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STATE OF CALIFORNIA
PUBLIC EMPLOYMENT RELATIONS BOARD
UNFAIR PRACTICE CHARGE

DO NOT WRITE IN THIS SPACE: **Case No:** **Date Filed:**

INSTRUCTIONS: File this charge form via the e-PERB Portal, with proof of service. Parties exempt from using the e-PERB Portal may file the original charge in the appropriate PERB regional office (see PERB Regulation 32075), with proof of service attached. Proper filing includes concurrent service and proof of service of the charge as required by PERB Regulation 32615(c). All forms are available from the regional offices or PERB's website at www.perb.ca.gov. If more space is needed for any item on this form, attach additional sheets and number items.

IS THIS AN AMENDED CHARGE? **YES** ☑ **If so, Case No.** LA-CE-1420-H **NO** ☐

1. CHARGING PARTY: **EMPLOYEE** ☐ **EMPLOYEE ORGANIZATION** ☑ **EMPLOYER** ☐ **PUBLIC**[1] ☐

a. Full name: The Council of UC Faculty Associations, UCLA-FA, SDFA, IFA, BFA, SCFA, DFA, SFFA

b. Mailing address: 1999 Harrison Street, Suite 2700, Oakland, CA 94612

c. Telephone number: (510) 272-0169

d. Name and title of person filing charge: Hugh Schlesinger, Attorney
Telephone number: (510) 272-0169
E-mail Address: hschlesinger@leonardcarder.com

e. Bargaining unit(s) involved: Academic Senate Faculty

2. CHARGE FILED AGAINST: (mark one only) **EMPLOYEE ORGANIZATION** ☐ **EMPLOYER** ☑

a. Full name: Regents of the University of California

b. Mailing address: 1111 Franklin Street, 8th Floor Oakland, CA 94607

c. Telephone number: (510) 987-0933

d. Name and title of agent to contact: Allison Woodall, Deputy General Counsel
Telephone number: (510) 987-0933
E-mail Address: Allison.Woodall@ucop.edu; ucperb@ucop.edu

3. NAME OF EMPLOYER (Complete this section only if the charge is filed against an employee organization.)

a. Full name:

b. Mailing address:

4. APPOINTING POWER: (Complete this section only if the employer is the State of California. See Gov. Code, § 18524.)

a. Full name:

b. Mailing address:

c. Agent:

[1] An affected member of the public may only file a charge relating to an alleged public notice violation, pursuant to Government Code section 3523, 3547, 3547.5, or 3595, or Public Utilities Code section 99569.

5. GRIEVANCE PROCEDURE

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Are the parties covered by an agreement containing a grievance procedure which ends in binding arbitration?

Yes ☐ No ☑ Unknown ☐

6. STATEMENT OF CHARGE

a. The charging party hereby alleges that the above-named respondent is under the jurisdiction of: (check one)

☐ Educational Employment Relations Act (EERA) (Gov. Code, § 3540 et seq.)

☐ Ralph C. Dills Act (Gov. Code, § 3512 et seq.)

☑ Higher Education Employer-Employee Relations Act (HEERA) (Gov. Code, § 3560 et seq.)

☐ Meyers-Milias-Brown Act (MMBA) (Gov. Code, § 3500 et seq.)

☐ One of the following Public Utilities Code Transit District Acts: San Francisco Bay Area Rapid Transit District Act (SFBART Act) (Pub. Util. Code, § 28848 et seq.), Orange County Transit District Act (OCTDA) (Pub. Util. Code, § 40000 et seq.), Sacramento Regional Transit District Act (Sac RTD Act) (Pub. Util. Code, § 102398 et seq.), Santa Clara VTA, (Pub. Util. Code, § 100300 et seq.), and Santa Cruz Metro (Pub. Util. Code., § 98160 et seq.)

☐ The Los Angeles County Metropolitan Transportation Authority Transit Employer-Employee Relations Act (TEERA) (Supervisory Employees of the Los Angeles County Metropolitan Authority (Pub. Util. Code, § 99560 et seq.)

☐ Trial Court Employment Protection and Governance Act (Trial Court Act) (Article 3; Gov. Code, § 71630 – 71639.5)

☐ Trial Court Interpreter Employment and Labor Relations Act (Court Interpreter Act) (Gov. Code, § 71800 et seq.)

b. The specific Government or Public Utilities Code section(s), or PERB regulation section(s) alleged to have been violated is/are: Unknown ☐

c. For MMBA, Trial Court Act and Court Interpreter Act cases, if applicable, the specific local rule(s) alleged to have been violated is/are **(*a copy of the applicable local rule(s) MUST be attached to the charge*):**

d. Provide a clear and concise statement of the conduct alleged to constitute an unfair practice including, where known, the time and place of each instance of respondent's conduct, and the name and capacity of each person involved. This must be a statement of the facts that support your claim and *not conclusions of law*. A statement of the remedy sought must also be provided. (*Use and attach additional sheets of paper if necessary*.) See attached ☑

Please see attachement.

DECLARATION

I declare under penalty of perjury that I have read the above charge and that the statements herein are true and complete to the best of my knowledge and belief and that this declaration was executed on 09/18/2024 (Date)

at Oakland, CA (City and State)

Hugh Schlesinger, Attorney (Type or Print Name and Title, if any)

(Signature)

Mailing Address: 1999 Harrison St., Suite 2700
Oakland, CA 94612

E-Mail Address: hschlesinger@leonardcarder.com

Telephone Number: (510) 272-0169

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PROOF OF SERVICE

I declare that I am a resident of or employed in the County of Alameda,

State of California. I am over the age of 18 years. The name and address of my

Residence or business is Leonard Carder, LLP

1999 Harrison Street, Suite 2700, Oakland, CA 94612

On September 19, 2024 (*Date*), I served the Unfair Practice Charge (*Description of document(s)*)

(AMENDED) (*Description of document(s) continued*) in Case No. LA-CE-1420-H (PERB Case No., if known).

on the parties listed below by (check the applicable method(s)):

- [x] placing a true copy thereof enclosed in a sealed envelope for collection and delivery by the United States Postal Service or private delivery service following ordinary business practices with postage or other costs prepaid;
- [ ] personal delivery;
- [x] electronic service - I served a copy of the above-listed document(s) by transmitting via electronic mail (e-mail) or via e-PERB to the electronic service address(es) listed below on the date indicated. (*May be used only if the party being served has filed and served a notice consenting to electronic service or has electronically filed a document with the Board. See PERB Regulation 32140(b).*)

(*Include here the name, address and/or e-mail address of the Respondent and/or any other parties served.*)

Allison Woodall, Deputy General Counsel
UC General Counsel Office
1111 Franklin Street, 8th Floor
Oakland, CA 94607-5200
email: Allison.Woodall@ucop.edu
email: UCPERB@ucop.edu

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on 9/19/2024 (*Date*),

at Oakland, CA (*City*) (*State*).

Mary J. Nunez	
(*Type or print name*)	(*Signature*)

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ATTACHMENT TO FIRST AMENDED UNFAIR PRACTICE CHARGE

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I. INTRODUCTION

Charging Parties the Council of the University of California Faculty Associations ("CUCFA"), the UCLA Faculty Association, the UC San Diego Faculty Association, the UC Irvine Faculty Association, the UC Berkeley Faculty Association, the UC Santa Cruz Faculty Association, the UC Davis Faculty Association, and the San Francisco Faculty Association bring this amended charge against the Regents of the University of California ("UC" or the "University") for interfering with faculty's exercise of rights guaranteed to them under the Higher Education Employer-Employee Relations Act ("HEERA") and discriminating against faculty for exercising protected rights.

Since the onset of the current Gaza War, protesters across the globe have taken action to demand a ceasefire. The University's campuses have been no exception, as UC students, staff, and faculty on all campuses have organized actions to demand that the University call for a ceasefire and made concrete workplace demands. On April 22, 2024, students and others at UC Berkeley ("UCB") established the Free Palestine Camp ("UCB Encampment") on their campus. Students, student workers, and others at other UC campuses quickly followed suit, establishing Palestinian solidarity encampments at UC Santa Barbara ("UCSB") and UCLA on April 25; at UC Riverside ("UCR") and UC Irvine ("UCI") on April 29; at UC Santa Cruz ("UCSC"), UC Davis ("UCD"), and UC San Diego ("UCSD") on May 1; at UC Merced ("UCM") on May 12; and at UC San Francisco ("UCSF") on May 13. UC faculty and staff participated in the encampments, supporting students and making their own workplace demands. Protesters opposed the discrimination and hostile work environment directed towards Palestinian, Muslim, and pro-Palestinian Jewish employees on UC campuses; opposed UC's disparate negative treatment of pro-Palestinian speech in the workplace and on campus; opposed the chilling and militarized atmosphere UC had created on campus; called for free speech and academic freedom; and demanded amnesty for students, student employees, faculty, and staff who had been arrested and disciplined in making these demands or participating in encampments.

From their inception, the UC Palestinian solidarity encampments and the students, faculty, and staff participating in them were the target of threats and harassment from anti-Palestinian counter-protesters, as well as threats of forcible removal from the University. Between April 30 and May 31, these threats escalated to actual violence as many campus encampments were attacked by anti-Palestinian counter-protesters and were forcibly removed by law enforcement, resulting in hundreds of arrests and injuries. This was not true at all UC campuses, as the administrations at UCR and UCB chose to negotiate with students at their respective encampments and were able to come to a peaceful resolution. At UCD, administration and students worked together between May 6 and June 18 only to have the University of California, Office of the President ("UCOP") prohibit the Chancellor from signing any agreement, nullifying all agreed upon negotiations with students and preventing any form of shared governance practice.

On May 15, graduate workers represented by UAW Local 4811 voted to authorize an unfair labor practice strike to protest UC's unlawful actions, including its interference with employee rights, discrimination against employees making workplace demands, and unilateral changes to working conditions that impacted teaching, work obligations, safety, and academic freedom. The strike began on May 20, 2024, and ended on June 7, 2024, after UC obtained a temporary restraining order from the Orange County Superior Court.

In response to the strike, UC issued new, overbroad restrictions on members of the Senate

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Faculty that prohibited faculty – including faculty association members – from speaking to any students or employees about the strike or other union activities, regardless of whether there was a supervisory relationship. Any reasonable employee would interpret UC's directives as an instruction not to exercise basic rights guaranteed by HEERA, including the right to engage in protected concerted activity, such as by speaking with other faculty association members about union activities and the strike, and the right to academic freedom.

In addition, throughout nearly the entire period of the Gaza war, the University has engaged in a relentless campaign to chill faculty's exercise of their academic freedom and to deter them from teaching about the war in a way that does not align with the University's own position. Starting in or about October 2023, it began sending vague but threatening communications warning faculty that they could be disciplined for violating the faculty code of conduct, including by purportedly "indoctrinating" students or teaching coursework outside the scope of their course material. In the context of the repressive atmosphere UC has created, these threatening communications can only be read as a warning to faculty that they must not exercise their academic freedom to teach about issues related to Israel and Palestine in a way that the University does not approve of.

The University's egregious actions in response to the UC encampments and the UAW strike have interfered with employee rights and discriminated against faculty for exercising their protected rights, in violation of Government Code sections 3565; 3571, subdivision (a); 3561, subdivision (c); and the Prohibition on Public Employers Deterring or Discouraging Union Membership ("PEDD"), Government Code section 3550.

This charge is organized as follows. Section II discusses the procedural background to this First Amended charge and the charging parties. Sections III-VII discuss specific unlawful conduct by UC at UCLA, UCSD, UCSC, UCI, and UCSF. Section VIII discusses the University's unlawful systemwide communications that interfere with employees' rights to engage in protected concerted activity and their academic freedom. Section IX concludes by discussing the appropriate remedies.

II. PROCEDURAL BACKGROUND AND CHARGING PARTIES

UC Faculty Associations are voluntary, dues-supported organizations representing UC faculty on employment and academic freedom issues at individual campuses. CUCFA is an umbrella organization for the location-specific faculty associations at each UC campus.

On June 3, 2024, the UCLA Faculty Association ("UCLA-FA") filed the initial charge. This first amended charge adds the following charging parties, who are also affiliated with CUCFA: the UC San Diego Faculty Association, the UC Irvine Faculty Association, the UC Berkeley Faculty Association, the UC Santa Cruz Faculty Association, the UC Davis Faculty Association, and the San Francisco Faculty Association. The Santa Cruz Faculty Association is the exclusive representative for Santa Cruz faculty; the other faculty associations are non-exclusive representatives.

Faculty Association members and other faculty research and teach a variety of subjects, including—as relevant to the instant charge—labor law, labor-capital relations, university governance, socially responsible investing, colonialism, imperialism, Middle Eastern history, international law, social movements, the study of war, the study of violence, environmental studies, environmental and climate justice, agriculture and food studies, and other related topics. They also advise students who research these topics or who have educational interests in them.

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Along with their classroom instruction duties, faculty interact with students in a wide range of campus settings. They hold open office hours and advise students on theses, dissertations, and other research. Faculty talk with students about current events in the context of their academic curriculum. As part of their advising duties, faculty help students navigate the institution and academic experience generally, including by supporting and counseling students who at times seek to understand or change policies of the UC administration. Faculty are also required to identify students in mental health distress and refer them to mental health services.

Faculty are also required to document and report violations of federal law. For example, faculty must report violations of Title IX of the Education Amendments of 1972, which prohibits sex-based discrimination in any school or other education program that receives federal funding. Similarly, faculty must report violations of Title IV and VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, and national origin in programs receiving federal funds, including education.

III. THE PEACEFUL RESOLUTION OF ENCAMPMENTS AT UC RIVERSIDE, UC BERKELEY, AND UC DAVIS

Pro-Palestinian protesters established a Palestinian Solidarity encampment at UCB on April 22 and at UCR on April 29. Administrators at both campuses negotiated to peacefully resolve the protests, and did not use law enforcement to violently evict their encampments or arrest protesters.

On May 3, 2024, UCR's Chancellor Kim Wilcox announced that UCR had come to an agreement with pro-Palestinian protesters to end their UCR Encampment. (Exhibit 27 [Press release, UCR, Agreement to peacefully end encampment on campus].) The agreement included commitments by UCR to discontinue study abroad programs that do not comply with UC's Anti-Discrimination Policies, including the UCR School of Business Global Program in Israel; to consider removing UCR's endowment from the management by the UC Investments Office; and to explore investing the endowment in financially and ethically sound ways, considering any potential investment's involvement in arms manufacturing and delivery. (Exhibit 28 [May 3, 2024, agreement between UCR administration and pro-Palestinian protesters].) The UCR Encampment ended and was dismantled without incident.

On May 14, UCB Chancellor Carol Christ released a letter to the UCB Encampment addressing the UCB Divest Coalition's demands. In this letter, Christ committed UCB to examine the alignment of UCB's investments with the UN Principles of Responsible Investment to ensure that UCB's academic partnerships were consistent with UC's Anti-Discrimination Policy, including anti-Palestinian discrimination. (Exhibit 29, pp. 1-2.) In her letter, Chancellor Christ also acknowledged that pro-Palestinian protesters had tried to peacefully protest the death in Gaza, and acknowledged that protesting the war was not the same as hatred or antisemitism. (*Id.* at 1.) Following the letter's release, protesters began to dismantle the encampment.

On June 13, after five weeks of regular negotiation, UCD Chancellor Gary May verbally agreed to a draft agreement of negotiated demands by student leaders with the Popular University for the Liberation of Palestine Encampment. This agreement provided for the creation of a committee to liaise on matters of campus climate, modest improvements to academic offerings related to Palestine and Arab American studies, and a proposal for improved accountability related to University of California investments. However, student leaders were later told on June 18 that Regent's Chair

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Richard Leib and Vice Chair Gareth Elliot had summarily rejected the agreement in its totality and prohibited the UCD Chancellor from further discussion with them. They had even disallowed agreement terms specific to UCD academic programs. Nonetheless, protesters dismantled the encampment on June 20.

IV. UNLAWFUL CONDUCT AT UCLA

A. The UCLA Palestine Solidarity Encampment and UCLA faculty.

In February 2024, UCLA's Chancellor and Executive Vice Chancellor and Provost ("EVCP") Darnell Hunt created a Task Force on Anti-Palestinian, Anti-Muslim and Anti-Arab Racism ("Task Force") to investigate the causes and results of racism on UCLA's campus. The Task Force is comprised of faculty members of UC's Academic Senate. On April 24, 2024, the Task Force submitted an urgent report to EVCP Hunt that conveyed "grave concerns about the deteriorating climate on campus," identified that there were "extraordinary tensions on campus," and raised the risk of a "hostile work environment and retaliation through personnel reviews and merit processes" that Palestinian, Muslim, and Arab employees were facing. (Exhibit 1, pp. 3-4 [Task Force Report].) In the April 24 email, the Task Force offered several concrete proposals to address the pressing issues that the report identified. (*Id.*, p. 4.)

On April 25, 2024, UCLA students, employees, and community members (collectively, the "protesters") set up around 30 tents on Dickson Plaza in front of Royce Hall on the UCLA campus, forming the UCLA Palestine Solidarity Encampment. (Exhibit 2 [map of UCLA].) The protesters intended to call attention to Israel's ongoing genocide in Gaza, Palestine, and occupation of the West Bank, Palestine, teach students about the antecedents and consequences of the genocide, present the history of other movements that demanded UC divestment, including divestment from apartheid South Africa and fossil fuels, and to make the same demands of divestment from the University. Among these were a number of demands related to the terms and conditions of employment for University employees, including: recognizing employees' personal conscience rights to opt out of participation in military-funded research; opposing the discrimination and hostile work environment directed towards Palestinian, Muslim, and pro-Palestinian Jewish employees; and opposing UC's disparate negative treatment of pro-Palestinian speech in the workplace and on campus.

Faculty members, including UCLA-FA members, were present at the UCLA Encampment from its inception to its violent eviction. The faculty's primary role at the encampment was to support and protect their students, and to provide a communication channel from the students to the administration. Faculty were also present to express their concern for the campus climate. Much like students and other community members, many Palestinian, Muslim, and pro-Palestinian Jewish and non-Jewish UCLA faculty members had been subject to harassment and discrimination from anti-Palestinian counter-protesters and other anti-Palestinian individuals and groups at UCLA, creating a hostile workplace for these faculty members.

Starting on April 25, faculty members of the group Faculty for Justice in Palestine set up a table directly inside the encampment. Faculty were also in and around the encampment, holding a large banner, dimensions approximately 3 feet by 12 feet, that stated "UCLA Faculty and Staff Supporting Our Students." Faculty also held signs supporting free speech on campus and the right to academic freedom.

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1. Tensions and conflict around the UCLA Encampment increased as aggression and harassment by anti-Palestinian counter-protesters went unchecked by the University for multiple days.

Between April 25 and April 30, 2024, anti-Palestinian counter-protesters increased their presence on campus. (See, e.g., Exhibit 3 [Brian Osgood, *Activists say UCLA Palestine encampment assault followed days of harassment*, AL JAZEERA, May 2, 2024].) Counter-protesters harassed protesters more and more, from first taunting them, to then setting up loudspeakers to play the same handful of songs on repeat throughout the night at a booming volume. Counter-protesters threw a backpack into the encampment that appeared to be a bomb but contained mice. They attempted to violently enter the encampment and repeatedly used epithets. They roamed around the campus, harassing those they suspected of supporting the encampment.

During this time, UCLA-FA members and other faculty supporting their students were subjected to harassment, assault, and other forms of intimidation by anti-Palestinian counter-protesters. Multiple faculty were subjected to vile verbal harassment and sexual harassment – including violent, transphobic, racist, and sexist slurs and threats – by counter-protesters at or near the UCLA Encampment. At least one member of the faculty was physically pushed by counter-protesters attempting to enter the encampment. Counter-protesters filmed UCLA-FA member Hannah Appel and then doxxed her, posting her phone number and email address online. Appel received hundreds of emails and calls, including callers that stated her correct address and made sexualized threats.

On April 27, faculty raised their concerns to the administration. The faculty Task Force notified EVCP Hunt that an aggressive counter-protest was building for Sunday, April 28, and that counter-protesters had raised a large amount of money to disrupt the UCLA Encampment. In addition, one faculty member spoke directly with Administrative Vice Chancellor ("AVC") Michael Beck, and notified him of these threats. However, AVC Beck insisted that counter-protesters did not want to "pick a fight" and assured them that UC had hired dozens of security guards to "help address any provocations or potential attacks" at the encampment.

UCLA administrators did not intervene and, predictably, the harassment intensified. On April 28, UC allowed anti-Palestinian counter-protesters to erect a stage and sound system and hold a rally on Dickson Plaza, just 30 feet from the UCLA Encampment. At this rally, counter-protesters flew the flag of the Jewish Defense League – a far-right political group designated as a terrorist organization by the US – and broadcast at high volume graphic videos of killings, violence, and sexual violence that have occurred during the Israel-Palestine conflict onto a jumbotron. The University allowed the jumbotron to continue playing these videos on loop on the plaza for days, only removing it on May 2 after the encampment had been forcibly evicted. Several faculty with offices that faced the jumbotron were subjected to hours of graphic sounds and images. The jumbotron was playing videos at such a loud volume that it also interfered with faculty members' ability to teach in surrounding buildings and could be heard at a high volume in buildings one block away. Multiple faculty filed Title IX complaints over the jumbotron, and a UCLA-FA member wrote to two UCLA Deans to complain about it. (See, e.g., Exhibit 4 [Title IX Complaint].)

Before April 30, UC repeatedly stated it would avoid using police or other law enforcement personnel in interactions with the protesters. On April 26, Vice Chancellor for Strategic Communications Mary Osako released a statement proclaiming that UCLA would follow UC

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guidance and not "preemptively" request law enforcement and would only do so "if absolutely necessary" for campus safety. (Exhibit 5 [Press Release, UCLA statement on demonstrations]; see also Exhibit 6, p. 4 [UC Community Safety Plan, 2021].) The University reiterated this message in an April 28 Bruin Alert. (Exhibit 7 [April 28 Bruin Alert].) In addition, senior administrators told several faculty that UCLA would not call the police on the UCLA Encampment, so long as it remained peaceful.

2. On the night of April 30, the University consciously disregarded the safety of students, faculty, and other community members at the UCLA Encampment.

On the afternoon of April 30, Assistant Professor Danielle Carr emailed UCLA's Title IX office expressing disbelief at the "truly unbelievable" aggression that Protesters faced from counter-protesters during the April 28 rally. (Exhibit 8, p. 5 [Jon Swain, et al., *Despite warnings of violence at UCLA, police didn't step in for over 3 hours*, THE WASHINGTON POST, May 11, 2024].) She asked what the administration planned to do to protect students. (*Ibid.*) The administration did not respond.

Later, on April 30, UCLA Chancellor Gene Block declared the UCLA Encampment illegal. He issued a statement acknowledging there were "instances of violence" related to the encampment and announced that UC would increase the security and law enforcement presence around the encampment. (Exhibit 9.) Also, on April 30, UC President Michael Drake asserted that conditions on UCLA's campus threatened student safety and expressed support for Chancellor Block's decision to forcefully evict the encampment. (Exhibit 10.)

Starting at approximately 10:00 pm on April 30, anti-Palestinian counter-protesters attacked the UCLA Encampment. Counter-protesters assaulted students with metal pipes, mace, bear spray, and pepper spray, while others tore down barricades surrounding the encampment and launched fireworks into the encampment. Campus security and law enforcement were stationed approximately 200 feet away from the encampment but allowed the assault to continue unchecked for four hours.

A group of UCLA-FA members, including Isabella Arzeno, Graeme Blair, Miloš Jovanović, Elizabeth O'Brien, Bharat Venkat, Salih Can Açiksöz, and Carr, along with other faculty, did their best to protect the students. Because no one else intervened, at one point they lined up to physically shield students from the counter-protesters. Faculty tended to students' injuries. Faculty requested help from private security but received no assistance. Many tried to de-escalate tensions and do whatever they could to stop the attack.

Faculty also pleaded with the administration for help. At approximately 11:30 pm, a member of the faculty texted AVC Beck, informing him that people, including a faculty member, were being pepper sprayed by counter-protesters; that there had been a "rocket attack"; and that the counter-protester crowd was "growing" and "coming in from all sides."

Nevertheless, UCLA officials stood by while the violence unfolded. The administration waited until 12:30 am, two and a half hours after counter-protesters began their assault, to request assistance from the California Highway Patrol. (Exhibit 8, p. 4.) Some faculty who sought shelter in their offices were denied access to their own buildings by private security personnel, and instead left to brave the counter-protesters assault. As the attack continued, and while students and faculty pleaded for help, several UC officials monitored the developments at the UCLA Encampment. UCLA-FA members identified themselves as faculty to LAPD, asking for protection from outside

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attackers. Instead, faculty members were instructed to leave by an officer wielding a baton in a threatening manner. The officer confirmed he was not giving an order to disperse, but "a suggestion, from one human being to another." It was not until approximately 2:45 am on May 1 that officers finally intervened to separate the counter-protesters from the encampment. During the entire attack and its aftermath, emergency medical services were present at UCLA's campus but were not allowed by campus officials to come to the encampment to treat the injuries of students or faculty.

At least a dozen Protesters, including multiple UCLA-FA members, were injured during the April 30 assault. Faculty described conditions at the encampment as a "war zone," with some students laying on the ground bleeding, and others suffering from severe eye pain due to chemical irritants. One UCLA-FA member, a former EMT, tended to students' injuries. At least four faculty members were sprayed with chemical irritants, two were shot with fireworks, three were hit by projectiles, and at least one was beaten with a wooden stick or rod. UCLA-FA members experienced shortness of breath, watery eyes, eye pain, coughing, and post-traumatic stress disorder symptoms. Faculty were also subjected to homophobic, racist, and xenophobic verbal abuse from counter-protesters.

3. UCLA faculty members denounced anti-Palestinian counter-protesters' violence against the encampment and UCLA's failure to act.

After the April 30 assault, UCLA-FA members and other faculty collectively denounced the violence and the University's failure to protect students. On May 1, faculty held a march and press conference, and criticized UCLA's administration for allowing the attack; speakers at the press conference were heckled by anti-Palestinian counter-protesters. The same day, faculty in various UCLA departments began drafting and circulating statements denouncing the University's failure to protect students. (See, e.g., Exhibits 11 [Statement of Members of the UCLA Department of History Faculty] and 12 [No Police Actions – Letter to UCLA Chancellor Gene Block from Faculty and Staff].)

The Task Force also wrote a letter to Chancellor Block, urging him to take responsibility for UCLA's failure to protect students during the attack. The Task Force insisted that the Chancellor take immediate steps against the counter-protesters, and listed several demands, including that UCLA remove the jumbotron that continued to display violent images and horrific sounds; take no police action against students or UCLA personnel engaging in their First Amendment right to demonstrate and protest; prioritize student safety; and not issue any discipline against protesters. (Exhibit 1, p. 5.) The letter also stated that faculty had regularly visited the UCLA Encampment and noted that over 200 faculty had participated in a march in support of students' free speech rights.

Also on May 1, EVCP Hunt visited the UCLA Encampment to meet with a delegation of student representatives to discuss their demands. During that meeting, which UCLA-FA members and other faculty attended, students denounced UCLA's failure to protect the protesters from the violent mob. During that delegation, UC's private security was aggressive, and violently and repeatedly pushed one faculty member in attendance.

4. On the night of May 1, the University invited law enforcement onto UCLA's campus to forcibly evict Protesters from the encampment.

On the evening of May 1, 2024, the University ordered heavily armed law enforcement officers from multiple agencies to evict protesters from the UCLA Encampment.

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During the early hours of May 2, law enforcement violently evicted protesters and systematically destroyed the encampment. This process took several hours, during which officers arrested at least 209 protesters and injured at least 25 protesters so severely that they needed hospitalization. Injuries inflicted on protesters by officers included burns from flashbang fragments, head trauma from rubber bullets, and respiratory failure from smoke inhalation. (See Exhibit 14, p. 3 [Connor Sheets, et al., *At UCLA camp, police report no serious injuries, but protesters tell another story*, LOS ANGELES TIMES, May 3, 2024].) At least one protester's head injury was confirmed to have resulted in a subarachnoid hemorrhage, which was likely worsened by a delay in emergency medical services.

Faculty were also present that night and did their best to protect students and de-escalate the violence. At least one faculty member was in direct communication with senior UCLA administrators, updating them on developments at the encampment and pleading with them to suspend the eviction. Other faculty spoke with law enforcement and security guards to de-escalate the situation and requested that officers stop firing stun grenades and lower weapons pointed at students. Several UCLA-FA members were arrested and/or assaulted by law enforcement officers, including Blair, Carr, Zirwat Chowdhury, and Alexander Julius; Blair and Chowdhury were arrested while holding the large sign reading "UCLA Faculty and Staff Supporting Our Students." Police arrested and threw another member of the faculty to the ground, and then violently dragged and knelt on their head. Faculty were kept in detention in squalid conditions for nearly 12 hours. Law enforcement told faculty they were held for additional time at the University's request, rather than being processed and released on site. Officers also demasked several faculty members and marched them in front of television cameras.

After the raid, at least one UCLA-FA member returned to the site of the former UCLA encampment as part of a group seeking to gather and return the belongings of students and student employees. CSC security contractors and UC police ("UCPD") quickly began clearing the group from Royce quad, preventing gathering belongings. The UCLA-FA member identified themselves as faculty but nevertheless was physically pushed out of the area of the encampment by a UCPD officer.

5. UCLA faculty denounced the violent eviction of protesters from the encampment.

Immediately following the May 1 eviction of the UCLA Encampment, UCLA-FA members and other faculty organized and denounced UC's repression of Protesters. Between May 1 and May 31, groups of faculty from dozens of UCLA departments released statements condemning UCLA's attack of the encampment and demanding that UC grant amnesty for all protesters and that Chancellor Block immediately resign. These included statements from members of the Department of History Faculty; the Department of English, Comparative Literature, and Writing Programs Faculty; the Institute of the Environment and Sustainability at UCLA (IoES); the UCLA Black, Latinx, and Native American (BLNA) Faculty Collective of the David Geffen School of Medicine; the Department of Classics Faculty, the Latino Policy and Politics Institute; the Ecology and Evolutionary Biology Department; Architecture and Urban Design; the Institute for Society and Genetics; and many others. (Exhibit 15 [*We Stand With Our Students – UCLA Faculty and Staff Speak Out*, https://sites.google.com/view/we-stand/we-stand, last visited May 31, 2024].)

For example, the BLNA Faculty Collective of the David Geffen School of Medicine wrote that they were distraught over the division in UCLA's community and the silencing of First Amendment rights and pointed out that faculty promoting "core University values," such as fostering

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an environment of mutual respect had been personally and intellectually targeted. (Exhibit 25.) BLNA also pointed out that many UCLA students, trainees, staff, and faculty had migrated to the United States from totalitarian regimes without freedom of speech and experienced violations of human and civil rights, and that the violence permitted by UCLA had been re-traumatizing. (*Id.*) Similarly, members from the Department of Asian Languages and Cultures pointed out that many members of the faculty had grown up under repressive regimes and were shocked that the UCLA's administration "rhetoric and actions" reminded them "so vividly of their youth." (Exhibit 26.) They stated that UCLA faculty, staff, and students come from diverse backgrounds, and that many did "not feel safe on campus. (*Id.*) A group of Jewish faculty and staff also criticized the way Chancellor Block "(mis)used Jews as a justification for the arrest of those associated with Students for Justice in Palestine and their sister organizations, including Jewish Voice of Peace." (Exhibit 13, p. 2 [An Open Letter to the UCLA Community from UCLA Jewish Faculty and Staff].)

On May 4, faculty protested an event at UCLA's Hammer Museum, demanding amnesty for all Protesters involved with the encampment.

On the morning of Monday, May 6, a group of students and community members gathered at Parking Lot 2 on UCLA's campus. Before they had begun to march or take any protest action, law enforcement arrested 44 people. Later that morning, approximately 40 students attempted a sit-in at Moore Hall, before marching to Dodd Hall. In response, the University sent dozens of armed police in riot gear, locked Moore Hall at or around 8 a.m., restricted faculty from approaching it, and switched classes scheduled to be held in that building to remote for the day.

Also on May 6, faculty sent the administration a petition expressing their support for their students and making a series of demands. These included demands that (1) Chancellor Block resign; (2) all charges be dropped, and full amnesty be given to all students, staff, and faculty involved in the UCLA Encampment, and (3) that UCLA disclose all investments and divest from all military weapons production companies and supporting systems. (Exhibit 16.)

6. In response to purported disruption, UCLA shut down and flooded the campus with security, which suppressed protected concerted activity.

At approximately 4:00pm on May 6, UCLA announced that, "[d]ue to ongoing disruption" the campus would return to "limited operational status" through May 10, that most campus buildings would be closed, and that all teaching would move online. (Exhibit 17 [BruinALERT: Campus Activity Updates (May 6th at 4:00PM)].) The only purported "disruption" that day was the arrest of students who had congregated in a parking lot, and the attempted sit-in at Moore Hall. The campus remained closed until Friday, May 10. During this period, dozens of events were cancelled and UCLA flooded the campus with dozens of private security personnel from multiple companies.

The inevitable result of the blanket campus closure was that students and faculty were reluctant to even be present on campus and were deterred from engaging in any sort of protest activity. For many students, faculty, and staff of color, and immigrant students and faculty, the ubiquitous presence of security and law enforcement on campus led to increased fear of being physically present on campus. This, in turn, burdened faculty-student relationships.

In addition, the traditional forums for conducting protected concerted activity were instead occupied by security guards. These venues include Royce Quad, the Janss/Tongva Steps, and

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Dickson Court, which have, for decades, been used as sites for protected concerted activity. (See Exhibit 2.) During this period, UCLA cancelled or postponed over 50 on-campus events.

As discussed further below, the dramatic and disproportionate response to close the campus because of purported disruption was pretext for the University's desire to suppress protest activity and other concerted activity, including that of faculty. It was not until May 10 that UCLA announced it would return to normal operations the following week.

7. UCLA faculty members continued to denounce UCLA's violent eviction of Protesters from the encampment, and the administration announced systemwide that it would discipline employees who violated UC policy.

On May 9, UCLA-FA members and other faculty held a press conference to demand amnesty and express support for students, faculty, and staff who were arrested when the UCLA Encampment was evicted.

On May 13, the Task Force submitted a new report to EVCP Hunt. The May 13 report documented the "recent violent attacks from counter protesters on the Palestinian Solidarity encampment [the April 30 assault], the University's utter failure to protect the students under attack, and the violence perpetrated by police who at the administration's behest cleared the encampment by injuring, detaining and arresting peaceful protesters." (Exhibit 1, p. 1.) The report noted that the "administration has yet to grant student protesters amnesty, offer to cover medical expenses for injuries they sustained at the hands of counter protesters and the police, and protect their fundamental right to engage in peaceful protest." (*Ibid.*) It further lamented that the Task Force's prior attempts to "bring racism and violence to [EVCP Hunt's] attention" had "largely been ignored." (*Ibid.*)

8. May 23 action and protest.

On the morning of May 23, students and student workers announced that they intended to establish another encampment at Kerckhoff Patio. Protesters set up umbrellas facing Bruin Walk, a sign protesting UC's investment portfolio, and a Palestinian flag. As the protesters gathered, they were immediately circled off by security officers, restricting access to Kerckhoff Hall. Kerckhoff is UCLA's student union building, housing the Daily Bruin newspaper and the Undergraduate Students Association Council. Moore Hall was also closed. UCPD informed media that the order to close off these areas came from University administration.

Throughout the day, approximately 20 to 25 faculty members, including UCLA-FA members, were present at the protest site to ensure students' rights to safety, provide food and water to protesters, and to make their own demands, such as for amnesty for the students, employees, and faculty that had been arrested. Faculty held large blue signs that stated, "CALIFORNIA STUDENTS, FACULTY & STAFF DEMAND: ALL LEGAL CHARGES DROPPED & FULL AMNESTY" and yellow signs that stated, "We Stand with Our Students – UCLA Faculty." (See, e.g., Exhibit 30.)

Alongside UAW Local 4811 members, faculty, including UCLA-FA members, engaged in protected concerted activity at the protest site. They talked with students, student workers, and faculty about how to protect the right to engage in concerted activity on campus in the face of police repression. UCLA-FA members also recruited for the faculty association at the protest, asking other faculty to sign up as UCLA-FA members using their phones, sharing the link to their website, and

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sharing the UCLA-FA Know Your Rights FAQ about the UAW strike. Faculty also spoke with police and student affairs officials, making clear that they were present to advocate for their students' safety. At least one UCLA-FA member attempted to bring food and water to students and student employees but was denied access to the encampment by the police on instructions from university officials.

In addition to faculty who were present inside the May 23 encampment, UCLA-FA members congregated outside the encampment. These faculty called for amnesty for those arrested, opposed the police action against nonviolent protesters, and protested the militarization of campus. No dispersal orders or other suggestions of unlawful presence or assembly were directed at those outside the encampment. Yet, a police line around the encampment faced outward and raised nonlethal weapons toward the crowd, including at UCLA-FA members.

One UCLA-FA member was working in Moore Hall as the encampment was set up. While she was working, an Apex Security guard arrived to announce that the building was being evacuated due to safety concerns and that she could not return for the rest of the day. Moore Hall was then closed, classes and activities were moved online, and faculty who attempted to work in person were turned away.

Later on, May 23, UCLA hand-delivered a letter to a student to share with those in the encampment, which stated that the encampment violated University policy and that protesters who remained in the area could face sanctions. The letter threatened that those present would be barred from campus for seven days if they did not disperse. It specifically threatened faculty, stating that "[f]aculty disciplinary actions are handled through Senate judiciary committees and Academic Affairs and Personnel." (Exhibit 31.) When UCLA delivered this letter, there were approximately three UCLA-FA members inside the encampment.

At approximately 1pm, UCPD issued a dispersal order, directing protesters in the encampment to exit via a route that was entirely blocked by the police. Because the police obstructed the route, UCLA-FA members asked the police to let faculty out and to let them wait for exiting people. They were forced back.

After protesters in the encampment continued to complain that they had nowhere to exit, UCPD gave a new dispersal order with an alternate exit route. UCPD warned that "less-lethal munitions" could be used if protesters did not comply with the order which could result in "serious injury."[1] As police marched in to clear the protest site, private security forces hired by UCLA violently pushed back the crowd, which included UCLA-FA members who were attempting to assist students and faculty inside the encampment to exit. Faculty and students tried to comply with the order and were eventually able to leave Kerckhoff Patio. During this period, protesters, including UCLA-FA members, gathered outside of the encampment to protest police action against the

[1] Use of less-lethal munitions for non-compliance is against LAPD policy, which provides that less-lethal force options (e.g., rubber or plastic bullets, or tear gas) are "capable of inflicting significant pain and may cause serious injury," and that the police may only use less-lethal force if an officer reasonably believes that a subject is "violently resisting arrest or poses an immediate threat of violence or physical harm." (See Los Angeles Police Department, Use of Force – Tactics Directive, Directive No. 17 (July 2018), available at https://lapdonlinestrgeacc.blob.core.usgovcloudapi.net/lapdonlinemedia/2021/12/tac-dir-17-40mm-launcher.pdf.)

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encampment and support those inside of it. UCPD officers in the cordon around the encampment brandished less-lethal weapons outward at those protesters. No dispersal order had been issued to this outside group, nor any other indication that their protest activity had been deemed unlawful.

As the encampment was closing, the senior administration invited student leaders to come to Murphy Hall to discuss the protesters' demands. Students, student employees, and faculty marched to Murphy Hall from Kerckhoff Patio and gathered in front of Murphy Hall. UCLA-FA members held the banner "Faculty and Staff Stand with our Students," while faculty chanted and held signs demanding amnesty for arrested and disciplined community members, resignation of UCLA administrative leadership, and disclosure and divestment of University funds from investments in military weapons production. Students from the encampment invited faculty to accompany them to the meeting with the administration. Despite this invitation, UCPD and private security guards permitted only one faculty member, Blair, to enter Murphy Hall to attend the meeting. Other faculty members, including Arzeno, were prevented from entering Murphy Hall with Blair and were violently pushed by private security. Blair, along with members of student government and another faculty member who security later allowed to enter, advocated for encampment negotiators to be given amnesty to negotiate without fear of further prosecution or discipline. That request was transmitted to EVCP Hunt, who said it had to be decided on by the Chancellor who was unavailable at that time . The discussion ended there, faculty and students departed, and a group of students, student workers, and faculty marched to Dodd Hall.

At Dodd Hall, UAW organizers and faculty, including at least one UCLA-FA member, conducted teach-ins about the UAW strike. They explained to the students why faculty were not picking up struck labor and taking other legally protected actions in solidarity with potentially striking graduate workers. The teach-ins were live-tweeted. Two other UCLA-FA members were present during this teach-in. At the other end of Dodd Hall, UCLA-FA members were discussed the benefits of UCLA-FA membership and signed up faculty to join UCLA-FA.

Eventually, private security and police surrounded Dodd Hall. A group of faculty, including UCLA-FA members, gathered at the entrance of Dodd Hall, Portola Plaza, and Dickson Court, holding a banner reading "Faculty and Staff Stand with Our Students." FA members held large blue signs identifying themselves as faculty and demanding amnesty from disciplinary actions for students, faculty, and staff. FA members also held yellow signs expressing support for the students who had been arrested. Shortly after, police in riot gear rushed in on Portola Plaza and created a line with approximately a dozen Ford Explorer SUV vehicles, effectively separating the faculty contingent from other protesters. This line separated at least three members of FA leadership from other faculty members, who remained on the side of Dodd Hall. The police line made it impossible for faculty to continue discussing the faculty association and sharing leaflets on faculty rights not to pick up struck work during the UAW strike.

The police cleared Dodd Hall by force, forcing all those inside to leave, and preventing the concerted activity from continuing.

9. On May 26, UCLA's atmosphere of repression and hostility to students, workers, and faculty of color was evident when police interrupted a conference to interrogate its technical director, seemingly because of his race.

On May 25 and 26, the Japanese Arts and Globalizations ("JAG") Center organized a two-day

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conference entitled "Centering the Margins" that covered important publications about postwar art, culture, and politics. The conference was co-sponsored by the Terasaki Center for Japanese Studies, the Yanai Initiative, the National Center for Art Research, the UCLA Social Sciences, Arts, and Humanities Deans, and JAG member faculty. The event was scheduled in Royce Hall, was approved by the UCLA administration, and was posted on the university online event calendar and JAG website.

On May 26, the Technical Director of the conference, who is African American, was running the live-streaming portion of the event. During his lunch break, he stepped outside to the stairwell, but discovered he could not reenter because the door was locked from the inside, and the stairwell exit was tied shut with cords. The Director requested help from security guards who were outside, but instead of assisting him, they demanded that he identify himself. As the next conference session was starting again soon, the director phoned a UCLA faculty member still inside the building, who let him back in. An hour later, as the Director was running cameras for the live stream of the ongoing conference, six police officers entered through the back door and began questioning him. The Director attempted to tell the officers that he was the one who had been trapped in the stairwell but was fine now, but the officers began to question him as a suspect. He told them that he would have to stop the on-stage discussion, interrupt the thirty attendees, and disrupt the audience viewing online in order to continue to answer their questions, but the officers continued to press him, interrupting the conference. A UCLA Senate Faculty member came to speak to the officers, showing his campus ID and explaining that this was an official event. Police questioned the veracity of this, claiming they were not informed about the event. The faculty member explained that the event was registered with the university and on the university website. The police also ignored this, and continued interrogating the Director for several minutes, at which point he asked if he was being detained, saying he needed to return to work. The officers were visibly angry, and left, slamming the door loudly.

10. Five days after UCLA-FA filed its initial unfair practice charge, UCLA announced it would investigate and discipline faculty who were arrested.

On June 3, the UCLA-FA filed the instant charge and served it on the UC administration. That same day, UCLA-FA publicly announced it had filed the charge with PERB, and the Daily Bruin published an article about the charge.[2]

By May 24, UCLA initiated discipline and investigations against student employees for participation in the UCLA Palestine Solidarity Encampment. Despite UCOP's announcement of the change to the disciplinary policy, as discussed *supra* in Section IV.A.7, UCLA had not announced it would discipline any specific faculty. Because UCLA promptly started the discipline process against students in the encampment, faculty were under the impression that UCLA administration would not initiate discipline against them for their own protected activity.

On or about June 7, five days after UCLA-FA filed the original unfair labor practice charge, the administration informed academic deans that UCLA would begin discipline against faculty arrested at the encampment on May 1 and 2. On June 7, UCLA deans informed both Blair and Chowdhury that discipline was being initiated against them. Prior to June 7, UCLA had not informed

[2] See Alexandra Crosnoe, *UCLA Faculty Association files unfair labor practice charge against the UC*, THE DAILY BRUIN, June 3, 2024, available at https://dailybruin.com/2024/06/03/ucla-faculty-association-files-unfair-labor-practice-charge-against-the-uc.

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faculty they would be disciplined.

11. On June 10, UCLA directed police to arrest peaceful protesters, including faculty who were protesting workplace issues.

On June 10 at approximately 2 pm, over 100 students, employees, and faculty attended a rally organized by the UAW. The protesters arrived at Bruin Plaza and marched through UCLA's south campus. Protesters demanded that UCLA end the repressive police presence on campus and that UC stop its targeted repression of pro-Palestine advocacy and grant amnesty to all UCLA community members punished for pro-Palestinian activism. They also protested the University's decision to circumvent PERB and seek a temporary restraining order against the UAW strike in state superior court.

The protesters set up an encampment in Dickson Plaza. Shortly thereafter, UCPD and UCLA declared the encampment unlawful. At approximately 5:45 pm, the police gave a dispersal order, and at 5:50 pm, the police began removing the encampment. The protesters continued marching and attempted to set up more encampments, with the police issuing additional dispersal orders. At approximately 7:25 pm, Los Angeles Police Department officers, the Culver City Police Department, and UCPD formed a line. They began breaking down barricades at Shapiro Courtyard, while simultaneously preventing protesters from leaving the area. At one point, police fired pepper ball munitions at protesters, striking a UCLA-FA member who was peacefully speaking to another faculty association member. Police fired pepper ball munitions at one FA member who was standing away from the protest area, and other FA members drafting a press release regarding ongoing events.

As the police moved in, a UCLA-FA member who was not on site emailed Vice Chancellor Beck that faculty members were present in the area and were being "kettled" by police. He wrote:

> I am writing to you in my capacity as Executive Committee member of the UCLA Faculty Association. I want to let you know that several faculty members are currently being kettled by police on campus. Kettling is a tactic where police issue an order to disperse, but then physically prevent people from leaving in order to create pretext for arrests.
>
> These faculty were there as FA members in order to protest workplace safety issues and the ongoing atmosphere of repressing free speech on campus. It is regretful that they encountered more of the same.
>
> I am urging you to please contact the police officials and ensure that faculty are allowed to leave the area should they so choose, or continue to exercise their rights to free speech and association lawfully.
>
> Please let me know as soon as you can if our members are safe.

(Exhibit 32 [June 10, 2024, email from Jovanovic to Beck].) AVC Beck responded later, stating that there were individuals arrested near Dodd Hall but that they were cited and released onsite. He did not deny that the police prevented faculty from dispersing.

In total, the police arrested approximately 25 students, employees, and faculty, and charged them with violations of California Penal Code section 626.4, subdivision (d). As discussed further

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below, California Penal Code section 626.4, subdivision (d) requires the University to provide notice to an individual that consent to remain on campus has been withdrawn, and in most cases, requires a hearing before implementing an exclusion order. Only after that process is complete can an individual be found guilty of violating section 626.4, subdivision (d) for willfully and knowingly remaining on campus during the period for which consent has been withdrawn.

The police, at UC's direction, arrested and charged at least one UCLA-FA member, Julius, with violating section 626.4, subdivision (d). But that member never received notice that they were banned and was never afforded a hearing.

12. On June 21, the University issued disciplinary charges against four UCLA-FA members arrested during the UCLA Encampment eviction and the June 10 protest.

On or about July 21, the University sent Formal Charge Letters and Formal Charge Forms to four UCLA-FA members. (Exhibits 33 [June 21 Formal Charge Letter, Blair], 34 [June 18 Formal Charge Form, Blair], 35 [June 21, Formal Charge Letter, Chowdhury], 36 [June 18 Formal Charge Form, Chowdhury], 37 [June 21 Formal Charge Letter, Julius], 38 [June 18, 2024, Formal Charge Form, May 2 arrest, Julius], 39 [June 18 Formal Charge Form, June 10 arrest, Julius], 40 [June 21 Formal Charge Letter, Carr], and 41 [June 18 Formal Charge Form, Carr].) The Charge Letters, which were identical in content, alleged the members had committed multiple violations of Academic Personnel Manual (APM) 015 – Faculty Code of Conduct, Section C – The University, related to their arrest during the eviction of the UCLA Encampment. The charged violations included:

> C1. Intentional disruption of functions or activities sponsored or authorized by the University.
> C2. Incitement of others to disobey University rules when such incitement constitutes a clear and present danger that violence or abuse against persons or property will occur or that the University's central functions will be significantly impaired.
> C3. Unauthorized use of University resources or facilities on a significant scale for personal, commercial, political, or religious purposes.
> C4. Forcible detention, threats of physical harm to, or harassment of another member of the University community, that interferes with that person's performance of University activities.
> C8. Serious violation of University policies governing the professional conduct of faculty, including but not limited to policies applying to research, outside professional activities, conflicts of commitment, clinical practices, violence in the workplace, and whistleblower protections.

(Exhibit 33, p. 1.) As evidence to support these allegations, Blair's, Carr's, and Chowdhury's Charge Forms and Julius's Charge Form 1 cited the three members as among those "who refused to leave [the UCLA Encampment] after the dispersal order had been issued multiple times" by law enforcement and were arrested. (Exhibit 34, p. 2.) Julius's second Charge Form cited his arrest during the June 10 protest after refusing to leave the courtyard between the Law School and Dodd Hall. (Exhibit 39, pp. 3-4.) While the Charge Forms included an Incident Summary that generally described conduct at or around the encampment or during the June 10 protest, they did not allege that the members had engaged in any conduct beyond engaging in protests on those occasions and refusing to leave the encampment or protest areas after being ordered to disperse by law enforcement. The Charge Letters explained that the Charges Committee would investigate the allegations against the UCLA-FA members and, if probable cause were found to support the charges, the members

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would then go before the Privilege and Tenure Committee for a formal disciplinary hearing. (Exhibit 33, p. 2.)

13. Because of the overblown police response to the protests, faculty were prohibited from accessing their work locations.

Also on June 10, the police baselessly denied faculty access to their buildings. In one case, a UCLA-FA member of color needed to access her office to get her backpack and driver's license. She told APEX security that she was a faculty member and needed to access her office, and gave the security officer her room number. The officer loudly berated her to "leave leave leave" because the building was closed, and refused to allow her into her office. Eventually, the faculty member found another security guard who permitted her to be escorted upstairs to get her belongings.

Another example is that after 9 pm on June 10 a UCLA-FA member attempted to access his office in the law building, but his keycard access had been deactivated. He then approached the law building from the Dodd Hall side but was blocked by a police line between Dodd and the LuValle food court. The FA member asked the police if he was forbidden from entering the building, and the police asserted that nobody on the premises could pass by because they had violated a police dispersal order. The member stated that they had recently arrived on campus, had not been present for any dispersal order, and just wanted access to his office. After speaking with their supervisor, the officer reiterated that the FA member was prohibited from entering the building. Later, the FA member learned that the police had issued a dispersal order in a different location hours before. The FA member raised his concerns with the administration, who confirmed that UCPD had ordered the lockdown of all doors at the law school.

14. On July 3, the University denied Blair promotion to Full Professor.

When significant personnel actions involve Senate faculty, UCLA's Academic Senate on Council on Academic Personnel ("CAP") reviews the decision and issues an advisory opinion on it. UCLA's Vice Chancellor is responsible for making the final decision on the personnel matter and does not have to follow the advisory opinion of CAP.

On June 4, CAP considered Blair's recommendation for promotion, including by his Department Chair Davide Panagia, external evaluators, and Interim Dean of Social Sciences Abel Valenzuela. Blair's evaluators provided near unanimous support for his promotion to Full Professor. His colleagues in the Political Science Department recommended his promotion overwhelmingly. In a letter to Valenzuela, The Chair of the Political Science Department, Davide Panagia declared that he "strongly support[s]" Blair's promotion, noting that Blair is both a "highly esteemed international scholar whose record of research productivity is exceptional" and that his "teaching is exemplary at both the undergraduate and graduate level." (Exhibit 42, pp. 1-2 [January 29, 2024, Panagia recommendation letter].) In a subsequent letter to Vice Chancellor of Academic Affairs and Personnel, Michael Levine, Valenzuela assessed that the Political Science Department "has made a powerful case for Blair's promotion" and "recommend[ed Levine's] timely approval of Blair's promotion." (Exhibit 43, p. 3 [April 25, 2024, Valenzuela recommendation letter].)

While the Council noted his exceptional instructional and scholarly record and glowing recommendations, it nonetheless voted to disapprove of Blair's promotion to Full Professor. (Exhibit 44 [June 4, 2024, Council on Academic Personnel Report].) The Council provided only one sentence to explain its decision, stating that it "felt there was insufficient evidence in the dossier to support"

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Blair's promotion and making vague reference to scholarship that had been previously considered. (*Ibid*.) Following this vote, both Chair Panagia and Dean Valenzuela visited the Counsel to discuss Blair's proposed promotion, though the Council remained unwilling to revisit their decision after that discussion. On July 1, 2024, Vice Chancellor Levine approved the denial of Blair's promotion.

B. UC interfered with employee rights and discriminated against employees at UCLA.

1. The faculty associations have standing to bring this charge.

PERB has held that under HEERA, nonexclusive representatives have standing to bring unfair labor practice charges on behalf of employees they represent, which include violations of Government Code section 3571, subdivision (a). (*Regents of the University of California* (2020) PERB Decision No. 2699-H, pp. 4, 9.) The Board has not limited this categorical holding to violations committed during organizing campaigns. (See, e.g., *id*. at p. 7 ["we find **no basis** in the statute to limit standing to allege section 3571, subdivision (a) violations to exclusive representatives"]; p. 8 ["we hold that a nonexclusive representative has standing to allege violations of the rights of employees it represents"].) Here, the faculty associations have filed charges alleging interference and discrimination behalf of their membership as they are plainly entitled to do. The University's baseless argument that PERB's holding is limited to violations committed during only public organizing campaigns must be rejected. (See UC Position Statement, pp. 8-10.)

2. UC unlawfully interfered with employee rights by allowing counter-protesters to attack the UCLA Encampment, creating an atmosphere of repression, and, on multiple occasions, calling upon law enforcement to violently arrest peaceful protesters.

An employer unlawfully interferes with employee rights when they engage in conduct which tends to interfere with, restrain, or coerce employees in the exercise of protected rights. A charging party establishes a prima facie case of interference under the *Tulare* test by alleging facts showing (1) employees were engaged in protected activity, (2) that an employer engaged in conduct which tends to interfere with, restrain or coerce employees in the exercise of those activities, and (3) that the employer's conduct was not justified by legitimate business reasons. (*Public Employees Association of Tulare County, Inc. v. Board of Supervisors of Tulare County* (1985) 167 Cal.App.3d 797, 807 ("*Tulare*").)

PERB has held that an employer's use of law enforcement to remove employees engaged in protected activities can constitute unlawful interference. In *Alliance Environmental Science and Technology High School, et al.*, PERB found that an employer engaged in unlawful interference where (1) the employer requested that deputies stop union organizers from handbilling outside a school, (2) the organizers were engaged in protected activity by distributing union literature on non-work time and in a non-work location, (3) in attempting to use the deputies to stop the organizers, the employer actually interfered with the protected activity and caused at least slight harm to protected rights, and (4) the organizers' actions were peaceful and did not interfere with the employer's operations. (*Alliance Environmental Science and Technology High School, et al.* (2020) PERB Decision No. 2717, pp. 22-25 ("*Alliance*").) In that case, deputies *did not arrest* the Union organizers, the organizers were only temporarily interrupted, and the employer almost immediately retracted the directive, and ultimately allowed the organizers to continue handbilling. (*Id.* at p. 25.) But there was at least slight harm to the exercise of employee rights, because the organizers were unable to speak to as many new teachers as they had wanted due to police presence. (*Ibid*.)

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Even absent employee protected activity, an employer unlawfully interferes with employee rights where its conduct would reasonably tend to or does result in harm to employee rights. (*Carlsbad Unified School District* (1979) PERB Decision No. 89, p. 10 ("*Carlsbad*").) This is an objective test that asks whether, under the circumstances, an employer's conduct would reasonably discourage employees from engaging in protected activity. (*Id.*; see also *Petaluma City Elementary School District* (2018) PERB Decision No. 2590, p. 8.) Under the *Carlsbad* test, a charging party need not demonstrate that the adverse action was taken in response to protected activity. (See *Los Angeles Community College District* (2014) PERB Decision No. 2404, p. 9.) Instead, the relevant question is "whether the employer rule would tend to chill employees in the exercise of their protected rights." (*Ibid*; see also *Rio Hondo Community College District* (1983) PERB Decision No. 292, pp. 13-14 [employer unlawfully threatened to suspend union's statutory rights if it engaged in a strike].)

Where a charging party establishes a prima facie case of interference, an employer may argue that their actions were justified based on operation necessity and the competing interests of the charging party and the employer must be balanced. When the harm to employee rights is slight, and the employer establishes a justification based on operational necessity, the competing interest of the employer and rights of employees is balanced. (*Carlsbad*, *supra*, PERB Decision No. 89, pp. 21-30.) If the harm is inherently destructive of employee rights, the employer's conduct is only excused if the employer establishes circumstances beyond its control and that no alternate action was available. (*Id.* at pp. 10-11.)

The University unlawfully interfered with the rights of faculty association members through the following actions:

1. On April 30, by allowing counter-protesters to violently attack the UCLA Encampment, including UCLA-FA members advocating for themselves and their students, for hours, and by failing to respond until after 1:30 am.
2. On May 1, by calling upon law enforcement in riot gear to violently sweep the UCLA Encampment, point and fire rubber bullets at peaceful protesters, and arrest the peaceful protesters, including UCLA-FA members, who were attempting to convince the administration to de-escalate and to keep their students safe.
3. From May 1 through June 11, by flooding campus with hundreds of police and security guards to maintain a visible presence in an obvious attempt to chill all protected concerted activity, including between May 6 and May 10, when UCLA shut down campus and cancelled dozens of events.
4. On May 23, by calling upon law enforcement to violently evict UCLA-FA members at Kerckhoff Plaza and in Dodd Hall who were protesting working conditions and demanding arrested protesters receive amnesty.
5. On June 7, by announcing that two UCLA-FA members arrested on or about May 2 and named in the original PERB charge would be disciplined.
6. On June 10, by using police to repress UCLA-FA members protesting working conditions and demanding amnesty for those arrested, by firing pepper ball munitions at UCLA-FA members, by kettling UCLA-FA members, by arresting UCLA-FA member for a baseless violation of Penal Code section 626.4, subdivision (c), and by unreasonably denying UCLA-FA members access to their work locations.
7. On June 21, by issuing disciplinary charges against Blair, Chowdury, Julius, and Carr.

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8. On July 3, by denying Blair's promotion to full professor.

UC's conduct constituted unlawful interference under both the *Carlsbad* and *Tulare* standards.

a. UC committed unlawful interference under the *Tulare* standard.

i. Faculty engaged in protected concerted activity.

First, UCLA-FA members engaged in protected activity. PERB has explicitly stated that NLRA Section 7 rights are similar to the rights granted under PERB statutes. In *Modesto City Schools* (1983) PERB Decision No. 291, the Board held:

> The only difference we find between the right to engage in concerted action for mutual aid and protection and the right to form, join and participate in the activities of an employee organization is that EERA uses plainer and more universally understood language . . . . Membership drives, bargaining, leafletting and informational picketing are activities which are, without question, authorized by section 3543. Similarly, work stoppages must also qualify as collective actions traditionally related to collective bargaining.

(*Id.*, p. 62.) Individual workers covered by HEERA, which includes faculty, therefore have the right to engage in concerted activity such as strikes, even if they do not have union representation.

a) Faculty made specific demands over working conditions.

