost, we want to unequivocally state that we share the goal of protecting patients and understand that there may be circumstances that require swift action. However, we disagree that the best approach to ensure the ability of the administration to act swiftly requires diluting authority via multiple delegations or redelegations of authority.

Members affirmed the goal of expeditious action to protect patients and the institution. However, it is a red herring to suggest that the redelegation is the determinate for swift action. Existing policy and procedure already allow for a proactive and quick response. Members noted that the Health System already has an immediate clinical investigatory leave procedure (14 days) (note: this appears to be incorrectly conflated with suspension in the October 30th response letter). Further, the VCAAP has the authority to place faculty on involuntary leave/interim suspension per Appendix XII, and there is no evidence to suggest that the VCAAP could not do so by the end of the 14-day investigatory leave. Members emphasized a focus on consistent practice and accountability.

Conflict of Interest and VC Delegated Authority

Members agreed with the October letter that the Vice Chancellor for UCLA Health Sciences has a direct conflict of interest because he hears appeals if clinicians are suspended or terminated. He cannot both have the delegated authority to place faculty on involuntary leave and then subsequently hear their appeal. Therefore, delegation of authority to that position should be rescinded.

Accountability and Effectiveness

Members expressed the following concerns about the redelegation of authority from you to the Vice Chancellor for UCLA Health Sciences to a DGSOM Vice Dean:

Diffusion of authority may lead to unnecessary complexity and loss of accountability. Indeed, redelegating authority within the health system has the potential to hide or obscure problems. The Executive Board regards the failures to follow existing procedures documented in the attached letter from the Committee on Privilege and Tenure as evidence that the current level of redelegation is detrimental to our shared values of accountability and transparency. Placing the authority outside of the health system (i.e., with VCAAP) would assist in improving both.

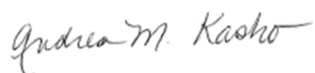
The act of redelegating could send the unintended message that safety and proactive accountability is not a top priority. Members were concerned about how three levels of delegation/redelegation would appear if something went wrong. Notably, UCLA is an outlier compared to the other UC campuses with re-delegation of authority to place non-Senate faculty on investigatory leave. While several campuses delegate authority to the Vice Chancellor for Academic Personnel (or similar titles), none appear to re-delegate the authority beyond that initial delegation, including those campuses with medical centers.

Members were disturbed by a lack of transparency and shared governance documented in the attached letter from the Committee on Privilege and Tenure. The uneven application and notice were greatly concerning. Members affirmed the need for absolute certainty that both faculty grievance language is included in the involuntary leave letter and consistent notification to judicial committees about each and every involuntary leave as required by Appendix XII. It is in our shared interest to achieve a transparent, smooth, and timely process, and the Academic Senate wishes to do its part.

In sum, the Executive Board shares your goals. However, it urges you to retain the delegation of authority with the VCAAP and no further.

We look forward to hearing the steps you will take to rectify this matter.

Sincerely,

A handwritten signature in cursive script that reads "Andrea M. Kasko".

Andrea Kasko

Chair
UCLA Academic Senate

Encl.

Cc: Kathy Bawn, Vice Chair/Chair Elect, UCLA Academic Senate
Jessica Cattelino, Immediate Past Chair, UCLA Academic Senate
Erika Chau, Assistant Vice Chancellor for Academic Affairs and Personnel, UCLA
April de Stefano, Executive Director, UCLA Academic Senate
Yolanda Gorman, Senior Advisor and Chief of Staff to the Chancellor, UCLA
Michael Levine, Vice Chancellor for Academic Affairs and Personnel, UCLA
Joaquin Madrenas, Vice Dean for Faculty Affairs, UCLA David Geffen School of Medicine
John Mazziotta, CEO and Vice Chancellor, UCLA Health