Employee demands or advocacy for changes in working conditions, including changes that impact workplace safety, are protected. (See, e.g., *City and County of San Francisco* (2020) PERB Decision 2712-M, pp. 18-19 [among other activities, employee's emails to management to raise health and safety concerns at the worksite and concerns about discrimination and harassment affecting union members was protected]; *Menlo Park Fire Protection District* (2008) PERB Decision No. 1983-M, p. 6 [employee's report of safety concern to employer or third party is protected activity].)

Employee advocacy in solidarity with or on behalf of employees in a different bargaining unit or union is also protected. (*McPherson v. Public Employment Relations Bd.* (1987) 189 Cal.App.3d 293, 310-311; see also *Contra Costa Community College District* (2003) PERB Decision No, 1520, pp. 6-7.) So, too, is encouraging faculty to join the UCLA-FA and sign up for membership. (See, e.g., *County of San Joaquin (Health Care Services)* (2003) PERB Decision No. 1524-M, p. 24.)

Finally, Employee participation in the PERB process is also protected. (See Gov. Code § 3563.2, subd. (a); *Mount San Jacinto Community College District* (2018) PERB Decision No. 2605, p. 8.)

Here, faculty, including UCLA-FA members, engaged in protected activity by specifically protesting their working conditions, making workplace demands, advocating in solidarity with UAW Local 4811, and participating in the PERB process. Among other activity, faculty: (1) demanded that the University grant amnesty to arrested students, student employees, and faculty; (2) protested UCLA's new atmosphere of repression, where police were ubiquitous and regularly interfering the most basic activities, including by interrupting University-approved events by racially profiling

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attendees, preventing access to faculty work sites, and silencing peaceful protest; (3) participated in the PERB process by including their names in the instant unfair labor practice charge; (4) expressed solidarity with striking UAW workers and marched with them; (5) recruited new UCLA-FA members at these events and shared the benefits of faculty association membership; (6) opposed discrimination and hostile work environment that faculty of color, particularly Palestinian, Muslim, and pro-Palestinian Jewish students and employees, face at UCLA due to the increased police presence and violent repression of peaceful protest; (7) demanded that the University not resort to police action to remove UCLA students and faculty from peaceful protest; and (8) conducted teach-ins about the UAW strike and to stand in solidarity with unionized student workers.

b) Faculty collectively advocated for their students' safety.

Faculty protested to protect the safety of their students and student employees, support the students' demands, and demand that UCLA protect students from violence. PERB has held that employees engage in protected activity when they collectively advocate over safety issues that impact patients or students for whom they are responsible. (*See Salinas Valley Memorial Healthcare System* (2012) PERB Decision No. 2298-M; *Rocklin Unified School Dist.* (2014) PERB Decision No. 2376-E ("*Rocklin*"); *Regents of the University of California (Irvine)* (2016) PERB Decision No. 2493-H.) In *Rocklin*, the Board found that a group of nurses' reports about "safety concerns regarding appropriate health care" for students and complaints about workload issues were protected. (*Rocklin, supra*, PERB Decision No. 2376-E, p. 29.) This included a nurse's individual expression of "her belief [that] it was unsafe to train a bus driver to suction a student's trachea tube," which was protected when considered in the context of the nurses' collective advocacy for student safety. (*Ibid.*)

Here, faculty collectively communicated their concerns about student safety to the administration and publicly on multiple occasions. These included organizing a walkout in support of the first encampment, press conferences, and demands that no police actions be taken against the protesters. Faculty also maintained a regular, visible presence at the encampment and during other protests, clearly identifying themselves as faculty that stood with their students, with UCLA-FA members even being arrested while holding the banner "UCLA Faculty and Staff Supporting Our Students." Faculty regularly communicated with the administration when they believed student safety was in jeopardy. Thus, faculty members' group advocacy for student safety at the encampment was also protected under the reasoning of the *Rocklin* Board. (*Ibid*.)

The University may attempt to argue that faculty participation in these protests was not directly related to working conditions. Even if that were true – which it is not, given the explicit demands over working conditions faculty made, as outlined above – PERB often looks to NLRB precedent for guidance. The NLRB General Counsel ("GC") has found that employees' collective advocacy for issues for which there are not explicit terms and conditions of employment is nonetheless protected if those issues impact terms and conditions of employment. A GC advice memorandum concluded that employee participation in the "Day Without Immigrants" strike to protest heightened immigration enforcement and call for immigration reform was protected Section 7 activity. The GC reasoned that harsher immigration enforcement would "likely cause employment standards and working conditions to deteriorate for all workers," because immigrant workers would be discouraged from exercising their right to organize for better working conditions or using administrative mechanisms to enforce statutory employment and workplace safety protections. (Advice Memorandum, NLRB General Counsel, *International Warehouse Group, Inc.*, Case 29-CA-97057, October 5, 2017, available at https://www.laboremploymentreport.com/wp-

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content/uploads/sites/82/2018/08/29_CA_197057_10_05_17_.pdf.pdf.)

Student safety at the protests impacted faculty working conditions under the *International Warehouse Group* standard. Faculty are responsible for ensuring students have the resources and opportunities to succeed in their course. Student success or failure in a course affects faculty assessments and can negatively impact a faculty member's pay or promotion or, in extreme cases, lead to termination. Faculty spent considerable time supporting students affected by the violence, including by adjusting course deadlines, helping students navigate bureaucratic systems for accommodations, using class time to discuss the practical impacts of the violence on campus, and meeting with traumatized students. Students who experienced injuries, arrest, or trauma at the protests were likely to perform poorly and require more faculty assistance and support to fulfill their courses' requirements. This risk was further heightened because UCLA forcibly evicted the encampments close to or during final examinations – for example, law school exams were underway the week of April 29, so faculty had to address whether to modify exam procedures on an individual, course, or school-wide basis in response to the violence. Thus, violence at the encampment was "likely cause employment standards and working conditions to deteriorate for" faculty as they would be forced to put significantly more time and effort into ensuring their students succeeded. (*International Warehouse Group, Inc.* Advice Memorandum, *supra*, Case 29-CA-97057.) Because the issue impacted the conditions under which faculty fulfilled their instructional duties, faculty members' collective advocacy for student safety at the encampment was protected activity under the NLRB General Counsel's *International Warehouse* standard. (*Id.*)

c) Solidarity with graduate student workers.

Faculty participation in and support of the initial UCLA Encampment and in subsequent protests also involved advocacy on behalf of and in support of graduate student workers and UAW Local 4811. Student workers at the encampment demanded, among other things, that the University permit researchers to opt out of funding research funded by sources tied to the military or the Israeli occupation and grant amnesty to employees and students facing discipline due to their protest activities. Because graduate workers' demands were part of the protest demands, faculty participation in and support of the encampment and later protests necessarily involved support of those demands. As such, faculty participation in and support of the encampment constituted advocacy on behalf of graduate workers and was protected under *McPherson*. (*McPherson, supra*, 189 Cal.App.3d at 310-311.)

ii. The University's conduct tended to interfere with, restrain, or coerce employees in the exercise of those activities.

The employer engaged in conduct that tends to interfere with, restrain or coerce employees in the exercise of those activities. There is no dispute that UCLA knowingly stood by while counter-protesters attacked the encampment, and then, on May 1 ordered law enforcement to forcibly evict the protesters and arrest numerous faculty. It has permitted police to fire rubber bullets, fire pepper ball munitions, and use brute force on peacefully protesting students and employees. UC also issued a new systemwide policy announcing that students and employees who were arrested or who violated other University policy would face discipline. Its dramatic and overbroad response stands in stark contrast to other locations, some of which have resolved peaceful protests without police repression.

Shortly after UCLA-FA filed the initial charge in this proceeding, UCLA initiated disciplinary

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proceedings against arrested faculty and denied Blair's promotion. This deters employees from engaging in the PERB unfair labor practice process, which is plainly a protected right.

UCLA's baseless arrest on June 10 of another UCLA-FA member for purportedly violating Penal Code section 626.4, subdivision (d) also constitutes interference. This faculty member was never given notice of any campus ban, let alone a hearing. The University's utter disregard for the law in its intimidation campaign demonstrates that it will go to any lengths to tamp down on protected concerted activity and attempt to silence workers from engaging in protected activity.

UCLA has also created an oppressive, militarized atmosphere on campus where it uses the police to snuff out and deter peaceful student and employee speech. This infiltration of campus with police is repressive to nearly all protected concerted activity. Even during events sanctioned by the University, such as the Centering the Margins conference, police interrupted and interrogated an employee of color for simply doing his job. The repression and targeting of employees, staff, and faculty of color on UCLA's campus is unprecedented and interferes with employee rights to engage in protected activity – or even come onto campus at all.

In taking the above actions, UCLA has interfered with, restrained, and coerced employees in the exercise of protected activities.

iii. UCLA's conduct was not justified.

UC's conduct was not justified. UCLA's decisions to repeatedly use law enforcement to quell peaceful dissent were in direct contradiction to its own published policies, which require de-escalation and to minimize police presence at protests. Moreover, UC Riverside and UC Berkeley reached peaceful resolutions with pro-Palestinian protesters without resorting to violence to clear their encampments or arrest protesters. Finally, insofar as UCLA asserts that its actions were justified because of encampment-related violence, this was primarily violence against the peaceful encampment that UCLA itself failed to prevent and implicitly encouraged with the broader anti-Palestinian, anti-Arab, and anti-Muslim environment it created, as highlighted to UCLA administration in the Task Force report. Instead of quelling this violence against peaceful pro-Palestinian protesters, UCLA's decision to call upon law enforcement to evict the UCLA Encampment escalated that violence, resulting in dozens of severe injuries and chilling speech and protest on campus.

Therefore, under the *Tulare* test, UCLA unlawfully interfered with employee rights.

b. The University interfered with employee rights under the *Carlsbad* standard.

Even if faculty were not engaging in protected activity, UC's actions constitute interference under the *Carlsbad* standard. The University demonstrated to faculty and other University employees that it was willing to use violence to suppress protests on UCLA's campus at any cost. Faculty were attacked by violent counter-protesters, brutalized and arrested by the police, denied access to their work offices, kettled by law enforcement, sustained physical and post-traumatic stress disorder symptoms, subject to a constant and oppressive police presence just by stepping foot onto campus, and have had discipline initiated against them.

UCLA also closed campus between May 6 and May 10, and since then, has prevented faculty

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from accessing their own workspaces due to police activity. These closures, combined with the heavy security presence, discourage the exercise of employee rights, both by discouraging faculty and students from being physically present on campus, and by deterring them from engaging in protected concerted activity. Traditional forums where expressive activity had been conducted were instead occupied by armed security, and any reasonable faculty member would be deterred from participating in concerted activities because of closure and heavy security presence. The police presence has had a disproportionate impact on students and faculty of color.

A "natural and probable consequence[]" of these actions is that they discourage faculty members from engaging in strikes, pickets, and other forms of protest protected by HEERA for fear that they too will be subject to violent repression at the University's behest. (See *Carlsbad*, *supra*, PERB Decision No. 89-E, p. 13.)

UC also cannot establish that there was either operational necessity or circumstances beyond its control that required it to forcibly remove protesters. As discussed above, its decision to use law enforcement to evict peaceful protesters was contrary to its own published policies; other locations reached peaceful resolutions with pro-Palestinian protesters; and the violence at the UCLA Encampment was primarily violence *against* the peaceful protesters that UC failed to prevent. There is nothing compelling the University to initiate discipline against faculty who were arrested, and there is no reason that UC must continue its selective speech policy that cracks down on pro-Palestinian viewpoints.

3. UC unlawfully discriminated against employees.

To demonstrate a prima facie case that an employer unlawfully discriminated or retaliated against employees, the charging party must show that: (1) the employees exercised rights protected by a labor relations statute that PERB enforces; (2) the employer had knowledge of the exercise of those rights; (3) the employer took adverse action against the employees; and (4) the employer took the action because of the exercise of those rights. (*Novato Unified School District* (1982) PERB Decision No. 210, pp. 5-6.) The charging party has the initial burden of demonstrating a causal connection or "nexus" between the adverse action and the protected conduct. (*Ibid*.; PERB Reg. 32603, subd. (a).) Here, UC discriminated against faculty members for exercising protected rights by taking each of the actions described *supra* in Section IV.B.2.

First, faculty engaged in protected activity, as discussed *supra* in Section IV.B.2.a.i.

Second, the University had knowledge of faculty participation. Faculty were prominent throughout the protests, regularly holding a large sign identifying themselves as faculty, and sitting at a visible Faculty for Justice in Palestine table. Faculty also held numerous press conferences, including one on May 1, the day before UCLA chose to have police raid the encampment, and during which faculty denounced UCLA's failure to protect students. During the first encampment, faculty also communicated directly with UCLA administration, including EVCP Hunt, that they were concerned about their students' safety, the escalating violence around the encampment, the amplified sound and graphic images depicted on the jumbotron adjacent to faculty work areas, and UCLA's failure to take any action to protect pro-Palestinian protesters from aggressive counter-protesters. Faculty representatives repeatedly raised their concerns to the administration, including by attending a delegation to UCLA's administration to protest its violent eviction of the pro-Palestinian protesters, and by communicating with the administration throughout these protests. UCLA was also well aware that faculty were present at the protests, were protesting the University's lack of protection for

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students engaged in lawful protest and making other workplace demands, and that many faculty blamed UCLA administration for failing to prevent or stop the violence against students. Finally, the University was served with a copy of the PERB charge that UCLA-FA filed against the University.

Third, UC took adverse actions against UCLA-FA members. The University failed and refused to intervene to protect students, faculty, and other protesters from being attacked by counter-protesters on April 30 despite repeated warnings from faculty about the escalating violence at the encampment. It then called law enforcement on to campus to arrest protesters, including faculty members, on May 1. The police arrested and brutalized multiple members of the faculty, including two faculty who were arrested while holding the "UCLA Faculty and Staff Supporting Our Students" banner. On May 23, it called upon law enforcement to forcibly evict protesters, including faculty, and subjected them to violence. On June 7, UCLA announced that it was initiating discipline against faculty that were arrested on the night of May 1. On June 10, UCLA further retaliated against faculty, including by firing pepper ball munitions at faculty, kettling faculty, arresting faculty for a purported violation of Penal Code section 626.4, subdivision (c), and denying faculty access to their work locations. On June 21, UCLA informed Blair, Chowdhury, Julius, and Carr that it had initiated formal disciplinary charges against them for their protected activity at the UCLA Encampment, and against Julius for his protected activity during the June 10 protest. On July 3, UCLA denied Blair's promotion to full professor.

Finally, there is ample evidence of unlawful motivation. The University admitted that it had invited law enforcement onto campus to evict, arrest, and detain protesters. As established above, these protesters were engaged in protected activity. UCLA's use of law enforcement departed from following its standard policies, which is circumstantial evidence of unlawful intent. (See *Los Angeles Unified School District* (2014) PERB Decision No. 2390, p. 13.) UC was similarly explicit that it was initiating disciplinary action against Blair, Chowdhury, and Julius in response to their protected activity at the UCLA Encampment and, in Julius's case, during the June 10 protest. (See Exs. M, O, Q, and XX.) In addition, its adverse actions were close in time to the protected activity, including its announcement that it would initiate discipline against two faculty just five days after faculty were named in a PERB charge. (See *City of Oakland* (2014) PERB Decision No. 2387-M, p. 19 [adverse action close in time to protected activity is circumstantial evidence of unlawful motivation].) Likewise, the University denied Blair's promotion to full professor only two months after his initial protected activity at the encampment and less than two weeks after initiating disciplinary action against him based on that protected activity. The University disregarded the near-unanimous support for Blair's promotion, and provided only vague explanation of its choice to deny it. (See *The Accelerated Schools* (2023) PERB Decision No. 2855, p. 11 [questionable, vague, or ambiguous reasons for adverse employment action is circumstantial evidence of unlawful motivation].)

UC's disparate treatment of pro-Palestinian protesters who engaged in protected activity and anti-Palestinian protesters who did not engage in protected activity is also evidence of unlawful motive. Pro-Palestinian protesters peacefully made demands, including demands related to terms and conditions of employment, and the University responded with mass arrests and discipline. Anti-Palestinian protesters committed violent assaults against pro-Palestinian protesters and were not engaged in any protected concerted activity, but UC only arrested one violent counter-protester. This is evidence of unlawful motive. (See *San Joaquin Delta Community College District* (1982) PERB Decision No. 261, p. 8 [union president unlawfully demoted for purported misconduct that other employees were not disciplined for].)

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Thus, sufficient evidence supports prima facie showing that UC discriminated against UCLA-FA members. While the University may argue that there was a legitimate business necessity to allow a violent mob to attack peaceful protesters, evict the encampment, or initiate discipline, that defense presents a question of fact. PERB should still issue a complaint so that this question can be decided at hearing. (See *Trustees of the California State University (Sonoma)* (2005) PERB Decision No. 1755-H, p. 6; *Golden Plains Unified School District* (2002) PERB Decision No. 1489, p. 6.) A complaint should be issued because the charging party has made out a prima facie case that the University has violated its obligations under HEERA.

V. UNLAWFUL CONDUCT AT UC SAN DIEGO

A. Facts

1. The UCSD Faculty Association.

Like other UC faculty associations, the UC San Diego Faculty Association ("SDFA") is a voluntary, dues-supported employee organization representing UCSD faculty on employment and academic freedom issues and is affiliated with CUCFA.

2. UCSD students and employees established the Gaza Solidarity Encampment on May 1.

On May 1, 2024, University students and employees established the "Gaza Solidarity Encampment" on the UC San Diego campus ("UCSD Encampment"). The UCSD Encampment drew attention to the genocide in Gaza and demanded changes to the University related to terms and conditions of employment. Like at UCLA, UCSD protesters' demands included opposition to discrimination and the hostile work environment faced by Palestinian, Muslim, and pro-Palestine Jewish employees and students; permitting researchers to opt out of research funded by sources tied to the military or oppression of Palestinians; demanding the right to free speech and political expression; and amnesty for students and employees facing discipline due to protest.

SDFA members were present at the encampment from its beginning. Faculty knew that on April 30, UC had permitted a violent mob to attack UCLA's encampment despite pleas for help from students, faculty, and staff. UCSD faculty maintained a public presence at the encampment to protect and support their students and student employees.

UCSD's administration was fully aware of the faculty's presence and purpose at the UCSD Encampment. Faculty designated an area outside the encampment where they remained for its duration. That area was marked by a large banner stating, "UCSD Faculty and Staff – WE STAND WITH OUR STUDENTS." Faculty held signs that included the following statements: "When students are right, faculty back them . . . Respect, Listen, Don't Punish," and "UCSD Faculty supporting ceasefire, UC divestment, right to peaceful protest . . ." Faculty organized shifts to maintain a continuous, 24-hour presence in their designated area outside the encampment. Faculty also served as liaisons between the encampment and the UCSD administration and provided support for student protesters in their attempts to negotiate with the administration.

On May 1, the same day the encampment was created, UCSD Chancellor Pradeep Khosla emailed all UCSD academics, staff, and students. (Exhibit 45.) Khosla stated that the encampment violated University policy, and that protesters could face "interim suspension, suspension, dismissal

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or legal action." (*Id.* at 1.)

UCSD maintained a near-constant security presence at the encampment. On the night of May 1, rumors spread that UCSD planned to use police to forcibly evict protesters. To address students' fears, a delegation of faculty met with the campus police department and spoke with the highest-ranking officer. One faculty member asked the police whether protesters were doing anything "technically illegal." The officer said that he could not think of anything "technically illegal" that the students were doing at that time, but that they could be violating the student code of conduct. The officer said that the police would be present to prevent non-affiliated counter protesters from starting a "melee" with the students, like had occurred at UCLA. Faculty offered a line of communication between the police and students, but the police stated that they were communicating directly with the protesters. After that meeting, faculty sent follow-up emails to UCPD requesting that they keep students safe and protect their right to peaceful protest. (See Exhibit 46 [May 2, 2024, email from Dr. Jed to Sergent John Smart].)

3. UCSD management openly surveilled and intimidated faculty engaged in protected activity.

From the start of the encampment, UCSD sent "Student Affairs Monitors" (SAMs) to surveil the encampment and faculty outside it. SAMs included members of UCSD's Student Life Unit, the police department and UCSD Deans. They wore bright yellow UCSD hats and patrolled near the faculty area outside the encampment. Assistant Vice Chancellor of Student Life Patricia Mahaffey regularly served as a SAM and surveilled faculty outside the encampment.

SAMs overtly took photographs and videos of faculty near the encampment. On the evening of May 1, a SAM attempted to eavesdrop on a group of faculty, standing approximately 15 feet away and looking in their direction. On two separate occasions, SAMs stood directly across from where faculty were seated and stared at them for at least an hour. SAMs carried paper and pens or tablets and appeared to be taking notes of their observations. SAMs conducted this surveillance during periods of calm at the encampment, when the only protest activity was the peaceful presence of students and student workers inside the encampment and the presence of faculty in their designated area outside the encampment.

Not only did SAMs engage in conspicuous surveillance of faculty, they also attempted to intimidate faculty and deter them from protesting. Starting on May 1, SAMs from Vice Chancellor for Student Affairs Alysson Satterlund's office approached groups of individuals, asked if they were faculty, and then handed them flyers that stated the following:

> UC San Diego will hold academic appointees fully accountable under the Faculty Code of Conduct/APM 150/applicable collective bargaining agreement for any and all violations of university policy, including participating in encampments on campus.
>
> . . .
>
> Our campus policies that protect individuals from harassment and discrimination will continue to be enforced, and all complaints to OPHD will be investigated thoroughly. The UC San Diego Police Department will enforce laws that prohibit threats, intimidation, and tends/overnight encampments as needed.

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(Exhibit 47.) The back of the flyer included QR codes to several campus policies. SAMs handed out these flyers every day of the encampment, and sometimes in the evening.

4. UCSD used police to violently clear the encampment and arrest students and faculty.

On May 5, UCSD again emailed all UCSD students and employees, stating that the encampment was "unlawful," and that it was "not a peaceful protest." (Exhibit 48.)

Starting on May 6, UCSD stationed law enforcement on the roof of the Student Health Center, the building closest to the encampment. The officers held weapons, one of which appeared to be a large pump-action shotgun. At approximately 5:45am that morning, officers declared the encampment an unlawful assembly and stated that protesters would be subject to tear gas and arrest if they did not leave. The police, however, did not give the protesters a path to leave, as they had already encircled the encampment. At approximately 6am, at least 100 police officers entered the encampment and arrested protesters. They hit protesters with batons, pushed and shoved them, and sprayed chemical irritants on them. The police arrested approximately 54 protesters, including two members of the San Diego Faculty Association.

The two SDFA members arrested were among the faculty who organized shifts to ensure faculty maintained a continuous presence outside the encampment, and who had been monitored by the SAMs. Throughout the night of May 5 and the morning of May 6, they were visibly present outside of the encampment to protect the safety of students inside of it.

On May 14, Students for Justice in Palestine and other student groups held a press conference to protest the violent eviction of the UCSD Encampment and the arrests. UCSD permitted the press conference to take place on Library Walk. A large group of anti-Palestinian protesters showed up to attempt to disrupt the press conference, including by occupying the area the press conference was permitted to take place in and setting up amplifiers to drown out the speakers. While the police set up a line of barricades to separate the pro- and anti-Palestinian groups, at least one anti-Palestinian protester repeatedly crossed the barriers in an apparent attempt to instigate a confrontation; eventually he grabbed an SDFA member from behind and attempted to choke him. While at least two police officers were within 25 feet of this incident and appear to have witnessed it, neither made any effort to intervene to prevent the anti-Palestinian protester from instigating conflict or to protect the faculty member. That faculty member has also received threatening emails referencing statements they made in a faculty-only Academic Senate meeting from an anonymous email account. To the faculty's knowledge, UCSD has taken no action to investigate this incident or hold the counter-protester accountable, despite the incident being widely publicized on social media and discussed on campus.[3]

On May 22, during an academic chairs meeting, which the Chancellor attended, faculty asked the administration whether the law enforcement stationed on top of the Student Health Center on May 6 were holding weapons loaded with lethal ammunition. The administration stated that it did not know whether the officers were carrying live ammunition.

[3] See, e.g., https://www.instagram.com/amp.sandiego/p/C6_7rL4Pyy2/?locale=zh-hans&hl=ar&img_index=2

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On May 29, the University sent a Notice of Investigation to both SDFA members who were arrested at the encampment. (Exhibits 49 and 50.) The notices stated that UCSD had initiated an investigation into reports that the faculty members had "participated in an unlawful, unauthorized encampment on [UCSD's] campus." (Exhibit 50, p. 1.) The notices alleged that they violated three specific UC or UCSD policies: UCSD Policy and Procedure Manual (PPM) 510 – Use of University Properties—Policy on Speech, Advocacy, and Distribution of Literature on University Ground; PPM 516 – Environment, Health & Safety—Environmental Sanitation-Housing; and AMP-015, Part II—Professional Responsibilities, Ethical Principles, and Unacceptable Faculty Conduct, Sections C(1-3) and C(8).

B. UC interfered with employee rights and discriminated against employees at UCSD.

1. UCSD unlawfully interfered with employee rights.

The University interfered with employee rights at UCSD by taking the following actions:

1. Between May 1 and May 6, openly surveilling faculty engaged in protected activity;
2. Between May 1 and May 5, distributing flyers to faculty that threatened discipline of faculty for actions that employees would reasonably interpret to include protected activity;
3. On May 6, directing law enforcement officers to arrest peaceful protesters, including at least two members of the faculty, and charge them with misdemeanor violations of the Penal Code and San Diego Municipal Code;
4. On May 6, permitting law enforcement to hit peaceful protesters, including faculty, with wooden batons, shove them with physical force, and spray chemical irritants on them;
5. On or about May 14, taking no action when a counter-protester attempted to choke an SDFA member; and
6. On or about May 29, initiating disciplinary investigations against arrested faculty.

a. UC interfered with employee rights by surveilling and intimidating faculty engaged in protected activities at the UCSD Encampment.

PERB has held that an employer engages in "unlawful surveillance when the employer photographs or videotapes employees or openly engages in recordkeeping of employees" who are participating in protected activities. (*Lake Tahoe Unified School District* (1999) PERB Decision No. 1361, citing *F.W. Woolworth Co.* (1993) 310 NLRB 1197.) "Even creating the impression of surveillance" of employees engaged in protected activities constitutes unlawful interference. (*County of San Bernadino* (2018) PERB Decision No. 2556-M, p. 21 (*San Bernadino*), citing *NLRB v. Simplex Time Recorder Co.* (1st Cir. 1968) 401 F.2d 547.)

First, as with the actions of UCLA faculty discussed *supra* in Section IV.B.2.a.i, UCSD faculty participation in and support for the UCSD Encampment was protected. This is because faculty were opposing discrimination and hostile work environment that Palestinian, Muslim, and pro-Palestinian Jewish employees and students faced; demanding that that the University not call on law enforcement to forcibly evict the encampment; supporting graduate workers' demands (*McPherson, supra,* 189 Cal.App.3d at 310-311); collectively advocating for student safety (*Rocklin, supra,* PERB

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Decision No. 2376-E, p. 29); and demanding changes in faculty working conditions. (*International Warehouse Group Inc.,* Advice Memorandum, *supra*, Case 29-CA-197057.)

Second, the University surveilled and intimidated UCSD faculty engaged in protected activity at the encampment. Almost immediately after the encampment was erected, UC sent SAMs to monitor it. The SAMs wore conspicuous bright yellow hats, took photographs and videos of faculty and students, and appeared to record notes on their activities. They distributed flyers specifically addressing faculty participation and focused particularly on faculty members' activities. The University's use of SAMs to monitor and record faculty's protected activity at the encampment clearly constitutes unlawful surveillance, and in any event, undisputably created a reasonable "impression of surveillance." (*San Bernadino, supra,* PERB Decision No. 2556-M, p. 21.)

The flyers directed at faculty also constitute interference, because they threatened to discipline faculty for simply "participating in encampments on campus." (Exhibit 47.) "[P]articipating in encampments on campus" is vague, and faculty activity at and outside the encampment was protected, as discussed above. UCSD's flyer is an overbroad threat that would discourage reasonable faculty from engaging in protected activity.

b. UC interfered with employee rights by allowing a counter-protester to threaten faculty at the UCSD Encampment and by calling on law enforcement to forcibly evict and arrest protesters, including faculty, at the encampment.

Like at UCLA, UCSD also engaged in unlawful interference under the *Tulare* standard by allowing counter-protesters to threaten faculty and then forcibly evicting the encampment.

First, for the same reasons discussed *supra* in Section IV.B.2.a.i regarding the UCLA Encampment, faculty present outside the UCSD Encampment were engaged in protected activity.

Second, the University engaged in conduct that tends to interfere with, restrain, or coerce faculty in the exercise of their protected rights. UC called on law enforcement to forcibly evict the UCSD Encampment. Law enforcement disrupted faculty participation in the encampment, even arresting two SDFA members. (See *Alliance*, *supra*, PERB Decision No. 2717, pp. 22-25.) The University also did not attempt to intervene, investigate, or take any other action when a counter-protester violently choked an SDFA member, despite UC's appointed officers observing the incident and the incident's public notoriety afterward. UC's decision to allow this threat interfered with the faculty's exercise of protected rights.

Third, the University's actions were not justified. Until UC called upon law enforcement to forcibly evict protesters, the UCSD Encampment had been entirely peaceful. Nevertheless, UC ordered law enforcement to forcibly evict protesters, which resulted in unnecessary injuries and arrests. UC violated its own policies, which require campuses to minimize police presence at protests and attempt to de-escalate situations before seeking law enforcement intervention. At other UC campuses, administrators were able to achieve a peaceful resolution to their encampments by negotiating with pro-Palestinian protesters, rather than resorting to force.

Even if faculty activities at the UCSD Encampment were not protected, the University's actions would still constitute interference under the *Carlsbad* standard. In attempting to drive

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protesters away, UC called in law enforcement to violently evict faculty and other protesters, issued notices of disciplinary investigation to faculty who were arrested during the encampment, and took no action after a counter-protester attempted to choke a member of the faculty. UC's actions demonstrated to faculty and other employees that the University will surveil or violently repress protests on campus, and that, when it disagrees with their message or demands, UC will not protect employees exercising protected rights or will pursue arrest and/or disciplinary action against them. A "natural and probable consequence[]" of the University's actions is that it will discourage faculty from engaging in strikes, pickets, and other protected activities for fear that they will be subject to similar repression from the university.

Finally, for the same reasons discussed *supra* in Section IV.B.2.a.iii regarding the UCLA Encampment, UC cannot establish that there was an operational necessity to surveil and violently evict protesters or that circumstances were beyond its control and required these actions.

c. UC interfered with protected rights when it subjected two faculty members to disciplinary investigation for participating in the encampment.

The two SDFA members arrested at the encampment and subjected to disciplinary investigations were engaged in protected activity at the encampment, as discussed *supra* in Section V.B.1.c. Subjecting faculty to disciplinary investigations for engaging in protected activity tends to restrain their future exercise of protected rights, both for the duration of that investigation and afterward. It also tends to interfere with, restrain, or coerce other faculty in the exercise of their protected rights by creating or implying a threat that the University will initiate disciplinary investigations, and possibly disciplinary action, against faculty who engage in protected activity UC opposes. Given that the University has explicitly stated the investigations were initiated because of the faculty members' participation in the encampment, UC cannot possibly justify these disciplinary investigations, as there is no situation in which subjecting an employee to a disciplinary investigation based solely on their protected activity is justified. (Exhibit 50.) Further, as discussed *supra* in Section IV.B.2.a.iii, the fact all violence and disruption at the encampment was due to UC's decision to call on law enforcement to forcibly evict it and not caused by the faculty members' activities, further undermines any justification for these investigations that the University may present.

2. UC discriminated against the SDFA members when it directed law enforcement to arrest them while exercising their protected rights at the UCSD Encampment, allowed law enforcement to use violence against protesters, and initiated disciplinary investigations against them.

First, as discussed *supra* in Section V.B.1.c, the two SDFA members engaged in protected activity.

Second, the employer had knowledge of the exercise of those rights. The employer openly surveilled faculty at the encampment, and targeted faculty exercising their rights, going so far as to print flyers specifically directed at faculty. The demands faculty made were public, and included signs and posters listing those demands. Faculty addressed their safety concerns regarding student safety with UCPD leadership, with at least one faculty member sending an email specifically highlighting student safety concerns. UCSD was well aware of this protected activity when it took adverse action against employees.

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Third, UCSD took adverse action against employees. It directed law enforcement to arrest two SDFA members at the encampment who were exercising their protected rights, permitted violence against protesters, and then initiated disciplinary investigations against the two SDFA members who were arrested. Further, it did nothing when a counter-protester attempted to choke an SDFA member.

Finally, there is both direct and circumstantial evidence of unlawful motivation. The University invited law enforcement onto campus specifically to evict, arrest, and detain protesters, including faculty, who were engaged in protected activity. In addition, it gave shifting rationale and contradictory justifications for its actions, showing its unlawful motivation. (See *County of Santa Clara*, *supra*, PERB Decision No. 2629-M, pp. 9-10.) For example, the police initially agreed that protesters were not violating the law, but later changed their position and arrested protesters for purported violations of the penal code and San Diego Municipal Code. In addition, its adverse actions were close in time to the protected activity. (See *City of Oakland* (2014) PERB Decision No. 2387-M, p. 19.)

Like at UCLA, UCSD's disparate treatment of pro-Palestinian protesters who engaged in protected activity and anti-Palestinian protesters who did not engage in protected activity is also evidence of unlawful motive. It arrested peaceful pro-Palestinian protesters making demands related to terms and conditions of employment but took no action to hold violent anti-Palestinian protesters accountable, including one who attempted to choke an SDFA member.

Thus, there is sufficient evidence to support prima facie showing that UC discriminated against the two SDFA members. While the University may argue there was a legitimate business necessity to subject them to arrest and disciplinary investigation, that defense is meritless, and in any event presents a question of fact to be considered at hearing. (See *Trustees of the California State University (Sonoma), supra,* PERB Decision No. 1755-H, p. 6; *Golden Plains Unified School District, supra,* PERB Decision No. 1489, p. 6.) Because the charging party has made out a prima facie case that the University has violated its obligations under HEERA, a complaint should issue.

VI. UNLAWFUL CONDUCT AT UC SANTA CRUZ

A. Facts

1. The Santa Cruz Faculty Association.

The Santa Cruz Faculty Association ("SCFA") is the exclusive representative of the UCSC Academic Senate faculty. While UCSC and SCFA were parties to a memorandum of understanding, that agreement expired in 1999.

2. The UCSC Gaza Solidarity Encampment and faculty support.

Like at other campuses, University students and employees established a "Gaza Solidarity Encampment" on May 1 at Quarry Plaza. The encampment later moved and, by the end of May, was located in a gravel parking lot next to the Barn Theater building at the main campus entrance at Coolidge Drive and High Street. Among the demands of the UCSC Gaza Solidarity Encampment protesters were divestment of UC funds from weapons manufacturers and disclosure of all UC investments, but also protecting free speech and academic freedom, including by ending suppression of pro-Palestinian speech and granting amnesty to students and employees facing discipline or

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charges due to protest, as well as removal of police from campus and ending surveillance of protest and students.

From the outset, UCSC faculty, including SCFA members, were regularly present at the encampment to protect and support students. When they visited the encampment, faculty would wear pink armbands to indicate that they were faculty members, and they would also carry a banner identifying themselves as faculty at rallies and other events. The faculty would speak with students, participate in teach-ins, and take part in rallies and protests. Faculty also participated in a Faculty for Justice in Palestine group, which made public statements in support of the protesters and the UAW unfair practice strike. For example, on November 17, 2023, UCSC Faculty for Justice in Palestine (UCSCFJP) issued a statement explaining the group's formation, stating:

> Faculty, staff, and students who work on and/or organize for Palestine are under increasing censure and censorship across U.S. campuses, including from their own administrations. We intend to protect our students—and each other—as we do this work. Our FJP work will include supporting Students for Justice in Palestine in their work, collaborating with students on direct actions, protecting faculty and graduate students under attack for making space to discuss Palestine in their classrooms, hosting events, and acting as liaisons for students experiencing harassment because they are perceived as Arab, Muslim, and/or pro-Palestinian. We will ensure the collective right to academic freedom for advocates of Palestine and combat attempts to equate the critique of the policies of a foreign state with antisemitism.
>
> * * *
>
> As our own administration has recently censured the work of scholars committed to the study of Israel as a settler colonial state, we demand that UCSC ensure that all of its community members, including those who advocate for Palestinian rights, are able to produce knowledge with protection and without interference. UCSC also must recognize the harms of Islamophobia and of the racism experienced by Arab and Arab-American colleagues and students, who are currently watching the U.S. media and their government officials encourage the annihilation of the Palestinian people.
>
> Now is the time for faculty, staff, and students to come together to protect our right to speak out and collectively demand an immediate end to the massive violence being inflicted on the people of Gaza. We must also rally, on campus and beyond, in support of our students and against the anti-Palestinian campaigns in the media and the political sphere.

(Exhibit 51, pp. 1-2, 5-6 [November 17, 2023, UCSC FJP Statement].) Nearly 120 faculty and graduate students signed on to the UCSCFJP statement, including Sophia Azeb, an assistant professor in the Critical Race and Ethnic Studies (CRES) department; Marisol LeBrón, an associate professor in the CRES and Feminist Studies departments; and Christine Hong, a professor in the CRES and Literature departments.

When the UCSC Gaza Solidarity Encampment began on May 1, UCSCFJP called for a faculty walkout in solidarity with Palestine and issued a statement in support of the encampment. The statement declared that "Palestinian faculty and students at UCSC are keenly aware of the historic and recent lack of support from UCSC's administrative bodies, as well as UCSC's willingness to

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concede to external pressures that put UCSC faculty, staff, and students who are Palestinian or advocate for Palestine in harm's way," called for the UCSC administration to honor the encampment demands, and pledged the faculty's willingness "to stand with our students every step of the way." (Exhibit 52, pp. 2-3 [May 1, 2024, UCSC FJP Statement in Support of the Gaza Solidarity Encampment].) In the lead-up to a May 22, 2024, UCSC Academic Senate meeting, 165 UCSC faculty, including Azeb, LeBrón, and Hong, publicly signed on to a resolution that read:

> Be it resolved that the UC Santa Cruz Senate Faculty calls on our Administration to refrain from bringing police to campus to break up, disperse, or arrest participants in the Gaza Solidarity Encampment or related demonstrations. Painful lessons from campuses across the country, including at UCLA, UC Irvine, and UC San Diego, have shown clearly that bringing police force to bear on political demonstrations has led to increased violence, and considerable harm to members of our community. Political protest is a valued tradition at the University of California, and the protection of this freedom, and of the health and well-being of members of our community, is all of our responsibility. We call on our administrators to commit to peace and dialogue when engaging with demonstrators, and to refrain from bringing armed law enforcement personnel to demonstration sites.

(Exhibit 53, p. 1 [June 6, 2024, UCSC Academic Senate, Resolution Against Police Deployment Against Student Demonstrations].) This resolution passed on June 6, with the support of over 70 percent of voting faculty. Additionally, the three faculty members had also publicly signed on to a UCSC Academic Senate resolution calling on the UCSC administration to defend academic freedom and to condemn harassment and repression of pro-Palestinian speech, which was passed by the Senate in March 2024. (Exhibit 54 [March 2024, UCSC Academic Senate, Resolution to Defend Academic Freedom and Shared Governance].)

After UAW began its unfair practice strike at UC Santa Cruz, faculty members, including SCFA and UCSCFJP members such as LeBrón and Azeb, were featured in statements expressing solidarity with striking academic workers and student protesters. These statements called for amnesty for protesters and striking workers and stated "No Grads, No Grades" and that faculty would not take up struck labor. (See, e.g., Exhibits 55 [Marisol LeBrón FJPUCSC statement] and 56 [Sophia Azeb FJUCSC statement].)

3. UC police raided the UCSC Gaza Solidarity Encampment and arrested peaceful protesters, including faculty who were supporting students and protesting workplace issues.

UAW academic workers began their unfair practice strike at UCSC on Monday, May 20, 2024. At times, encampment protesters blocked traffic along Coolidge Drive, although the encampment itself was in a parking lot far from central campus and did not block the road. Early in the morning on May 31, UCSC police and other law enforcement agencies surrounded the encampment and gradually began "kettling" and then arresting protesters after giving orders to disperse.

LeBrón, Azeb, Hong, and other UCSC faculty were at the encampment to support their students and in support of the encampment demands and the striking UAW workers. Although hundreds of police were present, the faculty attempted to de-escalate the situation and convince law enforcement that police action was not necessary, telling the police that they did not need to be there or take action against the protesters. LeBrón wore a pink armband, and all three identified themselves

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as UCSC faculty to the police. Nevertheless, the police arrested LeBrón, Azeb, and Hong, along with approximately 80 others who were present at the encampment. In fact, one police officer told LeBrón, "I hope you get fired," when she stated that she was a professor. When Azeb was arrested, the arresting officer also directed another officer to make a note of the fact that she was a UCSC employee.

After releasing her, the police gave LeBrón a written notice of "Violation of Section 626.4 of the Penal Code of the State of California," stating that she was banned from campus for 14 days and that, if she returned to campus, she could be found guilty of violation Penal Code section 626.4. The notice was issued on UCSC letterhead by a UC police officer. An officer orally gave Azeb a similar warning, but Hong received neither a written nor oral notice. None of the faculty were given a hearing before being told they were prohibited from remaining on or returning to campus. Nevertheless, on June 5, 2024, all three received a notice of the option to participate in a hearing on withdrawal of the bans. It was only after receiving this notice that Hong realized she was apparently subject to the campus ban and would have inadvertently violated the ban had she returned to campus following the arrests.

The three faculty members requested hearings, which were conducted on June 10 by Adrienne Ratner, UCSC Director of Academic Employee Relations, and Herbert Lee, UCSC Vice Provost of Academic Affairs. In the hearings, Lee and Ratner claimed that the proceedings were not disciplinary but instead were state law enforcement procedures, although the faculty contended that as Academic Senate members, they were subject to discipline under Academic Personnel Manual (APM) – 016, which contains the policy on administration of discipline for Senate faculty. Additionally, under *Braxton v. Municipal Court* (1973) 10 Cal.3d 138, 144-145, UC cannot exclude an individual from campus under Penal Code section 626.4 without notice and a hearing unless the individual "constitutes a substantial and material threat of significant injury to persons or property." The faculty members pointed out that they were not provided any hearing before being excluded from campus, that they did not constitute a substantial and material threat of significant injury to persons or property, and that by excluding them, UCSC did not follow the process required by *Braxton*.

Later, on June 10, UCSC notified the faculty that the bans were lifted and they would be permitted to return to campus.

4. UCSC's baseless investigation of Marisol LeBrón.

In early June, photos circulated online of UCSC's Campus Provost and Executive Vice Chancellor Lori Kletzer walking her dog and smiling while, in the background, students, student workers, and faculty were being forcibly removed by police. (Exhibit 57 [June 2024, Reddit, USCS vice chancellor Lori Kletzer reacts to police presence at encampment].) In response, an unknown person created a graphic with Kletzer's face, and the following text:

> Have you seen her?
> Wanted 'EVC' Lorie Klezer for endangering students, investing in genocide, & failing to meet demands.
> * Drop the charges! * Lift the bans! * End the genocide and occupation! * Disclose, boycott, & divest!

(Exhibit 58 [Tweet, Have You Seen Her?].) The image was shared by dozens in the UCSC community.

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On or about June 3, 2024, LeBrón retweeted the graphic. She also tweeted another image of Kletzer that had been widely shared and expressed her anger at Kletzer's nonchalance while police arrested students. (Exhibit 59 [June 2, 2024, LeBrón Tweet].)

On July 5, 2024, LeBrón was interviewed in an article about the campus bans. In that interview, LeBrón described how an officer had grabbed her wrist so hard that she feared it would break, and critiqued the administration's decision to implement the campus ban. (Exhibit 60, pp. 3-4 [Hillary Ojeda, *UCSC rescinds some campus bans for pro-Palestine protesters even as criminal charges linger*, LOOKOUT SANTA CRUZ, July 5, 2024].)

On July 9, the Director of Equity and Equal Opportunity ("EEO") at UCSC's Equity & Equal Protection Office ("EEP") sent a letter to the chair of LeBrón's department, stating that the EEO office had recently received a report from a University administrator that LeBrón's social media posts constituted "harassment and abusive conduct on the basis of their shared ancestry and Jewish identity" and included "antisemitic images." (Exhibit 61, p. 1 [July 9, 2024, EEO Letter].) The letter stated EEO was not investigating LeBrón, but that it was informing administrators in the Humanities Division about the incident, that there would be a "documented discussion" with LeBrón, and that EEO would warn her that similar reports could lead to credible claims of a hostile work environment. (*Ibid.*)

On July 23, LeBrón met with the EEO office about the complaint. During that meeting, the EEO representative refused to disclose the identity of the person who complained about LeBrón but reiterated that it was a senior University administrator. By the end of the meeting, it was clear to LeBrón that Kletzer was the administrator who had complained. LeBrón repeatedly raised concerns to the EEO representative that the process was being used to intimidate and silence her by the administration and asked the representative to explain how her tweets were purportedly antisemitic. The EEO representative could not articulate how the tweets were antisemitic. LeBrón also raised concerns about the investigation procedure and that she had been referred to the EEO office for an "informal" discussion instead of through the senate faculty, which has procedural safeguards and standards of proof in place to protect faculty. The representative stated that the informal EEO procedure was being conducted at the request of the administrator. Ultimately, the EEO office did not issue any closure letter or other findings.

B. UC interfered with and discriminated against protected activity at UCSC.

Like faculty at UCLA and other campuses, SCFA members, including LeBrón, Azeb, and Hong, exercised rights guaranteed by HEERA by, among other things:

1. Participating in and supporting the UCSC Gaza Solidarity Encampment and its demands (a) that free speech and academic freedom be respected, (b) to end to suppression of pro-Palestinian speech, (c) for amnesty for students and employees facing discipline or charges due to protest, and (d) for removal of police from campus and to end surveillance of protest and students.

2. Making public statements and taking action to (a) oppose the censure and censorship of faculty, staff, and students who work on and/or organize for Palestine, (b) protect faculty and graduate students under attack for making space to discuss Palestine in their classrooms, (c) host events and act as liaisons for students experiencing harassment because they are perceived as Arab, Muslim, and/or pro-Palestinian, (d) advocate for the

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collective right to academic freedom for advocates of Palestine, (e) demand that the UCSC administration ensure that all of its community members, including those who advocate for Palestinian rights, are able to produce knowledge with protection and without interference, (f) call on UCSC to recognize the harms of Islamophobia and of the racism experienced by Arab and Arab-American colleagues and students; and (g) critique the administration for using the police to violently clear the encampment and issuing campus bans against faculty that participated in the encampment.

3. Calling for and participating in a faculty walkout in support of the UCSC Gaza Solidarity Encampment and its demands.

4. Condemning UCSC's lack of support for Palestinian faculty and students, and its concessions to external pressures that put UCSC faculty, staff, and students who are Palestinian or advocate for Palestine in harm's way.

5. Making statements and acting in solidarity with the UAW unfair practice strike and UAW-represented academic workers, including by calling for amnesty for striking workers and stating that faculty would not take up struck labor.

6. Advocating against police action against encampment protesters.

These demands and actions concern working conditions and relate to workplace demands, similar to advocacy found protected under *Rocklin* and in the NLRB's *International Warehouse Group, Inc.* advice memorandum. (*Rocklin*, *supra*, PERB Decision No. 2376-E; *International Warehouse Group, Inc.* Advice Memorandum, *supra*, Case 29-CA-197057.) These actions concerned workplace matters and the faculty's interests as employees with regard to free speech on campus, academic freedom, the safety and well-being of students, the ability to speak freely about Palestine, racism and Islamophobia, support for striking UAW academic workers, and protection against discipline for striking UAW workers. (See *International Warehouse Group, Inc.* Advice Memorandum, *supra*, Case 29-CA-197057, p. 8 [mutual aid or protection includes "employee efforts to improve their terms and conditions of employment . . . as well as efforts to 'improve their lot as employees through channels outside the immediate employee-employer relationship' and activities 'in support of employees of employers other than their own,'" quoting *Eastex, Inc v. NLRB* (1978) 437 U.S. 556, 559-560, 565.)

UC also unlawfully discriminated against LeBrón, Azeb, and Hong by arresting them and excluding them from the campus based on their protected conduct.

First, LeBrón, Azeb, and Hong all engaged in protected activity, including the protected activity listed above. For the reasons discussed above, this was activity protected by HEERA and represented a continuous course of concerted and protected activity.

Second, the University knew about LeBrón, Azeb, and Hong's participation in protected activities. They each signed on to the UCSCFJP November 2023 statement and were publicly visible when visiting the UCSC Gaza Solidarity Encampment, including by wearing pink armbands, identifying them as supportive faculty. All three had signed onto the public statement in support of the May 22 Academic Senate resolution against police deployment against student demonstrations and the earlier academic freedom resolution passed in March. Hong is co-chair of the UC Ethnic Studies Faculty Council, which also issued a May 3 statement in support of the encampments.

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LeBrón and Azeb were featured in statements expressing solidarity with striking UAW workers and calling for amnesty for striking workers. When they were at the encampment on May 31, they identified themselves as faculty to the police, and LeBrón wore her armband.

Third, by banning LeBrón, Azeb, and Hong from campus, the University took adverse action against them. Although the University claimed that the exclusion was not disciplinary, exclusion from the workplace is a significant change in working conditions that obviously makes it more difficult for the faculty to perform their jobs. (See *Fresno County Office of Education* (2004) PERB Decision No. 1674, pp. 13-14.) For example, during the time that she was banned from campus, Hong was supposed to be recording lectures for an online summer class, but she could not access materials on campus needed for this work or record her lectures with the Office of Online Education on campus without risking arrest.

Finally, there is evidence that UC took action against LeBrón, Azeb, and Hong because of their protected activity. The campus bans resulted directly from the faculty members' support of the encampment, since the police targeted the encampment and its supporters directly. The police officer's statement to LeBrón that he hoped she lost her job demonstrates animus and an intent to punish her as a UC employee for supporting the encampment and its demands. Additionally, UC issued the Penal Code section 626.4 bans without following the procedures required by *Braxton v. Municipal Court* (1973) 10 Cal.3d 138, 144-145, even though the faculty in question did not represent any threat of injury to any persons or property. UC was also inconsistent in how it notified the faculty of the bans and did not tell Hong at all that she was prohibited from returning to campus. This irregularity shows that UC did not follow established policies and procedures, further indicating unlawful intent. Finally, Lee indicated that he would evaluate all three cases together before deciding on the ban, which points to a failure to weigh each case on its own merits or lack thereof.

UC also interfered with protected activity when it banned the faculty from returning to campus, because the University's ban was inherently destructive of protected rights and even if it were not, could not be justified by a business or operational need. Again, as discussed above, the faculty were engaged in protected activity. The University's decision to ban them from campus causes harm to the employees' ability to exercise those rights, since it precludes them from engaging in the protected activity on campus and it also chills the exercise of their rights. Banning faculty from campus is "inherently destructive" to protected rights. (See *Regents of the University of California (Berkeley)* (2018) PERB Decision No. 2610-H, pp. 60-61 [express or implied threats with regard to protected activity and bans on union or other protected activity in non-working areas and during non-working time are inherently destructive].) Even if it were not, UC could not justify its actions based on operational necessity, because the ban was not narrowly tailored—the faculty did not pose any threat of disruption, or harm to persons or property, so there was no basis for banning them from campus.

UC also separately retaliated against LeBrón by initiating a baseless investigation against her for protected activity on social media. LeBrón engaged in protected activity by tweeting criticism of Vice Chancellor Lori Kletzer and demanding that Kletzer drop charges against arrestees and lift the campus bans. In response, Kletzer initiated a baseless complaint against LeBrón to the EEO office, making the inflammatory claim that LeBrón's tweets were antisemitic. The EEO then sent a letter to LeBrón's department chair claiming that LeBrón had engaged in behavior that an administrator felt was antisemitic, informed other administrators about the purported incident, and required her to sit through an intimidating interview with an EEO representative. These acts constitute adverse employment actions. (See, e.g., *City of Santa Maria* (2020) PERB Decision No. 2736-M, p. 3 [City's

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decision to initiate investigation against employee constituted unlawful retaliation].)

VII. UNLAWFUL CONDUCT AT UC IRVINE

A. Facts

The UC San Irvine Faculty Association ("IFA") is a voluntary, dues-supported employee organization representing UC Irvine faculty on employment and academic freedom issues and is affiliated with CUCFA.

1. The UCI Gaza Solidarity Encampment and faculty support.

On or about April 29, 2024, UC Irvine students and employees established the UC Irvine Gaza Solidarity Encampment ("UCI Encampment") between Rowland Hall and Croul Hall. Like at other locations, students and employees at the UCI Encampment made workplace-related demands, including opposing discrimination and harassment against Palestinian, Muslim, and pro-Palestinian Jewish students, faculty, and staff, abolishing the UCI Police Department, and granting amnesty to any student, faculty, or community member who took part in the UCI Encampment. (See Exhibit 62 [Proposed UCI-UCI-Palestine Solidarity Collective Agreement].)

Mere hours after the UCI Encampment was established, the University called law enforcement officers from six different agencies—including the Orange County Sheriff's Department, which has a well-documented record of abuse of force and corruption—to UCI's campus. Immediately upon their arrival, officers moved into formation near the encampment. The situation eventually de-escalated, partially through the intervention of Irvine Mayor Farrah Khan who arrived at the encampment midday and ordered police to stand down and go home. Mayor Khan subsequently released a statement that declared she "will not tolerate any violations to our students' rights to peacefully assemble and protest." (Exhibit 63.)

The UCI Encampment remained until UCI forcibly evicted protesters on May 15. From the start of the UCI Encampment and throughout its duration, IFA members were visibly present to support their students and help ensure their safety. IFA members and other faculty served as liaisons between students at the encampment and the UCI administration. Faculty engaged in daily, back-and-forth communication between the students and the administration, at times mediating disputes.

IFA members and other faculty also maintained a continuous, 24-hour presence outside the UCI Encampment to help ensure the safety of students and employees inside the encampment. Faculty maintained a large a-frame banner reading "UCI Faculty for Justice in Palestine" and organized a schedule of round-the-clock, four-hour shifts, each of which was covered by between one and four faculty volunteers. When on shift, faculty walked the perimeter of the UCI Encampment to intervene, attempt to de-escalate any confrontations with counter-protesters and protect students. Faculty on shift also served as direct liaisons between protesters and UCI police. At the beginning of each shift, faculty identified themselves to UCI police and explained their role as faculty liaisons. Faculty police liaisons were clearly identifiable and wore armbands or yellow vests.

2. UC openly surveilled faculty and protesters but did not intervene against counter-protester aggression and harassment.

Throughout the duration of the encampment, UCI administrators openly surveilled protesters

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and faculty at and around the encampment. During business hours, members of the administration were regularly stationed at the encampment and appeared to be observing, photographing, and taking notes on the students, faculty, and staff who were in or around it. UCI administrators observing the encampment often wore name tags designating their positions. On multiple occasions, individuals introduced themselves to faculty members as UCI administrators or student affairs officers sent to observe the UCI Encampment.

Between April 29 and May 15, individuals who did not appear to be students—usually middle-aged or older men—filmed students, employees, and faculty who were in and around the encampment. Given the counter-protester violence at the UCLA Encampment and the ongoing harassment that pro-Palestinian students and faculty faced at UC, IFA members were rightly worried that these individuals may have been attempting to identify targets for future harassment or violence. IFA members notified UCI police about these individuals on multiple occasions, but neither police officers nor UCI administrators made any efforts to intervene.

One UCI faculty member regularly came to the UCI Encampment to yell at and harass pro-Palestinian students. At one point, this harassment escalated to physical violence, as the faculty member pushed multiple pro-Palestinian students and an IFA member. Though UCI police and other UCI officials were present and notified of the physical attack, they took no action to protect students or faculty from the offending faculty member.

Rabbi Zevi Tanenbaum, the codirector of the Rohr Chabad at UCI, regularly came to the UCI Encampment with young people who appeared to be his children. On each occasion the young people yelled at and harassed students inside of the encampment. After the young people were refused entry into the encampment due to their violations of safety protocols established by students, they threatened to jump over the security barriers that UCI maintenance workers erected around the encampment. Chabad is a campus pro-Israel Jewish organization and one of UCI's listed student organizations.

3. On May 1, faculty reported that a pro-Israeli UCI professor and an unknown associate harassed and physically intimidated a student, but UCI dismissed the complaint.

On May 1, a UCI professor and an unknown associate verbally harassed and physically intimidated a UCI undergraduate student who was taking photographs of a pro-Israeli demonstration organized by Hillel. The professor and their associate surrounded the student, backed them up against a wall, and began interrogating the student. Even though the student, who was visibly uncomfortable throughout the interaction, expressed their discomfort, the professor and their associate did not relent until an IFA member intervened to ask them to stop harassing the student. The professor was draped in an Israeli flag during the confrontation.

The IFA member who intervened filed an Abusive Conduct in the Workplace Report to the University the same day. (Exhibit 64 [UCI Abusive Conduct Report].) Along with describing the confrontation, the Report cited four violations of APM-015 and noted that the professor in question had verbally harassed and physically threatened students and faculty on at least one other occasion, providing a link to a video of the prior incident. The IFA member's report stated that:

[The professor's] ongoing harassment of students and faculty is unacceptable and violates our

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> university's Faculty Code of Conduct and the University's Principles of Communities. I urge the UCI Office of Personnel to investigate this incident and ensure that [the professor] stops intimidating UCI students and faculty members.

(*Id.* at 6.) The Report included two videos of the May 1 confrontation.

On June 27, Associate Director of Academic Labor and Employee Relations Kelly Lindlar emailed the IFA member to report the results of the University's investigation. Lindlar stated that the member's complaint was being dismissed because UC "did not find that facts exist that would lead a reasonable person to conclude that the alleged conduct [...] may violate" UC policy. (Exhibit 65, p. 1 [June 27, 2024, UCI assessment outcome].) UCI did not address the videos of the confrontation the IFA member had provided with their complaint.

4. The University directed law enforcement to forcibly evict the UCI Encampment and arrest multiple students and faculty.

On May 15 at approximately 2:15 pm, students and student workers began a demonstration to commemorate Nakba Day and to protest the May 8 interim suspension of students on the UCI Encampment negotiating team. The demonstration occurred outside the UCI Encampment and adjacent to UCI's Physical Sciences Lecture Hall (PSLH). Protesters, including faculty, held signs calling for all charges against the suspended students to be dropped. IFA members and other faculty were also present as police liaisons. The rally was peaceful and included families and small children. Protesters marched around the encampment and the entrance to the PSLH building.

At approximately 2:50 pm, law enforcement officers began to swarm the parking lot, and police helicopters flew overhead. UCI issued a "ZotAlert," notifying the UCI community that there was a "violent protest" on campus, even though the protest was entirely peaceful. UCI then unnecessarily set off alarms in all campus classrooms, leading students, faculty, and staff to believe there may be an active shooter on campus. At least one faculty member also overheard a law enforcement officer state that they were initially informed that there was an active shooter on campus.

By 3:15 pm, just one hour after the rally began, dozens of police squad cars arrived, including forces from at least 22 different police departments.[4] Police moved into formation in nearby parking lots, and UCI stationed police with weapons on top of two surrounding buildings. Police soon outnumbered the protesters.

That evening, the police swarmed the campus and beat dozens of UCI students, staff, and faculty with batons. They threatened protesters, including faculty, with tear gas and other weapons and threw people to the ground. Approximately 50 students, faculty, staff, and community members were arrested.

On May 15, as the UCI Encampment was being violently evicted, UCI notified students and

[4] This included police from the UCI Police Department, Irvine Police Department, the Orange County Sheriff's Office, California Highway Patrol, Costa Mesa PD, Fountain Valley PD, La Palma PD, Tustin PD, Newport Beach PD, San Clemente PD, La Habra PD, Los Alamitos PD, Buena Park PD, Laguna Beach PD, Santa Ana PD, Orange PD, Westminster PD, Placentia PD, Alhambra PD, Huntington Beach PD, Anaheim PD, and California State University PD.

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faculty that classes would be held remotely for the next week. Faculty received no prior notice of this change and had no opportunity to prepare their curriculum or students for the transition.

Since May 15, UC has maintained an uncharacteristically high level of police presence on UCI's campus, which has disrupted academic instruction, forced departments to cancel on-campus events, and created a repressive campus environment.

B. UC interfered with employee rights at UCI.

The University interfered with employee rights at UCI by taking the following actions.

1. Between April 29 and May 15, openly surveilling faculty engaged in protected activity;
2. Between April 29 and May 15, taking no action to protect students, faculty, and staff at the UCI Encampment from anti-Palestinian counter-protester violence or prevent counter-protesters from filming and surveilling them;
3. On May 15, directing law enforcement officers to arrest peaceful protesters, including at least one IFA member; and
4. On May 15, permitting law enforcement officers to beat and brutalize peaceful protesters, including at least one IFA member, with batons, and tackle protesters to the ground.

1. UC interfered with employee rights by surveilling and intimidating faculty engaged in protected activities at the UCI Encampment.

First, as with the actions of faculty at other locations, UCI faculty participation in and support for the UCI Encampment was protected because they were opposing discrimination and a hostile work environment that Palestinian, Muslim, and pro-Palestinian Jewish employees and students faced; demanding that the University not call on law enforcement to forcibly evict the encampment; supporting graduate workers' demands; collectively advocating for student safety; and demanding changes in faculty working conditions. (See discussion *supra*, Sections IV.B.2.a.i.)

Second, the University surveilled and intimidated UCI faculty members engaged in protected activity at the UCI Encampment. Almost immediately after the encampment was erected, UC sent UCI administrative staff to monitor it. These staff observed faculty at the encampment and appeared to record notes on their activities. The administrative staff were visible to all at the encampment and multiple faculty members noted their presence and observation. Their presence and behavior created a reasonable "impression of surveillance" for faculty and, as such, also constituted unlawful interference. (*San Bernadino, supra,* PERB Decision No. 2556-M, p. 21; see also *supra* Section V.B.1.a.)

2. The University interfered with employee rights by allowing counter-protesters to harass protesters and directing law enforcement to violently evict and arrest protesters.

Like at UCLA and UCSD, the University also engaged in unlawful interference at UCI by allowing anti-Palestinian counter-protesters to threaten faculty at the UCI Encampment and by violently evicting the encampment.

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First, for the same reasons discussed above, faculty present outside the UCI Encampment were engaged in protected activity.

Second, the University engaged in conduct that tends to interfere with, restrain, or coerce faculty in the exercise of their protected rights. UC called on law enforcement to forcibly evict the UCI Encampment and did not attempt to intervene, investigate, or take any other action when counter-protesters threatened, harassed, and surveilled students and faculty at the encampment, despite UC's appointed officers observing at least one incident.

Third, the University's actions were not justified. Until UC called upon law enforcement to forcibly evict protesters, the UCI Encampment had been entirely peaceful. UC ordered law enforcement to forcibly evict protesters, which resulted in unnecessary injuries and arrests.

Finally, as discussed above, UC cannot establish that it was an operationally necessary to surveil and violently evict protesters or that circumstances were beyond its control and required these actions because the UCI Encampment was peaceful and minimally disruptive up until the moment when UC called law enforcement in to violently evict it.

VIII. UNLAWFUL CONDUCT AT UC SAN FRANCISCO

A. Facts

The UC San Francisco Faculty Association ("SFFA") is a voluntary, dues-supported employee organization representing UC San Francisco faculty on employment and academic freedom issues and is affiliated with CUCFA.

UCSF's student body is entirely graduate students, with no undergraduate student population. UCSF is exclusively focused on health and has professional schools of dentistry, medicine, nursing, physical therapy, and pharmacy, as well as graduate programs.

1. UCSF's surveillance of the UCSF Palestine Solidarity Encampment and faculty support.

UCSF has specifically designated free speech zones on campus. (See Exhibit 66 [UCSF Expressive-activities-attachment].) One such zone is the Kalmanovitz Library Forecourt, located across the street from Parnassus Hospital. (Exhibit 67 [UCSF designated free speech zone map].) Over the last decade, many protests have been held at the Kalmanovitz Library Forecourt. In 2014, UCSF students held a White Coats for Black Lives die-in, where hundreds of UCSF students lay in the Library Forecourt to protest the failure of grand juries to indict white police officers involved in the deaths of unarmed Black men. Since then, there have been many other protests at the Library Forecourt, including protests on gun violence, sit-ins for graduate students who were dismissed after striking, and teach-ins on immigration policy. Most of the events have used amplified sound, including microphones or megaphones. The police did not surveil or disband any of these prior protests.

On May 13, 2024, UCSF students, faculty, staff, and community members established the UCSF Palestine Solidarity Encampment at the Kalmanovitz Library Forecourt. On the day the protesters launched the encampment, they issued a press release with specific demands. (Exhibit 68 [UCSF Encampment press release].) Among the demands were divestment of UC funds from

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weapons manufacturers and disclosure of all UC investments, but also protecting free speech and academic freedom, including by granting amnesty to students and employees facing discipline or charges due to protest, removal of police from campus, ending the use of military weapons on campus, and supporting Palestinian students impacted by the war. (*Id*.)

Faculty members, including SFFA members, were at the encampment from the beginning and were conspicuous. They wore faculty identification cards and long white coats that only UCSF faculty wear. They also publicly identified themselves during teach-ins on stage in front of protesters; during the teach-ins, faculty criticized the UCSF administration's repressive response to pro-Palestinian speech of students and faculty. At one point, a group of faculty linked arms at the encampment to protect students and protest the aggression of UCPD officers.

The encampment was under constant surveillance by UCPD. Police were present around the clock, conspicuously observing SFFA members and other faculty, staff, and students. On each day of the encampment, police wrote down notes and openly took photos of the protesters. Police also took photographs of license plates of cars that stopped in front of the encampment to drop off supplies. By approximately May 14, police had installed high-tech surveillance devices on buildings on both sides of Parnassus Avenue adjacent to the encampment. The cameras appeared to be pointed directly at protesters. Students were sometimes nervous about the surveillance and the police recording their identities; faculty periodically attempted to protect students by blocking them from police view.

UCSF also completely shut down its main library, Kalmanovitz Library, to use as a police station. Faculty typically use the library to access educational materials, conduct research, and hold meetings with students. Faculty, including SFFA members, were not permitted to enter the library at any point while the encampment was in place. Instead, the library remained closed, with police inside watching faculty and other protesters.

Between May 13 and May 18, UCPD repeatedly entered and attempted to dismantle the encampment. Police officers entered the encampment at least three times, and confiscated tents and other materials. On May 14, the police removed all tents from the encampment and told protesters they could not erect additional tents. Protesters dismantled the tents but continued to peacefully protest. Over the next several days, the police repeatedly returned and confiscated materials.

On May 18, UCPD again entered the encampment and demanded protesters leave. The protesters left, and the encampment disbanded. UCSF promptly erected a chain link fence around the free speech zone at the Kalmanovitz Library Forecourt and prohibited all speech activity at the site.

B. UC interfered with employee rights at UCSF.

The University interfered with employee rights at UCSF by engaging in unlawful surveillance of faculty, including SFFA members, at the encampment.

First, as with the actions of other faculty, SFFA members' participation in and support for the UCSF Encampment was protected. SFFA members and others demanded amnesty for students disciplined and arrested because of their peaceful protest activity, that the University cut ties with police and stop using militarized weapons on campus, and that the administration provide more support to Palestinian faculty impacted by the war. SFFA members also publicly spoke out against racist, anti-Palestinian statements made by UCSF physicians and conducted teach-ins at the

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encampment that included criticisms of the administration's treatment of faculty and students who engaged in pro-Palestinian speech.

Second, the University openly surveilled and intimidated UCSF faculty engaged in protected activity at the encampment. UCPD took photos and wrote notes about protesters, installed surveillance devices around the encampment, and took photographs of cars stopping in front of the encampment. UCSF turned the library next to the encampment into a police station, with police present and monitoring the encampment from inside. UCPD repeatedly entered the encampment and confiscated protesters' property. UC has never used the same level of police surveillance and interference in speech activity at the designated free speech zone at Kalmanovitz Library Forecourt. UCSF's heavy police presence indisputably created an impression of surveillance and constitutes unlawful interference with employee rights. (*San Bernadino, supra,* PERB Decision No. 2556-M, p. 21.)

IX. SYSTEMWIDE VIOLATIONS

A. Facts

1. The University's new "guiding principles" for campus discipline.

On May 9, after various campuses had ordered the arrest of dozens of students, student employees, and faculty, UCOP issued "guiding principles" for campus discipline. (Exhibit 18 [May 9, 2024 press release].) This document states that any "member of the university community who is arrested for unlawful behavior or cited for a violation of university policy must go through the applicable review process, such as . . . [the] employee disciplinary process." (*Ibid*.) On May 16, the UC Board of Regents endorsed UCOP's May 9 guidelines. (Exhibit 19 [May 16, 2024 press release].)

2. The University's systemwide communications related to the strike.

On May 16, the day after UAW members voted to give the UAW Executive Board the authority to call an unfair labor practice strike, UCOP distributed a list of frequently asked questions (FAQ) about the strike. (Exhibit 21.) UCOP drafted the FAQ specifically for faculty. Campuses emailed the FAQ to faculty, describing it as a confidential document that should not be shared. (See, e.g., Exhibit 20 [May 16 UCLA email]; Exhibit 69 [May 16 UC Berkeley email]; Exhibit 70 [May 15 Santa Cruz email]; Exhibit 71 [May 17 UC Santa Cruz email]; Exhibit 72 [May 17 UCI email]; Exhibit 73 [May 17 UCD email]; Exhibit 74 [UCSF email].)

The FAQ states that faculty must not discuss the strike with any other student or employee, regardless of supervisory status, and asserts that faculty cannot speak to *any* employees about union membership or other union activity. The FAQ provides:

> Faculty, Instructors of Record, and/or Principal Investigators should not comment on the strike to students and employees—even students and employees they do not advise/mentor/teach, or supervise—except to direct represented employees to their union for any questions they have, including questions about the strike, union membership, or the University's position on the strike. However, nothing prevents engaging in normal conversations with students and employees concerning subjects unrelated to union membership, union activities, or strike activities.

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(Exhibit 21, at pp. 5-6.)

In addition to the UCOP FAQ, individual campuses also sent their own communications to faculty prohibiting them from speaking about the strike. For example, on May 31, UCSD emailed all faculty its own FAQ, which included explicit instructions that faculty must not communicate with *any* employees, including other Senate faculty, about the strike. (Exhibit 75 [May 31 Campus Notice], Exhibit 76 [May 31 UCSD Academic FAQ].) The FAQ stated:

> **Impermissible Actions to Avoid**
>
> . . . ¶
>
> **Do not** survey or communicate with employees, including Senate Faculty, Unit 18 faculty, UAW unit members, and other employees, regarding their intention to participate in or support a strike . . .
>
> **Do not** make statements to employees intended to elicit a response concerning their union activity or union sympathies.
>
> . . . ¶
>
> **Do not** ask employees about their protected activities, their union sympathies nor the protected activities/union sympathies of others. Protected activity includes strikes and protests concerning terms and conditions of employment or bargaining.

(Exhibit 76, p. 8, emphasis in original.) Similarly, UCLA sent faculty an email on May 16 that reiterated that the UAW strike was unlawful and stated that "University employees in supervisory or managerial roles should refrain from engaging in conversations with union members about any aspect of the strike" and that they must "avoid making statements condemning or praising individuals' strike activities." (See Exhibit 20.) For its part, UC Santa Cruz's May 14 FAQ directed faculty not to discuss the strike with graduate student employees. (See Exhibit 77 [May 14 UC Santa Cruz email and attached FAQs].)

3. UC's systematic chilling of academic freedom.

Beginning in the fall of 2023 and continuing through May 2024, the University repeatedly threatened faculty with discipline if they engaged in purported "indoctrination" or taught outside the scope of their traditional course content. While on their face, these threats appeared to be content neutral, UC's favoring of pro-Israel speech, its repression of pro-Palestinian speech, and its investigation and discipline of academics who expressed pro-Palestinian viewpoints make the intent of the communications clear: faculty must not teach about Israel or Palestine in a way that does not align with the University's stance, or they will be subject to discipline.

This section first discusses the hostile, anti-Palestinian climate that UC has cultivated. The second section discusses UC's communications that send a clear message that faculty must not exercise their academic freedom to teach about Israel and Palestine in ways that run counter to UC's agenda.

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a. UC has created an atmosphere that promotes speech in favor of Israel and represses speech in favor of Palestinians.

The University has made clear that it favors pro-Israel speech and that it will silence pro-Palestinian speech, including speech by academics in the context of their courses.

First, as detailed above, UC failed to stop violent, pro-Israel protesters who attacked peaceful pro-Palestinian students, faculty, and staff; it repeatedly repressed peaceful pro-Palestinian protesters through force by law enforcement; it ordered the arrest of hundreds of pro-Palestinian students and employees; and it failed adequately investigate or arrest violent pro-Israel counter-protesters, making only a single arrest of the violent counter-protesters as of the time of filing.

Second, University administrators and Regents have expressed personal support for Israel's war on Gaza. In recent statements, UC officials have reiterated that UC "has consistently opposed calls for a boycott against divestment from Israel" and that the University has no plans to divest of investment assets that support Israel. (See Exhibit 78, p. 3 [UCOP statement on divestment, April 26, 2024].) At least one member of the Board of Regent, Lt. Governor Eleni Kounalakis, has attempted to undermine agreements that UC Berkeley and UC Riverside made with pro-Palestinian protesters, stating that "[e]ach [UC] campus is handling these situations in their own way with inconsistencies and, frankly, sometimes coming up with agreements that they really don't have the authority to come up with." (See Exhibit 79, p. 3 [article quoting Kounalakis on handling of Palestinian solidarity encampments].) Kounalakis stated in a speech to the Jewish Public Affairs Committee of California, "[w]e have to fight back and educate our students (so they) understand the very importance morally and from a national security standpoint of the existence, celebration and empowerment of Israel." (*Id.* at 4.) She also claimed that students had been caught in a "wave of misinformation" and that the University needed to clarify how it would "go about taking control of our campuses." (Exhibit 80, p. 3.)

Third, UC has persistently policed pro-Palestinian speech on campus. At UCLA, for example, faculty observed an employee removing and discarding a pro-Palestinian poster from a public health building bulletin board. The UCLA-FA member reposted it and, within the next half-hour, discovered it had been removed again. A similarly sized poster that was unrelated to Palestine and appeared to be unaffiliated with any UCLA group or activity was not removed. The following day, the UCLA-FA member reposted the poster, along with a note requesting that whoever had removed it email them. A worker in the Facilities Management department with responsibility for the building called and informed the professor that, in November 2023, the administration instructed workers in the department to remove signs related to the war in Gaza and that in December 2023, in response to the health sciences administration request for more aggressive removal, a team of student workers was assigned the primary task of removing signs related to the conflict.

As another example, UCSF has attempted to intimidate and silence faculty that have expressed support for Palestinian people. Starting in October 2023, one SFFA member repeatedly spoke out against the war, including through teach-ins at the UCSF Encampment, through social media posts, and in at least one widely viewed Substack article that protested racist, anti-Palestinian statements made by UCSF physicians. In response, UCSF opened an investigation against the professor. Then, in April 2024, UCSF sent a plain-clothes police officer to an academic panel to monitor a presentation given by the SFFA member without informing the SFFA member or panel

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organizers. During the panel, the officer flashed his badge at students and told attendees he was at the panel specifically because the SFFA member requested he be there. The SFFA member had never made such a request. The SFFA is unaware of any police officer previously monitoring an academic panel, and students and faculty were intimidated and shaken by the officer's presence. After the professor learned what had happened, she asked the administration why the officer was there and using her name. UCPD stated the officer was present to help ensure that faculty, staff, and students pursue their work and activities at UCSF in a "safe and welcoming manner free from disruption." (Exhibit 81 [email correspondence].) The SFFA member objected to this characterization, expressing concern about police presence given the recent repression of free speech by police on university campuses. She asked for additional clarification about why the officer was present, if there had been a specific threat or concern, and if so, why panel participants were not alerted. UCPD did not answer her specific questions. When the professor's colleague asked additional questions about the unusual presence of police during the panel, UCPD and the administration simply did not respond. (*Id.*)

Fourth, as discussed below, UC has investigated and disciplined academics for exercising their academic freedom in ways that do not align with UC's view on Israel and Palestine.

i. The University investigated and disciplined faculty for exercising their academic freedom.

Starting in the fall of 2023, the University began systematically sending emails to faculty, warning them that if they violated faculty policies against "indoctrination" and teaching content outside the scope of a course, they could be investigated and disciplined. The University also took the unprecedented step of investigating and disciplining faculty for teaching about topics related to Palestine. Between these incessant communications and the baseless investigations, the University has encroached upon faculty's right to academic freedom guaranteed by HEERA and chilled them from exercising these rights.

In or about November 2023, UCSD investigated two lecturers for teaching about Palestine. News of these investigations spread rapidly among faculty.

Between November 2023 and April 2024, UCSD conducted a baseless investigation against an Academic Senate faculty member in the Literature Department for exercising his academic freedom. On November 15, graduate students sent an email requesting that the Department provide support for Palestinian, Arab, and/or Muslim students and take other action. (Exhibit 82, pp. 7-9 [November 15, 2023 email and email thread].) On November 17, the faculty member emailed the department chair, copying graduate students and others in the department, expressing disappointment that the department had not issued a statement on the genocide in Gaza and advocating for the department to do so. (*Id.* at pp. 5-6.) The November 17 email did not mention Jewish people or Israelis and only referred to the state of Israel when quoting the department chair. In response, UCSD initiated an investigation on the basis that his November 17 email was inappropriate behavior and created a hostile work environment. (Exhibit 83, p. 1.) Three investigators interviewed the faculty member. Ultimately, in April 2024, UCSD absolved the professor of any wrongdoing – a conclusion was obvious from the face of the email. (Exhibit 84 [April 17, 2024, Notice of Outcome]; Exhibit 85 [April 10, 2024, Investigation Report].)

On May 28, the UC Irvine administration sent a Letter of Warning to an IFA member for exercising their academic freedom. (Exhibit 86.) It asserted that the member violated the faculty code

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of conduct by holding a vote on whether to hold class at the UCI Encampment and stating that, if class were moved to the encampment, attendance would be optional. (*Id.* at 3.) Faculty periodically change the location of classes, such as by holding class outside, and the IFA is not aware of any formal procedure faculty must follow before making the decision to change class location. The letter stated it would be kept in a confidential file indefinitely and that future reports alleging similar conduct would result in a formal disciplinary investigation.

On June 25, the UC Irvine administration sent another Letter of Warning to an IFA member for exercising their academic freedom. (Exhibit 87.) It asserted that the member had violated the faculty code of conduct by "devot[ing] approximately fifty minutes during [a class] lecture […] to unscheduled discussion about the conflict between Israel/Hamas/Gaza" and by amending their syllabus to include an "optional project to create a short film or video essay about each student's sociopolitical topic of choice" and to include two documentaries about the Palestinian struggle. (*Id.* at 1-2.) The letter further noted, "University policy limits the use of the classroom or one's course for purposes of political advocacy." (*Id.* at 3.) The letter stated it would be kept in a confidential file indefinitely and that future reports alleging similar conduct would result in a formal disciplinary investigation. Faculty frequently alter their syllabus to address current events, and the IFA is not aware of any formal procedure faculty must follow before doing so.

In April and May, the UCSF administration targeted an SFFA member for her presentation in a UCSF continuing education course. The UCSF Office of Continuing Medical Education ("OCME") offers educational opportunities to physicians and other health professionals through continuing education courses. Teaching OCME courses enhances faculty members' reputation in the medical field and is important for professional development.

In April 2024, OCME held a three-day conference on Health Equity issues, during which an SFFA member gave a talk on trauma-informed and healing-centered care. The SFFA member is an expert and nationally respected leader in this field. The SFFA member had previously given lectures on the same topic for this conference, receiving positive feedback from attendees and UCSF. Given the war and trauma of the Palestinian people, the SFFA member spent approximately six minutes of her fifty-minute course discussing trauma-informed care as related to Palestinians. The SFFA member also specifically stated that antisemitism is abhorrent.

In May, UCSF's Associate Dean of Continuing Medical Education Lorriana Leard notified the SFFA member that UCSF had received complaints that her presentation was biased and antisemitic and that OCME was removing the talk from the UCSF website. After objecting to the removal of the talk from the website and asking additional questions, Dr. Leard informed the professor that she would be banned from participating in any future OCME educational activities. While UCSF eventually lifted the ban, UCSF has not restored the talk to its website despite the professor's request to do so. The administration's actions made clear that faculty do not have the academic freedom to speak about Palestine.

News of these unprecedented investigations and adverse actions spread rapidly throughout the faculty, chilling faculty's exercise of their academic freedom in fear that if they taught material that conflicted with UC's position, UC would retaliate against them. Further, faculty are unaware of any other academics previously being investigated for the content of their courses. These fears were compounded by the University's relentless communications, as discussed below.

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The University's harsh crackdown against professors for expressing pro-Palestinian viewpoints also stands in stark contrast to its treatment of vocal pro-Israeli faculty. For example, the University refused to initiate a formal disciplinary investigation into a pro-Israeli UCI faculty member accused of harassing and physically intimidating an undergraduate student. As discussed *supra* in Section VII.A.3, even though an IFA member provided a video of the faculty member and an associate cornering, physically intimidating, and interrogating a visibly scared student, UC determined that there were no "reasonable grounds" to conclude the professor's actions violated University policy.

It is in this climate that UC has repeatedly issued vague and threatening communications "reminding" faculty of the code of conduct and insinuating that faculty will be disciplined, investigated, and potentially denied promotion or advancement if they teach about Israel and Palestine in a way that the University disapproves of.

b. The University's threatening communications.

On November 10, 2023, UCOP and the Chancellors of each campus sent a systemwide notice to all academics, staff, and students asserting that there had been "shocking and abhorrent" rhetoric at locations, including "in classrooms," and that "educators must . . . avoid using classroom time for political indoctrination." (Exhibit 88 [November 10, 2023 email from UCOP].) The notice stated that "[a]ntisemitism is antithetical to our values" and "will not be tolerated," but did not identify any specific examples of bigoted or antisemitic behavior that had prompted the publishing of the notice. The notice also stated that UC would impose consequences for any violations.

Individual campuses sent communications targeting academic freedom. UC Berkeley, for example, repeatedly emailed faculty in the fall of 2023. On October 25, 2023, in response to a student walkout sponsored by the student organization Berkeley Students to Protest the Gaza War, UCB Executive Vice Chancellor and Provost Benjamin Hermalin sent an email to faculty, staff, and students stating that UC policies APM - 015 and Regents' Policy 2301 prohibit the "significant intrusion [into the classroom] of material unrelated to the course," canceling class to encourage students to participate in a political event, and use of the classroom for "political indoctrination," and noted "the importance of ensuring that students are not made to feel intimidated, threatened, and/or excluded in their classes." (Exhibit 89 [October 25, 2023 email].) In response, the BFA published an open letter protesting the "chilling climate that undermines the academic freedom of instructional faculty . . . to express support for the Palestinian people" and noting that the email was part of a larger pattern of intimidation by the University, which selectively enforced speech depending on the viewpoint. (Exhibit 90 [November 2, 2023 letter].) Despite BFA's objections, on November 14, Hermalin again emailed all UCB Deans, Associate Deans, and Department Chairs, stating that UCB continued to hear of faculty failing to follow the policies, that violating University policy could lead to discipline, and that UC Berkeley was being scrutinized by the Legislature and US Department of Education. (Exhibit 91 [November 14, 2023 email].)

Other locations also warned about violating the Faculty Code of Conduct, reminding faculty that academic freedom had "important limits" and that faculty would violate the code of conduct if they "misuse[d]" the classroom, such as by allowing it to be used for "political indoctrination" or for "purposes other than those [for] which the course was constituted," and that they must ensure instruction was not used as a "tool for advocacy on the issues of the day." (See, e.g., Exhibit 92 [February 12, 2024, UCSD email]; Exhibit 93 [November 13, 2023, UC Santa Cruz email re:

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academic freedom]; Exhibit 94 [May 3, 2024, UC Irvine email].)

On April 5, 2024, UCOP announced that it had proposed revisions to the University Policy on Faculty Conduct and the Administration of Discipline, APM – 016, that would permit the administration to impose a no-fault pause on any current or future academic personnel decision (for example, merit reviews, which are conducted every several years and directly linked to salary increases; promotion; or advancement) of any faculty investigated for alleged misconduct, if the administration found that the alleged misconduct was relevant to the assessment criteria for academic personnel review actions.[5] (Exhibit 95 [April 5, 2024 email]; Exhibit 96 [April 8, 2024, UCSD Office of Policy and Records Administration announcement].)

Between April 24 and May 9, UCSD sent a barrage of intimidating emails to faculty. On April 24, UCSD told faculty that it would continue to enforce the faculty code of conduct that prohibits "misuse of class time for political indoctrination." (Exhibit 97 [April 24, 2024, email].) Five days later, on April 29, 2024, UCSD sent faculty two communications with overt warnings of discipline for violating the Faculty Code of Conduct, including for political indoctrination, specifically warning of interim suspension, suspension, or dismissal for policy violations. (Exhibit 97; Exhibit 98.) On May 1, UCSD again sent faculty the same intimidating email it sent on February 12 (see Exhibit 92), reminding faculty of the policies on faculty conduct and prohibitions against indoctrination and teaching unrelated course content. (Exhibit 99 [May 1, 2024 email].) On May 9, UCSD sent faculty yet another email on their "rights and responsibilities" in the classroom, stating that students must "feel welcome" in the classroom and that faculty must ensure that "instruction is not interrupted or encroached upon by partisan matters or current events unrelated to course content." (Exhibit 100 [May 9, 2024 email].) This communication also directed faculty to review the administration's May 1 email. (*Id.*)

B. The University's systemwide rules and communications unlawfully interfered with faculty exercise of protected rights and violated the PEDD.

The University has unlawfully interfered with faculty-protected rights by (1) issuing overbroad rules that prohibit faculty from speaking to all students and employees—including other Senate Faculty—about unions, protected concerted activity, or strikes; (2) issuing a new discipline policy that can reasonably be read to threaten discipline for engaging in protected activity; and (3) issuing threats, conducting investigations, and issuing discipline for purported violations of the Faculty Code of Conduct that are instead attacks on faculty's right to academic freedom. The University has also violated the PEDD by deterring and discouraging union membership.

1. The University's overbroad rule prohibiting faculty from discussing the UAW strike or any matters related to union membership or union activities constitutes unlawful interference.

HEERA grants employees the right to "form, join and participate in the activities of employee

[5] UC uses a "step system" to evaluate faculty on a regular basis (2-4 year cycles, typically). A "promotion" is typically a move from one title to another (e.g. Assistant Prof to Associate Prof); "merit" is a move within a title (e.g. Associate Prof Step 2 to Associate Prof Step 3). These are attached to salary increases and are mandatory in certain circumstances (i.e. faculty cannot remain at the same step indefinitely and must get continual merit increases or promotions at certain times).

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organizations of their own choosing," and this right includes the rights of employees to discuss working conditions, the right to solicit union membership, and to distribute union materials at the worksite. (See *Napa Valley Community College District* (2018) PERB Decision No. 2563, p. 11; *California State Employees Association* (2001) PERB Decision No. 1365-Sa, p. 7; Gov. Code, § 3565.) HEERA also provides that "[a]ll parties subject to this chapter shall respect and endeavor to preserve academic freedom in the University of California . . ." (Gov. Code § 3561, subd. (c).) The University's rule interferes with both rights.

PERB does not look favorably on overbroad, vague rules that tend to chill lawful speech and other protected conduct. (See Gov. Code, § 3565; *San Diego Unified School District* (2019) PERB Decision No. 2634, p. 17.) PERB's test is whether the rule could be reasonably interpreted as prohibiting protected activity. (*San Diego Unified School District*, *supra*, PERB Decision No. 2634, pp. 9, 18.) "Overbroad restrictions on protected activity are deemed unlawful in toto, not merely in part." (*Regents of the University of California* (2018) PERB Decision Number 2616-H, p. 17.)

PERB has found similarly overbroad rules constitute unlawful interference. For example, in *California State Employees Association*, PERB found that an employer's memorandum that prohibited employees from engaging in job actions during "state time" or inside the work site was unlawfully overbroad because it appeared to prohibit communications between employees during nonwork time and in nonwork areas. (*California State Employees Association*, *supra*, PERB Decision No. 1365-Sa, p. 10.) Similarly, in *San Diego Unified School District*, PERB found that a letter the employer issued to an employee it was investigating, which directed her not to discuss matters of the investigation with "any staff member" but expressly permitted her to speak with her "union representative or legal counsel" about the matters, also constituted unlawful interference because it could reasonably be interpreted as prohibiting the employee from discussing her working conditions with her coworkers. (*San Diego Unified School District*, *supra*, PERB Decision No. 2634, pp. 9, 18.) And in *Los Angeles Community College District*, *supra*, PERB Decision No. 2404, PERB found that a letter issued to an employee on leave for a fitness-for-duty examination that instructed the employee to "not contact any members of the faculty, staff, or students" was an unlawful rule because it could reasonably be interpreted to prohibit the employee from engaging in protected activity, such as discussing his working conditions with coworkers. (*Id.*, pp. 2, 9.)

Here, the University's rules explicitly prohibit faculty from discussing the UAW strike with students and employees—including other members of the Senate faculty, as well as students or employees they "do not advise/mentor/teach or supervise." (Exhibit 76 [UCSD FAQ]; Exhibit 20.) The communications also implicitly prohibit faculty from communicating with other employees, including other faculty, about subjects related to "union membership, union activities, or strike activities." (Exhibit 20.) UC's blanket restrictions on communication about these topics do not distinguish between work and nonwork time nor between supervisorial and non-supervisorial relationships in prohibiting discussions of the strike or other union activity.[6] As such, they are

[6] The University's blanket restriction on communication also undermines Senate Faculty's responsibility as part of UC's Shared Governance system. Under this system, faculty have "a voice in operation of the University" through the Academic Senate, which "imposes on faculty a measure of responsibility for the manner in which the University operates." (Exhibit 22, p. 1 [Daniel L. Simmons, *Shared Governance in the University of California: An Overview*].) As such, all faculty have a stake in discussing and debating the social and economic conditions in which their scholarship takes place.

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overbroad restrictions that any reasonable employee would interpret as prohibiting protected activity, which is a right guaranteed by HEERA. (See Gov. Code, § 3565.)

UC's rules also violate another important right guaranteed under HEERA—that UC shall "respect and endeavor to preserve academic freedom." (See Gov. Code § 3561, subd. (c); see also discussion regarding academic freedom *infra*, Section VIII.B.3.) Read literally, UC's rule would prohibit faculty from discussing the UAW strike under any circumstances, including in classroom curriculum or research, and even during more informal student interactions, such as during office hours or other interactions outside the classroom. The rule makes no distinction between discussions faculty have in a managerial or supervisory capacity versus those they have in an academic capacity—and in fact, many faculty would not be considered bona-fide supervisors or managers under HEERA. UC's restriction is particularly significant for the potentially hundreds of professors who research and teach on labor law, labor-capital relations, Israel/Palestine, anti-Palestinian/Arab/Muslim racism, university governance, socially responsible investment policy, imperialism, colonialism, and other related topics. UC's rule essentially makes these topics off-limits. As such, on its face, the rule dramatically curtails academic freedom.

UC may argue that the rule was necessary for operational necessity. But any purported justification cannot outweigh the University's overbroad rule, which is a blanket and categorical prohibition on discussing strikes, union membership, or union activity with any student or employee, on or off work time. If the University wanted to convey to faculty that they should not run afoul of HEERA or the Prohibition on Public Employers Deterring or Discouraging Union Membership, it could have limited the directive in any number of ways, including by clarifying that faculty could teach about the strike, that faculty could speak with other Senate faculty and faculty association members about the strike, that faculty could speak with student employees or others who they do not supervise or manage about the strike, that faculty could speak with students who are not University employees about the strike, or that faculty were free to engage in their own protected activity. The University could also have limited its communication to those who act in a supervisory or managerial capacity rather than sending the communication to all faculty. But the University took no such care and instead issued blanket communications that had the inevitable effect of chilling protected activity and infringing on the academic freedom of UC faculty.

2. The University's new discipline guidelines also constitute unlawful interference.

The University's new discipline guidelines also constitute unlawful interference because they can reasonably be read to threaten discipline for engaging in protected activity. University policy provides that it will "minimize police presence at protests, follow de-escalation methods in the event of violence, and seek non-urgent mutual aid first from UC campuses before calling outside law enforcement agencies." (Exhibit 6, p. 4.) UC policy also prohibits favoring or disfavoring of political speech based on viewpoint. (Exhibit 23, p. 1 [Darnell Hunt, et al., Rights and Responsibilities Related to Free Expression, UCLA, October 2, 2023].) Nonetheless, UC disregarded these policies in its repression of peaceful protests and repeatedly ordered law enforcement to arrest and detain students, student employees, and faculty. Then, UC issued new disciplinary guidelines that provide that any "member of the university community who is arrested for unlawful behavior or cited for a violation of university policy must go through the applicable review process, such as . . . [the] employee disciplinary process." (Exhibit 18, p. 1.)

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Given the University's repudiation of its own policies that protect the right to free speech and peaceful protest, UC's new policy may reasonably be read as a threat by UC to simply arrest and discipline employees for engaging in any protected activity. Three factors amplify this threat. First, faculty have already been brutalized and arrested by law enforcement while engaging in protected activities. Those faculty members may also now face discipline under UC's new guidelines. Second, the University has proposed a revision to its Policy on Faculty Conduct and the Administration of Discipline. Under this proposed revision, any consideration of a faculty member for promotion or other faculty advancement processes will be paused for the duration of any formal investigation and subsequent disciplinary action for alleged misconduct by that faculty member. (Exhibit 24, p. 3 [Draft APM – 016, University Policy on Faculty Conduct and the Administration of Discipline (tracked changes copy)].) If approved, this proposed revision will impose yet another penalty on faculty subject to discipline under UC's new guidelines. In this context, the University's new disciplinary guidelines have a clear tendency to "result in harm to employee rights" and make faculty more hesitant to exercise those rights for fear that UC arrest and discipline them. (*University of California* (1983) PERB Decision No. 366-H, p. 11.) Third, given UC's overbroad faculty FAQ, the new discipline policy can reasonably be read as a threat of discipline should faculty talk about the strike, unions, or union activity with any student or employee.

3. The University has interfered with rights guaranteed to employees under Government Code, section 3561, subd. (c).

HEERA recognizes that higher education systems under the California Constitution are intended to provide academic communities with "full freedom of inquiry and insulation from political influence in the administration thereof." (Gov. Code, § 3560, subd. (c).) As part of the rights guaranteed under HEERA, and in recognition of this vital mission, the Legislature specifically guaranteed the right to the free exchange of ideas and the right to academic freedom:

> It is the policy of the State of California to encourage the pursuit of excellence in teaching, research, and learning through the free exchange of ideas among the faculty, students, and staff of the University of California . . . All parties subject to this chapter shall respect and endeavor to preserve academic freedom in the University of California . . .

(Gov. Code § 3561, subd. (c).)

Citing this provision, PERB has recognized that "HEERA expressly seeks to preserve academic freedom at California's public institutions of higher learning." (*Regents of the University of California* (1998) PERB Decision 1261-H, p. 30 ["*Regents*"].) In *Regents*, PERB determined that students employed at UC San Diego as readers, tutors, and associates were covered by HEERA, rejecting the University's argument that extending collective bargaining rights to student academic employees would conflict with the University's educational mission. (*Id.* at pp. 26-30.) PERB reasoned that one purpose of HEERA is to preserve academic freedom and that the concept of collective bargaining and academic freedom "coexist and complement one another." (*Id.* at p. 30.) Other PERB cases are in accord. (See also *Regents of the University of California* (1998) PERB Decision No. 1301-H. p. 31 [stating, "HEERA presents a framework under which the pursuit of academic excellence, the free exchange of ideas, the preservation of academic freedom, and collective bargaining all co-exist and complement one another"]; *Regents of the University of California* (1999) PERB Decision No. 1359-H, pp. 11-13, 22.) The University's actions reasonably tend to interfere with employees' exercise of these rights, in violation of section 3571, subdivision (a).

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First, UC's incessant communications that threaten faculty with discipline for vague violations of the faculty code of conduct repress learning through the "free exchange" of ideas among faculty and further violate the requirement that UC respect and preserve academic freedom. In the context of the repressive atmosphere that it has created, any reasonable faculty would read these threats as an instruction not to teach about Palestine. These threats are particularly significant for the potentially hundreds of faculty who research and teach on labor law, labor-capital relations, Israel/Palestine, anti-Palestinian/Arab/Muslim racism, university governance, socially responsible investment policy, imperialism, colonialism, and other related topics.

Second, the University's unprecedented investigations, discipline, and other adverse actions against faculty accused of teaching about Palestine—including issuing a Letter of Warning to a UCI professor, investigating a UCSD faculty member for advocating for a department statement on the genocide in Gaza, and banning a UCSF professor from OCME courses because her course content related to Palestine—also constitute unlawful interference. In the context of the repressive, anti-Palestinian atmosphere that UC has created, UC's investigations and discipline, which are widely known among faculty, send a clear message that teaching about Palestine or even advocating for Palestine outside of an instructional setting, may lead to discipline.

4. The University has violated the PEDD by deterring and discouraging union membership and activity.

The University's FAQs on the strike also constitute a violation of the PEDD. (See, e.g., Exhibits 21 and 76.) The PEDD, Government Code section 3550, provides that "[a] public employer shall not deter or discourage public employees or applicants to be public employees from becoming or remaining members of an employee organization, or from authorizing representation by an employee organization, or from authorizing dues or fee deductions to an employee organization." A prima facie case of a violation of section 3550 is established where an employer's conduct is "reasonably likely to deter or discourage employee free choice." (*Regents of the University of California* (2021) PERB Decision No. 2755-H, p. 24.) Under this section, public employers are prohibited from "conduct which tends to influence employee choices as to *whether or not* to authorize representation, become or remain a union member, or commence or continue to pay dues." (*Id.*, p. 25 [emphasis in original].)

Here, UCOP issued a communication to all University faculty that instructed them not to communicate with *any* employees or students—regardless of supervisory status—about the strikes or other union activity. UCSD went even further and directed its faculty not to communicate with other Senate faculty members about the strike and explicitly instructed faculty not to discuss "protected activities, their union sympathies nor the protected activities/union sympathies of others" with any other employees. These categorical prohibitions on speech related to union activities are reasonably likely to discourage faculty from communicating with employee organizations, such as the faculty associations or CUCFA, and to become members of employee organizations. UC's FAQs have been posted on university websites for weeks, and as of the filing of the charge, both FAQs were still posted online.[7]

[7] See https://ucnet.universityofcalifornia.edu/resources/employment-policies-contracts/frequently-asked-questions-about-bargaining-units/; https://updates.ucsd.edu/labor-uaw-2024/index.html

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X. CONCLUSION AND REQUESTED REMEDIES

For the foregoing reasons, PERB should issue a complaint alleging that the University interfered with employee rights and unlawfully discriminated against employees for engaging in protected activity and violating the PEDD through its unlawful communications.

As a remedy for its unfair practices, the University should be ordered to cease and desist from all its unlawful conduct. This should include an order that the University cease and desist from interfering with employee rights and discriminating against employees.

The University should be ordered to rescind its unlawful rules and policies. It should also be ordered to rescind the unlawful discipline or other adverse action against faculty association members and remove them from their personnel files. The University should be ordered to take all steps necessary to make faculty association members who have been subject to discipline or adverse action whole; this should include an order of backpay for any lost income, reversal and reassessment of any promotional or other employment decisions that were impacted by disciplines or other adverse actions related to the University's unfair practices, compensation at the affected faculty member's rate of pay for any time spent in addressing or responding to disciplines and other adverse actions, reimbursement for any other costs faculty member's incurred related to disciplines or adverse actions, and daily compounding interest at 7% for all monetary remedies owed. (See *El Centro Regional Medical Center* (2024) PERB Decision No. 2890-M, p. 25.) The University should also be ordered to pay attorney's fees, costs, and civil penalties in accordance with Government Code section 3551.5.

The University should also be directed to give electronic and physical notice to faculty association members of its violations. In addition, given the chilling effect the University's actions have had on faculty, UCLA, UCSD, UCI, UCSC, and SFFA should be required to conduct notice readings, during which the chancellor of each campus reads the notice to all affected employees. UCLA-FA, SDFA, IFA, SCFA, and SFFA should each be permitted to attend the notice reading on their respective campuses and to record it for distribution to employees who cannot physically attend.

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EXHIBIT NO. 1

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REPORT OF TASK FORCE ON ANTI-PALESTINIAN, ANTI-MUSLIM AND ANTI-ARAB RACISM

May 13, 2024

Introduction

As a Task Force convened and charged to report to the EVCP on matters relating to Anti-Palestinian, Anti-Muslim and Anti-Arab racism at UCLA, we submit the following report documenting the racism and violence directed at Palestinians, Muslims, Arabs and anyone, including Jews, who express opposition to the war in Gaza and in defense of Palestinian rights. The racism and violence we document includes not only long-standing incidents of harassment and punitive actions taken against faculty and students for their support of Palestinian rights but the recent violent attacks from counter protesters on the Palestine Solidarity Encampment, the university's utter failure to protect the students under attack, and the violence perpetrated by police who at the administration's behest cleared the encampment by injuring, detaining and arresting peaceful protesters. Finally, the administration has yet to grant student protesters amnesty, offer to cover medical expenses for the injuries they sustained at the hands of counter protesters and the police, and protect their fundamental right to engage in peaceful protest. In this report we describe the racism and violence directed at Palestinians, Muslims, Arabs and defenders of Palestinian human rights, including many Jews, and we narrate our Task Force's attempts to bring the racism and violence to your attention, efforts that have largely been ignored.

The escalating crisis UCLA faces at the moment is the result of failed leadership as well as the administration's consistent anti-Palestinian, anti-Muslim, and Arab racism and pro-Zionist bias. These problems did not begin with the administration's response to the Palestine Solidarity Encampment, or with efforts to stifle academic freedom on our campus, or with the start of Israel's war on Gaza. The issues we address in this report and during our tenure as a Task Force have persisted for well over a decade.

We begin by reminding the administration how and why the Task Force came about in the first place—not codes of conduct, not bad behavior, not even campus safety, per se. Rather, the ongoing genocide in Gaza. As we prepare this report, Israel's invasion of Rafah has begun; the death toll continues to rise; there is no medical infrastructure left; the international community has come to recognize that what is happening in Gaza now is clearly genocide. This urgency remains. And this is why students risked so much to create a non-violent encampment on Royce Quad. As this report will show, they have faced horrific physical and psychological violence for protesting non-violently. We charge the administration with not only failing to keep students safe but taking actions that put them in harm's way.

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History and Origins of the Task Force

The initiative for our task force came from the faculty as an urgent response to the genocide taking place in Gaza and the attacks on students, faculty, and staff at UCLA—and throughout the UC system—for speaking out against the war. We demanded some kind of statement from UC leadership condemning Israel's actions and U.S. support. Our colleagues were losing family members by the dozens; the entire educational infrastructure was being bombed into oblivion, and many of our colleagues (faculty, students, administrators) in Gaza were being killed or maimed in the process. Many of us signed a letter in October calling on UC leadership to "recognize the plight of the Palestinian people and the horrors that have been inflicted upon them for decades, [which] the UC system has totally neglected and is complicit in the ongoing occupation of Palestine."[1] By November, neither UC President Michael Drake, UC Regents Chair Richard Lieb, or our own Chancellor Gene Block had made a statement condemning the indiscriminate bombing of Gaza, the mass killing of civilians—more than two-thirds of which were women and children—the litany of war crimes that left Palestinians with little food, access to clean water, shelter, the very basics life.

As members of our community began to speak out publicly and discuss these issues in our classrooms, many of us came under scrutiny—exacerbated by a group led by Professor Judea Pearl calling itself "UCLA Faculty Against Terror."[2] The letter erroneously characterized student anti-war protests as antisemitic and "incitement," which had a chilling effect on speech as well as on the urgent effort to secure a ceasefire. These circumstances prompted well over 250 of our colleagues to sign a letter expressing our concerns over the attack on academic freedom, the safety of our students, and the administration's indifference to Palestinian suffering.[3] We then requested a meeting in late November, which ultimately led to the creation of this task force along with the "Task Force on Antisemitism and Anti-Israel Bias."

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[1] Condemnation Letter of the University of California Board of Regents Statement on Mideast Violence, https://docs.google.com/document/d/1Tap_hmvGLSo0doQdvCDKRSQ54REFfBV5dhuks5VVb5A/mobilebasic#ftnt1 The letter was written in response to the statement issued by the UC Office of the President on 9 October, "University of California statement on Mideast violence," https://www.universityofcalifornia.edu/press-room/university-california-statement-mideast-violence

[2] UCLA Faculty Against Terror, "UCLA must condemn Hamas attacks, fight antisemitism on campus," Daily Bruin, December 5, 2023, https://dailybruin.com/2023/12/05/op-ed-ucla-must-condemn-hamas-attacks-fight-antisemitism-on-campus The letter was first circulated in November.

[3] We submitted this letter by email to Chancellor Block on November 30, 2023, under the name "UCLA Faculty for Academic Freedom," and similarly published it in the Daily Bruin. See UCLA Faculty for Academic Freedom, "UCLA must protect free speech, academic freedom of those advocating for Palestine," Daily Bruin, December 5, 2023, https://dailybruin.com/2023/12/05/op-ed-ucla-must-protect-free-speech-academic-freedom-of-those-advocating-for-palestine

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We met with EVCP Darnell Hunt and other administrators with the goals of: informing campus leadership of the hostile climate faced by Arab and Muslim students as well as members of SJP, UC Divest Coalition, and allied organizations for merely protesting Israel's assault on Gaza; urging Chancellor Block to publicly and unequivocally affirm the value of Palestinian life and to make a clear statement rejecting the conflation of anti-Zionism with anti-Semitism; and to back up any statement with action. Suggested actions included (but were not limited to) forming a Chancellor's advisory committee on Arab, Muslim and Palestinian life; investigating and responding to anti-Palestinian harassment and violence on our campus; taking steps to ensure the physical safety of students, faculty and staff; offering resources, services, and accommodations to members of our community affected by the genocide in Palestine and mounting repression campaigns; requesting that EDI and the Center for Teaching coordinate with faculty to offer programming on teaching Palestine on campus; and protecting the academic freedom of faculty and students — particularly untenured colleagues who faced retaliation, harassment, and possible termination for the political positions they were taking.

The Task Force's Actions

April 24, 2024: As a Task Force, not all of whose members felt sufficiently protected so as to be able to reveal their identities, we began our work with two co-chairs. On April 24, we submitted an urgent report to EVCP Hunt conveying to him our grave concerns about the deteriorating climate on campus. First, we conveyed in detail that students and faculty were being harassed both internally and externally for any speech that was deemed critical of Israeli policies. Through an orchestrated campaign (echoed at times by upper administration at this campus and across the system), speech advocating Palestinian rights, no matter who it is expressed by–including Jewish students and faculty—was summarily declared "antisemitic" and those who express it faced sanctions, doxxing, threats, discrimination, surveillance or worse. We highlighted that at some campuses, including Columbia and Stanford, students advocating Palestinian rights had also been physically assaulted or sprayed with irritant gasses. We emphasized that while some Jewish students were reporting feelings of discomfort and fear on campus, across the nation anyone calling for an end to the genocidal violence unfolding was actually being doxed, attacked, shot, assaulted, threatened and either fired or suspended from university campuses; in other words, for all the attention on certain Jewish students' expressions of worry, the people who have actually suffered material harm have been those advocating for Palestinian rights, including Jewish students and faculty members. We stressed that at a time when all of our attention should be directed at the genocide in Gaza, the mendacious narrative of "antisemitism" was being deployed in order to delegitimize protest against state violence and hence to screen or obscure the visibility of the genocide. We demonstrated that few avenues of violence protection were open to those who were harassed or who faced sanctions. For example, a guest speaker in a course on structural racism received death threats alarming enough to force the cancellation of events

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hosted by the Luskin Institute on Inequality and Democracy. The Structural Racism course itself was "paused." We have reported many incidents where faculty with Zionist viewpoints were using their position of power against students and in some cases, against staff. Academic staff have also reported a hostile work environment and retaliation through personnel reviews and merit processes for their defense of Palestinian rights. Indeed, retaliation seemed to be the order of the day with denials of professional opportunities rife among several groups–again, all in a one-sided manner: one side has taken the brunt of the harm; the other has been complaining about feelings of worry.

We emphasized to the Chancellor and the EVCP that when speech that is critical of Israeli policy (including the genocide in Gaza) and the academic study of race and racism are specifically targeted as "antisemitic," Palestinians and their allies become criminalized and disciplined not simply for protest but for conducting their work as students as scholars. This is not an environment in which we can pursue meaningful dialogue, as the Chancellor and EVCP have charged us to consider. Finally, as we concluded in this letter, and a point we wish to continue centering: while the campus climate deteriorates and voices expressing or supporting Palestinian rights are silenced, a genocide is unfolding in the Gaza strip and an unprecedented level of state violence is directed at the Palestinian population across the territories controlled by the Israeli state. The silencing of critical voices serves to authorize the merciless killing and destruction of Palestinian communities, including the total destruction of dozens of schools and every single university in the Gaza strip, as well as the murder of hundreds of Palestinian teachers, students, professors, deans and university presidents, which should concern all of us in academic institutions and indeed the institution itself.

We offered concrete proposals for what should be done to address the escalating climate of hostility towards anyone critical of the Israeli state and ended this first report with the following: **"we believe that given the extraordinary tensions on campus and the widespread suppression of speech that is critical of Israeli policy, speech often unreflectively declared to be antisemitic, the best approach to combatting anti-Palestinian, anti-Muslim and anti-Arab racism and to protecting academic freedom lies in an acknowledgement that there is no parity between what is happening to speakers who advocate Palestinian rights and to those who claimed to be rendered uncomfortable by speech critical of Israel and as such to be experiencing a rise in antisemitism. There cannot be a dialogue across difference, unless this asymmetry is recognized."**

April 27, 2024: Once the encampment emerged, we continued our role to let administration know about the escalating violence against the Palestine Solidarity Camp and we served as a line of communication between the EVCP and the encampment whenever we were asked to do so. We noted that a very aggressive counter protest was building for Sunday April 28 and noted the large amount of money raised by counter protesters in order to disrupt the encampment. Students

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were understandably preoccupied with this imminent threat but also indicated that they would welcome EVCP Hunt to the encampment to speak to them about their demands.

May 1. 2024: We wrote an even more urgent letter addressed to the Chancellor when violent counter protesters attacked the camp, as we had warned. UCLA conspicuously failed the students as the anti-war protesters were attacked by outside counter protesters including white supremacist groups such as the Proud Boys, as police stood by. We called on the Chancellor to take responsibility for this failure and take steps immediately against the counter protesters. We stated to the Chancellor, who wrote about Jewish students existing in a state of anxiety and fear despite the considerable violence directed at anyone speaking out against the genocide, that his emphasis on Jewish students feelings about Palestinian solidarity on the campus was serving to inflame the situation and embolden attacks on the Palestinian Solidarity Encampment. When we met with Chancellor Block on May 1, ostensibly to discuss with EVCP Hunt the considerable violence against the students, and to inform the chancellor that his remarks about Jewish students' fear and discomfort serve to authorize counter protesters and to frame the students as violent, UCLA had already decided to clear the encampment. In the ensuing police response, many students were physically hurt by police and over 200 students, staff, and faculty were arrested and charged (see below). We have documented multiple injuries from rubber bullets and police batons.

May 6-8, 2024: On May 6, members of the Los Angeles Sheriff's Department and the LAPD unlawfully arrested 43 students and other members of the UCLA community as the students prepared for a peaceful sit-in. Students, lawyers, and members of the press were handcuffed and put in zip ties, forced to the ground for over four hours. The co-chairs of the task force implored EVCP Hunt with multiple text messages and a phone call to advocate on behalf of the students, to call the Chancellor and ask that the students not be arrested. We were told that this was no longer in the hands of the UCLA administration, due to the rapid constitution (over the previous weekend) of a new Office of Campus Safety after the school faced criticism for its inadequate police response to protests the week before. Yet this is a UCLA office, and the police officers on the scene of Parking Lot 2, where students were being detained on the morning of May 6, were UCPD. It is as though, by creating the new Office of Campus Safety, the upper administration had decided to hand over control of campus to the police, with disastrous results.

As this incident of May 6 unfolded, police officers refused to answer detainees' questions about whether they were under arrest or free to go. They confiscated and threw aside phones of observers and press, demonstrating UCLA's blatant disregard for basic democratic safeguards guaranteeing the right to dissent. Students were booked at the Inmate Reception Center in Van Nuys, after police speculated on camera that they would be charged with conspiracy to commit burglary. As students struggled to be released and to counter the considerable harm they experienced as a result of UCLA PD's actions, UCLA has yet to comment on this specific incident. Disturbingly, the police refused to return students' cell phones. People whose primary phones were being held were not able to access their Bruin Learn class materials because of the

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duo mobile/authentication. At this writing, there has been no assistance from UCLA in retrieving this property. The EVCP responded to requests for updates from the Task Force with the information that everyone arrested was charged with misdemeanors, and speculated that the city will likely drop charges. UCLA has provided no assistance or resources for its students. All legal aid and jail support has come from community mobilization to support student protesters.

Subsequently, UCLA has become akin to a police state, with a dramatic increase in police around the campus, many of whom carried rubber bullet guns, and some of whom carried assault rifles, as they patrolled campus throughout the day on May 6. With such a heavy police presence, students and faculty reported feeling unsafe and on high alert. As visibly armed police patrol near classrooms and student centers, immigrant, undocumented, and formerly incarcerated students have reported feeling afraid to be on campus. Staff have also expressed reluctance to report to work. UCLA has become a militarized space, where peaceful protest and the right to free speech have become pervasively criminalized. They have alienated and isolated students from their right to learn and from each other.

Key Moments of Racial Violence: The Attacks on the Palestine Solidarity Encampment

The encampment was erected on Royce Quad on Thursday morning, April 25. Its primary organizers were SJP and the UC Divest Coalition, along with an array of allied students. From its inception until its violent destruction, the encampment was a multiracial, multi-national, and gender diverse assembly, composed of undergraduate and graduate students from North and South campuses. All “residents” of the encampment were required to sign a community agreement outlining shared principles and behavior, and most had to undergo training in de-escalation tactics. They appointed designated media liaisons, established a People’s Library and organized reading groups and teach-ins on a range of topics, from Kashmir and Palestine to Frantz Fanon and tenants’ rights. Many students simply studied together for class. Muslims, Jews, Christians, and followers of other faiths as well as atheists were welcome. Muslim salat and Jewish shabbat were commonplace. Families with children were also welcome on the first day of the encampment. Food was made available to all, and precautions were taken to protect anyone with severe allergies. For example, one member of the community had a banana allergy, so signs were posted prohibiting bananas in the encampment.

So-called “counter-protesters” who self-identified as Zionists began trickling into the camp around noon on the first day. They heckled people inside the encampment with racial and homophobic slurs, and comments such as "you're cool with rape?", "you're a jihadist," "you're a terrorist," "Hamas would kill you fags." Some entered the encampment without authorization and physically attacked the students.[4] One in particular, identified as Nouri Mehdizadeh, walked

[4] See https://drive.google.com/file/d/1gSC3s5ZsaOBgbqWqilYxPfm3RfM48SBP/view

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about the encampment with a sign that read “Israel is not apartheid. Come talk,” and proceeded to steal a student’s keffiyeh, pour water over chalk art, and assault a Black woman who tried to take his sign.[5] However, members of the encampment were instructed by the lead security organizers *not to engage the agitators*: “They are only here to take attention away from our community, and by engaging with them we’re only opening the risk for the community to get hurt. I understand they make really heinous comments, but we need to keep in mind that these people should not be the focus, we should be the focus, our community should be the focus, and sustaining this encampment until we reach FULL DIVESTMENT is our focus.”[6]

The agitators showed up the next morning with greater numbers, appearing as early as 4:00 AM shouting "Death to Hamas," "wake up commies, it's time to work," "Fuck Allah," and spraying students with bear spray and other chemical agents. They sexually harassed women in the encampment, blasted loud music, and screamed throughout Muslim prayer times. The numbers grew exponentially by Saturday. This is when the agitators (the overwhelming majority of whom were clearly not UCLA students) brought bunches of bananas to throw into the encampment—which terrified and shamed the student with the allergy, who felt compelled to leave.

On Saturday April 27, UCLA granted counter-protesters a permit to place a “jumbotron”--a massive 10-12 foot high flat screen TV with powerful speakers--adjacent to the encampment for a pro-Israel rally on Sunday. The university granted permission for outside groups to rally against the encampment but did not sanction or authorize the space our own students created to peacefully protest. Protected by metal barriers and paid private security guards employed by the Apex Security Group, the jumbotron remained in place for five days, constantly playing footage of the October 7th attacks, audio clips of graphic descriptions of rape and sexual violence, sounds of gunshots, screaming babies, clips of President Biden pledging unconditional support for Israel, loud music, including a loop of the Israeli song ‘Meni Mamtera’, a children’s song Israeli soldiers used as a form of “noise torture” on Palestinian captives. The jumbotron was paid for by a GoFundMe account that had raised $73,000 by Sunday night. The taunts and harassment continued throughout the day. One inebriated agitator harassed several Black women and femmes who were on encampment security, calling them slaves and racial slurs, followed by threats of rape. A Neo-Nazi, identified later as a member of the Proud Boys, actually shouted that they were “here to finish what Hitler started," without any apparent protest from the self-identified Zionists. Later that night, several agitators broke through the encampment barriers and attacked students and pepper sprayed one of the security guards hired by UCLA.[7]

[5] https://drive.google.com/file/d/14V3ZnLoYtbTNx5S8QseoRGfX_g6fkpAI/view

[6] Text message from SJP

[7] Students interview with Task Force member, May 3, 2024

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The Israeli American Council's LA branch sponsored the rally, which attracted between 800 - 1,000 people. Speakers included Hillel at UCLA executive director Dan Gold; candidate for student council, Eli Tsives (who was photographed high-fiving a UCPD officer); the regional Consul General of Israel, Israel Bachar; State Assemblymember Rick Chavez Zbur; and Jonathan Greenblatt, CEO of the Anti-Defamation League. After the speeches denouncing our students as antisemitic and defending Israel's war in Gaza, the jumbotron blasted the U.S. national anthem hourly. The shouting and slurs intensified. Agitators were recorded shouting[8]: ,
"Go listen to your master"
"You're a fucking dog"
"Come here, I'll fuck you up!" "Pussy, take your mask off!" "whores! Sharmuta! [Hebrew for prostitute]
"Palestine is a graveyard"
"We're not American Jews! We're Israelis! You stand up against us, we'll fucking slit your throat"
"Hamas would rape and murder you for what you're wearing, sweetheart. Yeah, and they'll kill your daughter."

Another called one of our students "a bitch-ass N—" and proceeded to spit at them.

At one point, leaders in the encampment learned of a bomb threat and contacted UCPD with this information, but it is not clear how they responded. Later that night, around 1:30 AM, one of the agitators emptied a backpack full of mice injected with an unknown substance into the encampment.[9]

Meanwhile, the students complained about the dangers they faced from agitators from day one. Some called UCPD directly, others contacted administrators and/or trusted faculty, and several students filed reports to our EDI office. In other words, there is an official paper trail documenting the attacks and the egregious failure of the university to do anything. Campus security made no effort to keep the mobs away from the encampment. In response, faculty staged a walkout in protest on Monday, appealing to the administration to act to secure the safety of our students. Several of our colleagues filed Title IX complaints since the jumbotron blasted

[8] All of these statements are documented here:
https://www.instagram.com/reel/C6XK09SP6aQ/?igsh=MzRlODBiNWFlZA%3D%3D

[9] For video evidence and social media coverage of the mice attack, see :
https://www.instagram.com/reel/C6WwbyQy8fe/?igsh=MzRlODBiNWFlZA%3D%3D
https://www.instagram.com/reel/C6WS9lELgdH/?igsh=MzRlODBiNWFlZA%3D%3D
https://www.instagram.com/reel/C6W-rBVrw8q/?igsh=MzRlODBiNWFlZA%3D%3D
https://www.instagram.com/reel/C6Xr0JHOjoB/?igsh=MzRlODBiNWFlZA%3D%3D
https://www.instagram.com/reel/C6X1yp3OlrD/?igsh=MzRlODBiNWFlZA%3D%3D

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triggering images and language depicting sexual violence, not to mention the racist, homophobic, misogynistic slurs hurled at students by the mob."[10]

Following the intensifying violent behavior of the counter protesters, Chancellor Block issued a statement on Monday, April 30th, observing that while "many of the demonstrators, as well as counter demonstrators who have come to the area, have been peaceful in their activism;" he found some of the tactics "shocking and shameful." He never names these tactics or who perpetrated them. Instead, he only identifies reports that "students on their way to class have been physically blocked from accessing parts of the campus." This is the sort of activism, he warns, "that harms our ability to carry out our academic mission and makes people in our community feel bullied, threatened and afraid. These incidents have put many on our campus, especially our Jewish students, in a state of anxiety and fear."[11] First and foremost, no buildings were off limits and no classrooms were blocked. There were particular entrances to buildings that had been closed off, not by the encampment but by campus security. Those decisions were given the green light by the administration. Second, students responsible for encampment security wanted to limit congestion. Everyone inside the camp was masked in order to reduce possible Covid infection. Third, one of the students featured in a viral video where he is asked to go around the encampment is seen in another video with bear spray on his hip. The students were familiar with him because he had participated in some of the nightly attacks on the encampment. Once again, there were many Jews already in the encampment, so being Jewish was not the reason for the precaution. Finally, we are a campus under construction, where several pathways have been blocked to students, especially near Powell Library, and yet this inconvenience apparently does not rise to the level of disrupting classes. Nevertheless, the mother of the student who made the video then circulated it as evidence that Jews were being denied access to classrooms. This is likely to be Chancellor Block's "evidence" that students could not get to class.

With respect to the video that we believe constituted Chancellor Block's "evidence" in which it was claimed that the protesters were blocking Jewish students from accessing their classrooms, it is critical to note that the video played a key role in fomenting the violent counter protest. As the *L.A. Times* reported many members of the crowds that descended on UCLA were inflamed by posts such as this video. Interviews with counter protesters conducted by the *L.A. Times* revealed

[10] Anahid Nersessian, "Under the Jumbotron," London Review of Books Blog (May 6, 2024), https://www.lrb.co.uk/blog/2024/may/under-the-jumbotron

[11] Chancellor Gene Block, "Affirming our Values in a Challenging Time," April 30, 2024, https://chancellor.ucla.edu/messages/affirming-our-values-in-a-challenging-time/

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that rumors circulated on social media about Jewish students being denied access to classrooms contributed to the belief that the protesters were specifically targeting Jewish students.[12]

On Tuesday night, April 30, the agitators launched a coordinated assault on the encampment.[13] They came armed with bear mace and other chemical irritants, hammers, knives, stink bombs, high grade fireworks, baseball bats, metal and wooden rods, and reportedly at least one of the attackers had a gun in his backpack. Just prior to the attack, students were subjected to loud recordings of screaming babies, followed by a fusillade of fireworks shot directly into the encampment. One student recalled "agitators congregated at every entrance, probably to try to distract us. . . I thought they were shooting at us. Men in full-faced white masks began breaking down the barriers using knives, hammers, and their feet. One armed with a long metal rod " would try and, like, spear people and bash people with this big pole." Others started throwing chunks of wood and stink bombs and spraying chemicals–bear mace, tear gas, pepper spray. "I saw planks of wood come sailing into the camp and strike some girl in the back of the head and she just fell to the ground." Another student was struck in the back of the head by fireworks and had to be hospitalized. The medics were simply overwhelmed, forcing students with little experience to attend to wounds. "People were crying and being like, 'can you call my mom, I need to call my mom, please help me'. . . We were trying to do the best that we could but we ran out of saline needed to flush the chemicals out of people's eyes."

Injured students were rushed to safety, either to the medic tent or out of the encampment altogether. Those who held the line were instructed not to escalate. As objects rained down on them, the leads shouted "Don't throw back! Don't engage!" The students displayed remarkable poise. They begged campus security to intervene but were refused. One encampment defender,

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[12] Matthew Ormseth, Connor Sheets, Brittny Mejia, Ruben Vives, Jessica Garrison and Summer Lin, "'Shut it down!' How group chats, rumors and fear sparked a night of violence at UCLA," Los Angeles Times, May 10, 2024, https://www.latimes.com/california/story/2024-05-10/how-social-media-rumors-sparked-a-night-of-mayhem-at-ucla.

[13] The Daily Bruin coverage of the events from 4/29 - 5/2, is fairly thorough and accurate, and the violence also received national and international coverage. See Neil Bedi, Bora Erden, Marco Hernandez, Ishaan Jhaveri, Arijeta Lajka, Natalie Reneau, Helmuth Rosales and Aric Toler, "How Counterprotesters at U.C.L.A. Provoked Violence, Unchecked for Hours," New York Times, May 3, 2024, https://www.nytimes.com/interactive/2024/05/03/us/ucla-protests-encampment-violence.html; Matthew Ormseth, Connor Sheets, Brittny Mejia, Ruben Vives, Jessica Garrison and Summer Lin, "'Shut it down!' How group chats, rumors and fear sparked a night of violence at UCLA," Los Angeles Times, May 10, 2024, https://www.latimes.com/california/story/2024-05-10/how-social-media-rumors-sparked-a-night-of-mayhem-at-ucla; Jon Swaine, Hannah Natanson, Joyce Sohyun Lee, Sarah Cahlan and Jonathan Baran, "Despite warnings of violence at UCLA, police didn't step in for over 3 hours," Washington Post, May 11, 2024, https://www.washingtonpost.com/investigations/2024/05/11/ucla-protests-police-inaction-fights/. Rather than rehearse those events blow-by-blow, we have decided to share direct testimony taken from students who were there. For the safety and security of our students, we decided not to disclose names.

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UCLA alumnus Ismael Sindha, was reportedly told by a security guard that the violence "was their fault."[14] The hired guards would later retreat inside of Royce Hall. Sindha was subsequently attacked and taken to Reagan hospital for burns caused by a chemical irritant but left before treatment, returning to the encampment to help. He too reported hearing threats and taunts by the attackers: "I'll kill you," "I'll rape your sister" and "What Israel does to Gaza, we'll do to you."[15] Realizing that campus security was utterly useless, students under siege and their family and friends inundated UCPD with calls for help, only to be told that the situation was "under control" and have the operators hang up in their face. "You can't continue calling unless you have an emergency," said a UCPD operator in a recording of a phone call.[16]

The California Highway Patrol and LAPD assembled forces near the fighting before midnight, prior to the university's statement, issued at 12:12 AM, that it was dispatching law enforcement to deal with the situation. However, the police spent the next three hours watching the violence unfold and doing nothing. The UCPD operators continued to hang up on protesters, leaving the people of the encampment to defend themselves and care for each other. One student saw a friend rolling on the ground screaming. "I've never heard any of my friends scream like that before. … It's still traumatizing until now, that I saw him go through that kind of pain." Another student was twice struck on the head while trying to protect both the encampment's barricade and their fellow students. They said they were taken to the hospital by their classmates, where they ultimately received medical treatment, including stitches and staples. "I thought I was going to die. I thought I'd never see my family again," the student recalled. "The only thing that kept me moving forward was my … classmates who were brave enough to protect the encampment from these terrorists. The same classmates that courageously brought me back inside the encampment after my attack. The same classmates who I relied on to save my life." What also kept him going was remembering why they were there in the first place: "I had the luxury of getting sedated as they stapled my head back together. Currently, in Gaza, there are zero fully functioning hospitals," Student C said. "The UCLA community deserves justice. The people of Gaza deserve justice."[17]

When CHP officers finally began moving toward the violence, they allowed the attackers to pass through unmolested. They made no arrests, did not interrogate a single member of the mob, and made no effort to check on the health and well-being of the students or assist EMS with first aid

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[14] Catherine Hamilton, "'I thought I was going to die': UCLA encampment protesters recall April 30 attack," Daily Bruin, May 11, 2024, https://dailybruin.com/2024/05/07/i-thought-i-was-going-to-die-ucla-encampment-protesters-recall-april-30-attack

[15] Ibid.

[16] This exchange was reported in both the Daily Bruin (Hamilton, "'I thought I was going to die')" and the Washington Post (Jon Swaine, et. al., "Despite Warnings of Violence at UCLA")

[17] Hamilton, "'I thought I was going to die.'"

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or help evacuate wounded students. The next day, as images of the attack circulated all over the internet and made it on cable and network news, Chancellor Block issued a statement bemoaning the violent attack on the encampment by "a group of instigators." It was the first time he had acknowledged that the students and faculty protecting the encampment were the victims of violence. But he refused to link the pro-Israel rally that the university authorized to the attack, or to recognize that the attacks had been ongoing since April 25th. In a stunningly passive sentence, the Chancellor writes, "Physical violence ensued, and our campus requested support from external law enforcement agencies to help end this appalling assault, quell the fighting and protect our community." UC President Michael V. Drake immediately followed with his own statement, declaring that "the encampment is unlawful and violates university policy" and disrupts "the functioning of the university."

After ignoring five straight days of relentless harassment and violent action toward the encampment, Chancellor Block made it clear that his primary concern is the safety of "our Jewish students." The only Jewish students who faced actual physical danger and experienced both physical and psychological trauma were in the encampment, advocating for Palestinian rights.

The egregious failure of Campus Security or UCPD to intervene to protect the students led to intense scrutiny from the media, the legal community, faculty, students and their parents. The next day, May 1, Chancellor Block issued another statement admitting that the mob had attacked the students. He condemned the attacks, acknowledged the trauma our students endured, even expressed "sympathy" for those who suffered injuries. He called for an investigation, urging "those who have experienced violence to report what they encountered to UCPD, and those who have faced discrimination to contact the Civil Rights Office." In the wake of five nights of police and administration inaction, students and faculty found Chancellor Block's concern to be disingenuous. In fact, we suspect that by declaring the encampment "unauthorized" emboldened the mob to escalate their attack.

Our suspicions were confirmed when a couple of hours later the Chancellor announced plans to clear the encampment by 6:00 PM, giving UCD and SJP leaders just two hours to finally discuss their demands with Executive Vice-Chancellor Darnell Hunt. The meeting went nowhere, in part because the administration did not try to negotiate in good faith and left no time to reach some kind of agreement just hours after students had been assaulted, injured, some hospitalized, and part of their camp destroyed. They were understandably demoralized after being told that the encampment will be dismantled no matter what happened. And they understandably vowed to protect the encampment from demolition.

The night of May 1st began as a repeat of the previous night, except that the mob was bigger and more violent, and there were more police on hand to watch. It seemed as if the mob had been

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deployed as the front lines of the police operation. Faculty showed up in significant numbers in an effort to protect students. As one of our colleagues recalls, "Almost exclusively, the students tried to hold the line of the encampment without escalating or responding in kind to the attackers. It really looked like a one-sided attack. 99% of the students seemed to just hold the barriers and evade objects hurled from the other side, including rocks, barricade pieces, likely tear gas capsules – smothered with a blanket by students. . . . I witnessed [a student] passing out after being hit on the head. Saw another student hit by a steel/iron rod. Many students [were] badly sprayed by pepper spray or other chemical agent. There were chemical red rashes/burns all over their bodies. Eyes were swollen and red due to chemical agents. . . . Attackers, after police arrived, almost broke into [the] encampment and started swinging rods/bats – whatever they had in their hands."

Similar to Tuesday night, the police did not disperse the mob. "Some contingent of the mob continued attacking in front of the police," another colleague reported. "Not one of the attackers was detained or arrested. Some of the attackers were older – definitely not students. Some of them looked like they had militia training." When police finally intervened, there are ample reports of LAPD snipers dispatched to the roof of Royce Hall, the California Highway Patrol shooting rubber bullets at people trying to protect the encampment. We have seen the injuries to the face, head, legs, and chest. Some students were shot at close range. The police shot regular volleys of stun grenades, beat protesters with batons, and arrested over two hundred protesters. Perhaps most shocking was the police command's decision to block EMS from entering the encampment to aid the injured. The medics were already overwhelmed, leaving the remaining students and faculty to administer first aid. One colleague recounted seeing a very young woman break down, exhibiting signs of PTSD. "She was crying as she described the way that these fireworks were like bombs coming in. . . . Lots of folks were crying, lots of folks were processing this level of violence and attack. . . . Students literally feel like they're in a war zone." Meanwhile, the police did not arrest a single attacker from the mob. While police took pictures of protesters and the encampment, they were not taking pictures of the mob. To date no counter protester has been charged while dozens of peaceful protesters have been arrested and charged or cited.

On May 2nd, Chancellor Block issued a statement essentially declaring the encampment illegal. His justifications were replete with distortions and outright falsehoods. He wrote that their goal all along was "to support the safety and well-being of Bruins." If safety was a priority, why allow a violent mob to come on to our campus, grant them the right to drag a huge jumbotron near the encampment that played triggering sounds of gunshots and screaming babies where students were trying to sleep and study?

Chancellor Block declared "the need to support the free expression rights of our community." Who is the community the chancellor wishes to protect? Members of the Proud Boys? Right-

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wing Zionists who have no relation to the university? Everyone knows that the majority of the attackers were not university students. He also declared "the need to minimize disruption to our teaching and learning mission." Of course, if Chancellor Block had come to the encampment and spent some time there, he could have joined the many study groups, teach-ins, discussions over history and politics taking place throughout the day. He would have seen the free library with its impressive number of volumes. Interaction between undergraduate and graduate students deepened beyond a weekly 50 minute discussion section. Students across disciplines, even across the North – South Campus divide, shared knowledge, information, experiences that provided a more enriching and interdisciplinary learning space than what they found in their classrooms. Furthermore, the camp attracted several leading intellectuals from across Southern California and in some cases other parts of the world who were willing to engage these students and share their own wisdom.

If anything, the mob disrupted teaching and learning; it disrupted the students' ability to sleep, to speak freely; to feel safe. All of us who taught during this academic year witnessed a marked change in our students, an alertness and dedication; they demanded that we make space to discuss the events of October 7 and its aftermath. We all did our best to create a safe environment for all of our students, knowing that discomfort comes with the territory of learning. Despite ill-informed attacks from some of our colleagues, issuing false and dangerous accusations of antisemitism for examining the roots of the current crisis from a historically-informed and critical perspective, our faculty for the most part did a remarkable job. And still, for months prior to the encampment, senior colleagues in certain departments have threatened or intimidated junior faculty for making any statements critical of Israeli policy or on the impact of genocidal violence on the people of Gaza. Indeed, for the first three months of the war many of us were warned that using the word "genocide" in this context was antisemitic and risked censure or worse. Indeed, these were the circumstances in which we approached Chancellor Block, EVCP Hunt, and the administration because such attacks threatened academic freedom.

In the wake of this ongoing violence against supporters of Palestinian rights, we are left with specific questions: Why was there no statement about the jumbotron? Is it because this group of agitators had a permit? Their permit expired on Sunday afternoon but the machine remained for days afterwards, disrupting all classes on the quad. Why wasn't their violent attack on the camp declared unlawful and a breach of policy? Why were violent counter protesters not arrested, let alone interrogated by UCPD or other law enforcement? On the clearing of the encampment, Chancellor Block proclaimed: "Officers followed a plan that had been carefully developed to protect the safety of protesters at the site. Those who remained encamped last night were given several warnings and were offered the opportunity to leave peacefully with their belongings before officers entered the area." If this is the case, then either the plan was never actually initiated or allowing terrorists to attack the encampment as they watched was part of the plan.

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Aftermath

Nothing stopped the administration from engaging in meaningful, honest, transparent negotiation with student groups. It is impossible to build trust when one party—the administration—expresses concern for the safety of Jewish students (except for those inside the encampment) and takes no action to investigate or hold accountable mobs that had consistently attacked the encampment since its beginning. There is no trust when an increased police presence on campus continues the harassment of protesters in support of Palestinians, results in further arrests and, at the time of writing, an egregious breach of student rights by making publicly available a list of those arrested, an action that will inevitably lead to serious targeting of these students by counter protesters.

Chancellor Block had the opportunity to express concern for Palestinian and Muslim students, and has consistently–for years–refused to do so, despite numerous private and public appeals by faculty, including an open letter to the chancellor published in 2021 that anticipated many of the terrible events that have unfolded in recent days, to which, of course, the chancellor did not bother to reply, despite its public nature

The Root of the Problem

The problems encapsulated in the destruction of the encampment and the administration's decision to allow mob violence to go unchecked for four days, and the escalation of cops on campus in order for the violent repression of student protesters to continue with charges pending against them, reflect Chancellor Block's policies with respect to Palestine advocacy. Over the course of the last 13 years, at least, faculty have been harassed for teaching critical perspectives on Israel, and Muslim and Arab students have been profiled by campus police, harassed, attacked, endured racist epithets and graffiti. The Chancellor has been silent on these incidents, and in at least one instance–during the meeting of the National Students for Justice in Palestine in 2018–wrote an inflammatory piece in the Los Angeles Times that included misinformation about the student group and crudely Orientalist cliches about "our" tolerance and "their" intolerance.[18]

Chancellor Block made his position clear when he endorsed a UC-wide report, *President's Advisory Council on Campus Climate, Culture, & Inclusion*, issued in the summer of 2012 arguing that a hostile environment for Jewish students pervades all of the campuses "as a result of activities on campus which focus specifically on Israel, its right to exist and its treatment of Palestinians. The anti-Zionism and Boycott, Divestment and Sanctions (BDS)

[18] Gene D. Block, "Op-Ed: The controversial Students for Justice in Palestine conference will go on at UCLA. Here's Why," Los Angeles Times, November 12, 2018, https://www.latimes.com/opinion/op-ed/la-oe-block-ucla-students-for-justice-in-palestine-conference-20181112-story.html

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movements and other manifestations of anti-Israel sentiment." The report accused SJP and allied groups (presumably Jewish Voice for Peace) of "using imagery and accusations evocative of historical campaigns against Jews." It put faculty on notice that if they raise issues in the classroom or assign reading critical of Israel or Israeli policies, he or she is using "the academic platforms to denounce the Jewish state and Jewish nationalist aspirations." The report questions the legitimacy of terms like the "Nakba," apartheid, descriptions of check points, and treats criticisms of Israel as a form of hate speech directed at Jewish students. As the report states: "for many Jewish students, their Jewish cultural and religious identity cannot be separated from their identity with Israel. Therefore, pro- Zionist students see an attack on the State of Israel as an attack on the individual and personal identity." The report recommended, among other things, suspending support for Palestine Awareness Week from any university sponsorship; adopting a hate-speech policy that would not only mute criticisms of Israel but prohibit outside speakers deemed advocates of hate (the report compared such bans with keeping the KKK off campus); and introducing "cultural competency training" in the form of a required on-line course that would "address the root causes of harassment such as racism, bigotry, and ignorance."

The myriad ways in which the campus climate report violated academic freedom and chilled speech are obvious. Nevertheless, it became the basis for the Block administration's policies. In 2012, the Israeli lobbying group AMCHA Initiative filed a formal complaint against our colleague David Shorter, a faculty of World Arts and Culture, for including links to the BDS campaign on his course website as part of a range of sources for his "Tribal World Views" course. The chair of the Academic Senate at the time launched an investigation of Shorter based on this one complaint from an outside organization with no academic standing. In doing so, he violated protocols by never informing Shorter that he was under investigation. The Chair was supposed to refer the complaint to the appropriate academic committee—in this case, the Senate Committee on Academic Freedom-- but made the accusations public and passed on the information to AMCHA. As a result, Professor Shorter endured a nation-wide smear campaign, accusations in the press of antisemitism, death threats, the loss of independent contract work, among other things. Ultimately, the Senate Committee on Academic Freedom found that he was in his right to use this material. Three years later, the UCLA grievance committee ruled that his rights as a faculty member had been violated, in part because the Senate Chair had disclosed information about him to the public. At no point did Chancellor Block or the upper administration defend Professor Shorter or apologize after his ordeal.

Chancellor Block has never expressed concern about Arab and Muslim students who endure harassment on UCLA's campus, and despite many appeals he has yet to challenge the current blacklisting and slandering of students involved in Palestine justice work through the website Canary Mission. Through this site, financed by a wealthy supporter of Zionist organizations,

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students and faculty members have been falsely accused of anti-Semitism, threatened with violence and/or death, and subjected to smear campaigns threatening their future livelihoods and job prospects. He has consistently downplayed the safety concerns faced by students and faculty--particularly students and faculty of color--who support justice for Palestine.

Likewise, when undergraduate students attempted to persuade the student council to divest from companies that do business in Israeli occupied territories, the students who led the initiative faced an unbelievable degree of intimidation and harassment. Non-university Zionist organizations came on campus, filmed students without their consent, engaged in on-line harassment, and organized visits by Israeli soldiers in full military uniform to frighten students who dared to speak up in support of divestment. SJP members and allies complained to the administration, specifically the Chancellor, but were ignored or told that the "other side" also "has it bad." Several times Palestinian students and SJP members had asked to meet with the chancellor but he refused.

But the chancellor wasn't just indifferent; he proved to be an advocate for Israeli interests. When students learned early in 2014 that some members of student government had accepted free trips to Israel sponsored by groups such as the Anti-Defamation League (ADL), the American Israel Public Affairs Committee (AIPAC), and Hasbara Fellowships—organizations that not only lobbied on behalf of Israel but promoted "discriminatory and Islamophobic positions"—SJP successfully argued before the student judicial council that anyone who accepted these trips must disclose a conflict of interest and, in accordance with student bylaws, recuse themselves. They then asked candidates running for student government to take an ethics pledge and agree to be fully transparent. They simply wanted to end the influence of the Israel lobby on campus, which tipped the balance in favor of anti-divestment forces. SJP's complaint and call for an ethics pledge provoked a vicious backlash from the AMCHA Initiative and UCLA Hillel, who accused these students of "intolerance," "harassment," and "bullying" of Jewish students, and making them feel unsafe. Whereas Chancellor Block ignored SJP's request for meetings, he not only met with representatives of the AMCHA Initiative who demanded an investigation of SJP, but sided with them, issuing a statement "on civil discourse" characterizing SJP's advocacy as intimidation. The attacks on SJP and its allies triggered a resolution from the Los Angeles City Council condemning SJP actions as "bullying" and "harassment," and requesting that UC administrators "refer cases of 'intimidation or harassment' to 'the proper law enforcement agencies.'" And while Chancelor Block's administration virtually criminalized campus advocacy for divestment, UCLA Hillel engaged in borderline criminal behavior when it secretly worked with a public relations firm to, in the words of a leaked email, "'isolate' SJP on campus and to paint the group as 'unrepresentative,'" while funneling money from wealthy real estate agent Adam Milstein to

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support a pro-Israel student political party.[19] Despite these tactics, in November 2014, a coalition of more than thirty student groups passed a resolution calling on student government "to divest from companies engaged in violence against Palestinians."

Three months later, largely in response to the success of the divestment resolution, the David Horowitz Freedom Center (DHFC), (designated a hate group by the Southern Poverty Law Center) plastered posters all over our campus and in the surrounding neighborhood accusing SJP and individual faculty members of terrorism and antisemitism. Students and faculty were targeted for harassment under the banner of "Combat Jew Hatred on College Campuses." At the time, only the Vice Chancellor of Diversity, Equity, and Inclusion, Jerry Kang, issued a strong campus-wide statement condemning the posters as racist fear-mongering. Chancellor Block was silent.

When SJP decided to hold its National Conference on UCLA's campus, participants not only faced outright violent harassment from mainly outside Zionist organizations (with very little protection from campus security forces whom they had to hire to protect the conferees). In an op ed piece for the *L.A. Times*, the chancellor announced that he was "allowing" the conference to take place (as if he had the right to simply cancel it) on the grounds of free speech, but used the occasion to attack both SJP and the Boycott, Divestment, Sanctions movement rather than remain neutral. First, he conflated the non-violent political strategy of boycotts and sanctions with anti-Semitism, and secondly, he characterized Students for Justice in Palestine -- a national, multi-faith, multi-racial grassroots student organization that advocates for human rights – as an anti-Semitic organization. This only worsened the campus climate and revealed the chancellor's bias against Palestinian students and advocates.

In short, Chancellor Gene Block has failed to sustain a rich, diverse, safe, intellectually stimulating, free and open environment for Palestinian, Muslim, Arab students, as well as students advocating for Palestine's freedom, and an end to the genocide and ongoing occupation.

The events of the past few days have made clear that UCLA's response to peaceful protest by anyone in solidarity with Palestinians is the violent repression of peaceful protest. Students and faculty have been injured, cited and charged. They continue to be so. Despite repeated calls from many quarters, protesters are not protected but instead detained and charged. There is no amnesty for those cited, and charged, and no health care for those injured. The UCLA campus has been militarized with armed police everywhere.

[19] All of these incidents are documented in Palestine Legal and the Center for Constitutional Rights, The Palestine Exception to Free Speech: A Movement Under Attack in the U.S. (2017), 90 - 94.

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We submit that UCLA has failed to acknowledge much less confront the growing violence against Palestinian, Muslim, and Arab students and faculty, and anyone supporting Palestinian rights, including many Jewish students, as a letter from Jewish faculty has shown. UCLA has exposed students to the violence of counter protesters and then to the violence of police and the law. Although we have called attention to racism and violence repeatedly, UCLA has chosen to ignore our efforts. Every instance we have documented remains without redress.

Task Force Members:
Gaye Theresa Johnson, Co-Chair
Sherene Razack, Co-Chair
Ali Behdad
Aomar Boum
Robin D.G. Kelley
Saree Makdisi
and
Three Additional Members

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EXHIBIT NO. 2

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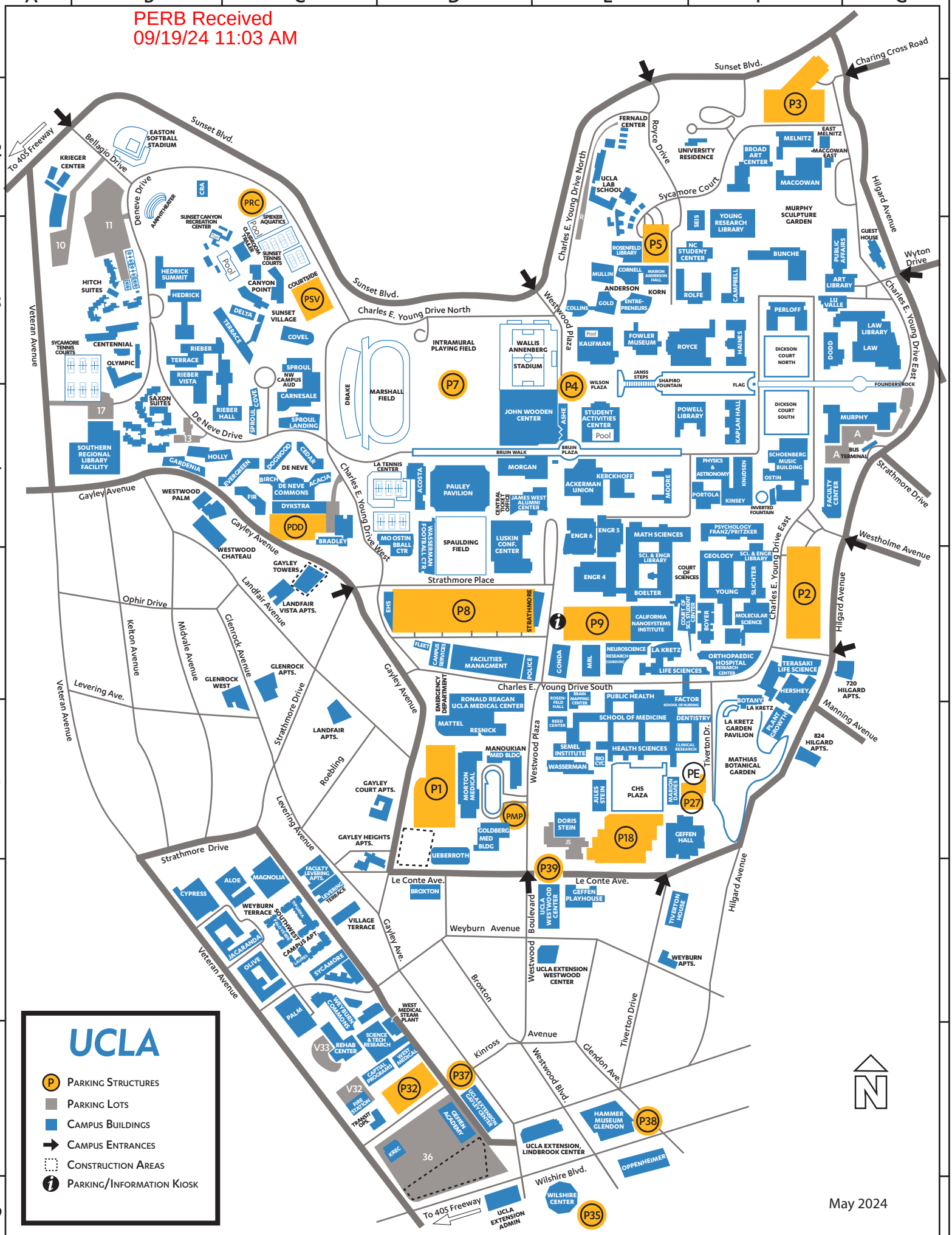

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Grid	CAMPUS BUILDING	Delivery Address*
E4	Ackerman Student Un	308 Westwood Plz
D4	Acosta Training Ctr	410 Charles E. Young Dr. W
B2	Amphitheater	
E3	Anderson School of Mgmt	
E3	Collins Executive Edu Ctr	110 Westwood Plz
E3	Cornell Hall	110 Westwood Plz
E3	Entrepreneurs Hall	110 Westwood Plz
E3	Korn Convocation Hall	110 Westwood Plz
E3	Gold Hall	110 Westwood Plz
E3	Marion Anderson Hall	110 Westwood Plz
E3	Mullin Mgmt Cmns	110 Westwood Plz
E3	Rosenfeld Lib	110 Westwood Plz
E4	Ashe Ctr	221 Westwood Plz
E6	Biomed Cyclotron	780 Westwood Plz
F5	Biomed Sci Res Bldg (BSRB)	615 Charles E. Young Dr. S
E5	Boelter Hall (Eng II & III)	580 Portola Plz
F5	Botany Bldg (La Kretz)	618 Charles E. Young Dr. S
F5	Boyer Hall	611 Charles E. Young Dr. E
C4	Bradley Intl Hall	417 Charles E. Young Dr. W
E5	Brain Mapping	660 Charles E. Young Dr. S
E6	Brain Res Inst (BRI)	670 Charles E. Young Dr. S
F2	Broad Art Ctr	240 Charles E. Young Dr. N
D7	Broxton Plz	911 S. Broxton
F3	Bunche Hall	315 Portola Plz
F3	Campbell Hall	335 Portola Plz
D5	Campus Services Bldg I	741 Charles E. Young Dr. S
C3	Canyon Pt (Sunset Vlg)	200 De Neve Dr
D8	Capital Programs Bldg	1060 Veteran Ave
C4	Carnesale Cmn	251 Charles E. Young Dr. W
B3	Centennial Hall	265 De Neve Dr
E6	Center for Health Sci (incl. David Geffen Sch of Med)	10833 Le Conte Ave
E6	CHS Plz	
D4	Central Ticket Office	325 Westwood Plz
F6	Clinical Res	700 Tiverton Ave
E5	CNSI Bldg	570 Westwood Plz
E5	Court of Sci Stdnt Ctr	617 Charles E. Young Dr. E
C3	Courtside (Sunset Vlg)	200 De Neve Dr
C3	Covel Cmns (Sunset Vlg)	200 De Neve Dr
B2	CRA Modular Units	101 De Neve Dr
E6	David Geffen Sch of Med	10833 Le Conte Ave
C3	Delta Terrace (Sunset Vlg)	200 De Neve Dr
F5	Dentistry, School of	714 Tiverton Ave
C4	De Neve Housing Complex	
C4	Acacia Residential Bldg	341 Charles E. Young Dr. W
C4	Birch Residential Bldg	361 Charles E. Young Dr. W
C4	Cedar Residential Bldg	301 Charles E. Young Dr. W
C4	Dogwood Residential Bldg	321 Charles E. Young Dr. W
C4	Evergreen Residential Bldg	331 Charles E. Young Dr. W
C4	Firgrove Residential Bldg	381 Charles E. Young Dr. W
B4	Gardenia Residential Bldg	470 Gayley Ave
B4	Holly Residential Bldg	345 De Neve Dr
C4	De Neve Cmns Bldg	351 Charles E. Young Dr. W
F3	Dodd Hall	390 Portola Plz
E6	Doris Stein Eye Res Ctr	200 Stein Plz
C4	Drake Track & Field Stadium	340 Charles E. Young Dr. N
C4	Dykstra Hall	401 Charles E. Young Dr. W
B2	Easton Women's Softball Fld	100 De Neve Dr
D5	EH&S Services Bldg	550 Charles E. Young Dr. W
D3	Emergency Dept	757 Westwood Plz
E5	Engineering IV	420 Westwood Plz
E5	Engineering V	410 Westwood Plz
E4	Engineering VI	404 Westwood Plz
D5	Facilities Mgmt Bldg	731 Charles E. Young Dr. S
F5	Factor Health Sci Bldg	700 Tiverton Ave
F4	Faculty Ctr	480 Charles E. Young Dr. E
C6	Faculty Apts-Gayley	715 Gayley Ave
C7	Faculty Apts-Levering	827 Levering Ave
E2	Fernald Ctr	320 Charles E. Young Dr. N
E5	Fielding Sch of Public Health	640 Charles E. Young Dr. S
C8	Fire Station	1090 Veteran Ave
D5	Fleet Services/Garage	751 Charles E. Young Dr. S
E3	Fowler Mus (Cultural His)	308 Charles E. Young Dr. N
F4	Franz Hall	502 Portola Plz
D7	Gayley Heights Apts	10995 Le Conte Ave
C5	Gayley Towers	565 Gayley Ave
D8	Geffen Academy	11000 Kinross Ave
F6	Geffen Hall	885 Tiverton Dr
E7	Geffen Playhouse	10886 Le Conte Ave
F5	Geology Bldg	595 Charles E. Young Dr. E
C5	Glenrock Apts	558 Glenrock Ave
C5	Glenrock West	555 Glenrock Ave
D6	Goldberg Med Bldg	300 Medical Plz
E5	Gonda (Goldschmeid) Ctr	695 Charles E. Young Dr. S
F3	Haines Hall	375 Portola Plz
E8	Hammer Mus (Glendon)	10889 Wilshire Blvd
B3	Hedrick Hall	250 De Neve Dr
B3	Hedrick Summit	240 De Neve Dr
F5	Hershey Hall	612 Charles E. Young Dr. E
G5	720 Hilgard Apts	720 Hilgard Ave
F6	824 Hilgard Apts	824 Hilgard Ave
G4	Hilgard Bus Terminal	403 Hilgard Ave
B3	Hitch Residential Ste	245 De Neve Dr
D4	Intramural Field	
E6	Jules Stein Eye Inst	100 Stein Plz
F4	Kaplan Hall (Humanities)	415 Portola Plz
E3	Kaufman Hall	120 Westwood Plz
E4	Kerckhoff Hall	308 Westwood Plz
D8	Kinross Rec Ctr	11100 Kinross Ave
F4	Knudsen Hall	475 Portola Plz
A2	Krieger Child Care Ctr	101 Bellagio Dr
E5	La Kretz Hall	619 Charles E. Young Dr. E
G3	Law, School of	385 Charles E. Young Dr. E
C5	Landfair Apts	625 Landfair Ave
C5	Landfair Vista	510 Landfair Ave
C7	Levering Ter	885 Levering Ave
E5	Life Sciences Bldg	621 Charles E. Young Dr. S
D4	L.A. Tennis Ctr (Straus Stadium)	420 Charles E. Young Dr. W
D4	Luskin Conf Ctr	425 Westwood Plz
F3	Luskin Sch of Public Affairs	337 Charles E. Young Dr. E
F3	Lu Valle Cmns	398 Portola Plz
E5	MacDonald Med Res Labs (MRL)	675 Charles E. Young Dr. S
F2	Macgowan Hall	245 Charles E. Young Dr. E
F2	Macgowan East	243 Charles E. Young Dr. E
D6	Manoukian Med Bldg	100 Medical Plz
E6	Marion Davies Children's Ctr	805 Tiverton Ave
E4	Mathematical Sci Bldg	520 Portola Plz
D6	Mattel Children's Hospital	757 Westwood Plz
F2	Melnitz Hall	235 Charles E. Young Dr. E
F2	Melnitz East	235 Charles E. Young Dr. E
D4	Mo Ostin Basketball Ctr	440 Charles E. Young Dr. W
F5	Molecular Sci Bldg	609 Charles E. Young Dr. E
E4	Moore Hall	457 Portola Plz
D4	Morgan Intercollegiate Athl Ctr	323 Westwood Plz
D6	Morton Med Bldg (MP200)	200 Medical Plz
F4	Murphy Hall	410 Charles E. Young Dr. E
E5	Neurosci Res Bldg. (Gordon)	635 Charles E. Young Dr. S
E3	North Campus Stdnt Ctr	295 Charles E. Young Dr. N
C4	Northwest Campus Aud	200 De Neve Dr
F5	Nursing, School of	700 Tiverton Ave
E6	Occupational Health Fac	67-120 Center for Health Sciences
B3	Olympic Hall	265 De Neve Dr
F5	Orthop Hospital Res Ctr (OHRC)	615 Charles E. Young Dr. S
E8	Oppenheimer Tower	10880 Wilshire Blvd
F4	Ostin Music Ctr	445 Charles E. Young Dr. E
D4	Pauley Pavilion	301 Westwood Plz
F3	Perloff Hall	365 Portola Plz
F4	Physics & Astronomy Bldg (PAB)	430 Portola Plz
F5	Plant Growth Ctr	614 Charles E. Young Dr. S
D5	Police Station	601 Westwood Plz
F4	Portola Plz Bldg	460 Portola Plz
E4	Powell Library	10740 Dickson Plz
F4	Psychology Bldg/Pritzker	502 Portola Plz
F3	Public Affairs Bldg	337 Charles E. Young Dr. E
E6	Reed Neurological Res Ctr	710 Westwood Plz
C8	Rehabilitation Ctr	1000 Veteran Ave
D6	Resnick Neuropsychiatr Hospital	150 UCLA Medical Plz
C4	Rieber Hall	310 De Neve Dr
B3	Rieber Ter	270 De Neve Dr
B4	Rieber Vista	280 De Neve Dr
E3	Rolfe Hall	345 Portola Plz
D6	Ronald Reagan UCLA Med Ctr	757 Westwood Plz
E5	Rosenfeld Hall	700 Westwood Plz
E3	Royce Hall	10745 Dickson Plz
B4	Saxon Residential Ste	325 De Neve Dr
F4	Schoenberg Music Bldg	445 Charles E. Young Dr. E
E3	Sch of Edu & Info Studies (SEIS)	290 Charles E. Young Dr. N
C8	Sci & Tech Res Bldg. (STRB)	1040 Veteran Ave
E6	Semel Inst	760 Westwood Plz
F5	Slichter Hall	603 Charles E. Young Dr. E
B4	Southern Reg Lib Fac (SRLF)	305 De Neve Dr
C7	Southwest Campus Apts	900 Weyburn Pl. N
C7	Laurel	920 Weyburn Pl. N
C7	Palo Verde	910 Weyburn Pl. N
C7	Tipuana	900 Weyburn Pl. N
C3	Spieker Aquatics Ctr	114 Easton Dr
C4	Sproul Cove and Sproul Lndg	330 & 380 De Neve Dr
C3	Sproul Hall	350 De Neve Dr
E5	Strathmore Bldg	501 - 555 Westwood Plz
E4	Student Act Ctr (SAC)	220 Westwood Plz
C3	Sunset Cyn Classroom Trl	111 Easton Dr
C3	Sunset Cyn Rec Ctr	111 Easton Dr
F5	Terasaki Life Sci Bldg	610 Charles E. Young Dr. E
E7	Tiverton Patient Fam Guest Hou	900 Tiverton Ave
C8	Transit Ops Maint Yard	11075 Kinross Ave
D8	UCLA Ext (UNEX) Admin	10960 Wilshire Blvd. 16/17th Floor
D8	UCLA Ext Lindbrook Ctr	10920 Lindbrook Dr
D8	UCLA Ext Gayley Ctr	1145 Gayley Ave
G3	UCLA Guest House	330 Charles E. Young Dr. E
E2	UCLA Lab Sch (formerly UES)	305 Sycamore Ct
E7	UCLA Westwood Ctr	924 Westwood Blvd
D6	Ueberroth Bldg	10945 Le Conte Ave
F2	University Res	10570 Sunset Blvd
C7	Village Ter Apts	919-923 Levering Ave
D3	Wallis Annenberg Stadium	
E6	Wasserman Bldg	300 Stein Plz
D4	Wasserman Football Ctr	430 Charles E. Young Dr. W
D4	West Alumni Ctr	325 Westwood Plz
D8	West Med Bldg	1010 Veteran Ave
D8	West Med Steam Plant	1021 Weyburn Pl. S
C4	Westwood Chateau Apts	456 Landfair Ave
C4	Westwood Palm Apts	475 Gayley Ave
D7	Weyburn Apts	10845-55 Weyburn Ave
C7	Weyburn Ter Housing Complex	
C7	Aloe Ct	740 Weyburn Ter
B7	Cypress Ct	725 Weyburn Ter
C7	Jacaranda Ct	785 Weyburn Ter
C7	Magnolia Ct	765 Weyburn Ter
C7	Olive Ct	825 Weyburn Ter
C7	Palm Ct	945 Weyburn Ter
C7	Sycamore Ct	925 Weyburn Ter
C7	Weyburn Grad Stu Housing	1020 Weyburn Dr
E9	Wilshire Ctr	10920 Wilshire Blvd
D4	Wooden Rec and Sports Ctr	221 Westwood Plz
F5	Young Hall	607 Charles E. Young Dr. E
F2	Young Res Lib (YRL)	280 Charles E. Young Dr. N

Grid	CAMPUS LIBRARIES	Delivery Address*
F2	Arts Lib	1400 Public Affairs Bldg.
E6	Biomed Lib (Louise M. Darling)	CHS (Factor), rm. 12-077
E4	College Lib	Powell Library
G3	Law Lib (Hugh & Hazel Darling)	School of Law, rm. 1112
E3	Mgmt Lib (Eugene & Maxine Rosenfeld)	Rosenfeld Lib (Anderson Complex)
F4	Music Lib	Schoenberg Music Bldg, rm. 1102
F2	Res Lib (Charles E. Young)	Young Research Lib
	Science & Engineering Lib (SEL)/	
E5	Eng and Math Sci	Boelter Hall, rm. 8270
F5	Geology-Geophysics	Geology, rm. 4697
B4	Southern Regional Lib	Southern Regional Library Facility

Grid	OTHER CAMPUS LOCATIONS
E4	Bruin Statue and Bruin Plz
C4 - E4	Bruin Walk
E3 - E4	Court of Philanthropy
E5 - F5	Court of Sciences
F3 - F4	Dickson Ct
F3 - F4	Flagpole
G4	Founder's Rock
E3	Inverted Fountain
E3	Janss Steps
F4	Kinsey Science Teaching Pavilion
F6	La Kretz Garden Pavilion
D3 - D4	Marshall Fld (in Drake Stadium)
F6	Mathias Botanical Gdn
F2	Murphy Sculpture Gdn
E3 - E4	Shapiro Fountain
D4	Spaulding Fld
C3	Sunset Tennis Cts
A3	Sycamore Tennis Cts
E3	Wilson Plz

Grid	PARKING STRUCTURES/LOTS	Delivery Address*
E6	Parking Structure 18	820 Westwood Plz
C4	Parking - DD	409 Charles E. Young Dr. W
C2	Parking - Sunset Recreation	115 Easton Dr
C3	Parking - Sunset Village	200 De Neve Dr
D6	Parking Structure 1	100 Medical Plz
F5	Parking Structure 2	602 Charles E. Young Dr. E
F2	Parking Structure 3	215 Charles E. Young Dr. N
E4	Parking Structure 4	221 Westwood Plz
E3	Parking Structure 5	302 Sycamore Ct
D4	Parking Structure 7	336 Charles E. Young Dr. N
D5	Parking Structure 8	555 Westwood Plz
E5	Parking Structure 9	675 Charles E. Young Dr. S
D8	Parking Structure 32	1070 Veteran Ave
F6	Parking Structure E	833 Tiverton Ave
F6	Parking Structure 27	833 Tiverton Ave
E9	Parking Structure 35	10920 Wilshire Blvd
D8	Parking Structure 37	1101-1145 Gayley Ave
E8	Parking Structure 38	10889 Wilshire Blvd
E7	Parking Structure 39	924 Westwood Blvd
D6	Parking Structure MP	760 Westwood Plz
A3	Parking Lot 10	101 Bellagio Dr
B2	Parking Lot 11	300-310 De Neve Dr
B4	Parking Lot 17	305 De Neve Dr
D8	Parking Lot 36	11020 Kinross Ave
G4	Parking Lot A	445 Charles E. Young Dr. S
B4	Parking Lot 13	360 De Neve Dr
E2	Parking Lot R	19 Charles E. Young Dr. N
E6	Parking Lot Jules Stein	200 Stein Plz

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EXHIBIT NO. 3

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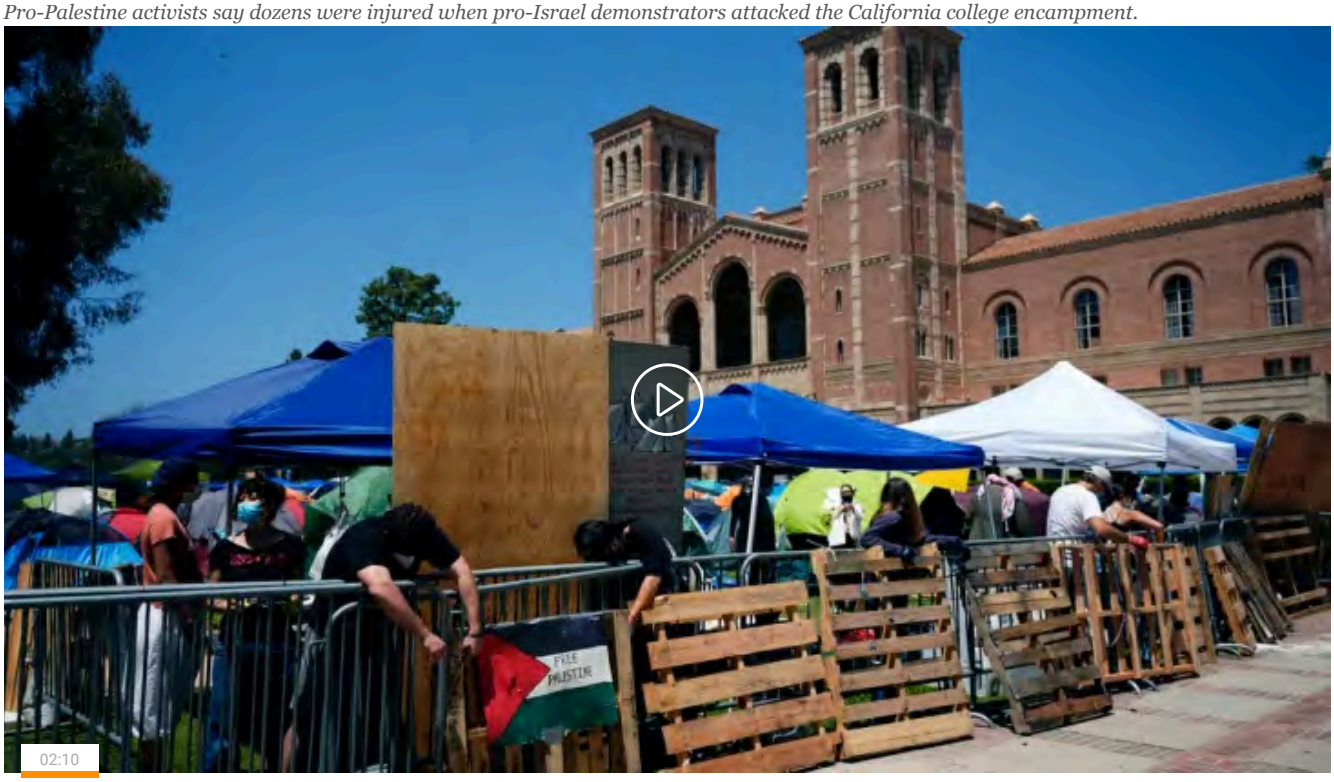
News | Israel War on Gaza

Activists say UCLA Palestine encampment assault followed days of harassment

Pro-Palestine activists say dozens were injured when pro-Israel demonstrators attacked the California college encampment.



By **Brian Osgood**
2 May 2024

Los Angeles, California – At the entrance of the pro-Palestine encampment at the University of California at Los Angeles (UCLA) on Wednesday, events proceed in an orderly and quiet fashion, save for the constant buzz of a police helicopter hovering overhead.

Those wishing to enter formed a queue, and organisers instructed them on the ground rules: Don't engage with police or journalists. Ignore the counter-protesters. Don't litter. No smoking or drinking.

KEEP READING

University Gaza protests rage on with Columbia arrests and violence at UCLA

After police crackdown, what's next for Columbia's Gaza protesters?

How a Gaza protest at Indiana University became a battle for free speech

But despite the relative calm, tensions were high. Just hours earlier, during the night, a group of pro-Israel counter-protesters had attacked the encampment, tearing down barricades and assaulting protesters with metal pipes, mace and pepper spray. Fireworks were also fired into the encampment.

Classes at UCLA were cancelled on Wednesday, and the administration released a statement condemning the "horrific acts of violence" against the encampment, which was erected in protest of Israel's war in Gaza.

Anna, a spokesperson for the encampment who declined to offer her last name, said dozens of pro-Palestine protesters were injured or pepper-sprayed in the attack, which lasted from late Tuesday night into the early hours of Wednesday morning.

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She added that the attack partly took place under the gaze of police, who stepped in several hours after the violence began.

“The police did nothing,” she told Al Jazeera on Wednesday, noting that she still felt the lingering effects of being pepper-sprayed and punched by an attacker from the pro-Israel contingent. She explained she had spent hours assisting others who had been hurt.

“They were coming at us with metal pipes. Numerous people went to the hospital because of how badly they were injured. One person left in a wheelchair. Another had their hand completely smashed.”

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AD

In an anonymously drafted statement to Al Jazeera, members of the UCLA Radio News Department echoed that assessment, saying campus police did little to help the pro-Palestinian encampment.

“As students were being relentlessly harassed by counter-protesters, the campus security and the University of California Police Department (UCPD) continued to watch and not engage. No efforts were made to protect the students of UCLA,” they wrote.

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“Additionally, when LAPD and the California Highway Patrol were called to the scene, they did not intervene with the violent protesters for an hour.”

By daylight on Wednesday, the space previously used by pro-Israel protesters was largely empty, with several large Israeli flags fluttering in the breeze. Reports of an increased police presence, however, led to suspicions that the pro-Palestinian encampment would be cleared later in the day.

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Police march in the direction of a pro-Palestine encampment at UCLA in Los Angeles, California, on May 1 [Brian Osgood/Al Jazeera]

UCLA police and CSC Los Angeles, a security and event management company employed on campus, did not respond to questions from Al Jazeera by the time of publication.

Anna sees a contrast between the apathetic police response to last night's violence and the way law enforcement has aggressively dismantled pro-Palestinian protests on campuses across the country.

In New York City, for instance, an estimated 282 protesters were arrested overnight as police cleared demonstrations at Columbia University and City College of New York.

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AD

As of Wednesday, there was a large police presence on the campus at UCLA, with about a dozen patrol cars facing the direction of the encampment.

Still, it was a sleepy scene: Demonstrators quietly listened to speeches, while officers were observed checking their phones. The occasional heckler dropped by, but they were largely ignored.

Anna told Al Jazeera that Tuesday night's attack, though, was the culmination of several days of harassment.

Aggression from pro-Israel counter-protesters, she said, had grown with "increasing severity". There had even been an effort one night prior to break into the encampment.

Anna said the counter-protesters also set up speakers at night to play a handful of songs over and over, in an apparent effort to deprive the demonstrators of sleep and disrupt their peace of mind. She likened their methods to those employed against Palestinian prisoners by Israeli forces.

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But she emphasised the students in the encampment do not want the violence to detract from their message.

They prefer to keep the focus on Israel's war in Gaza, which has killed more than 34,000 Palestinians, most of them women and children, and displaced more than 90 percent of the enclave's population.

Despite reports of rights abuses from Israeli forces, the US government has remained steadfast in its support of Israel's military offensive.

Campus protesters like those at UCLA are demanding an end to university investments in companies seen to be complicit in Israel's war and its occupation of Palestinian territories. They have also called for the termination of university relationships with Israeli institutions.

"Even though we faced this incredible violence last night, this isn't about us as students," Anna said. "This is about how we as students can bring attention to the plight of the Palestinians and to the genocide in Gaza. What has brought so many people to this camp is our love for Palestine, for the life and dignity of freedom of Palestinians."

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Political pressure

The attack on the encampment is one of the most violent manifestations yet of the rising tensions on college campuses across the United States.

Students from coast to coast have erected encampments, occupied buildings and carried out other acts of civil disobedience in opposition to US support for the war.

However, university administrators and elected officials, including President Joe Biden, have alleged the protests include instances of anti-Semitism, thereby creating an unsafe learning environment for Jewish students.

Protest organisers at UCLA and elsewhere reject that allegation, though. Jewish, Arab and Muslim communities have all reported upticks in harassment and discrimination since the war in Gaza began nearly seven months ago, on October 7.

“These protests have only turned violent at the behest of pro-Israeli demonstrators, many of them who are not even students at the institution,” members of the UCLA Radio News Department wrote in their statement to Al Jazeera.

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“As students, we shouldn’t have to worry about our safety on campus — especially for existing in our campus spaces as a community.”

Still, since December, two congressional hearings have been held to specifically review allegations of anti-Semitism on campus, with the presidents of four top universities called in for questioning. Two of those presidents have since resigned.

On Wednesday, the House of Representatives took further action to crack down on anti-Semitism on campus.

It passed a bill to adopt a definition of anti-Semitism into civil rights law that could potentially penalise criticism of Israel. While the bill has yet to be voted on in the Senate, critics fear any resulting law could be used to withhold funds from universities involved with pro-Palestinian activism.

Facing pressure from lawmakers to crack down on the protests, many universities have called in police to disperse the protesters, including at Columbia and Yale, two prestigious Ivy League institutions.

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Police cars line up outside the pro-Palestinian encampment at UCLA on May 1 [Brian Osgood/Al Jazeera]

Nevertheless, after the overnight attack at UCLA, Los Angeles Mayor Karen Bass released a statement on Wednesday condemning the "detestable violence" and calling for an independent investigation.

California Governor Gavin Newsom also released a statement saying that those who engaged in illegal action "must be held accountable", without specifying that pro-Palestine demonstrators were the group that came under attack.

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Still, Anna urged politicians to do more to support the UCLA protesters and protect their rights to free speech.

"Overwhelmingly the support is from other students, community members and loved ones," said Anna. "So far, I have not seen any high-profile politicians condemn how we were assaulted last night in the same way that they've condemned Jewish students feeling unsafe because of anti-Zionist activism on campuses."

SOURCE: AL JAZEERA

LISTEN TO THESE PODCASTS

From: The Take

University protests spread across the US

Pro-Palestine encampments and protests at universities continue to spread across the US. Students at Columbia University h...

From: The Take

'Student revolution': US protesters vow to continue despite crackdown

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EXHIBIT NO. 4

Complaint about the Jumbotron

PERB Received
09/19/24 11:03 AM

Tue 4/30/2024 9:55 PM

To:titleix@equity.ucla.edu <titleix@equity.ucla.edu>

To Whom It May Concern,

As a concerned member of our beloved university, and as a survivor of sexual assault, I am writing to express my horror at the images and sounds of rape that I had to endure projected on a giant jumbotron TV as I was walking to my faculty office in Moore Hall yesterday, Monday, April 29. I have learned that this jumbotron TV was brought to campus on Sunday by counter-demonstrator groups not associated with our university, and that the images were footage of the October 7th attacks. Why is this triggering and traumatizing screen being allowed to remain on our campus? I would like to know how this does not violate UCLA rules and regulations for campus life. Who is allowing this? Yesterday I was left deeply anxious and re-traumatized.

Respectfully,

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EXHIBIT NO. 5

UCLA statement on demonstrations

April 28, 2024

Share

Sunday, April 28, 4:19 p.m.

Mary Osako, vice chancellor for UCLA Strategic Communications, said:

“UCLA has a long history of peaceful protest, and we are heartbroken to report that today, some physical altercations broke out among demonstrators on Royce Quad.

“We have since instituted additional security measures and increased the numbers of our safety team members on site.

“As an institution of higher education, we stand firmly for the idea that even when we disagree, we must still engage respectfully and recognize one another’s humanity. We are dismayed that certain individuals instead chose to jeopardize the physical safety of the community.”

Previous statements

Sunday, April 28, 11:22 a.m.: UCLA statement about activity at encampment

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Mary Osako, vice chancellor for UCLA Strategic Communications, said:

“This morning, a group of demonstrators breached a barrier that the university had established separating two groups of protestors on our campus, resulting in physical altercations. UCLA has a long history of being a place of peaceful protest, and we are heartbroken about the violence that broke out.”

Friday, April 26: UCLA statement about encampment on campus

Mary Osako, vice chancellor for UCLA Strategic Communications, said:

“Yesterday morning, demonstrators established a physical encampment on a lawn in Royce quad, joining similar groups that have set up presences at universities across the country.

“UCLA’s approach to the encampment is guided by several equally important principles: the need to support the safety and wellbeing of Bruins, the need to support the free expression rights of our community, and the need to minimize disruption to our teaching and learning mission. These same long-standing principles have allowed UCLA to uphold a history of peaceful protest.

“It’s also important to note that we are following University of California systemwide policy guidance, which directs us not to request law enforcement involvement preemptively, and only if absolutely necessary to protect the physical safety of our campus community.

“We’ve taken several steps to help ensure people on campus know about the demonstration so they can avoid the area if they wish. This includes having student affairs representatives stationed near Royce quad to let Bruins and visitors know about the encampment, redirect them if desired and to serve as a resource for their needs.”

Thursday, April 25: UCLA statement on today’s demonstration

Mary Osako, vice chancellor for UCLA Strategic Communications, said:

“Our top priority is always the safety and well-being of our entire Bruin community. We’re actively monitoring this situation to support a peaceful campus environment that respects our community’s right to free expression while minimizing disruption to our teaching and learning mission.”

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EXHIBIT NO. 6

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UNIVERSITY
OF
CALIFORNIA

UC Community Safety Plan

2021

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09/19/24 11:03 AM

On campus safety and security

To the University of California community:

Today, we stand together at a pivotal moment in history. Recent events in our streets and our courts have catalyzed a powerful examination of policing, race and systemic injustice in America. As an epicenter for social movements and research that serves the public good, the University of California has never shied away from challenging conversations about systems and practices that perpetuate racism, inequality or injustice.

As we continue to examine how our nation — and our institutions — can do more to live up to our highest values of fairness and justice, UC has been engaged in a systemwide effort to reimagine our approach to campus safety and security. Drawing on extensive input from campus safety task forces and a UC-wide symposia on safety and security, as well as feedback from students, faculty, staff, alumni and other stakeholders, we have developed a plan that I believe will help us meet this moment and build a university community that is safe and welcoming for all.

This plan represents a transformational change for UC toward a more data-driven, service-oriented, community-centric approach to campus safety. Under this new model, a multidisciplinary team of mental health professionals, campus police, social service providers, police accountability boards and other personnel will work together to prioritize the well-being of the entire UC community. This reimagined structure will ensure that the most appropriate responders are deployed to meet our community's specific needs with tailored care, resources and services. This integrated, holistic approach to safety and security is a significant cultural shift for UC, and one that will require all of us working together with open hearts and minds.

This plan also puts in place important new measures to ensure accountability and transparency in how UC approaches campus safety. New advisory bodies that reflect our diverse campus communities will provide independent oversight. A new centralized data dashboard will track the progress we're making across the system, giving us the information we need to answer timely questions and continually improve. Finally, new real-time platforms will empower anyone to provide immediate feedback on interactions with campus safety staff.

These improvements do not represent the end of this conversation at UC. This community-driven plan is designed to be a living document that we will continue to update and adapt together, taking into account the latest information and data. Looking forward, I have asked each UC Chancellor to appoint an individual or team to manage ongoing implementation of these guidelines. The UC Office of the President will also designate a full-time position to monitor and support systemwide implementation of this plan, while ensuring it continues to meet the evolving needs of each UC location.

I am deeply grateful to everyone who contributed their time, energy and perspective to this planning process, and I hope that the entire UC community will stay engaged as we continue to improve our campus safety practices. I know these are deeply personal issues for many of you — as they are for me — and we won't always agree on the best way to proceed. But I know we can make meaningful progress by continuing to listen, collaborate and refine our approach as a UC family. Creating a more just and equitable world will always be a work in progress. But this is an essential step forward in building the welcoming, inclusive and safe environment that our university deserves.

Sincerely,

Michael V. Drake, M.D.
President, University of California

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UC Community Safety Plan

INTRODUCTION

Across the nation, communities are grappling with the hard truth that systems of policing and law enforcement have not safeguarded people equally. Too often, the same systems charged with providing protection have become a source of great distrust and fear. This plan to re-envision safety at the University of California starts by acknowledging that reality.

Students, faculty, staff, patients and visitors must be secure on our campuses and confident that the University is a supportive environment that is responsive to their needs. The Community Safety Plan creates a structure for achieving that goal. It calls for transforming UC's culture, policies and practices to ensure that all members of the community feel welcomed, respected and protected from harm.

Successful implementation of this plan is a top priority for the University — one that reflects UC's values and its commitment to equity and social justice. The plan emerged from robust discussions that began months ago, with Chancellors forming campus-based safety task forces to engage their communities in re-envisioning campus safety and policing. Two separate systemwide Presidential Symposia in early 2021 provided further dialogue about the best path forward. These efforts, in addition to input from stakeholders across the UC system and external experts, informed the plan's key guidelines:

Community and Service-Driven Safety

Campus safety policies and practices must reflect the needs and values of our diverse community and be in service to them. This fundamental idea is reflected throughout the plan.

Transparency and Continuous Improvement Through Data

Campuses will collect and publicly share uniform campus safety data on a UC-wide dashboard to empower the UC community and inform change.

A Holistic, Inclusive and Tiered Response Model for Safety Services

Safety will be defined in its broadest terms, and include mental health, wellness, basic needs and bias/hate response as well as other services. Multidisciplinary teams will triage behavioral health crises, conduct wellness checks and safely connect individuals to coordinated care, including health and social support resources.

Accountability and Independent Oversight

Independent police accountability boards, comprised of a broad cross-section of the UC community, will provide a robust complaint and investigation process to ensure that officers are acting consistently with rules, policies and the law.

Additional specifics of the plan are outlined below. In Part I, the guidelines that form the foundation of the plan are described. The guidelines are the basis for the key actions, described in Part II. A new role at the UC Office of the President will track systemwide implementation and report to the president on UC's progress.

It's important to acknowledge this plan marks the beginning of our collective efforts to achieve a new vision of campus safety. Given the complexities involved, this plan should be viewed as a living document that will be refined based on community feedback and empirical data. It is not the end point for achieving a new vision of campus safety. This starts the next phase of our collective efforts, and everyone has a role to play.

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Part I: Guidelines

The guidelines in Part I provide a high-level summary of the principles that inform the UC Community Safety Plan. These guidelines also give general direction on the approach that UC will take to achieve the actions outlined in the implementation framework of Part II.

GUIDELINE 1: COMMUNITY AND SERVICE-DRIVEN SAFETY

All members of the UC community should feel valued, welcomed and free from any threat of physical, psychological or emotional harm. Our campus safety system must reflect the needs and values of a diverse campus community including those vulnerable to harm. Specific strategies and tactics in the campus plans will be shaped by a process that includes broad representation of the campus population and is sensitive to the needs of historically marginalized communities.

The campus safety system will provide high-quality service in a courteous and accessible manner that allows our community to feel safe and respected in every interaction. Interactions will be held to a high standard of respect and fairness and will be monitored. Hiring procedures and guidelines for campus safety personnel will involve participation of a broad representation of campus community groups including students, faculty and staff. This begins a continuous process of evaluation and improvement. Campuses will continually engage their communities and strengthen campus safety practices.

GUIDELINE 2: HOLISTIC, INCLUSIVE AND TIERED RESPONSE SERVICES

To ensure the safety of the UC community, a tiered response model will match a call for service with the appropriate type of response and responder(s). This holistic approach will include mental health, wellness, basic needs, bias/hate response, law enforcement, emergency response and other services through interdepartmental partnerships and cross-trainings. Multidisciplinary crisis teams will be available 24/7 and triage behavioral health crises, conduct wellness checks, and safely connect individuals to coordinated care, including health and social support resources. Non-sworn security personnel will more visibly render services such as residence hall foot patrols, providing safe shuttles/walks for students, staffing events requiring additional security, and diffusing unsafe behavior.

The University will prioritize deterrence and violent crime prevention over the enforcement of non-violent minor offenses, such as non-hazardous traffic violations. The University will reinforce existing guidelines that minimize police presence at protests, follow de-escalation methods in the event of violence and seek non-urgent mutual aid first from UC campuses before calling outside law enforcement agencies.

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GUIDELINE 3: TRANSPARENCY AND CONTINUOUS IMPROVEMENT THROUGH DATA

A systemwide dashboard with campus-level detail will be created and regularly updated to inform and empower the UC community. Based on new systemwide reporting requirements and uniform standards for data collection, this information will be used to assess campus safety practices, generate recommendations for best practices and hold the institution accountable.

GUIDELINE 4: ACCOUNTABILITY AND INDEPENDENT OVERSIGHT

Campus complaint processes are essential mechanisms for the community to report misconduct and ensure that officers are acting consistently with rules, policies and the law. A standardized and robust complaint and investigation process will be implemented through police accountability boards.

The UC Office of President will designate a full-time position in service to the campuses to coordinate campus safety, ensure continuous improvement through best practices and monitor the implementation of the UC Community Safety Plan.

Two UC campuses are currently accredited by IACLEA, the International Association of Campus Law Enforcement Administrators. IACLEA is grounded in President Obama's Task Force on 21st Century Policing and continually evaluates and implements best practices for campus safety as part of its accreditation standards. The remaining eight UC campuses will seek this accreditation. Review and accreditation by independent third-party experts will ensure operational readiness, align policies and procedures with modern professional standards and best practices, promote a strong emphasis on the safety of the public and officers, offer additional community input opportunities, and provide an independent and ongoing audit and review function.

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Part II: Implementation Framework

The Implementation Framework outlines specific actions that UC will take to achieve the goals of the plan with an expected completion date for each action. This is a living document that will be refined and improved upon over time, based on community feedback, campus safety data and new information that can help UC achieve the UC Community Safety Plan's overarching goal, which is a safer and more respectful environment for all.

Guideline 1: Community and Service-Driven Safety

	ACTION	EXPECTED COMPLETION DATE
1.1	Current and future campus-based task forces or working groups focused on campus safety will include broad representation of the full UC community, including historically marginalized communities.	9/30/2021
1.2	A community-led process will be established that involves faculty, students and staff to define and advise on the specific strategies and approach in the tiered response model (see Guideline 2).	9/30/2021
1.3	The history of policing, and the variety of views including maintaining, defunding or abolishing police departments, and making space for those ideas and solutions, will be shared and considered by campus leadership.	9/30/2021
1.4	All personnel in the whole systems framework referred to in Guideline 2 will be trained on inclusive and respectful service for their interactions with the campus community.	6/30/2022
1.5	Except in urgent or emerging crises where it poses a safety risk, all campus safety service providers will proactively provide their name, contact information, reason for stop or call response, and prior to the conclusion of their contact, will confirm how feedback can be sent.	12/31/2021
1.6	The campus community will be surveyed periodically on their experiences with campus safety personnel and services. The data will be utilized to inform future training and other actions, and shall be shared with the campus community publicly.	3/31/2022
1.7	Campuses will adopt real-time feedback platforms to allow for community members to comment on interactions with safety personnel; feedback will drive continuous improvement.	6/30/2022
1.8	Each campus will develop and implement procedures and guidelines for the UC community, including students, faculty and staff, to serve in an advisory capacity in the interview process of UC police department and other campus safety personnel.	12/31/2021
1.9	Evaluation criteria for candidates in hiring and promotional decisions for campus safety roles will include behaviors consistent with the University's principles of community and their commitment to integrity, excellence, accountability and respect.	9/30/2021

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	ACTION	EXPECTED COMPLETION DATE
1.10	Continuing the standard background check conducted, the University will not hire officers or any campus safety personnel with any sustained findings of misconduct related to moral turpitude, sexual harassment, bias, discrimination, or any other finding determined to be inconsistent with the University's principles and values, or who resigned while under investigation.	9/30/2021
1.11	Sworn and unsworn safety personnel must receive high-quality and regular training in verbal de-escalation and non-violent crisis intervention; lawful use of force; cultural competency and diversity; anti-racism, eliminating homophobia and transphobia; the potential for biased policing and responses to certain offenses such as domestic violence, sexual violence and hate crimes. Safety personnel will also be trained on employee personal wellness. Training on diversity, anti-bias and sex crimes should be conducted in consultation with campus Diversity, Equity and Inclusion (DEI) offices, and Title IX offices respectively.	6/30/2022
1.12	The UC Office of the President, drawing on the expertise of faculty, will develop a systemwide program for campus safety personnel to orient them to the UC community and culture.	9/30/2022
1.13	Campus safety personnel will continue to participate in campus special events, meet with faculty, students and staff groups, share crime prevention and self-defense expertise, and more, to build open lines of communication, engagement and understanding.	9/30/2021
1.14	The UC Office of the President will form a systemwide workgroup that includes students, faculty and staff to recommend uniform, armament and vehicle standards for every tier in the safety model including for police officers, public safety officers and student community officers.	9/30/2021

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Guideline 2: Holistic, Inclusive and Tiered Response Services

	ACTION	EXPECTED COMPLETION DATE
2.1	In consultation with the community (see 1.2 above), campuses will develop implementation plans to create and sustain a holistic tiered response service portfolio that achieves the goals of Guideline 2. These plans must contain the following elements: i. Define roles and responsibilities for all functions in the holistic, inclusive, tiered response service portfolio, including but not limited to sworn police officers, dispatchers, crisis response team members, non-sworn public safety officers or ambassadors, mental health and social service providers, CARE advocates, and other related positions. ii. Provide a staffing and budget plan describing how the campus will reconfigure and/or reallocate existing resources to fund and sustain the tiered response model. The reconfiguration plan should include, but is not limited to, repurposing of sworn officer positions or FTE to other safety, wellness or social service roles, and re-distribution of campus operating budgets. As necessary, campuses will consult with county offices to coordinate training, response and continuity of care for mental health services, including 24/7 response teams. iii. Describe how the campus will organize and govern the tiered response model within a whole-systems infrastructure across functional units such as Student Affairs, UCPD, Student Health Centers, Title IX offices and CARE advocates, Diversity, Equity and Inclusion offices, and other campus support services providers.	3/31/2022
2.2	Each campus will pause hiring of campus safety personnel until the plan described in 2.1 has been submitted. Exceptions to the pause, based on meeting basic safety needs, must be approved by the Chancellor.	10/31/2021
2.3	Campuses will follow established University and campus guidance on protest response, role of police, observers or monitors, and use of mutual aid and communicate those standards to the community so that they have shared expectations.	9/30/2021
2.4	In consultation with Campus Counsel, Student Affairs, and County District Attorneys, campuses will develop ways to use community-based solutions, such as restorative justice programs or neighborhood courts for the adjudication of nonviolent and low-level crimes committed, as an alternative to the traditional criminal justice system.	9/30/2021

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Guideline 3: Transparency and Continuous Improvement through Data

	ACTION	EXPECTED COMPLETION DATE
3.1	Campuses will post these categories of safety data annually: • Crimes Data (Part I and Part II) • Use of Force • Campus Safety Workforce Summary, including demographics • Campus Safety Fiscal Year Budget • Stops (Racial and Identity Profiling Act of 2015 (RIPA) compliant as required by California Law) [1] • Complaint data and resolution (consistent with California Department of Justice requirement) [2] • Calls for service	12/31/2021
3.2a	A working group that includes students, faculty and staff will be established to develop an implementation plan for a publicly available systemwide dashboard in three phases, based on quality, availability and consistency of data by category across all 10 UC campuses. Membership will be from appropriate offices with technical expertise at the UC Office of the President as well as campus offices, as needed, and will develop a proposed plan and budget to fund central collection, storage, security, and access protocols and reporting of data long-term. The below milestones will guide implementation in a phased approach.	9/30/2021
3.2b	• Post on the UC Office of the President website: crime statistics, use of force data, UC Police Department (UCPD) workforce data • Deliver preliminary set of data submission specifications and dates • Develop systemwide dashboard work plan and budget	12/31/2021
3.2c	• Design and implement a data collection process and storage system for all data identified above and determine a data governance plan, consistent with UCOP practice • Launch of systemwide dashboard • Include campus safety data in the systemwide UC Accountability Report • Consider the inclusion of or link to survey data from Action 1.6	6/30/2022
3.2d	Add interactivity to the systemwide dashboard	6/30/2023

1 The Racial and Identity Profiling Act (RIPA) was created as part of AB 953 (Weber, 2016) and establishes requirements for stops data reporting. See: oag.ca.gov/ab953

2 The California Department of Justice collects Civilians' Complaints Against Peace Officers (CCAPO) data through statutory authority of PC Section 13012(a)(5). See: openjustice.doj.ca.gov/data-stories/civilians-complaints

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Guideline 4: Accountability and Independent Oversight

	ACTION	EXPECTED COMPLETION DATE
4.1a	Each campus, modeling the UC Davis Police Accountability Board's procedures and policies as minimum standards, will establish an independent, civilian campus police accountability body and procedures to review investigation reports regarding complaints filed against UCPD. The accountability body will include students, faculty and staff. To avoid conflict of interest and ensure the independence of the accountability body, no member or alternate can be a current or former campus police department employee, or a current employee of campus counsel or the investigation unit. This body will provide recommendations to the Chancellor and Chief of Police to ensure that complaints regarding UCPD policies and the conduct of UCPD personnel are resolved in a fair, thorough, reasonable and expeditious manner. These bodies will solicit public input and conduct community outreach.	6/30/2022
4.1b	Members of the campus accountability body will be trained on how to comply with procedural, statutory and confidentiality requirements and must be able to commit to consistent service within any given appointment period and to serve impartially.	6/30/2022
4.2a	Campuses will determine a complaint processing and investigation unit that is independent of the campus police department and that is trained in the legal, statutory, policy and confidentially requirements of these investigations. Investigators shall have access to records and information deemed relevant to the investigation of the complaint. The investigator will deliver confidential investigation reports that protect the identities of individuals involved to the police accountability body for independent review. The investigation and investigation report should be completed within ninety (90) days of being assigned to an investigator, unless for cause and authorized. Campuses will determine the appropriate offices to coordinate and staff the accountability body. The police accountability body will be staffed by UC employees who are organizationally independent of the police department. The campus police department will not lead the investigation of complaints brought before the accountability body or staff the accountability body.	6/30/2022
4.2b	For campuses that do not have an independent office with the expertise to review complaints filed against police officers, the campus will develop a process to provide independent investigative services and reports for campus accountability bodies. The investigation and investigation report should be completed within ninety (90) days of being assigned to an investigator, unless for cause and authorized.	6/30/2022
4.3	Ethics, Compliance and Audit Services (ECAS) will convene all trained police complaint investigators no less than annually for training and best practice sharing to ensure systemwide consistency and quality in investigatory services.	3/31/2022

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	ACTION	EXPECTED COMPLETION DATE
4.4	Each campus police department not currently accredited must begin candidacy for International Association of Campus Law Enforcement Administrators (IACLEA) accreditation.	12/31/2021
4.5	As accreditation is a process that consists of multiple steps and actions, campuses should begin on-site assessment by accreditors within 36 months of starting their self-assessment and policy alignment with accreditation standards.	12/31/2023
4.6	The UC Office of the President will designate a full-time position to monitor and support systemwide implementation of the UC Community Safety Plan, coordinate systems, policies and reporting; promote ongoing community engagement and consistency in campus safety; and review the complaint process for fairness, thoroughness, quality and speed. This position will also provide centralized assistance to support campuses in pursuit of IACLEA accreditation. This position will convene the primary service providers on each campus in the holistic tiered response model at least every two years in order to share best practices across the system, serve as a resource and guide continuous improvement.	12/31/2021

Everyone has a part to play in the successful implementation of the plan and your involvement is welcome. Stay informed on the plan implementation, and find opportunities for involvement, by visiting the UC Community Safety Plan webpage: *www.ucop.edu/community-safety-plan/*

KEY MILESTONES FOR UC COMMUNITY SAFETY PLAN

9/30/2021
Establish two UC-wide working groups: One on uniforms, armament and vehicle standards, action **1.14**, and one on development of a data dashboard, action **3.2a**

Campuses create community-led processes to advise on the holistic tiered-response model, action **1.2**

3/31/2022
Campuses develop implementation plans for the holistic tiered-response model, action **2.1**

9/30/2022
Drawing on the expertise of faculty, UCOP will develop a systemwide program for campus safety personnel to orient them to the UC community and culture, action **1.12**

12/31/2021
Campuses post initial safety data, action **3.1**

UC Office of the President hires a Systemwide Director of Campus Safety, action **4.6**

6/30/2022
Safety personnel receive high-quality and regular training in verbal de-escalation and non-violent crisis intervention and more, action **1.11**

Campuses adopt "real-time" feedback platforms to allow community members to comment on interactions with safety personnel, action **1.7**

UC launches its systemwide data dashboard, action **3.2c**

Campuses establish independent, civilian police accountability boards, action **4.1a**

6/30/2023
Interactivity added to the UC-wide data dashboards, action **3.2d**

All dates reflect expected completion date.

This timeline reflects a subset of UC Community Safety Plan actions. See the plan for a full list of required actions.

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EXHIBIT NO. 7

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09/19/24 11:03 AM

BruinALERT: Campus Activity Updates (Sunday, April 28th)

UB

UCLA BruinALERT <BruinAlert@ucla.edu>

T[redacted]

4/28/2024

This message was sent with High importance

BruinALERT: Regular campus activities continue uninterrupted by the encampment demonstration that remains in Royce Quad. To date, the activity has been mostly peaceful. Our approach continues to be guided by several equally important principles: the need to support the safety and wellbeing of Bruins, the need to support the free expression rights of our community, and the need to minimize disruption to our teaching and learning mission. These same long-standing principles have allowed UCLA to uphold a history of peaceful protest.

UCLA is following University of California systemwide policy guidance, which directs us not to request law enforcement involvement preemptively, and only if absolutely necessary to protect the physical safety of our campus community.

We've taken several steps to help ensure people on campus know about the demonstration so they can avoid the area if they wish. This includes having student affairs representatives stationed near Royce quad to let Bruins and visitors know about the encampment, redirect them if desired and to serve as a resource for their needs.

We also have safety teams who are wearing Student Affairs Mitigators (SAMs), Public Safety Aides (PSAs) and CSC security uniforms throughout the demonstration site. You may also hear helicopters dispatched by news media who are covering the demonstration.

For more information about emergencies at UCLA, please visit https://bso.ucla.edu/.

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EXHIBIT NO. 8

VISUAL FORENSICS

Despite warnings of violence at UCLA, police didn't step in for over 3 hours

Faculty had raised alarms in the days before the attack on pro-Palestinian protesters. That night, one witness called emergency services 11 times before police intervened.

By Jon Swaine, Hannah Natanson, Joyce Sohyun Lee, Sarah Cahlan and Jonathan Baran

May 11, 2024 at 9:52 a.m. EDT

Late on April 30, Sean Tabibian called 911 to say police were needed urgently at the University of California at Los Angeles. "All hell had broken loose," Tabibian recalled in an interview. Masked agitators were attacking pro-Palestinian protesters on a campus quad, video footage shows, and a team of hired security guards had retreated.

The call at 11:09 p.m. was the first of 11 that Tabibian made to police that night as the violence escalated, according to his cellphone's call log. Other witnesses called 911 as well, records show.

"They said they were responding," said Tabibian, a local business executive and UCLA alumnus who was near campus around the time commotion erupted at the encampment, and who said he was concerned that protesters had been discriminating against Jewish students. "They kept saying they're responding, they're responding."

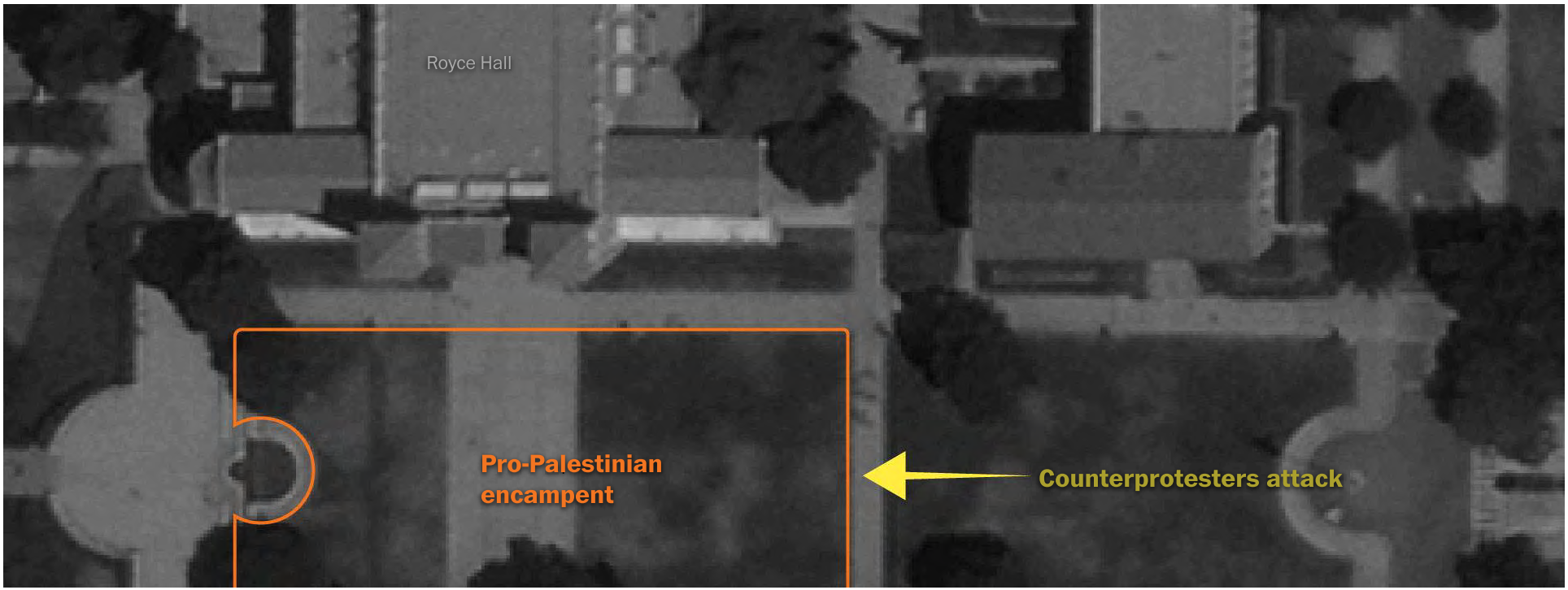
While a small UCLA patrol could be seen in footage briefly early on, law enforcement agencies did not move in to stop the violence until 3 hours and 34 minutes after Tabibian's first 911 call, a Washington Post examination has found — a delay that prolonged one of the most violent altercations since pro-Palestinian protesters began setting up encampments on college campuses across the country this spring.

The examination — based on evidence including more than 200 videos, emergency radio transmissions, text messages and interviews with more than a dozen witnesses — illuminates the stakes for university and local officials as they decide if and when to call police to deal with pro-Palestinian encampments. Elsewhere police have been accused of using heavy-handed tactics, but at UCLA, where university policy discourages calling police preemptively, campus police as well as the Los Angeles Police Department and California Highway Patrol are facing scrutiny for their hands-off approach that night.

It's not clear why police waited so long to respond. But in the hours before they took action, at least 16 people were visibly injured, the majority of them pro-Palestinian, including two protesters who could be seen with blood streaking across their faces and soaking into their clothes, videos and images show. The counterprotesters ignited at least six fireworks; struck protesters at least 20 times with wooden planks, metal poles and other objects; and punched or kicked at least eight protesters.

The protesters occasionally fought back. People on both sides sprayed their opponents with chemical irritants at least 48 times — in some instances in the face, at close range. Unconfirmed reports of a gunshot on campus and a man armed with a knife were relayed to officers over radio, recordings show.

As the violence raged, some police remained stationed at a hastily convened command post near the encampment, while others assembled in formation closer to the violence but held back for an hour, video shows. Authorities did not report making any arrests and a review by The Post of video footage found no indication attackers were detained.



Source: Planet Labs THE WASHINGTON POST

Law enforcement's tepid response on April 30 contrasts starkly with their aggressive maneuvers the following night, when officers in riot gear, some firing projectiles, swiftly dismantled the UCLA camp and arrested 210 people for refusing to leave.

The Post's examination also found that faculty had raised concerns for days about harassment of pro-Palestinian activists and physical violence directed at people in the protest encampment, raising questions about whether the school should have had more police on hand to prevent an altercation.

College protests over Gaza war

Waves of antiwar protests are spreading across colleges campuses, with growing police arrests as graduation season approaches. See the universities where protests are intensifying.

Are you a college student? Tell us about protests on your campus.

(Yana Paskova/For The Washington Post)

The college is typically policed by its own small force, and university officials must ask outside departments for extra help when they determine it's needed. UCLA follows a systemwide University of California policy "not to request law enforcement involvement preemptively, and only if absolutely necessary to protect the physical safety of our campus community," a spokeswoman said in a statement last month after protesters established their encampment.

While LAPD would not answer questions about when they were summoned, a senior UCLA official told a colleague that the college had asked LAPD for assistance by around 11:30 p.m. on the night of the attack, according to text messages obtained by The Post. The California Highway Patrol has said UCLA requested its help an hour later, at 12:30 a.m.

UCLA police chief John Thomas told the Los Angeles Times that when he got to campus shortly before midnight, he saw 19 officers from campus police, the LAPD and three other local police departments, but an LAPD lieutenant told him the force was too small to step in.

It was not until about 1:30 a.m. that officers began staging with campus police in a parking lot near the encampment, video shows.

CHP confirmed the time UCLA requested its help, but did not respond to further questions.

In an unsigned email, LAPD told The Post, "The department is looking into its involvement on campus along with other law enforcement agencies and a detailed report is being completed."

Campus police referred questions to UCLA. A spokesperson for UCLA did not respond to requests for comment.

UCLA and LAPD have said they are now jointly investigating perpetrators of the April 30 attack, and that they have asked the FBI for help. Michael V. Drake, the president of the University of California system, has requested an external investigation of the university's response that night.

Mounting concerns

On April 25, as protests emerged at universities nationwide over Israel's war in Gaza, students at UCLA's Westwood campus began building a tent encampment on Dickson Plaza, an open, tree-lined quad in front of the college's Royce Hall theater. Their demands to college leaders included calling for a cease-fire, divesting from companies tied to Israel's war effort and boycotting Israeli universities.

Over the next several days, videos show, counterprotesters faced off with pro-Palestinian demonstrators. According to protesters, they repeatedly tried to enter the encampment.

UCLA asked for assistance in policing the demonstrations from the wider University of California police system on April 25 and April 26 but then canceled those requests, Wade Stern, the president of the University of California's police union, told The Post. The cancellations, first reported by the Los Angeles Times, were frustrating, Stern said. "Every cop wants to go and help," he said. "We all want to be there."

Concerns about students' safety mounted among some faculty ahead of a pro-Israeli counterprotest planned for April 28 and permitted by university officials. In a phone call on April 27, Administrative Vice Chancellor Michael Beck assured Randall Kuhn, a public health professor, that counterprotesters did not want to "pick a fight" and that UCLA was stationing dozens of hired security guards around the encampment, including 30 ready "to help address any provocations or potential attacks," according to an email Kuhn sent to colleagues summarizing Beck's remarks. Beck referred questions to a UCLA spokesman.

On April 28, counterprotesters erected a massive TV screen to blast footage of the Oct. 7 attack on Israel by Hamas at the protesters. UCLA's police force was bolstered that day by additional officers from other University of California campuses. Still, when an assault occurred, they were outmanned and sought additional help from several local police departments, according to a timeline compiled by police union officials.

By the next night, tensions were rising again. Videos show a small group of agitators taunting people in the pro-Palestinian encampment. Police later separated fights between the two sides, protesters said in interviews.

Hours later, UCLA again asked for help from other UC police departments. But none was able to send reinforcements, as they were monitoring protests on their own campuses, according to the union timeline.

The attack

Agitators gathered outside the encampment the following day. Recordings posted on social media showed protesters refusing entry to a Jewish student who identified as a Zionist and a mother complaining to UCLA that Jewish students were being blocked from accessing a library.

At 2:35 p.m., Danielle Carr, an assistant professor at UCLA's Institute for Society and Genetics, wrote an email seeking to sound an alarm about "truly unbelievable" aggression against protesters during the pro-Israeli counterprotest two days earlier. "I know that many faculty are wondering what the administration plans to do to protect our students," Carr wrote to an office responsible for handling complaints of sexual violence and harassment.

By the evening, a large crowd had gathered outside the protest camp. One man was draped in an Israeli flag and others wore hoodies with slogans demanding the return of Israeli hostages kidnapped by Hamas. At 10:48 p.m., counterprotesters moved closer to the encampment's southern barricades and blared "Harbu Darbu" — an Israeli wartime anthem calling for retribution for Oct. 7. Suddenly, they rushed forward and started pulling metal fences away from security guards stationed at the perimeter of the encampment.

The guards were from Contemporary Services Corporation (CSC), which contracts with UCLA and specializes in crowd control at sporting events and concerts, and a subsidiary. While some CSC guards attempted to push back attackers, others stood aside.

"There are too many!" one of the security guards said, recordings show. Another shouted "CSC, pack it up!" as fellow guards walked away. CSC did not respond to questions from The Post.

The agitators pushed past the fencing and started ripping down plywood barriers on the perimeter of the camp's south and north sides. Pro-Palestinian protesters attempted to hold their line.

Calls for help

When Tabibian, the business executive, placed his first 911 call at 11:09 p.m., he connected with a dispatcher and they spoke for 21 seconds. "I believe I told him that people were getting hurt — they needed to get over here and shut this down," Tabibian told The Post, noting that it was difficult to differentiate between each of his 11 calls. Tabibian blamed pro-Palestinian protesters for provoking the chaos.

At 11:13 p.m., two UCLA patrol cars and an ambulance arrived near a UCLA campus police car that an observer said had been there all day. A third arrives shortly after. At least four officers stepped out of their cars and were soon surrounded by counterprotesters, some shouting "Shut it down!" in an apparent reference to the encampment. One man was ushered to the ambulance, and at 11:19 p.m., the three police cars and ambulance pulled away.

Reports of injuries rolled in. At 11:31 p.m., a fire department dispatcher asked an ambulance stationed nearby to respond to an injury at the college.

Kuhn, the public health professor, texted Beck, the vice chancellor, about his growing concern. Beck assured him that LAPD had been summoned.

April 30 11:26 p.m.

Michael, what's going on?

Michael Beck

Yes. I have been watching. Been talking with the Chief

They've been subjected to five days of torture

And now this?

Where are you?

I am at home.

LAPD has been summoned 11:31 p.m.

What did you request?

LAPD assistance

Oh whom? Did you ask for dispersal?

People are being pepper sprayed by counter protestors

Rocket attack

11:53 p.m. A colleague was just pepper sprayed

Counter protestors crowd is just growing. They're coming from

Violence continues

Moments later, a counterprotester lit a firework and lobbed it over the encampment perimeter. It exploded inside the encampment to terrified screams.

The lack of police intervention frustrated witnesses. Jeremy López, who supported the protest, called 911 at 12:28 a.m. to report that students were being beaten. “The operator said ‘Yes, we know already,’ and hung up,” López later told The Post.

Carr, the assistant professor who had warned of potential violence, arrived at the plaza a few minutes later and encountered what looked to her like a war zone. Students were sprawled on the ground, some bleeding from their faces. Others were reeling from eye pain caused by irritants.

The violence continued “for hours and hours, with nobody stepping in,” said Bharat Venkat, an associate professor. “I thought a student would be killed.”

A mob surrounded two pro-Palestinian demonstrators who had stepped outside of the encampment. While one was hit with a wooden stick, the crowd rained punches on the other. He was later recorded receiving treatment from volunteer medics, his face covered in blood.

At 12:32 a.m., a man on LAPD radio said they “might want to launch a UCLA unit,” according to a review of radio communications archived by the platform Broadcastify. Seconds later, an officer said he was at UCLA’s Murphy Hall — close to the violence — along with four other units. But no LAPD personnel were seen taking action in available video footage of the area.

After 1 a.m., police reported over radio that an “MFF” — mobile field force — and a helicopter had been requested at the college, and officers were told that the incident was “code three,” meaning they should use lights and sirens.

But over the subsequent hour, the address of the temporary command post was misstated over radio, confusing some officers.

People calling police continued to receive dismissive responses. “Didn’t you already call?” an operator said when a woman called UCLA police at 1:33 a.m., video shows. “I already told you, we’re handling the situation. You can’t continue calling unless you have an emergency.”

Police emerge

Throughout the evening, police vehicles had gathered on the outskirts of campus, but the first mass of police visible in footage reviewed by The Post was a line of about 30 CHP officers that began to form at 1:43 a.m. Another row of officers in black lined up behind them. They did not advance.

At 2:17 a.m., counterprotesters rushed the encampment barricade, physically assaulting protesters, including slamming a plank of wood on someone's head and spraying an irritant. Officers stood about 200 feet away. None moved to stop the violence, the video shows.

Nearly an hour after they assembled in line, and nearly four hours after the attack began, officers from CHP and LAPD began slowly moving in formation toward Dickson Plaza at 2:43 a.m.

By 3:10 a.m., police had separated the majority of attackers from the pro-Palestinian protesters. But law enforcement did not arrest or appear to question the attackers, instead granting them an exit route away from the camp, according to video.

"There have only been a couple times in my life where I've had trouble understanding what's real and what's maybe a nightmare, and this was definitely one of them," Nicholas Shapiro, an assistant professor and a former EMT who helped treat injured students, later told The Post.

Shapiro arrived home with dark stains on his fingers and palms.

"Surreal," he texted a group of professor friends at 3:47 a.m., "to be ending the night cleaning a student's blood off my hands."

Samuel Oakford and Jarrett Ley in New York contributed to this report.

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09/19/24 11:03 AM

EXHIBIT NO. 9

PERB Received
09/19/24 11:03 AM

From: **Chancellor Gene D. Block** <chancellor@bp.e.ucla.edu>
Date: Tue, Apr 30, 2024 at 5:05 PM
Subject: Affirming our Values in a Challenging Time
To:

Dear Bruin Community:

This past Thursday, a group of demonstrators — both members of the UCLA community and others unaffiliated with our campus — established an unauthorized physical encampment on part of Royce Quad, joining those who have set up similar presences at universities around the country.

Many of the demonstrators, as well as counter-demonstrators who have come to the area, have been peaceful in their activism. But the tactics of others have frankly been shocking and shameful. We have seen instances of violence completely at odds with our values as an institution dedicated to respect and mutual understanding. In other cases, students on their way to class have been physically blocked from accessing parts of the campus.

UCLA supports peaceful protest, but not activism that harms our ability to carry out our academic mission and makes people in our community feel bullied, threatened and afraid. These incidents have put many on our campus, especially our Jewish students, in a state of anxiety and fear.

In response, we have taken several immediate actions. We have significantly increased our security presence in the area, including adding greater numbers of law enforcement officers, safety personnel and student affairs mitigators. We have also engaged law enforcement to investigate the recent acts of violence.

The barriers that demonstrators used to block access to buildings have been removed, and we have staff located around Royce Quad to help ensure that they will not go up again. With regard to these incidents, our student conduct process has been initiated, and could lead to disciplinary action including suspension or expulsion.

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We continue to encourage anyone who experiences discrimination to report it to our Civil Rights Office. If you feel you are in danger, contact UCPD.

I recognize that the suffering in the Middle East has had a profound impact on our campus, and we continue to hope for a peaceful resolution. While Bruins hold a variety of perspectives on this conflict, we must all protect the wellbeing of our peers and maintain an environment safe for learning. This is a commitment I call on our community to uphold as we navigate the weeks ahead.

Sincerely,

Gene D. Block
Chancellor

UCLA
10889 Wilshire Blvd., Suite 1400
Los Angeles, CA 90024-6971

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This email was sent to via BruinPost. To contact the sender, please reply to this email or send an email to Chancellor@ucla.edu.

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EXHIBIT NO. 10

PERB Received
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A statement from UC President Michael V. Drake, M.D., on free speech and campus protests

April 30, 2024

A statement from UC President Michael V. Drake, M.D., on free speech and campus protests (April 30, 2024):

The University has a long and proud history of supporting freedom of speech and First Amendment rights. We readily accept our obligation to protect the rights of our students, faculty, staff and visitors to our campuses. The right to protest and demonstrate against policies and practices of governing authorities is among the most important privileges of a democracy. This right is not, however, absolute. We must exercise our rights within the broad confines of the laws and policies we ourselves have established.

Earlier today, the UCLA campus sent out a message for those in the UCLA encampment informing them that the encampment is unlawful and violates university policy.

I fully support the campus in taking this step. The University of California must be as flexible as it can involving matters of free expression, including expression of viewpoints that some find deeply offensive. But when that expression blocks the ability of students to learn or to express their own viewpoints, when it meaningfully disrupts the functioning of the University, or when it threatens the safety of students, or anyone else, we must act.

There are countless ways to protest lawfully, and the University of California campuses will work with students, faculty and staff to make space available and do all we can to protect these protests and demonstrations. But disruptive unlawful protests that violate the rights of our fellow citizens are unacceptable and cannot be tolerated.

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EXHIBIT NO. 11

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09/19/24 11:03 AM

College | Social Sciences
History

Statement of Members of the Department of History in Response to the Attack on the Encampment on 30 April 2024

May 1, 2024 / News

We, members of the History Department, a number of whom were present during the events of the night of 30 April to 1 May, strongly condemn the mob attack on our students and the university's failure to support our students' right to protest peacefully and to be kept safe while doing so.

The encampment itself had been a model of its kind: it was limited to members of the university community through the checking of IDs to gain access; participants made continual efforts to avoid engagement with hecklers; and it maintained its focus on its own concerns. This orderly and self-disciplined environment seemed to have the support of the university administration, which initially praised its decorum. This policy on the part of the UC and UCLA administration earned high praise for its restraint and for its clear dedication to protecting the rights of students to protest peacefully.

In a sharp reversal, on 30 April, President Drake issued a statement declaring that the encampment was "unlawful," and Chancellor Block called it "unauthorized." Such statements withdrew official protections from these peaceful student activities, making the students vulnerable to attack. Later that night, the campus was invaded by a violent mob of individuals including many not affiliated with the campus community. History faculty who were present reported that many were middle-aged men; some shouted white supremacist slurs; and others brandished flags linked to violent, right-wing organizations. The security personnel who had been stationed around the barricade left the scene, abandoning it to attack. The violent mob used toxic spray, fireworks, pieces of the barricade, pipes, boards, and bottles to assault the students and faculty inside the encampment. They tore the barricades apart to get at the students inside. During this time, the security personnel and campus police made no effort to stop them. Student journalists and faculty observers outside the encampment were also threatened and assaulted. When police finally arrived many hours later, they watched the attacks, failing to come to the aid of those in the encampment. Some history department faculty who were at the scene reported that police, far from putting a halt to the violence, seemed to be marching alongside the mob. No emergency aid was provided to the students who were bleeding, gassed, or concussed. Today we heard many first-hand accounts of the violence and the lack of support from police and security forces.

We want to object in the strongest possible terms to this travesty. We are horrified that Chancellor Block abdicated his responsibility to protect and support students. His statements (and those of President Drake) opened the way to these attacks on our community. The exemplary nature of this encampment made it a target for those who oppose the free exercise of views other than their own. We demand that the Chancellor and the President be held accountable for their actions in sacrificing student safety and liberties to political expediency. We call for the resignation of Chancellor Gene Block.

We want the university to stand up for the safety and the rights of the campus community by defending the continuing existence of the encampment. The encampment must be protected and the rights of peaceful protests upheld.

Signed:

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09/19/24 11:03 AM

Carla G. Pestana, *Distinguished Professor and Joyce Appleby Endowed Chair of America in the World*

Koh Choon Hwee, *Assistant Professor*

Bharat Venkat, *Associate Professor*

Elizabeth O'Brien, *Assistant Professor*

Miloš Jovanović, *Assistant Professor*

Fernando Pérez-Montesinos, *Assistant Professor*

Kevin Kim, *Assistant Professor*

Hollian Wint (Frederick), *Assistant Professor*

Katherine Marino, *Associate Professor*

Jared McBride, *Assistant Professor*

Katsuya Hirano, *Associate Professor*

Kevin Terraciano, *Professor, Robert Burr Chair of History*

Brenda Stevenson, *Professor and Nickoll Family Endowed Chair in History*

Mary Corey, *Senior Continuing Lecturer*

Ghislaine Lydon, *Associate Professor*

Michael Meranze, *Professor*

Jim Gelvin, *Distinguished Professor*

Andrea Goldman, *Associate Professor*

Valerie Matsumoto, *Professor, Aratani Chair on the Japanese American Incarceration, Redress, and Community*

Tobias Higbie, *Professor*

Caroline Ford, *Professor*

Sanjay Subrahmanyam, *Distinguished Professor & Irving and Jean Stone Endowed Chair in Social Sciences*

Vinay Lal, *Professor*

Greg Woolf, *Distinguished Professor and Ronald J. Mellor Chair of Ancient History*

Soraya de Chadarevian, *Professor*

Peter Stacey, *Associate Professor*

Nile Green, *Professor & Ibn Khaldun Endowed Chair in World History*

William Marotti, *Associate Professor*

Sarah Stein, *Professor*

Stefania Tutino, *Professor and Peter Reill Chair in European History*

Richard von Glahn, *Distinguished Professor*

Minayo Nasiali, *Associate Professor*

Sebouh Aslanian, *Professor and Richard Hovannisian Endowed Chair in Modern Armenian History*

Muriel McClendon, *Associate Professor*

Kelly Lytle-Hernandez, *Professor and The Thomas E. Lifka Endowed Chair in History*

Robin Derby, *Professor, Dr. E. Bradford Burns Chair in Latin American Studies*

Andrew Apter, *Professor*

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Stella Chervas, *Professor and Eugen Weber Chair in Modern European History*

H. Glenn Penny, *Professor and Henry J. Bruman Chair in German History*

Robin D. G. Kelley, *Distinguished Professor and Gary B. Nash Endowed Chair*

Mary Momdjian, *Continuing lecturer*

Anthony Vivian, *Lecturer in Ancient History*

David Warren Sabean, *Henry J. Bruman Chair of German History, emeritus, and Distinguished Research Professor of European History*

(Signature collection is ongoing.)

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EXHIBIT NO. 12

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No Police Actions

Letter to UCLA Chancellor Gene Block from University of California Faculty and Staff

Click here to sign

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May 1, 2024

Dear Chancellor Block,

The evening of April 30, 2024 was one of the ugliest in UCLA's recent history. A violent mob attacked UCLA students who had assembled for days in the Royce Quad encampment. Dozens of live video streams, including from local news and *Daily Bruin* reporters, showed masked and unmasked agitators ramming the encampment's barricades, shooting fireworks into the encampment, and attacking protestors with pepper spray, two-by-fours, and metal pipes. According to UCLA faculty who were present, "this was a brutal, violent attack, it was unbelievable," leaving students with chemical burns and lasting trauma.

It was a brutal siege that lasted for hours. UCLA leadership did nothing to prevent the attack; and did nothing for *five hours* as the attacks escalated throughout the night. If anything, your April 30th message requesting disbanding of the encampment and threatening discipline appeared to embolden these outside agitators. You abandoned UCLA students, leaving them to protect themselves from chemical weapons and de-escalate the situation on their own. The UCLA administration did nothing to intervene. At least five students were sent to the hospital. Dozens more were wounded.

Prior to April 30, we supported the measured response UCLA took with regard to the lawful protest from our students currently encamped on Royce Quad. The protests started with students being allowed to exercise their rights to free speech and assembly, with UCLA faculty and administration supporting these rights. In contrast to the raucous images from campuses in Texas, Georgia, and New York, or University Park Los Angeles, UCLA began its response to this current protest as a model of respect and protection of student rights. You have now pivoted from this policy. Indeed, your April 30th email to our campus community calling the encampment unlawful and threatening disciplinary action against the encampment students may have created the spark that outside agitators needed to launch their attack against our students.

As faculty who have regularly visited the student encampment, we categorically reject the idea that the encampment inherently enacts or represents antisemitism. Such rhetoric continues to put our students at risk, from violent outside agitators, from the police, and from politicians.

Last night's attack was part of a longer campaign to torment student protestors and incite violence at the encampment. Since Sunday, the student protestors have been subject to constant verbal racial harassment, mice were released into the camp, a jumbotron has been blasting horrific sounds and traumatizing images, and fireworks have been shot into the camp, we suspect in an attempt to set the tents on fire.

Your persistent lack of protection for students engaged in lawful protest is unacceptable and represents a full failure of leadership of the entire senior campus administration. We hold you responsible for failing to protect our students' right to assemble, speak, and protest and, most of all, to be safe on their own campus. Following your failure to prevent or stop the violence against our students, we, the undersigned senate and contingent faculty and staff at UCLA demand that our University administration take the following steps to protect student protestors:

1. No police actions against students or any UCLA personnel who are engaged in their first amendment right to demonstrate and protest. Instead, please protect the safety of our students.
2. Allow the Palestinian Solidarity Encampment to continue and remove any "illegal" designation.
3. No disciplinary actions including suspension, expulsion, or other criminalizing measures against peaceful protesting students.

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4. Recognize the condition and empathize with all students, including those with direct ties to Gaza and Palestine, and others who are from the Middle East, and the many Jewish students and faculty who are allied with protestors' demands for immediate ceasefire.
5. Continue to listen to the SJP demands and take them seriously. Engage in sincere talks with the students to hear their perspective and publicly disclose UCLA investments, as have leaders at Brown and Northwestern.
6. Prevent the unpermitted jumbotron from displaying violent images and sounds in violation of UCLA Title IX policy.

More than 200 senate and contingent faculty and staff participated in the April 29 march in support of our students' free speech rights. We will not stand by as our students are assaulted, and we are prepared to deepen and broaden our support for them. In fact, a one-day work stoppage has already been proposed by the group Faculty for Justice in Palestine, and many UCLA senate faculty in our group are ready to take additional actions.

1 de mayo del 2024

Estimado Chancellor Block,

La noche del 30 de abril del 2024 ha sido una de las peores en la historia reciente de UCLA. Una muchedumbre violenta atacó a los/as/es estudiantes de UCLA que se habían concentrado en el campamento del Royce Quad durante estos días. Docenas de retransmisiones en vivo, incluyendo las de los reporteros del Daily Bruin y medios de comunicación locales, grabaron cohetes de fuegos artificiales siendo disparados contra el campamento, y ataques a los manifestantes con aerosol de pimienta, con palos de 2 por 4, y con barras de metal. Según los/as/es profesores de UCLA que estaban presentes, "esto fue un ataque brutal y violento, fue increíble," que dejó a nuestros/as/es estudiantes con quemaduras y con un trauma duradero.

Fue un asedio brutal que duró horas. Los líderes de UCLA no hicieron nada para prevenir el ataque; y no hicieron nada por cinco horas mientras los ataques se intensificaban al avanzar la noche. Al contrario, su mensaje del 30 de abril pidiendo el desalojo del campamento y amenazando con medidas disciplinarias tuvo el efecto de envalentonar a estos agitadores que vienen de fuera. Ud. abandonó a los/as/es estudiantes de UCLA, dejándoles a su suerte para protegerse de armas químicas y para frenar la situación por si mismos. La administración de UCLA no hizo nada para intervenir. Por lo menos cinco estudiantes tuvieron que recibir atención médica en el hospital. Docenas más fueron heridos.

Antes del 30 de abril, nosotros apoyamos la respuesta mesurada que UCLA adoptó con respecto a la protesta legítima de nuestros/as/es estudiantes que están acampados en el Royce Quad. Las protestas empezaron con el derecho de nuestros estudiantes a ejercer sus derechos de protesta y asamblea, y con la administración y el profesorado de UCLA apoyando esos derechos. A diferencia de las estridentes imágenes de campuses en Texas, Nueva York, o University Park, UCLA actuó como modelo de respeto y protección de los derechos de los estudiantes al principio de la protesta. Ahora ha cambiado esta estrategia. En efecto, su email del 30 de abril a la comunidad de UCLA, calificando el campamento de ilegal y amenazando con acciones disciplinarias han generado la chispa que los agitadores que vienen de fuera necesitaban para lanzar su ataque contra nuestros/as/es estudiantes.

Como profesores que han visitado el campamento con regularidad, rechazamos categóricamente la idea de que el campamento representa inherentemente y promulga el antisemitismo. Esa retórica continúa

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poniendo a nuestros estudiantes en riesgo de ser atacados por agitadores violentos que vienen de fuera, por la policía y por los políticos.

Los ataques de anoche eran parte de una campaña más amplia para atormentar a los/as/es estudiantes que están protestando y para incitar violencia en el campamento. Desde el domingo, los/as/es estudiantes que están protestando han sido víctimas de acoso verbal de índole racista, ratones han sido soltados por el campamento, una pantalla gigante ha estado reproduciendo, sin cesar, sonidos traumatizantes e imágenes horribles. Fuegos artificiales han sido disparados al campamento con la intención, sospechamos, de incendiar las tiendas de campaña.

Su persistente falta de protección a los/as/es estudiantes que ejercen su derecho a la legítima protesta es inaceptable y representa un absoluto fracaso de liderazgo de la totalidad de la administración de alto rango del campus. Le hacemos responsables por no proteger el derecho de nuestros/as/es estudiantes de reunirse, manifestarse, protestar, y, sobre todo, el derecho a sentirse seguros en su propio campus. Por esta incapacidad de prevenir o parar la violencia contra nuestros/as/es estudiantes, nosotros/as/es los abajo firmantes (profesores miembros del senado de la facultad, profesores adjuntos, y empleados/as/es de UCLA) pedimos que la administración de la universidad tome los siguientes pasos para proteger a los/as/es estudiantes que están protestando:

1. No acciones policiales contra los/as/es estudiantes o contra cualquier empleado de UCLA que ejercita su derecho de protesta, protegido por la primera enmienda. Al contrario, por favor protejan la seguridad de nuestros estudiantes.
2. Permitan que el Campamento de Solidaridad con Palestina continúe y no se designe al campamento como “ilegal”.
3. No acciones disciplinarias, incluyendo la suspensión, la expulsión, u otras medidas que criminalicen las acciones pacíficas de los/as/es estudiantes que están protestando.
4. Reconocer la condición y empatizar con todos los/as/es estudiantes, incluyendo aquellos/as/es que tienen lazos directos con Gaza y Palestina, y otros que son de Oriente Medio, así como los/as/es muchos/as/es estudiantes y profesores de origen judío que son aliados de los estudiantes que protestan por un alto al fuego inmediato.
5. Continúen escuchando las peticiones de SJP (Estudiantes por la Justicia en Palestina) y tómenselas en serio. Comprométanse al diálogo sincero con los estudiantes, escuchando su perspectiva. Y divulguen públicamente las inversiones de UCLA, como han hecho los líderes de las universidades de Brown y Northwestern.
6. Impidan que la pantalla gigante que está en el campus sin permiso siga retransmitiendo imágenes y sonidos violentos en violación de la normativa de Title IX en UCLA.

Más de 200 profesores miembros del senado de la facultad, profesores adjuntos, y empleados de UCLA participaron en una manifestación en apoyo del derecho a la libre expresión de nuestros estudiantes el 29 de abril. No nos vamos a quedar de brazos cruzados mientras nuestros/as/es estudiantes son asaltados, y estamos preparados para profundizar y ampliar nuestro apoyo para elles. De hecho, una huelga de un día ya ha sido propuesta por el grupo de Profesores por la Justicia en Palestina (Faculty for Justice in Palestine), y muchos miembros del senado de la facultad están preparados para tomar medidas adicionales.

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Rana Khankan, Academic Administrator, Life Sciences Core, UCLA
Roshanak Kheshti, Associate Professor, Theater, Dance, and Performance Studies, UC Berkeley
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Hea-Mi Kim, alumni, fine arts, UCLA
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Gina Konstantopoulos, Assistant Professor, Near Eastern Languages and Cultures, UCLA
Liz Koslov, Assistant Professor, Urban Planning and Institute of the Environment and Sustainability, UCLA
Joel c koury, Associate Professor, UCLA School of Law, UCLA
Amy Krauss, Assistant Professor, Visiting Assistant Prof, Feminist Studies, UC Santa Cruz
Robert Ku, Staff, Asian American Studies Center, UCLA
André Keiji Kunigami, Assistant Professor, Film and Media Studies, UC Irvine
Leona Kwon, Lecturer, Education, UCLA
Jade Lacy, Staff, English, UCLA
Jennifer Lainez, Staff, School of Education & Information Studies, UCLA
Hannah Landecker, Professor, Sociology, UCLA
David Landreth, Associate Professor, English, UC Berkeley
Celeste Langan, Associate Professor, English, UC Berkeley

PERB Received
09/19/24 11:03 AM
Celeste Langan, Associate Professor, English, UC Berkeley
Monika Langarica, Staff, Law, UCLA
Regina Day Langhout, Professor, Psychology, UC Santa Cruz
Siri Langmo, Graduate Student Researcher, Environmental Health Sciences- Fielding School of Public Health, UCLA
Génesis Lara, Assistant Professor, Chicano/Latino Studies, UC Irvine
Susan Lares-Nakaoka, Staff, Academic Administrator, Social Welfare, UCLA
Wesley Larios, Lecturer, Art, UCLA, UC Riverside
Anna Lau, Professor, Psychology, UCLA
Claire Lavagnino, Lecturer, ELTS, UCLA
Grace Lavery, Associate Professor, English, UC Berkeley
Miranda Le, Medical Student, DGSOM, UCLA
T.K. Le, Staff, Asian American Studies Center, UCLA
Elisabeth Le Guin, Professor, emerita, Music and Musicology, UCLA
Jorge N. Leal, Assistant Professor, History, UC Riverside
Keenan Leary, Alumni, Luskin MSW, UCLA
Gregory Leazer, Associate Professor, Information Studies, UCLA
Marisol Lebron, Associate Professor, CRES and FMST, UC Santa Cruz
Rachel Lee, Professor, English, UCLA
Namhee Lee, Professor, East Asian Languages and Cultures, UCLA
Darlene Lee, Lecturer, Education, UCLA
James Kyung-Jin Lee, Professor, Asian American Studies, UC Irvine
Ching Kwan Lee, Professor, Sociology, UCLA
Mingyu Lee, UCLA
Julia Lee, Professor, Asian American Studies, UC Irvine
Namhee Lee, Professor, Asian Languages and Cultures, UCLA
Jin-kyung Lee, Associate Professor, Literature, UC San Diego
Christine Lee, Project Scientist, Education, UCLA
Christine Lee, Staff, Asian Americans Studies Center, UCLA
Lauren Lee McCarthy, Professor, Design Media Arts, UCLA
Bronwyn Leebaw, Associate Professor, Political Science, UC Riverside
Jess R Lehrman, UC Alum, UC Davis
Dona Jamie Leonard, Teaching Assistant, UCLA
Faithy Leong, Staff, UCLA Alumni '02, UCLA Asian American Studies Center, UCLA
Audrey Leshay, Staff, Arts, UCLA
Simon Leung, Professor, Art, UC Irvine
Greg Levine, Professor, History of Art, UC Berkeley
Mark LeVine, Professor, UCI history, UC Irvine
Cynthia Lewis, Professor, UC Santa Cruz
Christine Liboon, Graduate Student Researcher, Education, UCLA
Pei-te Lien, Professor, Political Science, UC Santa Barbara
Ban Hong (Phylice) Lim, Staff, CAPS, UCLA
Chloe Lin, Staff, UCLA Law, UCLA
Dr. Caroline Kieu Linh Valverde, Associate Professor, Asian American Studies, UC Davis
Patricia Lino, Assistant Professor, Spanish and Portuguese, UCLA
Alison Lipman, Lecturer, EEB, UCLA
Matt Lipps, Lecturer, Art, UCLA
Aaron Littman, Assistant Professor, Law, UCLA
Arman Liwanag, Staff, UC Berkeley
Alondra Lizarraga, Staff, Alumni, Writing Programs, UCLA
David Lloyd, Professor, English, UC Riverside
Tatiana Londoño, Assistant Professor, Social Welfare, UCLA
Amy Lonetree, Professor, History, UC Santa Cruz
Katherine Long, Staff, Summer Sessions & International Education, UCLA
Sofia Lopez Franco, Staff, Law School, UCLA
Elizabeth Losh, Emerita, UC San Diego

PERB Received
09/19/24 11:03 AM
Elizabeth Losh, Faculty, UC San Diego
Olivia Lozano, Lecturer, Law School, UCLA
Rita Lucarelli, Associate Professor, Middle Eastern Languages and Cultures, UC Berkeley
Caroline Luce, Staff, Labor Studies/IRLE, UCLA
Adonia Lugo, Staff, Lecturer, Urban Planning and Institute of Transportation Studies, UCLA
Caleb Luna, Assistant Professor, Feminist Studies, UC Santa Barbara
Cecilia Luna, Staff, Community member, UC Berkeley
Nancy Lupo, Lecturer, Art, UCLA
Ghislaine Lydon, Associate Professor, History, UCLA
Colleen Lye, Associate Professor, English, UC Berkeley
Jessica W. Lynch, Professor, Institute for Society and Genetics, UCLA
Cecelia Lynch, Professor, Political Science, UC Irvine
Caeli Lynch, Staff, UCLA College, UCLA
Sara Lyons, Lecturer, Theater, UCLA
Kelly Lytle Hernandez, Professor, History, UCLA
Kate Mackintosh, Executive Director, The UCLA Law Promise Institute Europe, Law, UCLA
Ashna Madni, Staff, Philosophy, UCLA
Maya Mahajan, Staff, UC Berkeley
Nidhi Mahajan, Assistant Professor, Anthropology, UC Santa Cruz
Lilith Mahmud, Associate Professor, Anthropology, UC Irvine
Lindsay Mahowald, Staff, Law, UCLA
Sunaina Maira, Professor, Asian American Studies, UC Davis
Ann Somers Major, Staff, History, UCLA
Ussama Makdisi, Professor, History, UC Berkeley
Purnima Mankekar, Professor, Anthropology and Asian American Studies, UCLA
Denise Mann, Professor, Film, Television, Digital Media, UCLA
Beckett Maravelias, Staff, Health Equity, Diversity and Inclusion, UCLA
Elizabeth Marchant, Associate Professor, Gender Studies and Comparative Literature, UCLA
Ananda Marin, Associate Professor, Education and American Indian Studies, UCLA
Anna Markowitz, Assistant Professor, Education, UCLA
Victoria Marks, Professor, World Arts and Cultures/Dance and Disability Studies, UCLA
Rebecca Marschall, Staff, Clark Library, UCLA
Lynne Marsh, Associate Professor, Chair, Department of Art, UC Riverside
Eric Martin, Lecturer, Religion, UCLA
Daisy Martin, Staff, Lecturer, Education, UC Santa Cruz
Stephany Martinez Tiffer, Staff, Law School, UCLA
Francine Masiello, Professor Emerita, Spanish and Comparative Literature, UC Berkeley
Natalie Masuoka, Associate Professor, Political Science & Asian American Studies, UCLA
Saloni Mathur, Professor, Chair, Art History, UCLA
Valerie Matsumoto, Professor, History / Asian American Studies, UCLA
Wendy Matsumura, Associate Professor, History, UC San Diego
Kyle T. Mays, Associate Professor, African American Studies, UCLA
Teresa McCarty, Distinguished Professor, Education and American Indian Studies, UCLA
Annie McClanahan, Associate Professor, English, UC Irvine
Tom McEnaney, Associate Professor, Comparative Literature and Spanish & Portuguese, UC Berkeley
Ramsey McGlazer, Associate Professor, Comparative Literature, UC Berkeley
Kathleen McHugh, Professor, English/FTVDM, UCLA
Mia McIver, Lecturer, Writing Programs, UCLA
Adela McKay, Spanish and Portuguese, UCLA
Karen McKinnon, Assistant Professor, IoES / statistics / AOS, UCLA
Nancy Ann McLoughlin, Associate Professor, History, UC Irvine
Abril Mendez, Community Member
Cecilia Menjivar, Professor, Sociology, UCLA
Michael Meranze, Professor, History, UCLA
Lisa M. Soederberg Miller, Professor, UC Davis

PERB Received
09/19/24, 11:03 AM
Mireille Miller-Young, Associate Professor, Feminist Studies, UC Santa Barbara
Elizabeth Milos, Staff, Medical Interpreter 2, UC San Francisco
Susette Min, Associate Professor, Asian American Studies, UC Davis
Minoo Moallem, Professor, Gender and Women's Studies, UC Berkeley
Rashmita Mistry, Professor, Education, UCLA
Laura J. Mitchell, UCLA PhD 2001, Associate Professor, History, UC Irvine
Nancy Marie Mithlo, Professor, Gender and American Indian Studies, UCLA
Valeria Moedano, Staff, Chicana/o & Central American Studies, UCLA
Hani Mohseni, PhD student, Philosophy, UCLA
Olivia Mole, Lecturer, Art, UCLA, UC Riverside
Victoria Molero González, Staff, Astronomy & Astrophysics, UC Santa Cruz
Alesia Montgomery, Assistant Professor, IoES, UCLA
Robert Montoya, Associate Professor, Information Studies, UCLA
Liron Mor, Associate Professor, Comparative Literature, UC Irvine
Cherrie Moraga, Professor, English, UC Santa Barbara
Anna Morcom, Professor, Ethnomusicology, UCLA
Alicia Morehead-Gee, MD, Former Clinical Instructor, Former Resident Physician, Internal Medicine, UCLA, UC San Francisco
Cole Morgan, Assistant Professor, English, UC Irvine
S. Priya Morley, Director, International Human Rights Clinic & Racial Justice Policy Counsel, Promise Institute for Human Rights, UCLA School of Law, UCLA School of Law, UCLA
Heather Morphew, Staff, Law, UCLA
Jan Morris, Member of public
Rebecca Morris, Professor, Dept of Art, UCLA
Mitchell Bryan Morris, Professor, Musicology, UCLA
Susan Morrissey, Professor, History, UC Irvine
Michael W. Moses II, Assistant Professor, School of Education, UC Riverside
Grace Mosher, Staff, UC Irvine
Chelsea Mosher, Lecturer, Art, UCLA
Salma Mousa, Assistant Professor, Political science, UCLA
Siraj Mowjood, Alumni, UCLA
KC Mukai, Staff, UC Berkeley
Vanessa Muros, Staff, Cotsen Institute of Archaeology, UCLA
Doug Myers, Staff, Philosophy, UCLA
Ramona Naddaff, Associate Professor, Rhetoric, UC Berkeley
ricardo nagaoka, Graduate Student, SOAA, UCLA
Eric Naiman, Professor, Comparative Literature & Slavic, UC Berkeley
Tiara Naputi, Associate Professor, Global & International Studies, UC Irvine
Victor Narro, Core Faculty, UCLA Labor Studies and School of Law, UCLA
Minayo Nasiali, Associate Professor, History, UCLA
Salma Nasoordeen, relative of UCLA student, UCI, UC Irvine, UCLA
Natalie Pulvino, Student, Community Health Sciences, UCLA
Nivedita Nath, Assistant Professor, History, UC Irvine
Diana Negrín, Lecturer, UC Berkeley
Anahid Nersessian, Professor, English, UCLA
Anne Nesbet, Professor, Film and Media and Slavic Languages and Literatures, UC Berkeley
Rahul Neuman, Lecturer, Music, UCLA
Cindy Nguyen, Assistant Professor, Information Studies, UCLA
Kelly Nguyen, Assistant Professor, Classics, UCLA
Minh-Thu Nguyen, Staff, ELTS, UCLA
Thu-huong Nguyen-vo, Professor, Asian Languages & Cultures and Asian American Studies, UCLA
Brenda Nicolas, Assistant Professor, Global and International Studies, UC Irvine
Jeanne Nishimoto, Academic Administrator, UCLA School of Law, UCLA
F ⓘ ailupe Niumeitolu, Assistant Professor, Critical Race & Ethnic Studies, UC Santa Cruz
Safiya U. Noble, Professor, Gender Studies, UCLA

PERB Received
09/19/24 11:03 AM
Marsha Noeline, Staff, David Geffen School of Medicine, Jonsson Comprehensive Cancer Center, UCLA
Richard B. Norgaard, Professor, Energy and Resources Group, UC Berkeley
Calvin Normore, Professor, Philosophy, UCLA
Anita Nuechterlein, Staff, Clinical Lab, UC San Francisco
Elizabeth O'Brien, Assistant Professor, History, UCLA
Geoffrey G. O'Brien, Professor, English, UC Berkeley
Elizabeth O'Brien, Assistant Professor, History, UCLA
Blaine O'Neill, Lecturer, Design Media Arts, UCLA
Janet O'Shea, Professor, World Arts and Cultures/Dance, UCLA
Laury Oaks, Professor, Department of Feminist Studies, UC Santa Barbara
Ryan OByrne, Staff, Teaching Assitant, Art, UC Riverside
Dr. Christopher I. Olivares Martinez, Assistant Professor, Civil & Environmental Engineering, UC Irvine
Frances Olsen, Emerita Professor, Law, UCLA
Todd Philip Olson, Professor, History of Art, UC Berkeley
Ikechukwu ONyewuenyi, Staff, Hammer Museum, UCLA
Sjoerd Oostrik, Lecturer, UEI, UCLA
Brittani R. Orona, UC President's Post-Doctoral Fellow, History, UC Santa Cruz
Jane Orr, Staff, Art, UCLA
Vilma Ortiz, Professor, Sociology, UCLA
Laura Ostrow, UC Alumn, American Studies, UC Santa Cruz
Susan S Oswald, Education, UCLA
Sylvan Oswald, Associate Professor, Theater, UCLA
Brande M. Otis, Graduate Student, School of Education and Information Studies, UCLA
Raquel Pacheco, Assistant Professor, Anthropology, UC Santa Barbara
taisha paggett, Associate Professor, Dance, UC Riverside
Stefania Pandolfo, Professor, Anthropology, UC Berkeley
Aaron Panofsky, Professor, Institute for Society and Genetics and Public Policy, UCLA
Oona Paredes, Associate Professor, Asian Languages and Cultures, UCLA
Veronica Paredes, Assistant Professor, Film, Television and Digital Media, UCLA
Tricia Park, Staff, African American Studies, UCLA
Jane Parkes, Lecturer, School of Education, UCLA
Sunita Patel, Assistant Professor, Law, UCLA
Cristina Paul, Lecturer, School of Education, UCLA
Madelynn Paulow, Graduate Student, Spanish and Portuguese, UCLA
Jessica Peake, Assistant Director, the Promise Institute for Human Rights, School of Law, UCLA
Oscar Perea-Rodriguez, Lecturer, Spanish & Portuguese, UC Berkeley
Roy Perez, Assistant Professor, Ethnic Studies, UC San Diego
Iliana Perez, Lecturer, Labor Studies, UCLA
Efrén Pérez, Professor, Political Science, UCLA
Gloria A. Pérez Castillo, Staff, IRLE, UCLA
Fernando Pérez Montesinos, Assistant Professor, History, UCLA
Rafael Pérez-Torres, Professor, English, UCLA
Allison Perlman, Associate Professor, History, Film and Media Studies, UC Irvine
Richard Perry, Lecturer, Law - Legal Studies, UC Berkeley
Keston K. Perry, Assistant Professor, African American Studies, UCLA
Carla Pestana, Professor, History, UCLA
Pamela J Peters, Staff, AISC, UCLA
Margaret Peters, Professor, Political Science, UCLA
Kristin Peterson, Associate Professor, Anthropology, UC Irvine
Ashley Phillips, Research Collaborator from University of Washington, Environmental Health Sciences, UCLA
Joanna Picciotto, Associate Professor, English, UC Berkeley
Stuart Pike, Lecturer, Political Science, UCLA
st ⓘ hanie pincetl, Professor, Institute of the Environment and Sustainability, UCLA
Bernardette Josee Pinetta, Staff, Chancellor's Postdoctoral Fellow, Social Welfare, UCLA

PERB Received
09/19/24 11:03 AM
Daniele Piomelli, Distinguished Professor, Anatomy and Neurobiology, UC Irvine
Ethan Poole, Assistant Professor, Linguistics, UCLA
Djordje Popovic, Assistant Professor, Slavic Langauges and Literatures, UC Berkeley
Dylan Portillo, Staff, LOSH, UCLA
Miriam Posner, Assistant Professor, UCLA, UCLA
antje postema, Lecturer, Slavic Languages and Literatures, UC Berkeley
Anjali Prabhu, Professor, Comparative Literature, UCLA
Dianne Prado, Lecturer, Lawschool, UCLA
Catherine Provenzano, Assistant Professor, Musicology, UCLA
Alex Purves, Professor, Classics, UCLA
Jacquelyn Quan
Isabela Quintana, Assistant Professor, Asian American Studies, UC Irvine
Rajagopalan Radhakrishnan, Professor, English., UC Irvine
Hani Rafi, Lecturer, Education and information studies, UCLA
Michelle Raheja, Professor, English, UC Riverside
Shakeer Rahman, Lecturer, School of Law, UCLA
Nefeli Ralli, PhD Student, Philosophy, UCLA
Harsha Ram, Associate Professor, Department of Slavic Languages and Literatures, UC Berkeley
Megha Ram, Lecturer, Law, UCLA
Isamara Ramirez, Staff, Philosophy, UCLA
Catherine Sue, Professor, Latin American and Latino Studies, UC Santa Cruz
Noopur Raval, Assistant Professor, Information Studies, UCLA
Kriss Ravetto-Biagioli, Professor, UCLA
Will James Rawls, Associate Professor, World Arts and Cultures / Dance, UCLA
Geoffrey Raymond, Professor, Sociology, UC Santa Barbara
Nooshin Razani, Associate Professor, Epidemiology and Biostatistics, UC San Francisco
Casey Reas, Professor, Design Media Arts, UCLA
Francesc Reda Coll, Lecturer, Spanish and Portuguese, UCLA
Elana Redfield, Staff, UCLA Law, UCLA
Ellen Reese, Professor, Department of Society, Environment & Health Equity and Labor Studies program, UC Riverside
Terry Regier, Professor, Linguistics, UC Berkeley
Michelle Rensel, Assistant Professor, ISG, UCLA
Jessica Rett, Professor, Linguistics, UCLA
Alejandra Reyes, Assistant Professor, Urban Planning and Public Policy, UC Irvine
Bernard Reyes, Alumnus, School of Education and Information Studies, UCLA
Joanna Reynolds, Staff, Undergraduate Education Initiatives, UCLA
Beth Ribet, Lecturer, Undergraduate Educational Initiatives and Gender Studies, UCLA
AJ Rice, Assistant Professor, Department of Political Science, UC Santa Barbara
Julieta Rico, PhD Student, Education- Urban Schooling, UCLA
Kevin Riley, Staff, Labor Occupational Safety and Health Program, UCLA
Kathryn Ringland, Assistant Professor, Computational Media, UC Santa Cruz
Marianna Ritchey, UCLA alumn (musicology PhD, 2011), UCLA
Gaspar Rivera-Salgado, Staff, Lecturer, UCLA Labor Center, UCLA
Gaspar Rivera-Salgado, Lecturer, UCLA Labor Studies, UCLA
Martin Rizzo-Martinez, Assistant Professor, Film & Digital Media, UC Santa Cruz
Sarah T. Roberts, Associate Professor, Gender Studies | Information Studies | Labor Studies, UCLA
William I Robinson, Professor, Sociology, UC Santa Barbara
Christofer Rodelo, Assistant Professor, Chicano/Latino Studies, UC Irvine
Katie Rodger, Lecturer, UWP, UC Davis
Carolyn Terese Rodriguez, Teaching Assistant, Education, UCLA
Dylan Rodríguez, Professor, Black Study, Media and Cultural Studies, UC Riverside
Daniel Rodriguez, Psychology, UC Santa Cruz
S ⓘ nnah, Lecturer, Writing Programs, UCLA
Gabriela Rodriguez-Gomez, Ph.D. Candidate, UCLA

PERB Received
09/19/24 11:09 AM
John Rogers, Professor, Education, UCLA
Sara Raquel Roschdi, Staff, UCLA Labor Center, UCLA
Stephen Rosenbaum, Lecturer, School of Law, UC Berkeley
Giovanni Rossi, Assistant Professor, Sociology, UCLA
David Rousseve, Distinguished Professor, Woke arts and cultures/dance, UCLA
Ananya Roy, Professor, Urban Planning, UCLA
David Alexander Roy, Lecturer, Art, UCLA
Janeth Ruvalcaba, Staff, Chicana/o and Central American Studies, UCLA
Faysal Saab, Assistant Professor, David Geffen School of Medicine at UCLA, Internal Medicine and Pediatrics, UCLA
Navid Saberi-Najafi, Lecturer, ME/SA, UC Davis
Adam Sabra, Professor, History, UC Santa Barbara
Theodore Sagun, Lecturer, Education, UCLA
Poulomi Saha, Associate Professor, English, UC Berkeley
Sanobar Sajan, UCLA Alumnus, N/a, UCLA
Daniela Salgado, Staff, UCLA
Leslie Salzinger, Associate Professor, Gender and Women's Studies, UC Berkeley
Jocelyne Sanchez, Staff, Chicano Studies Research Center, UCLA
Daina Sanchez, Assistant Professor, Chicana/o Studies, UC Santa Barbara
Alexandra Sanchez, Staff, Lawrence Hall of Science, Center for Environmental Learning, UC Berkeley
Luis Sanchez-Lopez, Assistant Professor, Chicano/Latino Studies, UC Irvine
Utpal Sandesara, Assistant Professor, Internal Medicine, UCLA
Cindy C. Sangalang, Assistant Professor, Social Welfare and Asian American Studies, UCLA
José Manuel Santillana Blanco, Assistant Professor, American Studies, UC Davis
Carlos Santos, Associate Professor, Social Welfare, UCLA
Cielo Saucedo, Teaching Assistant, Art, UCLA
Alex Saum-Pascual, Associate Professor, Spanish and Portuguese, UC Berkeley
Erika Sawyer, Alumni, UC Santa Cruz
Asma Sayeed, Associate Professor, NELC, UCLA
Felicity Amaya Schaeffer, Professor, Critical Race and Ethnic St and FMST, UC Santa Cruz
Jeanne Scheper, Associate Professor, GSS, UC Irvine
Melody Schiaffino, Associate Professor, RMAS, UC San Diego
Chelsea Schields, Associate Professor, History, UC Irvine
David Schneller, Assistant Professor, Art History, UCLA
jessica schwartz, Associate Professor, musicology, UCLA
Ellen Christine Scott, Associate Professor, Film, television and digital media, UCLA
Hallie Scott, Staff, Hammer Museum, UCLA
Sarita See, Professor, English, UC Riverside
Gary Segura, Professor, Public Policy, UCLA
Sherene R Seikaly, Associate Professor, History, UC Santa Barbara
Paul Mpagi Sepuya, Associate Professor, Visual Arts, UC San Diego
Mindy Seu, Associate Professor, Department of Design Media Art, UCLA
Anna Sew Hoy, Associate Professor, Art, UCLA
Janna Shadduck-Hernandez, Lecturer, UCLA Labor Studies- UCLA Labor Center, UCLA
Mahzabeen Shaikh-Gingras, Alumni, UC San Francisco
Natalie Shapero, Associate Professor, English, UC Irvine
Nicholas Shapiro, Assistant Professor, ISG, UCLA
Jeff Share, Lecturer, Education, UCLA
Anjana Sharma, Associate Professor, Family and Community Medicine, UC San Francisco
Kriti Sharma, Assistant Professor, CRES, UC Santa Cruz
Aparna Sharma, Associate Professor, World Arts and Cultures/ Dance, UCLA
Jenny Sharpe, Professor, English, UCLA
Tony Shayne, Staff, Dance, UC Riverside
S[illegible]-mei Shih, Professor, Asian Languages and Cultures and Comparative Literature, UCLA
Sanghyuk Shin, Associate Professor, Nursing, UC Irvine

PERB Received
05/30/24 11:03 AM
Surgery at UCI; Assistant Professor, Nursing, UC Irvine
TJ Shin, Staff, Art, UCLA
David Delgado Shorter, Professor, World Arts and Cultures, UCLA
Kathleen Shumaker, Staff, UCLA Kaiser Permanente Center for Health Equity, UCLA
Hanna Siddiqui, Assistant Professor, Pediatrics, UCLA
Jeffrey Skoller, Professor Emeritus, Film and Media, UC Berkeley
Susan Slyomovics, Professor, Anthropology and Near Eastern Languages & Cultures, UCLA
Desi Small-Rodriguez, Assistant Professor, Sociology and American Indian Studies, UCLA
Stuart Tyson Smith, Professor, Anthropology, UC Santa Barbara
Debby Sneed, Alumna, Archaeology IDP, UCLA
Daniel Scott Snelson, Assistant Professor, English/DMA, UCLA
Jonathan Snipes, Lecturer, theater, film/tv, UCLA
Alanya Snyder, Alum, UC Berkeley
Carolyn Sohn, Staff, PATH to Care Center, UC Berkeley
Janet Sorensen, Professor, English, UC Berkeley
Deborah Southern, Postdoc, Education, UCLA
Aderayo Soyemi, Alum, Social Sciences - Public Health, UC Merced
Isaac Speer, Lecturer, Sociology, UCLA
Lydia Spielberg, Assistant Professor, Classics, UCLA
Marike Splint, Associate Professor, Theater, UCLA
Vishnu Sridharan, Post Doctoral Fellow, Law, UCLA
Emma Stapely, Assistant Professor, English, UC Riverside
Mindy Steinberg, Lecturer, CCAS, UCLA
Megan Stephan, Lecturer, English, UCLA
Marissa Stevens, Academic Administrator, Pourdavoud Institute, UCLA
Kaitlyn Stormes, Staff, Education, UCLA
Daniel Story, Librarian, University Library, UC Santa Cruz
Ian Straughn, Associate Professor, Anthropology
Caroline A. Streeter, Associate Professor, English & African American Studies, UCLA
Carla Suhr, Lecturer, Spanish and Portuguese, UCLA
Hui-Ling Sunshine Malone, Assistant Professor, Education, UC Santa Barbara
Shannon K. Supple, Alumna, former staff, UCLA
K. Supriya, Associate Director, CEILS, UCLA
Bethany Suter, Grad student, Physics, UC Berkeley
Tonia Sutherland, Assistant Professor, Information Studies, UCLA
Renee Tajima-Peña, Professor, Asian American Studies Department, UCLA
Sasha Talebi, Lecturer, Physical Sciences, UC Irvine
Elisa Tamarkin, Professor, English, UC Berkeley
Maggie Tarmey, Librarian, Library, UCLA
Camilla Taylor, Lecturer, Art department, UCLA
Tara Tehrani, Staff, UCLA
Mario Telo, Professor, Rhetoric, UC Berkeley
Will Tentindo, Staff, Law, UCLA
Rei Terada, Professor, Comparative Literature, UC Irvine
Veronica Terriquez, Professor, CCAS & Urban Planning, UCLA
Michael Terzano, Staff, Hammer Museum, UCLA
Carla-Anne Thomas, Lecturer, Gseis, UCLA
Cathy Thomas, Assistant Professor, English, UC Santa Barbara
Megan Thomas, Associate Professor, Politics, UC Santa Cruz
Ariana Thompson-Lastad, Assistant Professor, Family and Community Medicnie, UC San Francisco
Stefan Timmermans, sociology, professor, Professor, Sociology, UCLA
Heidi Tinsman, Professor, History, UC Irvine
Ana Paula Tirado Lomas, Alumni, UC Davis, UCLA
Asher Titan, Staff, Visual and Performing Arts Education, UCLA
Aileen Tong, Staff, Math, UCLA
Andrew Tonkovich, Lecturer, English, UC Irvine

PERB Received
09/19/24 11:03 AM
Andrew Johnston, Senior Lecturer, English, UC Irvine
Justin Torres, Associate Professor, English, UCLA
Ivy Torres, Staff, IRLE, UCLA
Sharon Traweek, Associate Professor, Gender Studies, UCLA
Jasmine Nadua Trice, Associate Professor, FTVDM, UCLA
Pooja Tripathi, Staff, McClellan Nuclear Research Center, UC Davis
Aradhna Tripati, Professor, Earth, Planetary, and Space Sciences, UCLA
Maria Tsiao, Staff, Law, UCLA
Scott Tsuchitani, Visiting Research Faculty, Feminist Research Institute, UC Davis
Stephanie Tuazon, Staff, Social Welfare, UCLA
Cass Turner, Assistant Professor, English, UCLA
V. Kelly Turner, Associate Professor, Urban Planning, UCLA
Sydnie Turner, Resident, Medicine, UC San Francisco
Edward Tyerman, Associate Professor, Slavic Languages and Literatures, UC Berkeley
Karen Umemoto, Professor, Asian American Studies Department and Center, UCLA
Alexis Umoye, Alumni, Psychology, UC Davis, UCLA
Deniale Urbina, Staff, Community Programs Office, UCLA
Sasha Ussed, Staff, ART, UC Irvine
Sandy Valdivieso, Staff, International Institute, UCLA
Megan Valladao, Staff, Education, UCLA
David Ulises Vargas Ezquivel, Staff, Ph.D. Student, Education, UCLA
Rachel Vaughn, Lecturer, Institute for Society & Genetics, UCLA
Adriana Vazquez, Assistant Professor, Classics, UCLA
Bharat Venkat, Associate Professor, Institute for Society & Genetics, UCLA
James Vernon, Professor, History, UC Berkeley
Marques Vestal, Assistant Professor, Urban Planning, UCLA
Arlen Vidal, Staff, School of Ed, UCLA
Ameeth Vijay, Associate Professor, Literature, UC San Diego
Anuradha Vikram, Lecturer, Art, UCLA
Nancy Villalta, Demonstration teacher, UCLA Lab School, UCLA
Tessa Villasenor, Staff, History, UCLA
Charlene Villaseñor Black, Professor, Chicana/o and central American studies, UCLA
Alicia Virani, Academic Administrator, law, UCLA
Cristine Vita, Staff, CAPS, UCLA
Thuy Vo Dang, Assistant Professor, Information Studies, UCLA
Timothy Vollmer, Librarian, Library, UC Berkeley
Christina Vu, Alumni, Department of Psychology, Department of Hispanic Studies, UC Riverside
Rican Vue, Assistant Professor, School of Education, UC Riverside
Nisha Vyas, Lecturer, Law, UCLA
Fabian Wagmister, Professor, Film, Television & Digital Media, UCLA
Saba Waheed, Staff, Lecturer, Labor Studies and Labor Center, UCLA
Sean Walsh, Associate Professor, Philosophy, UCLA
David Walter, Lecturer, College Writing Program, UC Berkeley
Jonah Walters, Postdoctoral Fellow, Institute for Society and Genetics, UCLA
Karin Wang, Staff, Executive Director and Professor from Practice, Law, UCLA
Jane Ward, Professor, Feminist Studies, UC Santa Barbara
Raffi Joe Wartanian, Lecturer, UCLA Writing Programs, UCLA
Hannah Waterhouse, Assistant Professor, Environmental studies, UC Santa Cruz
Ariana Waters, Staff, UCLA
Elisabeth Weber, Professor, Germanic and Slavic, UC Santa Barbara
Benjamin Weissman, Lecturer, Fine Art, UCLA
Traci Wells, Staff, Assistant Professor, Medicine, UCLA
Amber West, Lecturer, Writing Programs, UCLA
C'ian Wharton, Professor, Art History & UCLA/Getty Conservation of Cultural Heritage, UCLA
Andrew Whitcup, Staff, School of Law, UCLA
Bryan Whitlock, Staff, Academic Personnel Office, UC Berkeley

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09/19/24 11:03 AM
Bryan Whitlock, Staff, Academic Personnel Office, UC Berkeley
Sage Whitson, Associate Professor, Black Study, UC Riverside
Maria Whittle, Lecturer, Slavic Languages and Literatures, UC Berkeley
Patty Wickman, Professor, Art, UCLA
Daniel Widener, Professor, History, UC San Diego
Melissa M. Wilcox, Professor, UC Riverside
Nigel Wilkinson-Maitland, Assistant Professor, Medicine, UCLA
Oksana Willis, Lecturer, Slavic Languages and Literatures, UC Berkeley
Patrick Wilson, Professor, Psychology, UCLA
Bianca D.M. Wilson, Associate Professor, Social Welfare, UCLA
Veronica Wilson, Staff, UCLA Labor Center, UCLA
Hollian Wint, Assistant Professor, History, UCLA
Malgorzata Wojas, Lecturer, Art, UC Irvine, UCLA
Rebecca Wolfe, Staff, Sociology, UC San Francisco
Allison Wolfe, Lecturer, Music Industry (Herb Alpert School of Music), UCLA
Hertha Dawn Sweet Wong, Professor of the Graduate School, English, UC Berkeley
Stacy E. Wood, Staff, Lecturer, Gender Studies, UCLA
Laura Wray-Lake, Professor, Social Welfare, UCLA
Roberta Wue, Associate Professor, Art History, UC Irvine
Yves Yagolnitser, Alum, UC Santa Cruz
Vida Yao, Associate Professor, Philosophy, UCLA
Anthony Yates, Assistant Professor, Near Eastern Languages and Cultures / Program in Indo-European Studies, UCLA
Monica Youn, Associate Professor, English, UC Irvine
Alden Young, Associate Professor, African American Studies, UCLA
Damon R Young, Associate Professor, French and Film & Media, UC Berkeley
Timothy Yu, Staff, Asian Languages and Cultures, UCLA
Michelle Yuan, Assistant Professor, Linguistics, UCLA
linda yun, ex staff member, UCLA
Alexei Yurchak, Professor, Anthropology, UC Berkeley
Noah Zatz, Professor, Law and Labor Studies, UCLA
Jimmy Zavala, Staff, Library Special Collections, UCLA
Hannah Zeavin, Assistant Professor, History, UC Berkeley
Chris Zepeda-Millan, Associate Professor, Public Policy, UCLA
Dora Zhang, Associate Professor, English and Comparative Literature, UC Berkeley
Sarah Zollweg, Postdoc, UCLA School of Med/GIM-HSR, UCLA
Hijab Zubairi, Associate Professor, Medicine, UCLA
Maite Zubiaurre ELTS/Spanish and Portuguese, Professor, UCLA
Hafsa Zulfiqar, Alumni, UCLA

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EXHIBIT NO. 13

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An Open Letter to the UCLA Community from UCLA Jewish Faculty and Staff

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We are Jewish faculty and staff at UCLA, of various degrees of religious observance and cultural practice, various racial and class backgrounds, and from multiple parts of the world. We are also Jews of different political persuasions, including but not limited to Jews who are anti-Zionist, non-Zionist, and Zionist.

UCLA Chancellor Gene Block has recently shared a number of messages with the campus community. Chancellor Block has spoken of his concerns about the fear experienced by "Jewish students" and has drawn a supposed connection between addressing campus antisemitism and dismantling the encampment in front of Royce Hall. In doing so, he (mis)used Jews as justification for the arrest of those associated with Students for Justice in Palestine and their sister organizations, including Jewish Voice for Peace, among others. These statements and actions have upset us, not least because we notice a tendency to treat Jewish people on campus as a homogenous bloc despite our many backgrounds, convictions, and experiences. A great deal is being said in our name, without our consent.

We agree on the following statements in light of the events that occurred on our campus between April 30 and May 2, 2024:

1. Amnesty for arrested protesters: We call on the university to ensure that all students, faculty, and staff who were arrested for being part of or in solidarity with the encampment are provided with full amnesty and are assured that they will not be targeted again by UCLA or any UC administrators for engaging in peaceful protest.

2. Chancellor Block was wrong to attribute violence to the encampment: We call on UCLA Chancellor Block to acknowledge publicly the harm he has done to the Palestinian Solidarity Community and to the campus by placing blame on the encampment for the violence directed against the encamped students. Documentary evidence and many witnesses, including faculty among us, confirm the origins of the violence: Violence was initiated and carried out primarily by outside attackers who were not UCLA students, including some self-identified Zionists and some white nationalist aggressors, and did not originate in the encampment.

3. Critiques of Israel are not presumptively antisemitic: Israel does not represent all Jews. While the signatories have profound disagreements about the State of Israel, we agree that it is dangerous to frame all critiques of the state or government of Israel, or all critiques of Zionism, as antisemitic.

4. Jews who support the liberation of Palestine must not be devalued: We reject the notion that those Jews who embrace and work with the people of Palestine, whether in Palestine or in the United States, have sacrificed their Jewishness. We emphasize the view that many Jews who embrace pro-Palestinian work regard themselves as fully Jewish and act as Jewish people of conscience. We also reject the narrative pitting Jews against pro-Palestine protesters. This narrative ignores the diversity of the Jewish community and the presence of Jews within the protest movement.

5. Acknowledging the encampment: Some of those signing are among those who treasure and celebrate the presence of the encampment and who respect the encamped students for their courage, potency, discipline, stamina, and passion. All of us recognize the importance of non-violent student speech

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and freedom of expression on a wide range of issues, whether or not we all agree with particular expressions.

6. Freedom from harassment: All UCLA students have a right to pursue their studies, follow their interests, and peacefully express themselves without fear of intimidation or attack from police, security staff, other students, faculty and staff, the university administration, or outside community members.

7. Ceasefire and Student Activism for Palestine: We support an immediate ceasefire in Gaza, unconditionally. We strongly support the provision of resources needed to rebuild Gaza and to support the surviving people of Gaza, including but not limited to humanitarian aid. We encourage the University of California administration to engage in meaningful dialogue with the pro-Palestinian protesters about the content and context of their demands (including divestment) and the role that the UC can play in promoting peace and justice. Some of those signing have asked that we also specify that the hostages still held by Hamas should be released. We do so, and we simultaneously emphasize that the people living and dying in Gaza are not collectively responsible for hostage-taking, or for the actions of Hamas, or any organization.

In solidarity and in hope for a just future,

76 total signatories as of May 8, 2024

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CALIFORNIA

Police report no serious injuries. But scenes from inside UCLA camp, protesters tell a different story

A protester is escorted by medics after being shot with a so-called less lethal round during a showdown with police Thursday. (Jason Armond / Los Angeles Times)

By Connor Sheets, Richard Winton, Jason Armond, Safi Nazzal and Brittny Mejia

May 3, 2024 **Updated** 5:39 PM PT

It was a request that police had made repeatedly: Stop throwing things at officers. But as pro-Palestinian demonstrators made their last stand Thursday morning in defense of the encampment they'd occupied at UCLA for the better part of a week, some protesters did not comply.

After another piece of wood or a plastic water bottle was flung toward law enforcement, demonstrators would yell for the others to stop hurling projectiles. Still, they kept flying.

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The police, who were decked out in full riot gear, eventually had enough. One officer raised the barrel of his gun in the direction of a front-line demonstrator and shot him square in the chest with a “less-lethal” round that made a deep thud as it connected.

Police clash with pro-Palestinian protesters after an order to disperse was given at UCLA early Thursday morning. (Wally Skalij / Los Angeles Times)

The protester fell to the ground, where he remained in a ball for about a minute while others called for a medic. A couple of people with red crosses emblazoned on their protective gear made their way through the mass of bodies and picked up the demonstrator. They quickly hauled him off to the medical tent at the center of the encampment, where a few other protesters were being treated for injuries.

In a Thursday statement, the UCLA Palestine Solidarity Encampment decried law enforcement’s actions: “They tore students from our human chain and shot rubber bullets at close range. … Many were rushed to the ER after the bullets connected with heads and hands.” The UCLA branch of Students for Justice in Palestine posted on X on Thursday morning that there were “at least five people shot in the head with rubber bullets.”

CALIFORNIA

With remains of UCLA camp tossed in dumpster, Gaza activists assess the future

May 2, 2024

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Amr Shabaik, legal and policy director for the Council on American-Islamic Relations' greater Los Angeles area office, said the organization is reviewing "multiple incident reports" of people who were hurt Thursday at UCLA.

Shabaik provided a statement from "volunteer medics on the ground" who said they "treated numerous individuals for both minor and serious injuries inflicted by law enforcement."

"These ranged from scrapes and bruises to more severe cases — including burns from flashbang fragments, acute respiratory failure from smoke, as well as lacerations and head traumas with suspicion for concussion or intracranial hemorrhage (brain bleed) from rubber bullets. One head trauma was confirmed to have indeed resulted in subarachnoid hemorrhage," the medics' statement said, adding that "their conditions [were] worsened by an intentional delay of emergency medical services."

ADVERTISEMENT

Los Angeles Police Capt. Kelly Muniz said LAPD officers did not fire rubber bullets or other less-lethal rounds during the clearing of the encampment. A media representative for the California Highway Patrol — whose officers were seen firing less-lethal rounds Thursday — said the department did not have information about injuries.

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Although law enforcement describes weapons such as the ones the CHP's officers fired as less lethal, the agency's manual classifies them as likely to result in significant injury.

Authorities breach and break up a the pro-Palestinian encampment at UCLA on Thursday in Los Angeles. (Jason Armond/Los Angeles Times)

Ed Obayashi, a Northern California use-of-force expert, said such projectile weapons are known for their lack of accuracy over distance. "It is not unexpected," he said, "that someone could be seriously injured by a less-lethal weapon."

Times reporters and photojournalists witnessed several instances of protesters being injured during the Thursday morning clearing of the UCLA encampment, yet LAPD interim Chief Dominic Choi, less than 12 hours later, expressed relief.

"I am thankful there were no serious injuries to officers or protesters," Choi wrote on X.

Asked how Choi was able to make that determination so quickly, and whether the LAPD had any more information about injuries — serious or not — the department directed all inquiries to UCLA. A voicemail left for a spokesperson for the UCLA Police Department on Thursday afternoon was not immediately returned.

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Brian Humphrey, a spokesman for the Los Angeles Fire Department, said the department had personnel at UCLA on Thursday morning available to help anyone who required medical attention. He echoed Choi's statement.

Pro-Palestinian demonstrators occupy an encampment at UCLA as authorities breach and break up the encampment on Thursday in Los Angeles. (Jason Armond/Los Angeles Times)

"We did not encounter any serious injuries," he said in a phone interview. "There was no loss of life and no life-threatening illnesses or life-threatening injuries."

Humphrey said the LAFD "encountered a total of five patients with minor injuries," two of whom were transported to a hospital for treatment. He said he did not have any information about who the five injured people were, including whether they were protesters, law enforcement officers or bystanders.

The Los Angeles County Sheriff's Department — which also had uniformed personnel at UCLA on Thursday — said in a statement that "there were no reported significant injuries to our personnel, or the individuals that were booked."

But the scenes inside the encampment and its medical tent tell a different story — one in which not everyone escaped unscathed.

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CALIFORNIA

Who were the masked men behind the UCLA camp attack? Online sleuths vow to find out

May 2, 2024

The tent was a hive of activity for much of the morning as people tripped over debris, were hit with projectiles and were crushed amid the mayhem.

Just after 3:30 a.m. Thursday, calls came from the front line: “Medic! Medic!” Two men wearing blue plastic ponchos with crosses made of red tape were rushing a woman whose head was wrapped in a kaffiyeh to the medical tent. The woman appeared to be in a daze, and she slumped down into a chair under the bright lights strung up in the makeshift clinic. One man had a deep gash on his leg that was pouring blood until medics patched him up. It’s unclear how badly either person was hurt or if they were taken to a hospital.

Demonstrators occupy a pro-Palestinian encampment at UCLA as authorities stand nearby on Thursday in Los Angeles. (Jason Armond/Los Angeles Times)

One man shot with a less-lethal round on Thursday needed surgery on his finger, which was so badly hurt that doctors considered amputation, according to a person who was with him on the front line.

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Another man posted pictures of himself on social media at 8:45 a.m. Thursday with a bloody head bandage and blood-stained T-shirt and kaffiyeh.

He wrote that he had been shot with a less-lethal round and that he was "leaving the hospital now with 11 staples and 4 stitches," adding that "despite all this im so proud of everyone that was there tonight." His accounts on X and Instagram appeared to have been deleted as of Thursday evening.

Times staff writer Melissa Gomez contributed to this report.

More to Read

UCLA alleges protesters arrested Monday had tools to barricade buildings

May 8, 2024

UCLA sought extra police but canceled requests in days before protest camp was attacked

May 2, 2024

Photos: Clashes at pro-Palestinian demonstrations on California campuses

May 2, 2024

Connor Sheets

Connor Sheets is an investigative and enterprise reporter at the Los Angeles Times.

Richard Winton

Richard Winton is an investigative crime writer for the Los Angeles Times and part of the team that won the Pulitzer Prize for public service in 2011. Known as @lacrimes on Twitter, during almost 30 years at The Times he also has been part of the breaking news staff that won Pulitzers in 1998, 2004 and 2016.

Jason Armond

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Jason Armond is a staff photographer at the Los Angeles Times. A native of North Carolina, he graduated from the University of North Carolina at Chapel Hill, where he received a bachelor's in media and journalism. His work as a photographer and videographer has been recognized by the Hearst Journalism Awards, the White House News Photographers Assn. and the North Carolina College Media Assn. As a freelance visual journalist, his work has been featured in several publications before joining The Times.

Safi Nazzal

Safi Nazzal is a puppeteer and content creator for 404 by L.A. Times. He received a film degree from Chapman University, where he specialized in directing, and is an alumni of the Television Academy Foundation internship program. He has trained with and performed for both the Bob Baker Marionette Theater and the Jim Henson Company. He also served as a campaign media director for a congressional candidate in the 2020 elections.

Brittny Mejia

Brittny Mejia is a Metro reporter covering federal courts for the Los Angeles Times. Previously, she wrote narrative pieces with a strong emphasis on the Latino community and others that make up the diversity of L.A. and California. Mejia was a Pulitzer Prize finalist in 2021 in local reporting for her investigation with colleague Jack Dolan that exposed failures in Los Angeles County's safety-net healthcare system that resulted in months-long wait times for patients, including some who died before getting appointments with specialists. She joined The Times in 2014.

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We Stand With Our Students

UCLA Faculty and Staff Speak Out

Click here to submit your statement, news story, or letter

Our Demands (please sign)

UC Faculty Pledge of Non-Retaliation with UAW 4811 Unfair Labor Practices Strike (please sign)

UCLA Faculty Strike Solidarity Toolkit

Can UC Senate Faculty Respect the UAW Picket Line? Addressing the Manager/Supervisor Concerns

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Collective Statements

Collective Statement of UCLA Gender Studies Graduate Students on the UAW Strike Authorization Vote, May 14, 2024

Statement to Students and the Campus Community, Ecology and Evolutionary Biology Department, May 12, 2024

Statement of the undersigned members of UCLA's IoES in response to the administration's failures regarding student protests on campus, May 10, 2024

Luskin Students Demand an Aye Vote for No Confidence, Censure of Chancellor Block, and Stand in Solidarity with UCLA Student Demands, May 10, 2024

A Message from The Staff of the Academic Advancement Program (AAP), May 10, 2024

UCLA Black, Latinx, and Native American (BLNA) Faculty Collective of the David Geffen School of Medicine (DGSOM) Letter in Support of Students, Faculty and Broader Bruin Community Subject to Emotional and Physical Violence During the Past Week's Events, May 10, 2024

Center for the Study of Women Statement on Palestine Solidarity Encampment and Protests, May 9, 2024

Statement of undersigned members of the UCLA Department of Education in response to the forcible removal of the Student Encampment, May 9, 2024

Department of Art Faculty Response to Violence on Our Campus, May 9, 2024

Statement of the undersigned members of the UCLA Mathematics Department on the actions of the administration in response to recent student protests, May 9, 2024

Statement from undersigned Luskin School of Public Affairs staff members in response to the forcible removal of the Student Encampment and the continued police presence on campus, May 9, 2024

"Voices from the Frontline: Medics at the UCLA Palestine Solidarity Encampment Expose Serious Harms Inflicted by Zionist Mob, Police, and UCLA Administration," May 9, 2024

UCLA Law Faculty and Staff Statement on the Events of April 30–May 2, May 8, 2024

Statement of Undersigned Faculty in UCLA's Department of Comparative Literature on the

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University's Response to Campus Protests, May 8, 2024

Statement from undersigned members of the Department of Asian Languages and Cultures in response to the UCLA administration's failures over the Student Encampment and Protests, May 8, 2024

Statement from undersigned Luskin School of Public Affairs faculty members in response to the forcible removal of the Student Encampment, May 8, 2024

Council of University Faculty Associations Statement On Campus Protests, May 7, 2024

Statement from Library staff on the suppression and mistreatment of student protesters, May 7, 2024

Letter to UCLA Health / DGSOM Leadership Regarding the Attack on and Forced Clearance of Palestine Solidarity Encampment, May 6, 2024

Statement by Members of the Department of European Languages and Transcultural Studies (ELTS) and the Program in Digital Humanities on the University's Failure to Protect Student Protestors, May 6, 2024

Statement of Faculty in the UCLA Department of Near Eastern Languages and Cultures in response to the attack on and removal of the Palestine solidarity encampment, May 6, 2024

UCLA Gender Studies Department Statement on Mob and Police Violence against Students and Faculty, May 6, 2024

Statement of Faculty in the UCLA Department of Near Eastern Languages and Cultures in response to the attack on and removal of the Palestine solidarity encampment, May 6, 2024

Concerned Black Bruins and Alumni, Statement in Solidarity with the Students for Justice in Palestine, May 6, 2024

Statement of Support for the UCLA Palestine Solidarity Encampment, UCLA Center X, May 6, 2024

UCLA Chapter of UC-AFT Local 1474 Condemns Arrests of Contingent Faculty and Librarians for Protecting Students, May 6, 2024

American Indian Studies Department Solidarity Statement, May 6, 2024

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Solidarity Statement of the Department of African American Studies, UCLA, May 6, 2024

Statement of Graduate Students of the Department of Asian Languages and Cultures in Response to the Attacks on the Encampment and the University's Failure to Protect Students and Faculty, May 6, 2024

An Open Letter to the UCLA Community from UCLA Jewish Faculty and Staff

The Bunche Center Supports Free Speech and Student Activism for Peace, Human Rights, and Social Justice, May 6, 2024

Statement from members of the Philosophy Department re: The university's response to peaceful protest

Statement on Recent Events at UCLA, Chicano Studies Research Center, May 5, 2024

Statement of members of the UCLA Department of Anthropology Faculty in response to the forcible removal of the Student Encampment, May 4, 2024

Letter to the UCLA Community in Response to the Encampment Attack on April 30, 2024 from a subset of the faculty within the Department of Epidemiology, Fielding School of Public Health

Statement of undersigned members of the UCLA Department of Design Media Arts Faculty in response to the forcible removal of the Student Encampment, May 4, 2024

Statement of the Undersigned Members of the UCLA Department of Architecture and Urban Design Faculty in Response to Recent Events on Our Campus, May 4, 2024

Statement On the Clearing of the UCLA Encampment on 2 May, 2024, UCLA Department of Political Science, May 4, 2024

UCLA Department of Sociology's Response to the Administration's Failures over Gaza Solidarity Encampment, May 4, 2024

Statement from the Chair of the UCLA Master of Social Science Programs , May 4, 2024

CityLab at UCLA Statement in Support of Student Protests

Statement of Members of the UCLA Disability Studies Program on the Right to Protest Peacefully without Fear of Violence, May 3, 2024

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Statement from undersigned Social Welfare faculty members in response to the forcible removal of the Student Encampment, May 3, 2024

Statement from Members of the UCLA TEP Faculty and Staff, May 3, 2024

Statement of Faculty of the UCLA Institute for Society and Genetics faculty in response to the attacks on the encampment and ensuing police violence, April 30 to May 2 2024, May 3, 2024

Statement of the Undersigned Theater, Film, and Television Faculty, May 3, 2024

World Arts and Cultures/Dance Response to Violent Removal of Student Encampment, May 3, 2024

Jewish Voice for Peace statement on the attack on the UCLA student encampment, May 3, 2024

Statement of the Department of Information Studies on the University's Handling of an Avoidable Tragedy, May 3, 2024

Chicana/o & Central American Studies Faculty Statement of Solidarity, May 3, 2024

Statement of the Undersigned Art History Faculty in Response to the Attacks of April 30th-May 2nd, May 3, 2024

Asian American Studies Department Solidarity Statement, May 3, 2024

Statement of the UCLA Labor Center, May 3, 2024

Message from IRLE Director and Labor Studies Chair on the recent shocking, deeply unsettling events, May 2, 2024

Statement of Members of the Department of History in Response to Clearing the Encampment, May 2, 2024

Statement of undersigned members of the UCLA Department of English, Comparative Literature, and Writing Programs Faculty in response to the forcible removal of the Student Encampment, May 2, 2024

Statement of Members of the Department of Classics on the University's Failure to Protect Student Protestors, May 2, 2024

Latino Policy and Politics Institute Statement, May 2, 2024

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California Federation of Teachers Leaders Call on UCLA Chancellor Gene Block to Resign Following Violence on Campus, May 1, 2024

Statement of Members of the UCLA Department of History Faculty in Response to the Attack on the Encampment on 30 April 2024, May 1, 2024

UCLA Gender Studies Department Statement on Mob and Police Violence Against Student and Faculty, May 2, 2024

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"UCLA's Unholy Alliance," Boston Review, May 18, 2024

"UCLA Academic Senate rejects censure and 'no confidence' vote on Chancellor Gene Block," Los Angeles Times, May 17, 2024

"Op-ed: UC offers deceptive claims about illegality of strike in letter to union members," Daily Bruin, May 16, 2024

"UCLA Professor Emerita Recounts Decades of Activism Against War and Injustice," Al Jazeera, May 16, 2024

"Unmasking counterprotesters who attacked UCLA's pro-Palestine encampment," CNN, May 16, 2024

"Outsiders left UCLA protesters beaten and bloody," CNN, May 16, 2024

"Medics at UCLA protest say police weapons drew blood and cracked bones," USA Today, May 14, 2024

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"After Mass Arrests, UCLA Faculty Protest at Hammer Museum Gala," Hyperallergic, May 6, 2024

Op-ed: A Message to Our Students from UCLA Lecturers and Librarians, Daily Bruin, May 5, 2024

"News Conference: Professors protecting their students," NBC 4 Los Angeles, May 5, 2024

"UCLA faculty protest at Hammer Museum gala, decrying treatment of pro-Palestinian students," Los Angeles Times, May 4, 2024

"How Counterprotesters at U.C.L.A. Provoked Violence, Unchecked for Hours," New York Times, May 3, 2024

Fernando Pérez-Montesinos on Enfoque Noticias, "What happened at UCLA? An expert tells us," May 3, 2024

"UCLA History Department Denounces University Actions Surrounding Pro-Palestinian Encampment," CBS News, May 3, 2024

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" 'Their Blood Is on Gene Block': UCLA Students Injured in Violent Police Raid," Common Dreams, May 2, 2024

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" 'Unacceptable': Why it took hours for police to quell attack at UCLA pro-Palestinian camp," Los Angeles Times, May 1, 2024 [pdf]

UCLA Faculty and Staff Press Conference on Zionist Violence Against Students, May 1, 2024

"I'm a UCLA professor. Why didn't the administration stop last night's egregious violence?", The Forward, May 1, 2024

"UCLA professor calls violent clash on campus a 'tragic development,' " KNX News, May 2, 2024

A Pro-Israel Mob Invades the UCLA Campus to Beat up Pro-Palestinian Students While the Police Look On," Background Briefing, May 1, 2024

"After violent night at UCLA, classes cancelled, UC president launches investigation into response," Los Angeles Times, April 30, 2024 [pdf]

"Are USC and other universities afraid of anti-Semitism accusations?," KNX News, April 24, 2024

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Open Letters (please sign)

No Police Actions: Letter to UCLA Chancellor Gene Block from University of California Faculty and Staff

Support Students' Right to Nonviolently Protest at the University of California

Open Letter to UCLA Chancellor Block from Concerned UCLA Alumni

UC Alumni: No Donations Until Divestment

An Open Letter to the UCLA Community from UCLA Jewish Faculty and Staff

Open Letter to DGSOM Leadership Regarding Attacks on Student Protesters

Cancelled or Postponed UCLA Events

Click here to submit your statement, news story, or letter

Join our email listserv to get more involved!

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EXHIBIT NO. 16

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University of California Faculty and Staff Demand

1. Resignation of UCLA Chancellor Block

2. All Legal Charges Dropped and Full Amnesty

3. Full Disclosure of all UCLA Investments and Divestment from Military Weapons Companies

Click here to sign

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May 6, 2024

Less than one week ago, on May 1, 2024, our group of faculty and staff released a letter to UCLA Chancellor Gene Block decrying the horrific violence perpetrated against our students on April 30, and calling on him to fully protect our students' safety and security, and to honor their first amendment rights to free speech. Our letter now has more than one thousand signatories.

Following the violent and aggressive police sweep of the Palestine Solidarity Encampment on May 2, 2024, resulting in more than 200 students, faculty, and staff arrested while peacefully protesting, it has become obvious that Chancellor Block has failed our university.

1. We hereby demand that Chancellor Block **resign immediately**, and ask the UCLA Academic Senate and UC-AFT to pursue a vote of **no confidence**. We further demand that the next Chancellor of UCLA commits to upholding the full free speech and assembly rights of students, faculty and staff.

2. We demand UCLA to recommend **all legal charges be dropped and grant full amnesty** to all students, staff, and faculty who were involved in the encampment and peaceful protest, as well as subsequent and ongoing arrests of UCLA affiliates. No UCLA persons should face any disciplinary actions or non-renewal of employment for participating in or supporting the protest encampment and subsequent protests.

3. We demand that UCLA issue a report within 30 days to **fully disclose** all investments so that students may understand how the university prioritizes their finances, and we call on UCLA to **divest** from all military weapons production companies and supporting systems, in dialogue with the demands of the student protestors.

Our immediate focus is on these three demands. In our May 1 letter signed by more than 990 faculty and staff, we outlined a longer list of demands that we expect UCLA to honor. In addition, we request that California Attorney General Rob Bonta open an **independent investigation** into the actions undertaken by UCLA leadership, the performance of UCPD and LAPD on Tuesday night, April 30, and CHP during the events of May 1-2. Further, the UC system should establish a fund to provide **financial and healthcare assistance** to affected students by replacing lost valuables, paying medical bills, and providing trauma-informed mental health care services.

We will not stand by as our students are assaulted and silenced. We are closely following the UAW C ⓘ uate Student Academic Worker plans to vote on a strike. Following a vote for a strike, those of us who are senate faculty will **not perform any struck labor** in Spring 2024. Independently, we are

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coordinating within our large group the possibility to **withhold our own labor** until these three demands are met. **We remain committed to protecting our students' safety and their right to protest, assemble, and speak freely.**

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Les Profesores y Empleados/as/es de la Universidad de California Exigen:

1. La dimisión del Chancellor Gene Block

2. La retirada de todos los cargos legales y una amnistía general

3. Total transparencia sobre las inversiones financieras de UCLA, y la retirada de inversiones de compañías de armamento militar.

6 de mayo del 2024

Hace menos de una semana, el 1 de mayo de 2024, nuestro grupo de profesores y empleados/as/es emitió una carta dirigida al Chancellor de UCLA, Gene Block, denunciando la horrible violencia perpetrada contra nuestres estudiantes el 30 de abril y pidiéndole que ofreciera total seguridad y protección a nuestres estudiantes, respetando así sus derechos de libertad de expresión, protegidos por la primera enmienda. Nuestra carta tiene ya más de mil firmantes.

Después de la violenta y agresiva carga policial contra el Campamento de Solidaridad con Palestina el 2 de mayo de 2024, que resultó en más de 200 estudiantes, profesores, y empleados/as/es detenidos mientras protestaban pacíficamente, es obvio que el Chancellor Block le ha fallado a nuestra universidad.

1. Por la presente, exigimos que Chancellor Block **dimita inmediatamente**, y pedimos que el Senado Académico de UCLA y la UC-AFT tramiten un **voto de no-confianza**. Además, exigimos que el próximo canciller universitario de UCLA se comprometa a defender los derechos de asamblea y de libertad de expresión de estudiantes, profesores, y empleados/as/es.

2. Exigimos que UCLA recomiende **la retirada de todos los cargos legales y otorgue inmunidad total** a todes les estudiantes, empleados/as/es, y profesores que estuvieron involucrados en el campamento y otras protestas pacíficas. Esta exigencia se extiende a toda persona afiliada con UCLA que se han visto involucradas en posteriores y continuos arrestos. Nadie de UCLA debería enfrentarse a medidas disciplinarias o la no-renovación de empleo por participar en o apoyar el campamento y protestas asociadas.

3. Exigimos que UCLA publique un informe en 30 días **divulgando todas sus inversiones** para que los estudiantes puedan entender como la universidad organiza sus finanzas, y pedimos que UCLA **retire todas sus inversiones** de compañías que producen armamento militar y sistemas de ap[illegible]o logístico, de acuerdo a las demandas de los estudiantes que están protestando.

Nuestro enfoque inmediato se concentra en estas tres exigencias. En nuestra carta del 1 de mayo

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Nuestro enfoque inmediato se concentra en estas tres exigencias. En nuestra carta del 1 de mayo, firmada por más de 990 profesores y empleados/as/es, trazamos una lista de exigencias más larga que esperamos que la Universidad cumpla. Además, pedimos que el Fiscal General de California, Rob Bonta, abra una **investigación independiente** de las acciones que fueron tomadas por los líderes de UCLA, la actuación del Departamento de Policía de la Universidad de California (UCPD) y del Departamento de Policía de Los Ángeles (LAPD) la noche del martes 30 de abril, así como del Departamento de la Highway Patrol de California (CHP) durante los acontecimientos del 1 y 2 de mayo. Además, la Universidad de California debería establecer un fondo para ofrecer **asistencia financiera y médica** a estudiantes afectados, que les permita reemplazar objetos de valor perdidos, pagar facturas médicas, y obtener servicios de salud mental especializados en trauma.

No nos vamos a quedar de brazos cruzados mientras nuestres estudiantes son asaltados y silenciados. Estamos siguiendo de cerca los planes del sindicato UAW –que representa a les trabajadores académicos que son estudiantes de postgrado— de someter a votación una propuesta de huelga. Si la votación fuera a favor de hacer huelga, aquellos de nosotros/as/es que somos profesores del senado académico **nos negaremos a hacer el trabajo de nuestros/as/es compañeros/as/es en huelga** durante la primavera del 2024. Independientemente, estamos coordinando con nuestro grupo la posibilidad de **negarnos a trabajar** hasta que nuestras tres exigencias se cumplan. **Seguimos comprometidos con la seguridad de nuestres estudiantes y sus derechos de asamblea, a la protesta, y a expresarse libremente.**

Signatories

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More information and collective statements

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906 total signatories as of 10:53pm, May 11, 2024

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Salma Abumeeiz, Staff, UCLA Library, UCLA
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Choon Hwee Koh, Assistant Professor, History, UCLA

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Emiko Kranz, Staff, Asian American Studies Center, UCLA
Anthea Kraut, Professor, Dance, UC Riverside
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Anna Lau, Professor, Psychology, UCLA
Claire Lavagnino, Lecturer, ELTS, UCLA
T.K. Le, Staff, Asian American Studies Center, UCLA
Aleca Le Blanc, Assistant Professor, Art history, UC Riverside
Jorge N. Leal, Assistant Professor, History, UC Riverside
Keenan Leary, Alumni, Social Welfare, UCLA
Gregory H. Leazer, Associate Professor, Information Studies, UCLA
Darlene Lee, Lecturer, Education, UCLA
Rachel Lee, Professor, English, UCLA
Namhee Lee, Professor, Asian Languages and Cultures, UCLA
Christine Lee, Staff, Asian American Studies Center, UCLA
Ching Kwan Lee, Professor, Sociology, UCLA
James Kyung-Jin Lee, Professor, Asian American Studies, UC Irvine
Andrew Lee, Teaching Assistant, Research Assistant, Sociology, UC Santa Barbara
Simon Lee, Staff, UCLA Library, UCLA
K in Lee, Staff, Office of Innovation and Commercialization, UC San Diego
Geoffrey Lee, Associate Professor, Philosophy, UC Berkeley

PERB Received
09/19/24 11:03 AM
Julia Lee, Professor, Asian American Studies, UC Irvine
Amy Lee, Staff, UCLA
Bellette Lee, Lecturer, Political Science, UCLA
Lauren Lee McCarthy, Professor, Design Media Arts, UCLA
Fernando Leiva, Professor, Latin American and Latino Studies, UC Santa Cruz
Marisa Lemorande, Staff, UCLA Luskin School of Public Affairs, UCLA
Anneka Lenssen, Associate Professor, History of Art, UC Berkeley
Colby Lenz, Staff, Center for the Study of Women, UCLA
Faithy Leong, Staff, UCLA Alumni '02, UCLA Asian American Studies Center, UCLA
Audrey Leshay, Staff, Art, UCLA
Simon Leung, Professor, Art, UC Irvine
Briley L. Lewis, Teaching Fellow, Physics and Astronomy, UCLA
Michelle Li, Staff, UCLA Library, UCLA
Jianan Li, Staff, Ph.D. Student, Social Welfare, UCLA Library, UCLA
Jiajun Liang, Assistant Professor, Global Arts, Media and Writing Studies, UC Merced
Axa Mei Liauw, Staff, UCLA Library, UCLA
Pei-te Lien, Professor, Political Science, UC Santa Barbara
Phylice Lim, Staff, Student Affairs, UCLA
Candice Lin, Associate Professor, Art, UCLA
Alison Lipman, Lecturer, EEB, UCLA
Matt Lipps, Lecturer, Art, UCLA
Tatiana Londoño, Assistant Professor, Social Welfare, UCLA
Stacy Pike Long, Staff, CDPH, UC San Francisco
Katherine Long, Staff, SSIEO, UCLA
Christopher Looby, Professor, English, UCLA
Jessica Lopez Espino, Assistant Professor, Sociology, UC Santa Barbara
Sofia Lopez Franco, Staff, Center for Immigration Law and Policy, UCLA
Kristy Lovich, Manager of Community Programs and Research, UCLA Luskin Institute on Inequality and Democracy, UC Irvine, UCLA, MFA, UCI 2019
Nicholas Robert Lowe, Lecturer, Art, UCLA
José Loya, Assistant Professor, Urban Planning, UCLA
Olivia Lozano, Lecturer, School of Education, UCLA
Maya Lu, Staff, Asian American Studies Center, UCLA
Caroline Luce, Staff, Institute for Research on Labor and Employment, Labor Studies, UCLA
Adonia Lugo, Staff, Lecturer, Institute of Transportation Studies, Urban Planning, UCLA
Caleb Luna, Assistant Professor, Feminist Studies, UC Santa Barbara
N :y Lupo, Lecturer, Art, UCLA
Ghislaine Lydon, Associate Professor, History, UCLA

PERB Received
09/19/24 11:03 AM
Caeli Lynch, Staff, UCLA College, UCLA
Jessica W. Lynch, Professor, Institute for Society and Genetics, UCLA
Sara Lyons, Lecturer, Theater, UCLA
Kelly Lytle Hernandez, Professor, History, UCLA
Misciel Macaraig, Staff, Pediatrics, UCLA
laurie macdonald, Staff, design media arts, UCLA
Reynaldo F. Macias, Research Professor Emeritus of Chican@ Studies, Education & SocioLx, Cesar Chavez Dept. of Chicana/o Studies, UCLA
Amy MacKay, Lecturer, Art, UC Irvine, UC Riverside
Ashna Madni, Staff, Philosophy, UCLA
Ann Major, Staff, CAO, History, UCLA
Saree Makdisi, Professor, English, UCLA
Sam Malabre, Staff, Lecturer, Design Media Arts and The UCLA Game Lab, UCLA
Sonali Malik, Staff, Institute for Society and Genetics, UCLA
Adriana Manago, Associate Professor, Psychology, UC Santa Cruz
Jorge-David Mancillas, PhD Candidate, Sociology, UCLA
Purnima Mankekar, Professor, Anthropology and Asian American Studies, UCLA
Denise Mann, Professor, Film, Television, Digital Media, UCLA
Michael Mann, Professor, Sociology, UCLA
Elizabeth Marchant, Associate Professor, Gender Studies and Comparative Literature, UCLA
Ananda Marin, Associate Professor, Education and American Indian Studies, UCLA
Paolo Marinaro, Lecturer, Labor Studies, UCLA
Katherine Marino, Associate Professor, History, UCLA
Anna Markowitz, Assistant Professor, Education, UCLA
Victoria Marks, Professor, World Arts and Cultures/Dance; Disability Studies IDp, UCLA
William Marotti, Associate Professor, History, UCLA
Lynne Marsh, Associate Professor, Art, UC Riverside
Francesca Martelli, Professor, Classics, UCLA
Lola Martin, Staff, UCLA CAPS, UCLA
Eric Martin, Lecturer, Religion, UCLA
Mary Martin, Associate Professor, Family Community Medicine, UC San Francisco
Leslie Martinez, Staff, UCLA
Patrícia Martins Marcos, Postdoc, History and Bunche Center for African American Studies, UCLA
Natalie Masuoka, Associate Professor, Political Science and Asian American Studies, UCLA
Cindy Mata, Staff, Academic not lecturer, History, UC Irvine
Saloni Mathur, Professor, Art History, UCLA
Fi eh Matinrad, MD, Assistant Professor, Medicine, UC San Francisco
Valerie Matsumoto, Professor, History and Asian American Studies, UCLA

PERB Received
09/19/24 11:03 AM
Wendy Matsumura, Associate Professor, History, UC San Diego
Devin Mattlin, Staff, UCLA Library, UCLA
Carlos E. Diaz Mayora, Staff, UCLA Library, UCLA
Kyle T. Mays, Ph.D., Associate Professor, African American Studies, UCLA
Alexander Mazzaferro, Assistant Professor, English, UCLA
Jared McBride, Assistant Professor, History, UCLA
Allison McCann, Staff, CMRS Center for Early Global Studies, UCLA
Teresa L. McCarty, Distinguished Professor and GF Kneller Chair in Education and Anthropology, American Indian Studies, UCLA
Muriel C. McClendon, Associate Professor, History, UCLA
Kate McDonald, Associate Professor, History, UC Santa Barbara
Kathleen McHugh, Professor, English and FTVDM, UCLA
Peggy McInerny, Staff, UCLA International Institute, UCLA
Mia McIver, Lecturer, Writing Programs, UCLA
Adela McKay, TA, Spanish and Portuguese, UCLA
Uri McMillan, Associate Professor, English, UCLA
Lauren McNeil, Student staff, UCLA libraries (AMP), UCLA
Sarah McTague, Lecturer, Urban Studies and Planning, UC San Diego
Chandler McWilliams, Assistant Professor, Design Media Arts, UCLA
Shahida Mehjabeen, Parent, Parent
Xhercis Mendez, Associate Professor, Women and Gender Studies and Queer Studies, CSU Fullerton
Andrea Mendoza, Assistant Professor, Literature, UC San Diego
Leslie Meyer, Lecturer, Synthesis Program at Seventh College, UC San Diego
Benjamin Meza, Assistant Professor, Medicine, UCLA
Gabriela Meza, Staff, 4030 Alumni Affairs, UCLA
Susette Min, Associate Professor, Asian American Studies, UC Davis
Matthew Villar Miranda, Staff, Berkeley Art Museum and Pacific Film Archive, UC Berkeley
Kimberly Miranda, Graduate Student, UCLA
Rashmita Mistry, Professor, Education, UCLA
Laura J. Mitchell, Associate Professor, History, UC Irvine
Nick Mitchell, Associate Professor, Critical Race & Ethnic Studies and Feminist Studies, UC Santa Cruz
Nancy Marie Mithlo, Professor, Gender and American Indian Studies, UCLA
Mohsen Mohammadi, Academic Administrator/Staff, Ethnomusicology/Center for India and South Asia, UCLA
Sadia Mohyuddin, Graduate Student, UC Santa Barbara
Olivia Mole, Lecturer, Art, UCLA, UC Riverside

PERB Received
09/19/24 11:03 AM
Esha Momeni, Lecturer, Gender Studies, UCLA
Kai Monet, Staff, Hammer Museum, UCLA
Robert Montoya, Associate Professor, Information Studies, UCLA
Claire Moore-Cantwell, Assistant Professor, Linguistics, UCLA
María Fernanda Mora Triay, Ph.D. Student, Spanish and Portuguese, UCLA
S. Priya Morley, Director, International Human Rights Clinic & Racial Justice Policy Counsel, Promise Institute for Human Rights, UCLA School of Law, UCLA
Heather Morphew, Staff, Law, UCLA
Romi Morrison, Assistant Professor, Design Media Arts, UCLA
Susan Morrissey, Professor, History, UC Irvine
Patricia Morton, Associate Professor, Media and Cultural Studies, UC Riverside
Chris Mott, Lecturer, English, UCLA
Salma Mousa, Assistant Professor, Political Science, UCLA
Keisha Mrotek, Staff, Art, UC Santa Barbara
Emily Muller, Resident, Internal Medicine, UC San Francisco
Julissa Muñiz, Assistant Professor, Psychology, UC Santa Cruz
Laure Murat, Distinguished Professor, ELTS, UCLA
Oliver Murray, Staff, Library, UC Berkeley
Sam Museus, Professor, Ethnic Studies, UC San Diego
Doug Myers, Staff, Philosophy, UCLA
Kit Myers, Assistant Professor, History & Critical Race and Ethnic Studies, UC Merced
Anne Napatalung, Staff, History, UCLA
Tiara R. Naputi, Associate Professor, Global & International Studies, UC Irvine
Victor Narro, Core Faculty, UCLA Labor Studies and School of Law, UCLA
Minayo Nasiali, Associate Professor, History, UCLA
Natalie Pulvino, Student, Community Health Sciences, UCLA
Arlen Nava, Demonstration Teacher, Lab School, UCLA
Jan Nederveen Pieterse, Professor, Global studies, Ucsb
Anahid Nersessian, Professor, English, UCLA
Rhonda L Neugebauer, Librarian emeritus, Latin American, Latino, Ethnic and Middle East Studies, Libraries, UC Riverside
Rahul Neuman, Lecturer, Music, UCLA
Cindy Nguyen, Assistant Professor, Information Studies, UCLA
Kelly Nguyen, Assistant Professor, Classics, UCLA
Trung Nguyen, UC President's Postdoctoral Fellow, Critical Race and Ethnic Studies, UC Merced
HOAI-AN NGUYEN, ASE, SOCIOLOGY, UC Santa Barbara
A in Le Trung Tin Nguyen, Staff, English, UCLA
Thu-huong Nguyen-vo, Professor, Asian Languages and Cultures, and Asian American Studies,

PERB Received
09/19/24 11:03 AM
Sal Nicolazzo, Associate Professor, English, UC Davis
Jeanne Nishimoto, Executive Director, Veterans Legal Clinic, UCLA School of Law, UCLA
Michael Nishimura, PhD Student, Sociology, UC Santa Barbara
Safiya U. Noble, Professor, Gender Studies, African American Studies, Information Studies, UCLA
Mónica Noriega, Assistant Professor, Psychiatry and Behavioral Sciences, UC San Francisco
Matthew Nye, Lecturer, Writing, UC Merced
Elizabeth O'Brien, Assistant Professor, History, UCLA
Thomas O'Connor, Associate Professor, Theater, UCLA
Hitomi Oba, Lecturer, Music and Global Jazz Studies, UCLA
Adedamola Ogunniyi, Assistant Professor, School of Medicine, UCLA
Jessica Olivares, Staff, Institute for Research on Labor and Employment, Labor Center, UCLA
Sjoerd Oostrik, Lecturer, UEI, UCLA
Elsa Ordway, Assistant Professor, Ecology and Evolutionary Biology, UCLA
Nico Orlandi, Professor, Philosophy, UC Santa Cruz
Brittani R. Orona, UC President's and Andrew W. Mellon Postdoctral Fellow, History, UC Santa Cruz
Jane Orr, Staff, Art, UCLA
Vilma Ortiz, Professor, Sociology, UCLA
Sherry B. Ortner, Distinguished Research Professor, Anthropology, UCLA
Katie Osborn, Staff, Civil and Environmental Engineering, UCLA
Sylvan Oswald, Associate Professor, Theater, UCLA
Seyma Ozdemir, Sociology, UC Santa Barbara
Raquel Pacheco, Assistant Professor, Anthropology, UC Santa Barbara
Sylvia Page, Staff, UCLA Library, UCLA
Oona Paredes, Associate Professor, ALC, UCLA
Veronica Paredes, Assistant Professor, Film, Television and Digital Media, UCLA
Hyun Suk Park, Assistant Professor, Asian Languages and Cultures, UCLA
Kyong Park, Professor, Visual Arts, UC San Diego
Harrison Parker, Postdoc, CEILS, UCLA
Jane Parkes, Demonstration Teacher, UCLA Lab School, UCLA
Eugene Parrish, Student UC, GPS, UC San Diego
Kyle Parry, Associate Professor, History of Art and Visual Culture, UC Santa Cruz
Alka Patel, Professor, Art History & Visual Studies, UC Irvine
Sunita Patel, Assistant Professor, Professor, Law, UCLA
Cristina Paul, Lecturer, School of Education, UCLA
M[illegible]elynn Paulow, Graduate Student, Spanish and Portuguese, UCLA
dan paz, Grad Student worker, Cultural Studies, UC Davis

PERB Received
09/19/24 11:03 AM
Jess Peake, Assistant Director, the Promise Institute for Human Rights, UCLA School of Law, UCLA
Constance Penley, Professor, Film and Media Studies, UC Santa Barbara
Gabriel Penteado, Staff, Law, UCLA
Oscar Perea-Rodriguez, Lecturer, Spanish & Portuguese, UC Berkeley
Yesenia Perez, Staff, UCLA Library, Film & Television Archive, UCLA
Iliana Perez, Lecturer, Labor Studies, UCLA
Roy Perez, Assistant Professor, Ethnic Studies, UC San Diego
Fernando Pérez-Montesinos, Assistant Professor, History, UCLA
Rafael Pérez-Torres, Professor, English and Gender Studies, UCLA
Christopher Perreira, Associate Professor, Ethnic Studies, UC San Diego
Giuliana Perrone, Associate Professor, History, UC Santa Barbara
Keston Perry, Assistant Professor, African American Studies, UCLA
Margaret Peters, Professor, Political Science, UCLA
Pamela J Peters, Staff, UCLA American Indian Studies Center, UCLA
Kristin Peterson, Associate Professor, Anthropology, UC Irvine
Ashley Peterson, Staff, Library, UCLA
Leigh Phan, Staff, Library, UCLA
Isabela Piedrahita, Staff, LOSH- Labor Occupational Health and Safety Program, UCLA
Jemima Pierre, Professor, African American Studies and Anthropology, UCLA
Stuart Pike, Lecturer, Political Science, UCLA
stephanie pincetl, Professor, institute of the environment and sustainability, UCLA
Bryan Pitts, Staff, Latin American Institute, UCLA
Tara Pixley, Assistant Professor, Alum, UCSD, Communication, UC San Diego, Temple University
Alondra Pizano, N/a, Cal State Fullerton
Sofia Pizano, Community member, N/A, UCLA
Kailani Polzak, Assistant Professor, History of Art and Visual Culture, UC Santa Cruz
Veronica Ponce de Leon, Staff, IRLE, UCLA
Ethan Poole, Assistant Professor, Linguistics, UCLA
Djordje Popovic, Assistant Professor, Slavic Langauges and Literatures, UC Berkeley
Eric Porter, Professor, History, UC Santa Cruz
Dylan Portillo, Staff, UCLA Labor Occupational Safety & Health Program, UCLA
Miriam Posner, Assistant Professor, Information Studies, UCLA
William Lee Potter, Staff, Digital Library Program, UCLA
Shaina Potts, Assistant Professor, Geography, UCLA
Austin Powell, Lecturer, Classics, UC Davis
Anjali Prabhu, Professor, Comparative Literature, UCLA
Catherine Provenzano, Assistant Professor, Musicology, UCLA

PERB Received
09/19/24 11:03 AM
Alex Purves, Professor, Classics, UCLA
Fatima Quraishi, Assistant Professor, Art History, UC Riverside
Loubna Qutami, Assistant Professor, Asian American Studies, UCLA
Hani Rafi, Lecturer, Education & Information Studies, UCLA
Pardis Rahimi, Staff, Meta Data Center, UCLA
Tage Rai, Assistant Professor, Rady School of Management, UC San Diego
Federica Raia, Associate Professor, Education, UCLA
Megha Ram, Lecturer, School of Law, UCLA
Isamara Ramirez, Staff, UCLA
Monika Ramnath, Staff, Fowler Museum, UCLA
Monica Ramsy, Alum, UC Berkeley School of Law; Current PhD student, UCLA Sociology, UCLA Sociology, UC Berkeley, UCLA
Roya Rastegar, Lecturer, FTV, UCLA
Noopur Raval, Assistant Professor, Information Studies, UCLA
Kriss Ravetto-Biagioli, Professor, Film, Television, and Digital Media, UCLA
Will Rawls, Associate Professor, World Arts & Cultures/Dance, UCLA
Geoffrey Raymond, Professor, Sociology, UC Santa Barbara
Elena Raymond, Associate Professor, Sociology, UC Santa Barbara
Sherene H. Razack, Professor, Gender Studies, UCLA
Casey Reas, Professor, Design Media Arts, UCLA
Maria Rebolleda-Gomez, Assistant Professor, Ecology and Evolutionary Biology, UC Irvine
Ellen Reese, Professor, Society, Environment and Health Equity, UC Riverside
Rachel Regalado, Staff, Museum Education, UCLA
Terry Regier, Professor, Linguistics, UC Berkeley
Trisha Remetir, Assistant Professor, Comparative Literature, UC Riverside
Michelle Rensel, Assistant Professor, ISG, UCLA
Isabella Restrepo, Postdoc, Ethnic studies, UC San Diego
Jessica Rett, Professor, Linguistics, UCLA
Victoria Reyes, Associate Professor, Department of Gender & Sexuality Studies, UC Riverside
Joanna Reynolds, Staff, Undergraduate Education Initiatives, UCLA
Beth Ribet, Lecturer, Gender Studies, Disability Studies, Clusters, UCLA
Maguire Riley, Student Staff (unsure if I am allowed to sign this, no worries if not!), Powell Library, UCLA
Kevin Riley, Staff, Director, Labor Occupational Safety and Health Program, UCLA
Amy Elizabeth Ritterbusch, Assistant Professor, Department of Social Welfare, UCLA
Gaspar Rivera-Salgado, Staff, UCLA Labor Center, UCLA
Sarah T. Roberts, Associate Professor, Gender Studies | Information Studies | Labor Studies, UCLA
William I. Robinson, Professor, Sociology, UC Santa Barbara

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09/19/24 11:03 AM
John H. Robinson, IV, Staff, Library, UCLA
Idalia Robles De León, Doctoral Student, Sociology, UC Santa Barbara
Judith Rodenbeck, Professor, Chair, Media & Cultural Studies, UC Riverside
Dylan Rodriguez, Professor, Black Study, UC Riverside
Michael Rodríguz-Muñiz, Associate Professor, Sociology, UC Berkeley
Susannah Rodríguez Drissi, Lecturer, Writing Programs, UCLA
John Rogers, Professor, Education, UCLA
Arneta Rogers, Staff,, law, UC Berkeley
JUAN JOSE ROJO SOLIS, Lecturer, Communication, UC San Diego
Sara Raquel Roschdi, Staff, UCLA Labor Center, UCLA
Jordan Rose, Associate Professor, Visual Arts, UC San Diego
Michael Rothberg, Professor, English and Comparative Literature, UCLA
Raphael Rouquier, Professor, Mathematics, UCLA
David Rousseve, Distinguished Professor, World Arts and Cultures/Dance, UCLA
Ananya Roy, Professor, UCLA
David Alexander Roy, Lecturer, Art, UCLA
Faysal Saab, Assistant Professor, Medicine, UCLA
Adam Sabra, Professor, History, UC Santa Barbara
kinan sabri, student, student, UCLA
Mary Salome, Staff, Medicine, UC San Francisco
Leslie Salzinger, Associate Professor, Gender and Women's Studies, UC Berkeley
Jocelyne Sanchez, Librarian, Chicano Studies Research Center, UCLA
Alexandra Sanchez, Staff, The Lawrence Hall of Science, UC Berkeley
Utpal Sandesara, Assistant Professor, General Internal Medicine and Global Health, UCLA
Sandy Garcia, Staff, CCAS, UCLA
Cindy C. Sangalang, Assistant Professor, Social Welfare and Asian American Studies, UCLA
Tiffany Sangwand, Librarian, UCLA Library, UCLA
Stephanie Bosch Santana, Assistant Professor, Comparative Literature, UCLA
Carlos Santos, Associate Professor, Social Welfare, UCLA
Sarah McTague, Lecturer, Urban Studies and Planning, UC San Diego
Bhaskar Sarkar, Professor, Film and Media Studies, UC Santa Barbara
Jill F Robertson, Teacher, Pro Block, UCLA
Asma Sayeed, Associate Professor, NELC, UCLA
Felicity Amaya Schaeffer, Professor, Critical Race and Ethnic Studies and Feminist St, UC Santa Cruz
Chelsea Schields, Associate Professor, History, UC Irvine
David Schneller, Assistant Professor, Art History, UCLA
Jessica Schwartz, Associate Professor, Musicology, UCLA
Hallie Scott, Staff, Hammer Museum, UCLA

PERB Received
09/19/24 11:03 AM
Hallie Scott, Staff, Hammer Museum, UCLA
Ellen C. Scott, Associate Professor, FTVDM, UCLA
Michael Scott, Associate Editor/Librarian, Latin American Institute, UCLA
Sarita See, Professor, English, UC Riverside
Gary Segura, Professor, Public Policy, UCLA
Sherene Seikaly, Associate Professor, History, UC Santa Barbara
Mark Seltzer, Professor, English, UCLA
Gursan Senalp, Visiting scholar, Sociology, UC Santa Barbara
Thomas Serres, Assistant Professor, Politics, UC Santa Cruz
Mindy Seu, Associate Professor, Design Media Arts, UCLA
Anna Sew Hoy, Associate Professor, art, UCLA
Natalie Shapero, Associate Professor, English, UC Irvine
Nicholas Shapiro, Assistant Professor, UCLA
Jeff Share, Lecturer, Education, UCLA
Anjana Sharma, Associate Professor, Family & Community Medicine, UC San Francisco
Jenny Sharpe, Professor, English, UCLA
Yael Sharvit, Professor, Linguistics, UCLA
M. Rahim Shayegan, Professor, Near Eastern Languages and Cultures, UCLA
Elora Shehabuddin, Professor, Gender & Women's Studies and Global Studies, UC Berkeley
Eric Sheppard, Professor, Research Professor, Geography, UCLA
Setsu Shigematsu, Associate Professor, Media & Cultural Studies, UC Riverside
Shu-mei Shih, Professor, Comparative Literature/Asian Languages and Cultures, UCLA
David Delgado Shorter, Professor, UCLA
Manuel Shvartzberg Carrió, Assistant Professor, Urban Studies and Planning, UC San Diego
Hanna Siddiqui, Assistant Professor, Pediatrics, UCLA
Dana Simmons, Associate Professor, Society, Environment, and Health Equity, UC Riverside
Mona Simpson, Professor, English, UCLA
Christo Sims, Associate Professor, Communication, UC San Diego
Olivia Grace Slaby, Staff, UCLA Mathias Botanical Garden, UCLA
Susan Slyomovics, Professor, Anthropology and Near Eastern Languages & Cultures, UCLA
Cauleen Smith, Professor, Art, UCLA
Brice Smither, Staff, UCLA Library, UCLA
Daniel Snelson, Assistant Professor, English and Design Media Arts, UCLA
Jonathan Snipes, Lecturer, Theater Film and Television, UCLA
Olivia Snow, Visiting Assistant Researcher, Gender Studies, UCLA
Juan Manuel Solis, Staff, PhD Student, Social Welfare, UCLA
Daniel Solorzano, Professor, Education, UCLA
L[illegible]a Song, Staff, Urban Studies and Planning, UC San Diego
Cierra Raine Sorin, Doctoral Candidate, Sociology, UC Santa Barbara, Former undergrad at UC San

PERB Received
09/19/24 11:03 AM
Cierra Kaitlé Bolton, Doctoral Candidate, Sociology, UC Santa Barbara, Former undergrad at UC San Diego
Dr. Oscar Fabian Soto, Chancellors Postdoctoral Fellow, Criminology, Law & Society, UC Irvine
Shannon Speed, Professor, American Indian Studies, Gender Studies, Anthropology, UCLA
Isaac Speer, Lecturer, Sociology, UCLA
Lydia Spielberg, Assistant Professor, Classics, UCLA
Marike Splint, Associate Professor, Theater, UCLA
Carole Srole, Emeritus Professor, Department of History, CSU Los Angeles (and UCLA alumnus)
Aubyn Stahmer, Professor, Psychiatry and Behavioral Sciences, UC Davis
Zrinka Stahuljak, Professor, Comparative Literature / European Languages and Transcultural Studies, UCLA
Emma Stapely, Assistant Professor, English, UC Riverside
Brian Stefans, Professor, English, UCLA
David Stein, Assistant Professor, History, UC Santa Barbara
Megan Stephan, Lecturer, English, UCLA
Dr. AE Stevenson, Alumni, Cinema and Media Studies, UCLA
Ian Straughn, Associate Professor, Anthropology, UC Irvine
Shelley Streeby, Professor, Literature and Ethnic Studies, UC San Diego
Caroline A. Streeter, Associate Professor, English & African American Studies, UCLA
Yang Su, Professor, Sociology, UC Irvine
James Wesley Suhr, Lecturer, Theater Film and Television (Animation), UCLA
Wendy Sung, Assistant Professor, World Arts and Cultures/Dance, UCLA
K. Supriya, Academic Administrator, CEILS, UCLA
Hannah Sutherland, Staff, Library, UCLA
Tonia Sutherland, Assistant Professor, Information Studies, UCLA
River Sween, Staff, School of Medicine, UCLA
Joseph Sweetnam, ASE, English, UC Irvine
Mairaj Syed, Associate Professor, Religious Studies and Middle East/South Asia Studies, UC Davis
Kimi Taira, Staff, Library, UCLA
Renee Tajima-Peña, Professor, Asian American Studies Department, UCLA
Corinne Tam, Graduate Student, Sociology, UC Santa Barbara
Cheylene Tanimoto, Staff, CNSI at UCLA, UCLA
Maggie Tarmey, Librarian., Library, UCLA
Naomi S. Taub, Postdoctoral Scholar, Initiative to Study Hate, UCLA
Camilla Taylor, Lecturer, Art department, UCLA
Yuki Taylor, Lecturer, Asian Languages and Cultures, UCLA
Kevin Terraciano, Professor, History, UCLA
Verified by Rachele Terry, Senior Continuing Lecturer, Religious Studies & Human Rights, UC Davis
Francis Michael Terzano, Staff, Hammer Museum, UCLA

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09/19/24 11:03 AM
Frances Michelle Stanley-Lujan, Hammer Museum, UCLA
Sarah Thomas, Staff, Center X - EDIS, UCLA
Chris Tilly, Professor, Urban Planning, UCLA
Asher Titan, Staff, School of the Arts & Architecture, UCLA
Lynda Tolly, Staff, English, UCLA
Aileen Tong, Staff, Mathematics, UCLA
Justin Torres, Associate Professor, English, UCLA
Ivy Torres, Staff, IRLE, UCLA
Luz Maria Torres, Staff, Sociology, UCLA
Tommy Tran, Lecturer, History, UC Merced
Phon Tran, Staff, Hammer Museum, UCLA
Sharon Traweek, Associate Professor, Gender Studies, UCLA
Jasmine Trice, Associate Professor, FTVDM, UCLA
Monique Trinh, Staff, Alumna, DGSOM, FSPH, CNAS, UCLA, UC Riverside
Cody Trojan, Lecturer, Political Science, UCLA
Maria Tsiao, Staff, Law, UCLA
Eric Tu, Staff, IRLE, UCLA
Steph Tuazon, Staff, Social Welfare, UCLA
Ertem Tuncel, Professor, Electrical and Computer Engineering, UC Riverside
Cass Turner, Assistant Professor, English, UCLA
David C. Turner III, Assistant Professor, Social Welfare, UCLA
Karen Umemoto, Professor, Asian American Studies, UCLA
Saranjit Uppal, Staff, College of Letters and Science, UC Davis
Dell Upton, Professor, Art History, UCLA
Karina Valdez, Staff, Library, UCLA
Stephanie Valdez, Staff, Academic Advancement Program, UCLA
Rodrigo valenzuela, Associate Professor, Art, UCLA
Nivardo Valenzuela, Staff, Design Lab, UC San Diego
Ma Vang, Associate Professor, History & Critical Race and Ethnic Studies, UC Merced
Rachel Vaughn, Lecturer, Institute for Society & Genetics, UCLA
Adriana Vazquez, Assistant Professor, Classics, UCLA
Bharat Venkat, Associate Professor, Institute for Society and Genetics/History/Anthropology, UCLA
Matthew Vest, Librarian, UCLA Library, UCLA
Marques Vestal, Assistant Professor, Urban Planning, UCLA
Ameeth Vijay, Associate Professor, Literature, UC San Diego
Nancy Villalta, Demonstration Teacher, UCLA Lab School, UCLA
T ⓘ . Villasenor, Director of Student Affairs, Department of History, HIstory, UCLA
Charlene Villaseñor Black, Professor, Chicana/ and Central American Studies; Art History, UCLA

PERB Received
09/19/24 11:03 AM
Alicia Virani, Academic Administrator, Law, UCLA
Cristine, Staff, Counseling and Psychological Services, UCLA, UCI Alumnus '09
Matthew Vitz, Associate Professor, History, UC San Diego
Anthony Vivian, Lecturer, History, UCLA
Thuy Vo Dang, Assistant Professor, Information Studies, UCLA
Timothy Vollmer, Librarian, Library, UC Berkeley
Lothar von Falkenhausen, Professor, Art History, UCLA
Bob Wachter, Professor, Medicine, UC San Francisco
Jennifer Wagman, Associate Professor, Community Health Sciences, Fielding School of Public Health, UCLA
Fabian Wagmister, Professor, Film, Television and Digital Media, UCLA
Saba Waheed, Staff, Lecturer, Labor Center and Labor Studies, UCLA
Andy Wallace, Staff, Library, UCLA
Jonah Walters, Postdoctoral Fellow, Institute for Society and Genetics, UCLA
Mona Wang, Staff, Department of Anthropology, UC San Diego
Lee Ann Wang, Assistant Professor, AASD, UCLA
Karin Wang, Academic Administrator and Professor from Practice, School of Law, UCLA
Qianyun Wang, Student, Department of Social Welfare, UCLA
Xuan juliana wang, Assistant Professor, English, UCLA
Jaden Skylar Ward, Staff, Library, UCLA
Raffi Joe Wartanian, Lecturer, Writing Programs, UCLA
Caitlin Wells, Staff, Library, UCLA
Lindsay Wells, Associate Professor, Medicine, UCLA
Amber West, Lecturer, Writing Programs, UCLA
Glenn Wharton, Professor, Art History, UCLA
Kevin Whitehead, Associate Professor, Sociology, UC Santa Barbara
Nathaniel Whitfield, Lecturer, World Arts & Cultures / Dance, UCLA
Bryan Whitlock, Staff, Academic Personnel office, UC Berkeley
Cosmo Whyte, Assistant Professor, Department of Art, UCLA
Melissa M. Wilcox, Professor, UC Riverside
Juliet Williams, Professor, Gender Studies, UCLA
Reed Wilson, Lecturer, English, UCLA
Patrick Wilson, Professor, Psychology, UCLA
Bronwen Wilson, Professor, Art History, UCLA
Christopher Wilson, Lecturer, UCLA Lab School, UCLA
Casey Winkleman, Staff, Information Studies, UCLA
F ⓘ an Wint (Frederick), Assistant Professor, History, UCLA
Kent Wong, Director of Labor & Community Partnerships, Labor Center, UCLA

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09/19/24 11:03 AM
Stacy E Wood, Staff, Lecturer, Gender Studies, UCLA
Greg Woolf, Professor, History and Classics, UCLA
Laura Wray-Lake, Professor, Social Welfare, UCLA
Bryan Wuest, Lecturer, FTVDM, UCLA
Nghe Yang, Associate Physician, Family Community Medicine, UC San Francisco
Vida Yao, Associate Professor, Philosophy, UCLA
Anthony D. Yates, Assistant Professor, Near Eastern Languages and Cultures, UCLA
Rihan Yeh, Associate Professor, Anthropology, UC San Diego
Christina Yeo, Teaching Associate, Physics and Astronomy, UCLA
Maria-Elena Young, Assistant Professor, Public Health, UC Merced
Alden Young, Associate Professor, African American Studies, UCLA
Michelle Yuan, Assistant Professor, Linguistics, UCLA
Noah Zatz, Professor, Law and Labor Studies, UCLA
Veronica Zavala, Staff, LAI, UCLA
Jimmy Zavala, Staff, Library Special Collections, UCLA
Ben Zdencanovic, Lecturer, History, UCLA
Leah Zeidler-Ordaz, Staff, School of Law, UCLA
Chris Zepeda-Millan, Associate Professor, Public Policy, UCLA
Dora Zhang, Associate Professor, English and Comparative Literature, UC Berkeley
Sarah Zollweg, Postdoctoral Scholar, School of Medicine -- GIM/HSR, UCLA
Maite Zubiaurre, Professor, ELTS; Spanish and Portuguese, UCLA

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EXHIBIT NO. 17

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BruinALERT: Campus Activity Updates (May 6th at 4:00PM)

UB

UCLA BruinALERT <BruinAlert@ucla.ed
To [redacted]

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Mon 5/6/2024 4:03 PM

This message was sent with High importance.

BruinALERT: Due to ongoing disruption, the campus has returned to limited operational status. Therefore, per Senate guidance (https://senate.ucla.edu/news/updated-instructional-adjustments), classes will move remote May 6-10. Employees who can work remotely should consult with their supervisors. Events and research activities should also go remote or be rescheduled wherever possible.

Law enforcement is stationed around campus to help promote safety and actively monitor conditions. Student Affairs has staff on campus to support our students.

Royce Hall and Powell Library are closed and will remain so through Friday, May 10. Check the UCLA Library website (https://www.library.ucla.edu/visit/locations) for alternative study spaces and modified hours at other locations. Please continue to avoid the area of Royce Quad between Royce Hall and Powell Library while Facilities Management continues repairs.

UCLA Extension classes scheduled to be held in person in any Westwood or UCLA campus location have been moved to live-online format. All other UCLA Extension classes at non-UCLA locations or in remote format will continue as scheduled. Gayley and Lindbrook Centers will close at 6 p.m. today through May 10.

Law School exams will continue as scheduled.

The hospital and health system, other clinical operations, and housing and hospitality facilities remain open.

Geffen Academy, Lab School and Early Care and Education also remain open.

For more information about emergencies at UCLA, please visit https://bso.ucla.edu/.

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University of California campus guidelines on determining disciplinary actions

UC Office of the President May 9, 2024

The University of California Office of the President announced today (Thursday, May 9, 2024) guiding principles for use by UC campuses in determining disciplinary actions:

• UC campuses support and protect nonviolent and lawful protests. We do all we can within the law to facilitate freedom of expression and a vibrant exchange of ideas, while also maintaining a safe environment and access to university facilities for all members of our community.

• All members of the UC community remain subject to all applicable laws and relevant codes of conduct, even while engaging in protest activities.

• Any member of the university community who is arrested for unlawful behavior or cited for a violation of university policy must go through the applicable review process, such as student code of conduct or employee disciplinary process.

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• People not affiliated with the university who are involved in criminal activity on UC campuses will be prosecuted by the appropriate agencies in the relevant jurisdictions.

Media Contacts

For media inquiries (reporters only), please email media@ucop.edu

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For Health-related media inquiries, please email uchealthnews@ucop.edu

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UC Board of Regents statement on conduct guidelines issued by UC President Michael V. Drake, M.D.

UC Office of the President May 16, 2024

The University of California Board of Regents today endorsed the guidelines issued on May 9 by President Michael V. Drake, M.D.

These guidelines included the following language:

- Any member of the university community who is arrested for unlawful behavior or cited for a violation of university policy must go through the applicable review process, such as student code of conduct or employee disciplinary process.

The Regents further affirmed that amnesty for students, faculty and staff is inconsistent with this guideline.

Media Contacts

For media inquiries (reporters only), please email media@ucop.edu

For Health-related media inquiries, please email uchealthnews@ucop.edu

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To: Faculty and Staff

Dear Colleagues:

The last several weeks have been among the most challenging our Bruin community has faced. We deeply appreciate the efforts you have made in maintaining academic continuity despite significant disruptions.

Academic appointees across the UC system represented by the United Auto Workers (UAW) Local 4811 — including postdoctoral scholars, academic researchers, academic student employees (ASEs) and graduate student researchers (GSRs) — voted on May 15, 2024 to authorize its executive board to call for a strike. During a potential strike, those participating might cease aspects of their work including teaching, grading assignments, tutoring, conducting research, administering programs and carrying out other duties.

The UAW states that this strike can take place due to alleged unfair labor practices connected to ongoing campus protests. The UC's position is that it is an unlawful strike that would violate the terms of the collective bargaining agreements between the two parties, which include no-strike provisions.

It is important that UCLA maintain academic operations during a strike. We have created a new **Strike Updates and Continuity Resources web page** with helpful information and resources for you, including FAQs and guidance on instruction and research continuity. We will continue to update the site with pertinent information from UCOP and UCLA. You are encouraged to bookmark it and reference it regularly. Specific questions not addressed in the materials can be directed to StrikeInfo@ucla.edu.

Extended Office Hours: The Bruin Learn Center of Excellence (CoE) and the Teaching and Learning Center (TLC) staff are available for live support with extended office hours from 9 a.m. to 12 p.m. and from 1 to 4 p.m. through the end of spring quarter. This service is designed to assist instructors in real-time with Bruin Learn, Zoom and other teaching-related questions. Visit CoE and TLC Office Hours for more details. UCLA's Center for Education Innovation and Learning in the Sciences (CEILS) is available for one-on-one consultation . Additional opportunities for instructional support are available on the resource web page.

University employees in supervisory or managerial roles should refrain from engaging in conversations with union members about any aspects of the strike, including whether or not union members will engage in strike activities. It is also important that supervisors and managers avoid making statements condemning or

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praising individuals' strike activities, and to refrain from dealing directly with union members in regard to negotiations or grievances. These guidelines apply to verbal and written communications, including postings on social media.

On-campus demonstrations related to this strike may take place in the coming days or weeks. Individuals are entitled to perform legally protected strike activities during non-work time, including picketing, near the exterior of campus property and campus entrances. Strike conduct that is unlawful includes, but is not limited to, blocking vehicles and/or persons from entering or leaving a property/facility/building; interfering with meetings, classes, research or other activities that are part of regular campus operational activities; threatening violence; vandalizing/defacing university property; and physical attacks.

Entering classrooms or other learning environments to disrupt learning activities and blocking access or egress from buildings are not permissible. If a class or lecture is disrupted by a group of individuals or specific event, please follow these steps:

NOTE: If the event poses a direct or imminent threat to life, safety or health, call 9-1-1 or UCPD Dispatch at (310) 825-1491. Otherwise, follow the steps below.

1. DO NOT physically engage with individuals disrupting the classroom.
2. Ask students not to engage with the disruptors (e.g. "Please do not encourage or interact with them.")
3. Calmly inform members of the group that they are being disruptive and must leave immediately.
4. Explain that classrooms/lecture halls are not spaces that are open to the public and their presence is unauthorized.
    a. Tell them they are trespassing and may be subject to arrest (only as necessary).
    b. Tell them that if they do not leave, UCPD will be called (only as necessary).
5. If the disruptor refuses to leave, call UCPD Dispatch at (310) 825-1491 for assistance. UCPD will then triage the call to the appropriate tiered response partner (e.g., Student Affairs, security personnel, etc.) based on the disruptor's affiliation and/or nature of the incident. 9-1-1 should only be called in the case of emergency or direct/imminent threat to safety.

Thank you for your understanding and continued dedication to our teaching and research mission during this time of uncertainty.

Sincerely,

Darnell Hunt
Executive Vice Chancellor and Provost

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Adriana Galván
Dean of Undergraduate Education

Susan L. Ettner
Dean of Graduate Education

Roger M. Wakimoto
Vice Chancellor for Research & Creative Activities

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UCnet

Frequently Asked Questions about UAW Actions

The University of California and the UAW have collective bargaining agreements representing four bargaining units as generally described in the first question below. While the parties are not in active negotiations, UAW has asked its members to take a strike vote. If successful, that strike vote could result in work stoppages starting as early as the evening of May 15, 2024.

The University is providing the below frequently asked questions (FAQs) to ensure that its employees and faculty with duties related to managing academic personnel, labor relations, time and effort reporting, contracts and grant administration, and education and research continuity have the information they need.

While these FAQs are publicly available, a link to the below FAQs **should only be actively sent to those employees and faculty with responsibilities related to academic personnel, labor relations, time and effort reporting, contracts and grant administration, and education and research continuity duties**. This means, for example**, they should not be broadly distributed to all employees or distributed through all-employee newsletters.**

A link to the FAQs should not be sent to UAW-represented employees. UAW-represented employees should consult with their union representatives regarding strike-related questions.

The FAQs below are not meant to change or modify the parties' collective bargaining agreements and will be updated as needed to address changing circumstances and to cover additional questions from our community.

General Questions

GENERAL Q1: What represented units are covered by the UAW strike authorization vote?

The systemwide strike vote, occurring from May 13-15, 2024, covers all UAW bargaining units, which are Academic Researchers, Postdoctoral Scholars, Academic Student Employees ("ASEs" are TAs, Readers, Tutors), and Graduate Student Researchers.

GENERAL Q2: Is this a legal strike?

No. The UAW and the University of California have collective bargaining agreements that prohibit strikes during those agreements. It is the University's position that given that language, UAW-represented employees are generally prohibited from striking during the contract. For example, per Article 19 of the GSR Contract*: "The UAW, on behalf of its officers, agents, and members agrees that there shall be no strikes, including sympathy strikes, stoppages or interruptions of work, or other concerted activities which interfere directly or indirectly with University operations during the life of this agreement or any written extension thereof."* The ASE and GSR contracts do not expire until May 31, 2025, and the Postdoc and Academic Researcher contracts do not expire until September 30, 2027.

GENERAL Q3 Does the strike become legal because there was a vote by the union?

No. The legality of a strike is determined by the terms of the collective bargaining agreement and the law.

GENERAL Q4 Despite the no-strike clauses in the collective bargaining agreements, the UAW's position is that a strike could be allowed because certain University actions constituted an unfair labor practice. Does that make it legal?

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No. Generally, filing a ULP does not give a union the right to strike during a closed contract. The University strongly disagrees with the UAW that any exception to this general rule applies and strongly believes that the action is an unlawful strike. All community members are free to exercise their First Amendment rights within the restrictions set forth in University policy and the law. Community members' First Amendment rights exist separate and apart from the labor law the Union alleges would allow it to strike. The University does not believe the issues that are the subject of the campus protests involve rights under labor law.

GENERAL Q5: What specific actions will the University take in the event of an unlawful work stoppage?

In response to an unlawful strike, the University will take action with the Public Employment Relations Board (PERB) to assert that the strike is unlawful.

GENERAL Q6: What happens if employees engage in sympathy strikes in support of the UAW?

When Individuals or other bargaining units strike in sympathy with a primary striking union, they "step into the shoes" of the primary striking union for purposes of state labor laws. That means that if the UAW strike is unlawful, any sympathy strikes are unlawful as well. Additionally, the University's other collective bargaining agreements prohibit strikes and sympathy strikes during the terms of those agreements. Employees, including faculty, who withhold labor through a strike or sympathy strike are not entitled to pay for the period they are on strike.

GENERAL Q7: When a union calls or supports a strike, are employees represented by those unions able to come to work?

Yes. Employees who decide not to participate in the strike are free to come to work. The law protects the right of all employees to cross a picket line. Under the labor laws, employees are free to make up their own minds about crossing a picket line and continuing to work. Any employee, including a union member, has a right to refuse to participate in a work stoppage.

GENERAL Q8: What can an employee do if they want to work but are being confronted by picketers or striking employees and blocked from entering the work site?

Pickets are lawful so long as they are peaceful, comply with the University's access and use rules, do not block access for other employees, do not interfere with the normal course of University business, and do not prohibit non-striking employees from working. In addition, non-striking employees should avoid confrontations and need not respond to any comments that picketers may direct at them. Non-striking employees should not invite or engage in any exchanges which might inflame the situation. If any employee feels they are being harassed or prevented from working by picketers or striking employees, the employee should notify their supervisor or contact Academic Personnel and Labor Relations.

GENERAL Q9: Can employees engage in picketing or protesting on their own time?

Yes. UC has a long tradition of respecting the civil expression of individual views. Individual employees are free to express their rights so long as such participation is during non-work time, does not conflict with their agreed-upon work duties, or violates established University policies including the student code of conduct.

Pay-Related Questions

PAY Q1: Will employees be paid if they go on strike?

No. Striking employees are, by definition, not working, so they are not eligible to receive their regular pay. Additionally, federal guidelines indicate that we cannot pay employees on federal contracts and grants if

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they are not working. Employees who wish to receive their regular pay must perform their work duties during this time.

PAY Q2: How should a striking employee enter their absence into the time and attendance system?

Unexcused absences should be reported as "leave without pay" in time and attendance systems. Instructors of Record, Principal Investigators, Chairs, Deans, and others with leave reporting oversight duties should monitor and review all leave reporting submissions to ensure they are accurate. If they are not accurate, leave reporting should be updated to align with the work performed. **A communication** has been sent by Systemwide Labor Relations to ASEs, GSRs, Postdocs, and Academic Researchers notifying them of the process for reporting any unexcused absences and their obligation to report their absences accurately.

PAY Q3: If an employee withholds labor for part of an assigned workday but is doing some part of the work on the assigned workday, how should that employee enter their absence into their local time and attendance system?

An employee's failure to perform their job duties, or otherwise be absent from work without prior approval by their supervisor, is not protected or excused. The employee should enter their absence as a partial-day or full-day absence, recording the number of hours missed during the workday as "leave without pay."

PAY Q4: If ASEs, GSRs, Postdocs, and Academic Researchers work during the strike, will they be paid?

Yes, employees will be paid for all hours worked during the strike. Employees, however, will not be paid for any labor withheld and it is critical that the University ensure that pay is aligned with the work performed. Pay will be based on leave reporting, which is why it is critical to monitor attendance and report absences accurately, irrespective of whether the absence is due to a strike.

PAY Q5: Can employees who do not submit any absences in time and attendance or who do not provide an accurate submission be held accountable? What are the consequences?

Employees are required to accurately and truthfully report their absences. If employees refuse to submit or provide false submissions, they may be subject to discipline pursuant to the disciplinary processes provided in their collective bargaining agreements or in policy. Locations should consult with their local labor relations office before engaging in corrective action.

Supervision Questions

SUPERVISION Q1: What are the consequences of a legal strike versus an illegal one in terms of how Instructors of Record and Principal Investigators should be handling the work stoppage with respect to ASEs, GSRs, Postdocs, and Academic Researchers that they supervise?

It is important to understand that whether a strike is lawful or unlawful, employees are not entitled to pay for work not performed. If any employee does not report to work as assigned, UC will presume — absent prior authorization or medical certification — that their work absence during a strike period is strike-related. Employees are expected to report that leave as "leave without pay." The employee's pay will be reduced for absences during the strike unless the employee is on authorized leave; note that this makes it critical that attendance is tracked and absences are reported accurately. As is always the case, authorization for an absence may or may not be granted, depending on operational, educational, and research necessity and without regard to the employee's reason for the requested leave.

SUPERVISION Q2: What responsibilities do Instructors of Record have over their courses and supervising Teaching Assistants, Readers, and Tutors assigned to their courses?

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Pursuant to Regents Bylaw 40.1 Duties and Powers of the Academic Senate, it states that "The Academic Senate shall authorize and supervise all courses and curricula." The Academic Personnel Manual (APM – 410-20), which underwent management consultation and systemwide review, provides that Teaching Assistants serve "under the active direction and supervision of a regular member of the faculty to whom responsibility for the course's entire instruction, including the performance of Teaching Assistants, has been assigned." Instructors of Record are responsible for the content and conduct of a course, including the responsibility for submitting final grades. Outside of faculty titles, other academic titles are not permitted to serve as Instructors of Record unless the divisional Senate regulations provide a process for doing so and that title series has been approved to serve as Instructor of Record. Generally, in divisional Senate regulations, Teaching Assistants may not serve as the Instructor of Record and are under the active supervision of an Instructor of Record (e.g., the designated faculty member responsible for the course). Instructors of Record may need to make alternative arrangements or adjust assignments to ensure that students can complete their coursework.

SUPERVISION Q3: Are Principal Investigators responsible for accurate effort reporting on their contracts and grants?

Yes. Federal research grants are subject to Uniform Guidance (2 C.F.R. Part 200), which establishes uniform administrative requirements, cost principles, audit requirements and agency-specific reporting and cost principles. Principal Investigators have primary responsibility for financial management and control of project funds in accordance with University and sponsor policies and procedures. This includes ensuring accurate reporting of hours worked and wages charged to sponsored agreements. Principal Investigators cannot use extramural funds as compensation for an absent performance. Only those costs that advance the goals of a project may be directly charged to that project; paying an employee out of a grant for an absence that should be unpaid will jeopardize the grant award, the Principal Investigator's reputation with the funding agency, and the Principal Investigator's ability to receive future awards.

SUPERVISION Q4: What responsibilities do Instructors of Record and Principal Investigators have over certifying the accuracy of leave reporting by ASEs, GSRs, Postdocs, and Academic Researchers?

The Instructor of Record is responsible for their courses, including the supervision of ASEs assigned to their courses, which means that Instructors of Record are listed as the supervisor in the local time and attendance system for review and approval of absences by the ASE. Principal Investigators who have GSRs, Postdocs, and Academic Researchers listed as key personnel or contributors on their contracts or grants are responsible for ensuring accurate effort reporting, which is accomplished through verifying accurate reporting of absences in local time and attendance systems. Accordingly, Instructors of Record and Principal Investigators should certify the accuracy of leave reporting by ASEs, GSRs, Postdocs, and Academic Researchers.

SUPERVISION Q5: Does certifying the accuracy of leave reporting by ASEs, GSRs, Postdocs, and Academic Researchers convert Instructors of Record and Principal Investigators into Supervisors under the Higher Education Employer-Employee Relations Act (HEERA)?

No. Whether an Instructor of Record is a supervisor over a course and ASEs assigned to the course does not automatically convert the Instructor of Record into a supervisor under HEERA. An individual can be a supervisor in many different contexts (e.g., supervision over a course, supervision of a lab, managing of absences). However, to be a supervisor under HEERA, the individual must meet the criteria under HEERA to qualify as a supervisor.

SUPERVISION Q6: If an employee refuses to submit their absence in time and attendance and the Instructor of Record or Principal Investigator knows that the individual was absent, can the Instructor

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of Record or Principal Investigator supervisor override the individual's timesheet and enter the absence into the time and attendance system?

Yes. It is always important to ensure that payment of university funds aligns with the work performed. Accordingly, Supervisors, as well as backup approvers, should ensure that time, and therefore pay, is recorded and provided appropriately and therefore should modify the hours on behalf of the employee. When that happens, the changed records are stored on the timesheet and the employee is notified via email. When there are leave recording errors, each campus should invoke the override functionality in their local time and attendance systems, if needed.

SUPERVISION Q7: Can supervisors ask ASEs, GSRs, Postdocs, and Academic Researchers if they plan to strike?

No. Instructors of Record and Principal Investigators should not survey or communicate with ASEs, GSRs, Postdocs, and Academic Researchers concerning their intention to participate or not participate in a strike, only whether they are planning to be at work on specific dates.

SUPERVISION Q8: Can Instructors of Record and Principal Investigators ask ASEs, GSRs, Postdocs, and Academic Researchers if they plan to come to work?

Yes. If the UAW affirmatively votes to strike, Instructors of Record and Principal Investigators can ask ASEs, GSRs, Postdocs, and Academic Researchers whether they plan to perform their duties for the day or week. For example, the following questions can be asked: "I need to ensure research or instructional continuity in the coming weeks so that students' courses are covered, and students can complete their credits for the [semester/quarter] and, where applicable, graduate. Are you planning to work on [date]?"

SUPERVISION Q9: If a strike vote is in the affirmative, what can Instructors of Record, Department Chairs, Deans, and administrators do to ensure educational continuity?

Instructors of Record, Department Chairs, Deans, and administrators can and should make alternative arrangements for courses. In making these arrangements, employees can be asked whether they plan to perform their duties for the day or week and for the materials needed to continue the course. For example, the following questions can be asked: "I need to ensure our courses continue in the coming weeks so that students' courses are covered, and students can complete their credits for the [semester/quarter] and, where applicable, graduate. Are you planning to work on [date]? I will also need access to the grade book and other course materials. Please email them to me at [Address] by [Date]."

SUPERVISION Q10: What happens if an employee strikes, but they are the primary person responsible for the maintenance and care of biological research materials?

Like any other unexpected, potentially long-term disruption, a plan should already be in place to address maintaining research continuity in the event of employee absence. It is in everyone's best interest for Principal Investigators and department managers to communicate with key personnel as soon as possible. PIs and department managers should keep conversations focused on the research project rather than on an employee's intention to strike. PIs and department managers should not ask whether unit-level employees are going out on strike or whether they will be at work. Research continuity plans should be reviewed or put in place to mitigate disruption during the strike, anticipating that unit employees will not be in the lab during that time. If there are health and safety concerns related to labor disruptions, the campus labor relations office should be contacted.

SUPERVISION Q11: What can faculty, Instructors of Record, and/or Principal Investigators say in response to questions from students and employees about the strike?

Faculty, Instructors of Record, and/or Principal Investigators should not comment on the strike to students and employees — even students and employees they do not advise/mentor/teach or supervise — except to

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direct represented employees to their union for any questions they have, including questions about the strike, union membership, or the University's position on the strike. However, nothing prevents engaging in normal conversations with students and employees concerning subjects unrelated to union membership, union activities, or strike activities.

SUPERVISION Q12: Should Instructors of Record, Principal Investigators, and Department Chairs meet with striking employees to hear their concerns and try to resolve them?

No. Generally, it is impermissible to engage in direct dealing with represented employees, such as by soliciting and/or trying to resolve their grievances related to the strike. Regardless of whether the strike is lawful or not, only the Labor Relations team of the Office of the President may meet with the Union to address concerns and resolve disputes related to the systemwide strike. This is true even though the University does not agree with the UAW's assertion that the conflict and conduct underlying the strike are connected to terms and conditions of employment.

SUPERVISION Q13: What can be said to student employees in advance of a strike regarding their strike plans?

An employee cannot be asked whether they intend to strike. However, student employees have a dual role: They are students as well as employees. As a result, a faculty advisor/mentor may ask students whether they intend to fulfill their academic responsibilities and obligations to a research project, including during a potential strike. In having these conversations, the faculty advisor/mentor should keep the focus on academic and project responsibilities and not on whether the student, as an employee, is striking.

SUPERVISION Q14: If a GSR withholds labor as an employee but is also unable to meet their academic milestones as a graduate student, can the faculty advisor/mentor provide fair warning or clarify expectations to the graduate student regarding the potential impact on their grades?

Yes. Academic expectations for students are distinct from employment responsibilities. Faculty have the authority to set expectations regarding overall academic progress in graduate programs and are responsible for providing regular feedback to their advisees about their progress. This authority applies not only to graded directed studies coursework but also to any other academic effort required to make satisfactory academic progress. The pace of academic progress should be sufficient to complete all degree requirements within normative time.

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SHARED GOVERNANCE IN THE

UNIVERSITY OF CALIFORNIA

AN OVERVIEW

Daniel L. Simmons*
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Shared governance with the Academic Senate is one of the distinctive features of the University of California. The system of shared governance gives University faculty, operating through the Academic Senate, a voice in the operation of the University. In addition, it imposes on faculty a measure of responsibility for the manner in which the University operates. Faculty participation in governance of the University through the agency of the Academic Senate is a guiding force that unifies the ten campuses of the University into a single system under a uniform standard of excellence.

DELEGATIONS OF AUTHORITY TO THE ACADEMIC SENATE

The Academic Senate of the University of California operates under the authority of standing orders of the Board of Regents.

Standing order 105.2 delegates to the Academic Senate, subject to the approval of the Board, the authority to --

- Determine the conditions for admission; and
- Determine the conditions for certificates and degrees, other than honorary degrees.

The Senate also is charged to recommend to the President candidates for degrees in all courses and is to be consulted, through committees as determined by the President, on the award of all honorary degrees.

Further, the Senate is delegated the authority to --

- Authorize and supervise all courses and curricula (excepting Hastings College of the Law, the San Francisco Art Institute, the courses offered by professional schools with graduate work only, and non-degree courses of University Extension); and
- Determine the membership of faculties (excepting excepting Hastings College of the Law and the San Francisco Art Institute).

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* Professor of Law, University of California, Davis. Chair of the Assembly and Academic Council 1994-95, Vice-Chair of the Assembly and Academic Council 2009-2010.

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In addition, the Senate it authorized to --

- Select committees to advise the Chancellors on the campus budgets, and the President on the University budget;
- Advise the President and the Chancellors on matters concerning the administration of the libraries;
- Select a committee to approve publication of manuscripts by the University of California Press; and
- Lay before the Board, but only through the President, any matter pertaining to the conduct and welfare of the University.

Finally, Regents standing order 103.9 guarantees to any faculty member a hearing before an appropriate committee of the Academic Senate in the case of a termination for good cause prior to the end of the faculty member's contract with the University.

These delegations of authority impose on the faculty significant responsibility for the maintenance of the quality of the instructional and research effort of the University of California.

- The authority to determine the conditions for admission charges the Senate with defining the quality of the students entering the University at both graduate and undergraduate levels. This authority is exercised by the creation of minimum standards of eligibility for admissions that are uniform throughout the system.
- The authority to establish conditions for degrees and to supervise courses and curricula charges the faculty with the responsibility to monitor the quality of the educational programs that students must complete to earn their degrees and to maintain the quality of the components of those programs.
- The authority to determine the membership of the faculty has two elements. The Senate has a responsibility to monitor the quality of the faculty who teach courses, who develop the educational program and who conduct research at the University of California. Faculty throughout the University are evaluated under a uniform set of criteria that are intended to maintain a level of excellence on each campus. Second, in order to ensure the quality of the faculty, the Senate monitors faculty welfare issues that affect recruitment and retention of high quality faculty.
- The authority to advise on the budget of the campuses and the University empowers the Senate to advocate budget allocations that channel resources into activities which enhance the academic programs of the University.
- The authority to advise on the administration of the libraries gives the faculty a voice in the maintenance of the basic intellectual infrastructure of the University.

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- The authority to select a committee to approve publication of manuscripts of the University of California Press provides the faculty with supervisory control over the quality of the Press.
- The authority to conduct hearings in disciplinary cases charges the faculty with responsibility for enforcing standards of faculty conduct that are embodied in the Faculty Code of Conduct and other policies of the University.

ORGANIZATION OF THE ACADEMIC SENATE

The basic structure of the Academic Senate, and the identity of its principal standing committees, evolves from the authorities and responsibilities delegated to the Senate by the Board of Regents. Note that while this paper principally addresses the organization of the system wide Academic Senate, organizational structures of the divisional senates on each of the nine campuses generally parallel the organization of the system wide Senate.

The ultimate policy authority of the Senate resides in the Assembly of the Academic Senate. The Assembly consists of elected representatives from each of the campuses plus the chairs of each of the divisional senates and the system wide officers. Although the Assembly is regularly scheduled to meet three times per year, it only is required to meet annually.

The Academic Council may loosely be described as the executive body of the Academic Senate. The Academic Council is charged with advising the President on behalf of the Assembly. The Academic Council includes the chairs of the most significant Senate committees, principally those committees directly charged with executing the responsibilities delegated to the Senate by the Board of Regents. Thus, in addition to its chair and vice-chair, who are also the chair and vice-chair of the Assembly, the Academic Council includes the chairs of the Board of Admissions and Relations with Schools, the University Committee on Educational Policy, the Coordinating Committee on Graduate Affairs, the University Committee on Academic Personnel, and the University Committee on Planning and Budget. In addition, the chairs of each of the divisional senates are members of the Academic Council. In recent years the Academic Council has been expanded to include the Comittees on Research and Affirmative Action and Diversity. The Academic Council meets eleven times a year on a monthly basis, with special meetings as the need arises. The President and senior officers of the University regularly attend the meetings of the Academic Council to discuss issues of system wide interest.

Each of the standing committees represented by its chair on the Academic Council includes representatives from corresponding committees at each campus. Thus, as issues percolate up to the Academic Council, the Council has the benefit of the review of literally hundreds of University of California faculty participating through the various levels of the Senate governance structure. Faculty participate in these activities, almost universally without additional compensation, as a part of their responsibility to the University motivated by their dedication to the well-being of the institution.

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The functions of the principal standing committees of the Senate are tied to the authority delegated to the Senate by the Board of Regents.

- With respect to undergraduate admissions, conditions for admission and admissions policies are reviewed and established by the Board of Admissions and Relations with Schools (BOARS). The divisional senates generally maintain parallel admissions committees. Graduate admissions are monitored by the Coordinating Committee on Graduate Affairs (CCGA). The divisional senates generally refer to the parallel divisional committee as the Graduate Council.
- Conditions for undergraduate degrees and regulations relating to the undergraduate education program are established and reviewed by the University Committee on Educational Policy (UCEP) and its counterparts on each campus. While there is no corresponding system wide committee, individual course approvals are the responsibility of divisional courses committees. The Coordinating Committee on Graduate Affairs is responsible for the approval and periodic review of all graduate programs, including professional programs.*
- Policies and procedures for determining the membership of faculties, and more importantly, policies for the advancement of faculty members, are under the jurisdiction of the University Committee on Academic Personnel (UCAP). The divisional committees on academic personnel at the campuses review merit and promotion recommendations for individual faculty members. The University Committee on Faculty Welfare (UCFW) advises the Senate and the administration on benefit programs and other welfare issues affecting faculty. Under the bylaws of the Academic Senate, membership in individual departments is subject to approval by the faculty in the individual departments.
- Consultation with the President on the budget is the responsibility of the University Committee on Planning and Budget (UCPB). Corresponding planning and budget committees advise the Chancellors on each campus. In addition, because budget allocations directly affect research support, the chair of the University Committee on Research Policy (UCORP), is an ex-officio member of UCPB.
- Library matters are considered by the University Committee on Libraries.
- Manuscripts for the U.C. Press are approved by the Editorial Committee.
- Hearings in disciplinary cases are conducted by the divisional Committees on Privilege and Tenure. There is also a University Committee on Privilege and Tenure which meets to consider system wide issues concerning disciplinary process. The privilege and tenure

* The procedures for system wide approval of program or degree establishment, disestablishment or consolidation are contained in a compendium for program review prepared by the Academic Planning Council and the Academic Senate. The compendium is available on-line through the University of California home page.

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committees also consider grievance matters raised by individual faculty members who believe that they have been denied faculty privileges as specified in University policies. Grievance cases include claims by faculty that they have been judged in a merit or promotion case according to inappropriate criteria.

The reports and recommendations of all of the Senate committees are reviewed by the Academic Council which reconciles conflicting points of view and reflects the positions of the divisional senates. The Academic Council thus becomes a focal point for system wide faculty input into policy issues before the University. Through the broad participation of faculty from every campus on the principal standing committees, the Academic Council has developed a system wide perspective on most University issues that is not reflected in any other body within the University structure. Regular consultation at the Council meetings with the senior officers of the University provides an opportunity for both parties to formulate policy positions that reflect the perceived interests of both groups. Indeed, as the next section demonstrates, the leadership of the Academic Senate is regularly engaged with the Administration in almost all aspects of the University.

ACADEMIC SENATE/ADMINISTRATION INTERFACE

The chair and vice-chair of the Assembly and Academic Council, along with almost all of the chairs of the standing committees that are represented on the Academic Council, are in regular consultation with members of the system wide administration through a variety of system wide committees and task forces. Some of these relationships are through formal standing committees of the University, others are through ad hoc committees and task forces appointed to resolve a particular issue. A partial listing of these relationships includes the following --

- Board of Regents: The chair and vice-chair of the Assembly and Academic Council sit on the Board of Regents as non-voting faculty representatives.
- President and Provost: The chair and vice-chair of the Academic Council meet individually, once a month, with the President, the Provost, the Senior Vice President for Business and Finance, and the Vice-Provost for Research, among others, to discuss issues of immediate concern and develop a common agenda.
- Executive Budget Committee: The chair and vice-chair of the Academic Council are members of the Executive Budget Committee which advises the President on the development and allocation of the University Budget. The Executive Budget Committee is chaired by the Provost and includes the vice presidents with budget responsibilities and two Chancellors.
- Academic Planning Council (APC): The chair and vice-chair of the Academic Council, and the chairs of UCEP, UCPB, and CCGA are members of this system wide academic planning body. The APC is chaired by the Provost. The chair of the Academic Council is the vice-chair of the APC. This group includes the vice-presidents for Agriculture and

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Health, the Vice Provost for Research, a chancellor, an executive vice-chancellor, a vice-chancellor for student affairs, and two at-large faculty members, among others.

- President's Council on the National Laboratories: The chair and vice-chair of the Academic Council, and at least one other representative of the Academic Senate, are members of this group which advises the President on the management of the National Laboratories and has review responsibility of the Labs under the terms of the management contract with the Department of Energy. The Senate representatives also serve on the sub-panels of the Presidents Council including the National Security Panel and the Environmental Safety and Health Panel.
- Council on Research: The chair of the Academic Council, the chair of UCPB and the chair of UCORP are members of the Council of Research which is chaired by the Vice-Provost for research and includes the vice-chancellors of research from each campus.
- Search Committees: Either the chair or vice-chair of the Academic Council, or both, serve on almost all search committees for senior system wide university officers. Standing committee chairs often are also included on search committees. Under existing Regents procedures, the chair of the Academic Council serves on the faculty advisory committee to the Regents' Search Committee in the selection of the President. Traditionally, either the chair or the vice-chair of the Academic Council serves as the chair of this Faculty Advisory Committee.
- Task Forces and Special Projects: Chairs of Senate standing committees are regularly called upon to participate in the work of special committees. Recently these have included task forces to develop an affordability model for student financial aid, to review the faculty disciplinary procedures, to review part time professional degree programs and recommend policies, and to review the executive program, among others.

AN ASSESSMENT OF SHARED GOVERNANCE

Critics of shared governance in the University of California generally raise two concerns; the faculty has too much power, and the process of faculty evaluation of proposals only contributes delay and inefficiency to the implementation of needed change.

The faculty of the University of California does indeed exercise great influence on the affairs of the University. Without the faculty there would be no prestigious research accomplishments. Without the faculty there will be no educational program. No central governing authority can direct an individual faculty member to the next great research breakthrough. Nor can a central governing authority direct individual faculty to inspire a classroom of undergraduates with the joy of the discovery of new knowledge. The governors and administrators of a university system must work to provide a supportive atmosphere that encourages creative people to perform at their highest level in a collective research and education enterprise. The faculty, through the Academic Senate, seek to advise the Board of Regents and the administration on the development of policies and procedures that will

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enhance the research and education enterprise while maintaining appropriate standards of conduct with necessary and reasonable oversight.

Shared governance provides the faculty with a mechanism to participate in the development of policy to guide the University in its continuing quest for excellence in all of its missions. The faculty's sense of participation in the collective endeavor creates a collective responsibility of ownership among the faculty for the University's academic programs. With that responsibility comes a culture that seeks to nourish the values of excellence and academic freedom which are the hallmarks of a successful institution of higher education. Removing the faculty from meaningful participation in governance would deprive the University of one of the principal forces driving its constant progress towards higher quality results in its teaching, research and service.

The relationship between the Academic Senate and the administration, both system wide and on the campuses, has evolved over the past few years into a partnership that works to bring the faculty into decision making processes at the formulation stage. The faculty becomes a partner with the administration in working out common ground from which to face the challenges of the times. Standing on that common ground, it becomes difficult for one side or the other to pull the rug out from under a policy direction. Without mutual participation in decision making the faculty and the administration would stand apart on opposite sides of a table unproductively complaining each about the recalcitrant position of the other as is the case in some universities with a unionized faculty.

Clearly the consultation inherent in shared governance is a difficult and time consuming process for all participants. The time devoted to consultation undoubtedly delays implementation of what proponents always believe is a good idea. However, the University of California is too complex of an institution to be managed by a central authority. The filter of other minds, and the tests of experience broader than that of a few people more often than not adds value to the formulation of a proposal. In many cases, consultation has thwarted unwise ideas. Examples may also be found of bad decisions that may have been prevented with broader consultation with affected groups. Overall, we enhance our collective skills by reaching out to broad constituencies for participation in governance.

That is not to say that the processes of consultation and shared governance cannot be improved nor made to function more efficiently. Like any dynamic organization, the Academic Senate must be responsive to change through an ongoing evaluation of its organizational structure with an eye to streamlining its operations. That is a continuing challenge to Senate leadership.

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Rights and Responsibilities Related to Free Expression

OCTOBER 2, 2023

Dear Bruin Community:

Echoing Chancellor Block's welcome message (https://chancellor.ucla.edu/messages/a-warm-welcome-at-the-start-of-the-academic-year) last week, we wish to express our high hopes that the new academic year will be one of learning and growth for Bruins across our institution.

In a vibrant and diverse community such as this one, much of that learning and growth will come from engagement with viewpoints different from our own and ideas we may not readily understand. Our minds are stimulated and stretched when we grapple with new concepts, new perspectives, new questions and new ways of thinking. While this can be uncomfortable, it is also what helps us consider fresh ways of looking at an issue, refine our positions and develop our worldview. Ultimately, this process advances truth and understanding.

It is for these reasons that we lift up the free expression of ideas as fundamental to our academic mission. Aside from an institutional value, it is also a right: As a public university, UCLA is barred by the Constitution from prohibiting speech or other forms of expression based on the viewpoint of the speaker. The right to freedom of speech secured by the First Amendment is held by students, faculty and staff as well as visitors who are invited to speak at UCLA by registered campus organizations, academic departments and the like. UCLA is bound by the First Amendment even in cases in which the speaker may present offensive or hateful ideas.

In such cases, to be sure, UCLA's commitment to freedom of expression may sit uneasily beside our commitments to equity, diversity and inclusion. This can create tension — or even distress — when one person's speech causes concern or deeply offends another person or group.

UCLA's Principles of Community (PDF) (https://www.ucla.edu/pdf/principles-of-community.pdf) and our True Bruin Values (https://click.bp.e.ucla.edu/?qs=53a4f7a96cc93668d45d42eca11ef75bf5b038cdf9530e8dad0048ac8425d19f749b4bf5c79e6b13ecaba7b447c58b8533afb0bf8bec58e7) exist to help create the conditions that enable Bruins to engage across difference while maintaining a culture of respect. They remind us that while we can and should debate ideas — and we certainly will, especially as we gear up for the U.S. presidential race in 2024 — we must never attack one another's fundamental humanity. They ask us to embrace the aim of a university education and rely on facts, evidence, reason and principled, respectful discourse in all our discussions and debates.

These values are modeled in UCLA's Dialogue Across Difference initiative (https://evcp.ucla.edu/priorities), which you will be hearing more about this fall, and which will bring Bruins of all kinds together for public events, trainings, workshops and programs inside and outside of the classroom.

People in a diverse community like ours will never agree on everything — nor should we. But agreeing on how to disagree is still important. Agreeing to debate ideas instead of trading insults, to seeing one another with empathy and curiosity rather than hostility or contempt, to trying to engage rather than just enrage — all of this can help us conduct healthy debates where passion and compassion co-exist.

If we approach one another with respect and empathy as a foundation, our discussions and disagreements will not create rifts; they will help us grow as people and advance knowledge and truth.

Sincerely,

Darnell Hunt
Executive Vice Chancellor and Provost

Monroe Gorden, Jr.
Vice Chancellor for Student Affairs

Mitchell Chang
Interim Vice Provost for Equity, Diversity and Inclusion

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EXHIBIT NO. 24

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General University Policy Regarding Academic Appointees: APM - 016 - University Policy on Faculty Conduct and the Administration of Discipline

University Policy on Faculty Conduct and The Administration of Discipline

The University policy on faculty conduct and the administration of discipline is set forth in its entirety in this policy and in the Faculty Code of Conduct.

Section I -- Introduction and General Policy

This policy, as recommended by the President of the University and approved by The Regents on June 14, 1974, November 15, 2001, and March 15, 2017, supersedes the President's interim statement on the same subject, issued on January 15, 1971. The present policy is to be read in conjunction with the Faculty Code of Conduct.

The Faculty Code of Conduct is set forth in APM - 015. Part I of the Faculty Code of Conduct notes the responsibility of the administration to preserve conditions that protect and encourage the faculty in its central pursuits. Part II defines normative conditions for faculty conduct and sets forth types of unacceptable faculty conduct subject to University discipline. Part III makes recommendations and proposes guidelines to assure the development of fair procedures for enforcing the Code.

Nothing in the Faculty Code of Conduct, or in this policy, is intended to change the various authorities and responsibilities of the Academic Senate, the administration, and The Regents as currently set forth in The Regents' Bylaws, the policies and regulations of the University, and the Bylaws and Regulations of the Academic Senate.

The Faculty Code of Conduct explicitly does not deal with policies, procedures, or possible sanctions pertaining to strikes by members of the faculty. These are covered by Regental and administrative policies external to the Code.

Except for the matter of strikes, and with recognition that Part III of the Faculty Code of Conduct consists of mandatory principles and recommendations to the Divisions of the Academic Senate and the campus administrations, the Faculty Code of Conduct, as set forth in APM - 015, is the official basis for imposing discipline on members of the faculty for professional misconduct.

With respect to the imposition of disciplinary sanctions, the Faculty Code of Conduct deals only with the professional responsibilities, ethical principles, and standards of conduct that pertain to the professional obligations of faculty members. No disciplinary sanctions described in this policy may be imposed on faculty members other than through the procedures pursuant to this policy and the Faculty Code of Conduct. In addition, faculty members may be subject to certain administrative actions which are outside the scope of faculty discipline. For example, like all other members of the University community, faculty

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members are subject to the general rules and regulations of the University such as those pertaining to parking, library privileges, health and safety, and use of University facilities. Faculty are subject to appropriate administrative actions for failure to comply with such rules and regulations. Another example applies to faculty members serving in administrative appointments who are subject to administrative actions for misconduct in their role as administrators. Faculty members serving in administrative roles may be subject to disciplinary sanctions under this policy, in addition to administrative actions, if the faculty member's misconduct in the role of an administrator also violates the ethical and professional standards for faculty set forth in the Faculty Code of Conduct.

To maintain consistency in the future between the Faculty Code of Conduct, if it should be further amended by the Academic Senate, and any new or changed Regental or administrative policies relating to faculty conduct that might be adopted, the President will consult with appropriate agencies of the Academic Senate, and will undertake to facilitate any needed joint action by the Senate and The Regents or the administration.

Authority for discipline derives from The Regents. The Regents have made the Chancellor of each campus responsible for discipline on the campus (Regents' Bylaw 31), subject to certain procedures and safeguards involving the President and the Academic Senate (Regents' Bylaws 30, 31, and 40).

This policy regarding faculty discipline requires a spirit of active cooperation between the administration, as embodied by the Chancellor, and the Academic Senate. In case of disagreement between the administration and the faculty over the interpretation or application of the Faculty Code of Conduct, conflicts will be resolved on a case-by-case basis, with the fullest consideration given to peer judgments achieved through procedures for discipline. In cases where a Chancellor's tentative decision regarding the imposition of discipline on a faculty member disagrees with the recommendation of the Divisional Committee on Privilege and Tenure, the Chancellor shall inform the Chair of the Committee on Privilege and Tenure in writing that the Chancellor may disagree and ask if the Chair would like the Chancellor to meet with the Chair or with the whole committee prior to making a final decision or recommendation.

Disciplinary action is to be distinguished from certain other administrative actions taken as the result, not of willful misconduct but rather, for example, of disability or incompetence. The administration naturally bears the responsibility of assuring that the University's resources are used productively and appropriately. In meeting this responsibility, administrators must occasionally take actions which resemble certain disciplinary sanctions but which are actually of an entirely different character. These actions are subject to separate procedures with due process guarantees and should not be confused with disciplinary action with its implications of culpability and sanction. APM - 075 on Termination for Incompetent Performance articulates the conditions under which faculty members with tenure or security of employment may be terminated for incompetent performance.

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Section II -- Pause on Academic Review Actions

At the beginning of a formal investigation of alleged misconduct by a faculty member, if the Chancellor (or Chancellor's designee) finds that any of the alleged misconduct is relevant to the assessment criteria for academic personnel review actions, the Chancellor (or the Chancellor's designee) may impose a no-fault pause on any current or future academic personnel action (e.g., for merit, promotion, or advancement) of that faculty member. The faculty member will receive confirmation from the Chancellor (or the Chancellor's designee) that the no-fault pause is in place.

The no-fault pause on any current or future academic personnel review action of the faculty member shall end when the investigative and disciplinary processes are concluded; in the event of a disciplinary process following a formal investigation, the no-fault pause shall end when a final decision is made whether to impose disciplinary sanctions. The academic personnel review process may then proceed according to campus procedures. If the investigative and disciplinary processes are not concluded by the beginning of the faculty member's eighth year of service at the rank of Assistant Professor (or a combination of equivalent titles), the Chancellor is authorized to recommend to the President that the appointment be extended beyond the eighth year in accordance with Regents Bylaw 40.3(c).

Locations are responsible for developing procedures to implement this Section, including, but not limited to, local procedures to address at what stage in existing local procedures the pause occurs, as well as identification of which campus office(s) have responsibility to provide written confirmation of the no-fault pause to the faculty member, to give a faculty member under investigation periodic updates on the status of the investigation, and to notify relevant administrators of the beginning and end of a no-fault pause on the faculty member's current or future academic personnel review actions.

Section III -- Types of Disciplinary Sanctions

The types of discipline that may be imposed on a member of the faculty are as follows, in order of increasing severity: written censure, reduction in salary, demotion, suspension, denial or curtailment of emeritus status, and dismissal from the employ of the University. In any disciplinary proceeding, the Chancellor may not impose a type of discipline more severe than that which was set forth in a written notice of proposed disciplinary action to the faculty member. The Chancellor may impose additional appropriate remedial or corrective sanctions not set forth in this Code only with the consent of the accused faculty member. More than one disciplinary sanction may be imposed for a single act of misconduct, e.g., a letter of censure and a suspension. The Chancellor may remove or terminate a sanction, either automatically or by administrative discretion, in individual cases. The severity and type of discipline selected for a particular offense must be appropriately related to the nature and circumstances of the case.

1. **Written Censure**

   A formal written expression of institutional rebuke that contains a brief description of the censured conduct, conveyed by the Chancellor. Written censure is to be distinguished from an informal written or spoken warning, and must be delivered confidentially to the recipient and maintained in

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a designated personnel file or files indefinitely or for a lesser period of time specified in the writing. Informal written or spoken warning is not an official disciplinary action.

2. **Reduction in Salary**

Reduction to lower salary without change in rank or step. The authority to reduce the salary of any faculty member rests with the Chancellor. This authority may not be redelegated. The amount and duration of the reduced salary shall be specified.

3. **Demotion**

Reduction to lower rank or step with corresponding reduction in salary. Demotion as a disciplinary action should be imposed in a manner consistent with the merit based system for advancement. Generally, demotion is an appropriate sanction when the misconduct is relevant to the academic advancement process of the faculty member. The authority to reduce the rank of a faculty member who does not have tenure or security of employment rests with the Chancellor. The authority to reduce, within rank, the step of any faculty member to a lower step rests with the Chancellor. This authority may not be redelegated.

Authority for demoting a faculty member with tenure or with security of employment to a lower rank, also with tenure or with security of employment, rests with the President, on recommendation of the Chancellor. Demotion of a faculty member with tenure or with security of employment to a lower rank without tenure or security of employment is not an option.

4. **Suspension**

Suspension of a faculty member without pay for some stated period of time from the continuance of the appointment on its normal terms. Unless otherwise noted, the terms of a suspension will include loss of normal faculty privileges such as access to University property, participation in departmental governance, voting rights, administration of grants, supervision of graduate students, and use of University administrative staff, and may include loss of other campus privileges such as parking and library privileges. The degree and duration of the suspension shall be specified. Authority for the suspension of a faculty member rests with the Chancellor and may not be redelegated. Suspension as a disciplinary action is to be distinguished from involuntary leave, which is a precautionary action.

5. **Denial or Curtailment of Emeritus Status**

Denial or curtailment of current or future emeritus status of a faculty member, including the privileges associated with the emeritus status. The denial or curtailment of emeritus status does not affect the faculty member's entitlement to earned retirement benefits. Authority for the denial or curtailment of emeritus status of a faculty member rests with the President, on recommendation of the Chancellor.

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6. **Dismissal from the Employ of the University**

The Chancellor has authority to dismiss a faculty member who does not have tenure or security of employment. This authority may not be redelegated. Authority for dismissal of a faculty member who has tenure or security of employment rests with The Regents, on recommendation of the President, following consultation with the Chancellor.

Prior to the imposition of any disciplinary sanction(s) as described above, the Chancellor may waive or limit any or all disciplinary sanction(s) on the condition that the accused faculty member performs some specified action(s) designed to address the harm and/or to prevent future harm. Such actions may include, but are not limited to, monetary restitution, repayment of misappropriated resources, compliance with a commitment not to repeat the misconduct, or other act to make whole injury caused by the faculty member's professional misconduct or to prevent future misconduct.

If the imposition of a disciplinary sanction is waived, the subsequent failure to perform the required act or otherwise comply with the conditions of the waiver will immediately subject the faculty member to the implementation of the underlying sanction without an additional hearing. The authority to determine whether the faculty member has complied with the conditions of the waiver rests with the Chancellor. The Chancellor may designate a fixed time period for compliance with the terms of the waiver, after which the authority to impose discipline will lapse. If a faculty member disputes the Chancellor's determination, the faculty member may grieve under applicable faculty grievance procedures.

A Chancellor is authorized to initiate involuntary leave with pay prior to, or at any time following, the initiation of a disciplinary action if it is found that there is a strong risk that the accused faculty member's continued assignment to regular duties or presence on campus will cause immediate and serious harm to the University community or impede the investigation of wrongdoing, or in situations where the faculty member's conduct represents a serious crime or felony that is the subject of investigation by a law enforcement agency. When such action is necessary, it must be possible to impose the involuntary leave swiftly, without resorting to normal disciplinary procedures. In rare and egregious cases, a Chancellor may be authorized by special action of The Regents to suspend the pay of a faculty member on involuntary leave pending a disciplinary action. This is in addition to the Chancellor's power to suspend the pay of a faculty member who is absent without authorization and fails to perform duties for an extended period of time, pending the resolution of the faculty member's employment status with the University. Thereafter, the faculty member may grieve the decision to place the faculty member on involuntary leave pursuant to applicable faculty grievance procedures. The Divisional Committee on Privilege and Tenure shall handle such grievances on an expedited basis if so requested by the faculty member; the Committee may recommend reinstatement of pay and back pay in cases where pay status was suspended. Within 5 (five) working days after the imposition of involuntary leave, the Chancellor must explain to the faculty member in writing the reasons for the involuntary leave including the allegations being investigated and the anticipated date when charges will be brought, if substantiated.

Every such document must include the following statements: (1) the Chancellor has the discretion to end the leave at any time if circumstances merit; (2) the involuntary leave will end either when the allegations

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are resolved by investigation or when disciplinary proceedings are concluded and a decision has been made whether to impose disciplinary sanctions; and (3) the faculty member has the right to contest the involuntary leave in a grievance proceeding that will be handled on an expedited basis, if so requested by the faculty member.

Section ~~III~~ IV -- Procedures for Imposition of Disciplinary Sanction

Safeguards against arbitrary or unjust disciplinary actions, including provision for hearings and appeals, are well established in the University.

The Regents' Bylaws provide that actions of certain types, some of them disciplinary in character, may not be carried out without the opportunity of a prior hearing before, or without advance consultation with, "a properly constituted advisory committee of the Academic Senate" (Regents' Bylaws 30, 31, and 40.3).

The Academic Senate has established Committees on Privilege and Tenure in each of the nine Divisions. The composition and duties of these committees are defined by the Academic Senate. One of the traditional roles of the Divisional Committees on Privilege and Tenure is to conduct hearings on disciplinary charges initiated by the Chancellor under this policy and make findings of fact and recommendations to the Chancellor regarding proposed disciplinary sanctions. The procedures for disciplinary hearings are set forth in Academic Senate Bylaw 336.

Another traditional role, to be distinguished from the conduct of disciplinary hearings, is to consider grievances by members of the Academic Senate regarding their rights and privileges as faculty members. The procedures for considering grievances are set forth in Academic Senate Bylaw 335. A disciplinary action is distinguished from a grievance action in that a disciplinary action generally is commenced by the administration against a faculty member based on charges that the faculty member has violated the Faculty Code of Conduct. A grievance action is initiated by a faculty member who believes that he or she has suffered injury as the result of a violation of the faculty member's rights or privileges. A grievance action specifically requests the administration to take appropriate action to eliminate or mitigate the faculty member's injury. A grievance alleging misconduct by another member of the Academic Senate may result in disciplinary proceedings commenced against that faculty member.

The Faculty Code of Conduct applies to all faculty members, Senate and non-Senate. For members of the Academic Senate, the procedures for disciplinary actions are governed by Senate Bylaws and Divisional rules. For academic appointees who are not members of the Academic Senate (and this group includes certain categories of faculty members) there are procedures for disciplinary actions separate from that of the Senate's committees. Those procedures are found in APM - 150 and relevant collective bargaining agreements or Memoranda of Understanding.

The Faculty Code of Conduct also applies to faculty members holding administrative appointments. Faculty members serving as administrators may be subjected to disciplinary action under this Code for professional misconduct in their administrative role that violates the ethical principles and falls within the types of unacceptable conduct set forth in this Code. A disciplinary action against a faculty member holding an administrative title may proceed in two parts. One part involves the removal of an

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administrative title or other administrative action under procedures established by The Regents and the administration. Such action need not adhere to the disciplinary procedures set forth in this policy. The other part involves the proposed imposition of any type of disciplinary sanction set forth in this policy, which must proceed in accordance with the procedures for discipline outlined in the Faculty Code of Conduct and the applicable Senate Bylaws and Divisional rules. The removal of the administrative title or other administrative action does not preclude or require the imposition of a disciplinary sanction under this policy. Administrative incompetence does not in itself constitute a violation of the Faculty Code of Conduct.

It is the responsibility of each Chancellor to establish procedures for the administration of discipline on the campus, in consultation with the campus Division of the Academic Senate and such other advisory groups as are appropriate. No disciplinary sanction for professional misconduct shall be imposed except in accordance with specified procedures. It is not essential that the procedures be identical on every campus. It is important, however, that the same basic principles and standards prevail throughout the University. Requirements and recommendations for developing campus disciplinary procedures pursuant to this policy are set forth in the Faculty Code of Conduct and the Senate Bylaws. Chancellors are to keep the President informed about campus procedures and to report any significant changes made in such procedures. The President will consult periodically with the Chancellors and the Academic Senate about procedures that are being employed in order to assure equitable standards for discipline throughout the University.

Revision History

XXX XX, 2024:

- Substantive revision to include no-fault pause at onset of investigation of allegations of misconduct.

April 20, 2022:

- Technical revisions to update references to Regental governing documents.

September 23, 2020:

- Technical revision to remove gendered language.

For details on prior revisions, please visit the Academic Personnel and Programs website.

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EXHIBIT NO. 25

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UCLA Black, Latinx, and Native American (BLNA) Faculty Collective of the David Geffen School of Medicine (DGSOM)

UCLA BLNA Letter in Support of Students, Faculty and Broader Bruin Community Subject to Emotional and Physical Violence During the Past Week's Events

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Statement from the UCLA Black, Latinx, and Native American (BLNA) Faculty Collective of the David Geffen School of Medicine (DGSOM) in Support of Students and Faculty and Broader Bruin Community Subject to Emotional and Physical Violence During the Past Week's Events

The UCLA BLNA community, comprised of physicians, healthcare providers, and faculty affiliated with the David Geffen School of Medicine (DGSOM), would like to share our solidarity with students, trainees, staff, and fellow faculty who experienced inexplicable violence on April 30th and May 1st. The peaceful Palestinian Solidarity Encampment faced two waves of brutality, first at the hands of unchecked agitators and then by uniformed officials. We are especially distraught, having already seen months of division within our community and the silencing of individuals exercising their First Amendment rights in support of peace and compassion. Collectively, these events have fractured our UCLA community, impaired the search for truth that we aspire to in academia, and damaged our collective sense of safety and freedom.

The demonstrations that began on April 26th were overwhelmingly peaceful, giving us pride as members of the Bruin community, and were recognized as such by university leadership. Through the morning of April 30, we witnessed continuous university messaging on its commitment to a longstanding legacy of peaceful protests and ensuring students' First Amendment rights. Later that afternoon, without much explanation, President Drake and Chancellor Block suddenly declared the peaceful student encampments as "unlawful" and "unauthorized." This was coordinated with increased security personnel and UC security/police presence but lacked basic protection for the well-being of students and faculty. That same night, attackers, including self identified white supremacists and members of other right-wing organizations, were permitted to act violently and without restraint. Instead of protecting our students, the university police stood back, simply watched, filmed, and failed to stop the unrelenting violence against its students, staff, and faculty in the encampment over several hours. The world watched live newscasts for HOURS as the encampment had firework projectiles launched into it and as its students, staff, and faculty were being beaten, sprayed, and assaulted.

Many of our DGSOM medical students, residents, and DGSOM faculty served as first responders and provided emergency care for students, staff, and faculty and students who experienced physical injuries. They also continue to provide mental health and social support for the students despite experiencing trauma themselves. We have all witnessed media footage of the injuries, and it is incomprehensible why the UC security/police forces did not stop this violence that was clearly instigated by outside groups who are not affiliated with UCLA. Even worse was the LAPD's excessive and traumatizing response on May 1st, when they dismantled the encampment and arrested over 200 of our students, staff, and faculty members while— seemingly finishing the job of the outside attackers from the night before. A campuswide announcement was made for everyone to safely return to campus on May 6. Still, that morning, 43 students, journalists, and legal observers were arrested on campus for alleged conspiracy to commit burglary. And yet, none of the outside attackers have been brought to justice, despite at least one individual proudly identifying themselves and publicly posting footage of their attack on our students, staff, and faculty. Although university leadership has opened a law enforcement investigation surrounding last week's event and opened a new Office of Campus Safety, the leadership has not taken accountability for their actions and how they have infringed upon students' and faculty's freedom of speech.

The events in the last two weeks are the latest in a pattern of less publicized and equally disturbing university inaction to protect its faculty. For months, we have witnessed personal and intellectual attacks on our faculty promoting core university values (e.g., fostering an environment of mutual respect and promoting health equity). We want to highlight the importance now more than ever of ensuring an inclusive and equity-minded environment that is critical to support the safety and sense of belonging, especially of those from marginalized and oppressed groups. Inclusivity and equity are needed for diversity to thrive, to promote the reunification of our Bruin community, and to ensure the safety of members of our community, including Jewish, Arab, and Muslim students. A ⓘ cs against these principles of inclusivity for those marginalized, as well as selective support for freedom of speech, have deeply divided our campus and the surrounding community, created a hostile environment for

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students and faculty, and sent a message that some groups are more deserving of safety than others. This is in the context of the ongoing global unrest, wars, and famine, including famine in Gaza, violence against Palestinian civilians in the West Bank, the still missing Israeli hostages, and the collective punishment that Palestinian civilians are experiencing. These events have been psychologically traumatic for many students, trainees, staff, and faculty, many of whom identify as Jewish and Palestinian. Equally concerning is the ill-intended attempt to equate criticism of the indiscriminate actions of the Israeli military and a foreign government with antisemitic sentiments or to equate the indiscriminate action of Hamas with the views and position of all Palestinian people. The attempts to silence students, staff, and faculty who support the return of all hostages as well as famine relief and a ceasefire of the indiscriminate bombing of Palestinian civilians with the labeling of such sentiments as being antisemitic only exacerbates and creates new divisions and stifle civil discourse that could bring all communities closer and foster a sense of physical, emotional, and intellectual safety for all.

Some of our students, trainees, staff, and faculty migrated to the US from totalitarian regimes and have lived without freedom of speech and with frank violations of human and civil rights. The events of this last week to “silence voices for peace,” with a response of institutionally supported violence, have been deeply disappointing and reminiscent of the actions of those same totalitarian governments that we hold as cautionary tales. The experiences are re-traumatizing for many UC students, trainees, staff, and faculty. **The inability of The Regents of the University of California to ensure the physical, emotional, and intellectual safety of ALL students, trainees, staff, and faculty has made us lose trust in the university leadership’s ability to protect and safeguard the safety of ALL learners, staff, and faculty alike.**

As faculty members of UCLA and UCLA Health System, we work tirelessly to ensure the health and safety of all individuals, both physical and emotional. We support the UC statement of inclusive excellence that **academic excellence is fed by a plurality of ideas, experiences, and perspectives**. Founded with a promise to make higher education available to all California citizens, the University of California draws strength and definition from diversity. We have profound disappointment that our students are being taught a different lesson - that the best way to address peaceful protests is with institutional violence. We know we can do better, and as such, we ask the following so we can take steps toward rebuilding trust and healing in our larger community:

- **Amnesty for all students and faculty arrested** and who participated in the encampment, and coverage of any associated medical and legal costs, plus coverage of lost property.
- **Thorough investigation of the administrative response to the 4/30/24 and 5/1/24 attacks** on demonstrators, with clear repercussions, including a request for the immediate resignation of university leadership.
- **Investigation** of the orders and action (or inaction) of UCLA security, campus police, and LAPD.
- **Formal acknowledgment and online publication of all letters and statements** released by the different departments and faculty members across campus.
- **That the UC meaningfully upholds the UC statement of inclusive excellence – “Academic excellence is fed by a plurality of ideas, experiences,** and perspectives. Founded with a promise to make higher education available to all California citizens, the University of California draws strength and definition from diversity."

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Signed,

Juline Asamoah, MD
Mona AuYoung, PhD, MS, MPH
Carol Bennett , MD
Daniel Bradley, MD
Xavier E. Cagigas, PhD
Alejandra Casillas, MD, MSHS
Jacqueline Casillas, MD
Kacie D. Deters, PhD
Mirella Diaz-Santos, PhD
O. Kenrik Duru, M.D.
Nanibaa' Garrison, PhD
Arthur Gomez, MD, FACP
Alma Guerrero, MD, MPH
Nina Harawa, PhD, MPH
Marco A. Hidalgo, PhD
Hana Khidir, MD
Adys Mendizabal, MD, MS
Benjamin Meza, MD
Norweeta Milburn, Ph.D.
Keith Norris, MD, PhD
Ketema Paul, Ph.D.
Michael Robinson, MD
Evan Michael Shannon, MD, MPH
Karol Watson, MD, PhD
Lindsay Wells, MD
Gail E. Wyatt, PhD

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EXHIBIT NO. 26

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Statement from undersigned members of the Department of Asian Languages and Cultures in response to the UCLA administration's failures over the Student Encampment and Protests →
(https://www.alc.ucla.edu/news/statement-from-undersigned-members-of-the-department-of-asian-languages-and-cultures-in-response-to-the-ucla-administrations-failures-over-the-student-encampment-and-protests/)

(https://www.alc.ucla.edu)

UCLA DEPARTMENT OF ASIAN LANGUAGES & CULTURES

(https://www.alc.ucla.edu/)

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Statement from undersigned members of the Department of Asian Languages and Cultures in response to the UCLA administration's failures over the Student Encampment and Protests

Published: May 8, 2024

As members of the Department of Asian Languages and Cultures, we are both horrified and outraged by the UCLA administration's failure to protect our students and their right to free expression.

We condemn the administration first for not taking adequate steps to ensure the safety of students expressing their views on campus, and second for failing to respond immediately when a mob from outside campus took advantage of this neglect to carry out a violent attack on students on the night of April 30. We further condemn the administration's compounding of these failures in its callous request that militarized law enforcement clear out the encampment on the night of May 1, which left students injured by rubber bullets, stun grenades, and other physical abuse and resulted in hundreds of arrests of students, staff, and faculty members. Finally, we condemn the ongoing militarization and shutdown of campus in response to continuing protests,

Recent News

Statement from undersigned members of the Department Asian Languages and Culture response to the UCLA administration's failures over t Student Encampment and Protests (https://www.alc.ucla.edu/ne from-undersigned-members- the-department-of-asian- languages-and-cultures-in- response-to-the-ucla- administrations-failures-over- student-encampment-and- protests/)

Film commissioned by UCLA professor earns spot at Direct Fortnight in Cannes (https://www.alc.ucla.edu/ne commissioned-by-ucla-profe earns-spot-at-directors-fortn in-cannes/)

In memoriam: Diego Loukota, specialist in Indian and Centra Asian Buddhism, 'once-in-a- generation' intellect (https://www.alc.ucla.edu/ne memoriam-diego-loukota-38 specialist-in-indian-and-cent asian-buddhism-once-in-a- generation-intellect/)

Japanese Silent Film Tour 'Th of the Benshi' to Debut at BAM (https://www.alc.ucla.edu/ne

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including unjustified arrests on the morning of May 6 of students, faculty, journalists, and legal observers for supposed "curfew" violations or "conspiracy to commit burglary." Many of our faculty grew up under repressive regimes in Asia and other parts of the world, and never expected the UCLA administration's rhetoric and actions to remind them so vividly of their youth. Our faculty, staff, and students are very diverse, including a large number of non-US residents, and we do not feel safe on campus.

The administration's actions have led to a breach of trust between the administration and the students, staff, and faculty of this campus. Our classes have been disrupted, and the fundamental mission of our public university has been compromised. Students, staff, and faculty feel betrayed and unsafe on campus, and are bewildered at the expectation that we seamlessly "pivot" to remote learning for the second half of the spring quarter so that the university administration may continue to criminalize peaceful protest.

We believe that the campus community deserves a thorough accounting of the administration's failure through an impartial, independent investigation, and that those found to be responsible for making these awful decisions should resign. At the same time, we are convinced that the failures that have so traumatized the campus are connected to broader systemic failures that permeate UCLA administration, and that much more is required than a simple switch of leadership.

We therefore demand the following:

1. An independent investigation into and full accounting of the actions and inactions of the UCLA administration, including its failure to protect the encampment from the violent attack, the decision to clear the encampment, and the militarization and shutdown of campus.
2. An independent investigation of UCPD, including their failure to prepare adequately for possible violence; their seeming unwillingness to protect students on the night of April 30th; their clearing of the encampment on May 2; and their arrest of students, journalists, and faculty under false pretenses ("conspiracy to commit burglary") on May 6.
3. An independent investigation into and public explanation of the events leading to the Jumbotron's installation; of why it was permitted to broadcast traumatizing content that violated Title IX policy at a volume so loud it could be clearly heard in offices and classrooms on the Royce quad all day and night from April 28 until May 2; and of why it was initially left in place after the encampment was cleared. This investigation must also clarify any connections that may exist between the Jumbotron sponsors and the violent attack against the encampment on April 30.
4. A public acknowledgement that the student protests had been overwhelmingly peaceful, that they did not disrupt campus/classroom access as stated in the letter sent by the Chancellor on May 2, and that any violence connected to the protest was created primarily by outside agitators and law enforcement.
5. The development of clear policies that assure and commit to protect the freedom of dissent and assembly, and the right to protest at UCLA in a safe environment and without fear of retaliation and violence.
6. A commitment to engage in good-faith discussions with students about their demands, and to consult properly with and take advantage of the expertise of the Academic Senate when taking momentous decisions that could have serious implications for the entire campus.In addition, we demand:

silent-film-tour-the-art-of-the
benshi-to-debut-at-bam/)

Translation, disinformation an
Guggenheim Fellowship
(https://www.alc.ucla.edu/ne
disinformation-and-a-
guggenheim-fellowship-2/)

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7. The dropping of any disciplinary actions against peaceful protesters (such as student suspensions and expulsions or retaliation against employees).
8. Advocacy on the part of the university in support of the students, faculty, and staff within the legal system, including requests for charges to be dropped and help in securing and paying for legal representation.
9. Assistance with medical expenses associated with injuries sustained by student, staff, and faculty protesters as a result of the violence they suffered at the hands both of the mob that attacked them on April 30 and of the police.
10. A commitment to refrain from mobilizing external law enforcement against peaceful on-campus protesters.

Signatories:
Julia Clark, Adjunct Assistant Professor
Kun-Xian Shen (PhD candidate)
Namhee Lee, Professor of Modern Korean History, ALC
Michael Emmerich, Professor, ALC
Guanrui Gong, PhD student
Seiji Lippit, Professor, ALC
Michiko Kaneyasu, Associate Professor, ALC
Yuxuan Tay, PhD Student
Shu-mei Shih, Professor, ALC
Fang-Ru Lin, Ph.D. Candidate
Anonymous
Sung-Deuk Oak, Associate Professor
Michael Berry, Professor, ALC
Oona Paredes, Associate Professor
Satoko Shimazaki, Associate Professor, ALC
Min Li, Associate Professor
Yee Rem Kim, PhD Student, ALC
Gyanam Mahajan, Professor of Teaching (Academic Senate)
Victoria Caudle, PhD Candidate, ALC
Stephanie Jamison, Professor
George Dutton, Professor
Yinghui Wu, Assistant Professor, ALC
Thu-huong Nguyen-vo, Professor
Huijun Mai, Assistant Professor, ALC
Hyun Suk Park, Assistant Professor, ALC
Jennifer Jung-Kim, Lecturer
Sixiang Wang, Assistant Professor, ALC
Hanbeom Jung, PhD Student
Hyowon Park, Graduate Student
Seonkyung Jeon, Lecturer
Zelin Min
Anonymous
Stephanie Balkwill, Assistant Professor, ALC
Torquil Duthie, Professor, ALC
Mathieu Berbiguier, Ph. D. Candidate

Anonymous

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Jane Choi, Lecturer

Kanako Mabuchi, Graduate Student

Lin Du

Yuki Taylor, Lecturer

Yasmine Krings, PhD Candidate

Yueying Li

Hee Ju, Lecturer

Chuc Bui

Yoko Nogami, Lecturer

Yu-wen Yao, Lecturer, ALC

Anonymous

Paula R. Curtis, Yanai Initiative Postdoctoral Fellow

Charlotte Pu, Phd student

Signature collection is ongoing

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EXHIBIT NO. 27

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Agreement to peacefully end encampment on campus

May 3, 2024

KIM A. WILCOX
Chancellor

May 3, 2024

Dear Campus Community,

Since Wednesday, several UC Riverside campus leaders have been meeting with the leaders of the student encampment on campus. These meetings have been productive, civil, and representative of multiple points of view on how to reach a resolution.

I am pleased to share that we have reached an agreement that will result in the peaceful conclusion of the encampment by no later than midnight tonight. Please click here to view the full agreement, which will be carried out consistent with state and federal law.

It has been my goal to resolve this matter peacefully and I am encouraged by this outcome – which was generated through constructive dialogue.

UCR values students' right to practice peaceful free speech, as well as our Principles of Community and the safety of our students, staff, faculty, and visitors.

This agreement does not change the realities of the war in Gaza, or the need to address antisemitism, Islamophobia, and other forms of bias and discrimination; however, I am grateful that we can have constructive and peaceful conversations on how to address these complex issues.

Thank you to every member of our campus community who has navigated the complexities of this week's events with patience, grace, and civility.

Update: FAQs on the agreement are available here.

RELATED ANNOUNCEMENTS

Encampment on

Chancellor's Update

Chancellor's Update

Impact23 and SB 27

FEBRUARY 21, 2024

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UC RIVERSIDE

Office of the Chancellor
4108 Hinderaker Hall
900 University Avenue
Riverside, CA 92521

May 3, 2024

The signatories agree to the following amended terms:

- All currently public information on UC's investments will be posted to the UCR campus website. It will continue to be updated as the UC releases more information. The goal is to get full disclosure of the list of companies in the portfolio and the size of the investments.
- The UCR Administration agrees to form a task force that includes students appointed by ASUCR's Diversity Council and faculty appointed by the Academic Senate to explore the removal of UCR's endowment from the management of the UC Investments Office, and the investment of said endowment in a manner that will be financially and ethically sound for the university with consideration to the companies involved in arms manufacturing and delivery. The goal of this task force is to produce a report to present to the UCR Foundation Board of Trustees by the end of Winter Quarter 2025. The task force will be formed by the end of the Spring 2024 quarter.
- Commitment to bimonthly meetings with the AVC of Auxiliary Services and an ongoing review of Sabra Hummus consistent with existing product review processes until we can find a resolution.
- The School of Business has discontinued Global Programs in Oxford, USA, Cuba, Vietnam, Brazil, China, Egypt, Jordan, and Israel.
- UCR will modify its approval process for all study abroad programs to ensure compliance with UC's Anti-Discriminatory Policies.

Samia Alkam, Lead Negotiator

Brian Haynes, Vice Chancellor for Student Affairs

Hibah Nassar, SJP President

Christine Victorino, SOE Professor of Practice

Elizabeth Watkins, Provost & Executive Vice Chancellor

Kim A. Wilcox, Chancellor

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EXHIBIT NO. 29

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Berkeley
UNIVERSITY OF CALIFORNIA

Carol T. Christ
CHANCELLOR

200 California Hall #1500
Berkeley, CA 94720-1500
510 642-7464
chancellor@berkeley.edu
chancellor.berkeley.edu

May 14, 2024

Dear Free Palestine Encampment,

Thank you for taking the time to meet with me and members of campus leadership to discuss the UCB Divest Coalition's demands. I found many of the conversations quite valuable and I want to recognize your efforts to maintain a professional, organized, and productive approach during a very difficult time. In addition, I want to again acknowledge your efforts to peacefully protest the extraordinary death and destruction in Gaza. I, too, am concerned about the horrific killing of tens of thousands of Palestinians as well as the destruction of the Palestinian educational infrastructure. I plan to make a public statement by the end of the month sharing my personal support for government officials' efforts to secure an immediate and permanent ceasefire. Such support for the plight of Palestinians, including protest, should not be conflated with hatred or antisemitism.

I understand that the UCB Divest Coalition believes that the current allocation of the University's investment portfolio is not consistent with our values.

In 2014, the University of California was the first American public university to commit itself to upholding the UN Principles for Responsible Investment, principles that include a commitment to avoid investing in "[b]usinesses whose profits are derived from direct harm to public safety, [or] the unlawful deprivation of human dignity."[1] I believe this standard requires us to avoid investing in companies that are complicit in, or derive profit from, serious human rights violations.[2]

I strongly support, as I have always supported, investigating the alignment of UC Berkeley's investments with our institution's core values. Those values include a respect for equality, human rights, a commitment to fostering the conditions for human growth and development, and an abhorrence of war. The University of California has decided in the past to divest from businesses that were determined to not be aligned with our values. We should examine whether UC Berkeley's investments continue to align with our values or should be modified in order to do so.

I understand that the UCB Divest Coalition will continue its advocacy for divestment from Israel by demanding an end to direct and indirect investments in companies that derive profit from, or whose conduct is complicit in violations of international law and/or human rights. This includes companies that profit from weapons manufacturing, mass incarceration, and/or surveillance industries. As stated by the University of California Office of the President, divestment from companies on the basis of whether or not they do business with or in Israel is not supported. The sale of direct investments is not within the authority of the Office of the Chancellor but rather lies with the UC Regents.

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I also understand the UCB Divest Coalition's demands include academic boycott. I do not support academic boycotts. However, as we are unified in our desire to ensure that our academic partnerships remain in alignment with the UC Anti-Discrimination Policy, including anti-Palestinian discrimination, the University will review all complaints about existing global exchange and internship programs and review new and future programs to ensure their compliance with the Anti-Discrimination Policy. As discussed, the UCB Divest Coalition will formally report any anti-Palestinian discrimination in institutions with which we have existing global exchange and internship programs. UC Berkeley will address (including termination if remedy is unavailable) its programs that violate this policy and will cease its student participation in programs administered by the University of California or other institutions that also violate this policy, if other appropriate remedy is unavailable.

To ensure we continue to meet our obligation under the UC Anti-Discrimination Policy, the University will establish a transparent process by December 2024 for the ongoing review of such complaints. The development of this process will include relevant stakeholder groups, including the UCB Divest Coalition and, upon its agreement, the Senate Academic Committee on Diversity, Equity, and Campus Climate. As we begin our discussions about this process, I understand that the UCB Divest Coalition would like for the review to be co-led by the UC Berkeley Office for the Prevention of Harassment and Discrimination and the Division of Equity and Inclusion and to consider, as evidence of discrimination, reports from current and former students and faculty as well as reports by the United Nations, Amnesty International and Human Rights Watch.

I believe I have addressed all the demands stated by the UCB Divest Coalition in good faith as allowed by the authority of the UC Berkeley Office of the Chancellor, and I commit this Office to their enactment.

Carol T. Christ

Signed by Carol T. Christ on May 14, 2024

[1] See Office of the President, "University of California joins UN-supported Principles for Responsible Investment" (Sept. 22, 2014); Office of President, "UC Investments," www.ucop.edu/investment-office/sustainable-investment/sustainability-framework/index.html.

[2] See, for comparison, the Ethical Guidelines for the Norwegian Sovereign Wealth Fund, which prohibit investments when "there is an unacceptable risk that the company contributes to or is responsible for: a) serious or systematic human rights violations b) serious violations of the rights of individuals in situations of war or conflict c) the sale of weapons to states engaged in armed conflict that use the weapons in ways that constitute serious and systematic violations of the international rules on the conduct of hostilities." Council on Ethics, Norwegian Sovereign Wealth Fund, *Guidelines for Observation and Exclusion of companies from the Government Pension Fund Global (GPFG)*, Sec. 4 (Sept. 5, 2022).

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EXHIBIT NO. 30

We Stand
with
Our Stude
UCLA

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EXHIBIT NO. 31

UNIVERSITY OF CALIFORNIA, LOS ANGELES

BERKELEY • DAVIS • IRVINE • LOS ANGELES • MERCED • RIVERSIDE • SAN DIEGO • SAN FRANCISCO

UCLA

SANTA BARBARA • SANTA CRUZ

May 23 message to those in the Kerckhoff Patio

NOTICE TO THOSE IN KERCKHOFF PATIO:

There is reasonable cause to find that the activities in and around the Kerckhoff Patio are disrupting the orderly operation of the campus by, among other things, blocking access to parts of the campus, the erection of barricades, blocking access to buildings, destruction of property, intimidation of members of the campus community and the establishment of fortifications. These activities violate University policy, are disrupting the safe operation of campus, pose a significant risk of injury or property damage and are unlawful. You are hereby notified, pursuant to Penal Code section 626.4, that your consent to remain on campus is withdrawn and all persons within the Kerckhoff Patio must leave the area and depart the campus immediately or face disciplinary action and/or arrest. If after being arrested you return to campus prior to Thursday, May 30, without specific consent to do so, you may be found guilty of violating section 626.4. You may file a written appeal of the withdrawal of consent by email to: adminvc@ucla.edu

All persons in or around Kerckhoff Patio should leave the area. Those who choose to remain — including both students and employees —may face sanctions. For students, sanctions could include disciplinary measures through the student conduct process, including suspension or dismissal. Faculty disciplinary actions are handled through Senate judiciary committees and Academic Affairs and Personnel. Staff employee disciplinary actions will be handled through Human Resources.

Law enforcement is on hand to protect and keep safe demonstrators, counter-demonstrators, students, faculty, staff, non-affiliates and everyone in the campus and off-campus community. Law enforcement is prepared to arrest individuals, in accordance with applicable law.

We remain committed to supporting the safety and wellbeing of Bruins, supporting the free expression rights of our community, and minimizing disruption to our teaching and learning mission.

UCLA students should also be aware that there are procedures in place for them to request spaces for gathering and demonstration at https://events.ucla.edu/, and the university has been very accommodating of these requests. Students are encouraged to use these familiar processes to engage in peaceful protests and demonstrations.

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EXHIBIT NO. 32

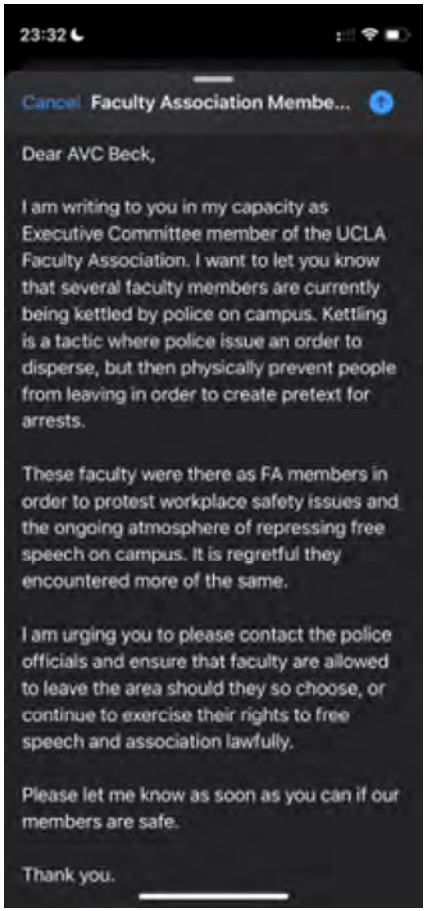
23:32
Cancel
Faculty Association Membe...
Dear AVC Beck,
I am writing to you in my capacity as Executive Committee member of the UCLA Faculty Association. I want to let you know that several faculty members are currently being kettled by police on campus. Kettling is a tactic where police issue an order to disperse, but then physically prevent people from leaving in order to create pretext for arrests.
These faculty were there as FA members in order to protest workplace safety issues and the ongoing atmosphere of repressing free speech on campus. It is regretful they encountered more of the same.
I am urging you to please contact the police officials and ensure that faculty are allowed to leave the area should they so choose, or continue to exercise their rights to free speech and association lawfully.
Please let me know as soon as you can if our members are safe.
Thank you.

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EXHIBIT NO. 33

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UCLA Academic Senate
Committee on Charges

CONFIDENTIAL

June 21, 2024

Graeme Blair
By EMAIL: graeme.blair@ucla.edu

Re: *UCLA v. Blair*

Dear Professor Blair:

The Charges Committee has received a complaint from the University of California, Los Angeles (UCLA; "Complainant") alleging that you have engaged in conduct that may constitute a violation of the Faculty Code of Conduct (APM-015). This notice initiates the Academic Senate process for investigating and adjudicating disciplinary cases that involve Academic Senate Faculty. Specifically, the alleged conduct may violate the following sections of the Faculty Code of Conduct:

APM-015

C. The University

C1. Intentional disruption of functions or activities sponsored or authorized by the University.

C2. Incitement of others to disobey University rules when such incitement constitutes a clear and present danger that violence or abuse against persons or property will occur or that the University's central functions will be significantly impaired.

C3. Unauthorized use of University resources or facilities on a significant scale for personal, commercial, political, or religious purposes.

C4. Forcible detention, threats of physical harm to, or harassment of another member of the University community, that interferes with that person's performance of University activities.

C8. Serious violation of University policies governing the professional conduct of faculty, including but not limited to policies applying to research, outside professional activities, conflicts of commitment, clinical practices, violence in the workplace, and whistleblower protections.

Charges Committee: Purpose and Process

The Charges Committee process represents the investigation and "probable cause" phase of the faculty disciplinary process. According to the Faculty Code of Conduct, "The Chancellor may not initiate notice of proposed disciplinary action unless there has been a finding of *probable cause.*"[1] "After completion of the investigation, the determination of the Charges

[1] Faculty Code of Conduct, APM 015, Part III.A.4 (https://www.ucop.edu/academic-personnel-programs/_files/apm/apm-015.pdf)

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Committee as to whether there is probable cause shall be transmitted in writing to the Vice Chancellor. The Committee shall also send the full case file to the Vice Chancellor."

Procedures for the Charges Committee are outlined in Section 3 of the "Campus Procedures for Implementation of the University Policy on Faculty Conduct and the Administration of Discipline" (UCLA Academic Senate Bylaws, Appendix XII) ("**Appendix XII**"). At UCLA, Appendix XII procedures serve as the "mechanism for consideration and investigation [or review of investigations] of allegations of misconduct."[2] Under the relevant bylaws and policies, **the Charges investigation and review is considered a confidential process. Any documents shared with you along with any information about the case should be kept confidential and should not be shared or discussed outside of the Academic Senate process**. "All of the proceedings of the Charges Committee, the Privilege and Tenure Committee and any investigating body attached to one of these committees and any reports generated in the course of such proceedings are confidential."[3] You may also find it helpful to review the overview of the Charges Process on the Academic Senate Web page.

Investigative Standard

The probable cause standard is defined in the Faculty Code of Conduct as meaning "that the facts as alleged in the complaint, if true, justify the imposition of discipline for a violation of the Faculty Code of Conduct and that the Chancellor is satisfied that the University can produce credible evidence to support the claim." The Charges Committee bylaws state that "Probable cause is shown 'if a person of ordinary caution or prudence would be led to believe and conscientiously entertain a strong suspicion of' a violation of the Faculty Code. [Adapted from *Somers v. Superior Court*, 32 Cal. App. 3d 961, 108 Cal. Rptr. 630 (1973).]"

The purpose of the investigatory stage is to sift the allegations to ensure that any matter sent forward to the Privilege and Tenure Committee for formal hearing is based on a legally sufficient charge [with] sufficient factual evidence to support the holding of that hearing.[4]

Due Process

You have a right to "receive information about the pending procedures from a GAC [Grievance Advisory Committee] representative, if so desired." If you would like to learn more about that option, please contact the Senate Analyst, Marian Olivas. The following is a summary of the bylaws and policies that describe and regulate the Charges and disciplinary review processes:

- Appendix XII
- Academic Personnel Manual, Policy 015 ("The Faculty Code of Conduct")
- Academic Personnel Manual, Policy 016 ("University Policy on Faculty Conduct and the Administration of Discipline")
- Bylaw 336, "Privilege and Tenure: Divisional Committees—Disciplinary Cases"

[2] Ibid. Part III.B.2.
[3] Appendix XII § 11
[4] App.XII, §1.E

PERB Received
09/19/24 11:03 AM

The Charges Committee invites you to submit a written response to these charges. Any written response you choose to submit should be received by me by **Wednesday, July 17, 2024** with a copy to the Judicial Committee Analyst Marian Olivas (molivas@senate.ucla.edu). If you would like to supply evidence, please arrange with Ms. Olivas to be provided with a Box folder for uploading the evidence files.

The Charges Committee expects to begin to consider this matter at its meeting on **July 22, 2024**. If you are unable to provide a statement in time for review for that meeting (by the above-mentioned date), the Committee reserves the right to proceed with their review of the complaint, as they may deem necessary for an adequate determination of probable cause, schedule witness statements and make evidence requests. However, the Committee will not determine the question of probable cause prior to your submission of a written response, provided that you submit it within a reasonable period of time. You may also request permission to make an oral statement and to make yourself available to respond to questions before the Charges Committee concerning this charge. The Committee will agree to requests to appear only should they, in their "discretion consider such appearance necessary to determine the truth or substance of the allegations" as pertains to the probable cause standard as defined in UC and UCLA polices. Any appearances before the Charges Committee will be conducted privately with the Committee as part of the investigation and are not considered to be a hearing.

After completing its review, the Charges Committee will transmit its determination(s) of probable/ no probable cause to the Vice Chancellor of Academic Personnel.[5] At that point, the Vice Chancellor of Academic Personnel has thirty days to make a final determination. "If there has been a determination of probable cause, the Vice Chancellor shall file a formal complaint."[6] Should there be a formal disciplinary complaint, this letter constitutes notice that if the Committee finds probable cause and the Vice Chancellor of Academic Personnel concurs and refers the case to a formal hearing, the timeline and rules of systemwide Bylaw 336 will apply to that process.

Very truly yours,

Brett Trueman

On behalf of the members of the 2023-24 Charges Committee

cc: Michael S. Levine, Vice Chancellor of Academic Personnel
Robert Goldstein, Special Assistant to the Vice Chancellor of Academic Personnel

Attachment: Formal Charges Case

[5] Appendix XII§5.I.
[6] Ibid §7.C.

PERB Received
09/19/24 11:03 AM

EXHIBIT NO. 34

PERB Received
09/19/24 11:03 AM

UCLA Academic Senate

FORMAL CHARGE FORM

Charges Committee

FORMAL CHARGE: A formal charge is an allegation that a Faculty Senate member has violated the Faculty Code of Conduct (See Part II). If the Charges Committee finds "probable cause" that the allegations are true and, if true, are a violation of the Faculty Code of Conduct, the formal charge becomes a recommendation of a formal complaint.

INSTRUCTIONS: Any member of the University community who wishes to file formal charge(s) with the Charges Committee should complete the following form outlining the main points at issue (OR provide an attachment). Complaints should supply specific and concise answers and provide a list of any documentation/ evidence. The person charged will receive a copy of your complaint and be given an opportunity to respond in writing. At the discretion of the Committee, the complainant or the person charged may be asked to appear before the Committee to provide additional information.

If your charge(s) involve(s) an investigation of research misconduct, sexual harassment or violence, or discrimination, the Charges Committee will consider the investigation reports by the relevant offices in addition to any statement and evidence you provide. By filing this form, you give Charges the authority to review those reports and/or investigate the incidents in question (when they involve other allegations).

Before filing a formal charge(s), faculty should consult Senate Bylaw 336 and the Academic Personnel Manual 015 & 016 as well as UCLA Senate Bylaw Appendix XII to review the relevant policies. You can also request to review your formal charge(s) and the process with a member of the Grievance Advisory Committee by sending an email to the Senate Analyst.

Please forward the completed form and supporting documentation to: Charges Chair Brett Trueman c/o Committee Analyst. If you would like a Box folder set up for you, please contact the **Committee Analyst**: Marian Olivas: molivas@senate.ucla.edu; (310) 206-2469

The **Committee Analyst** can also refer you to a member of the Grievance Advisory Committee to help you review your charge(s) and the procedures.

PLEASE COMPLETE THE FOLLOWING INFORMATION:

Person Filing the Formal Charge(s) (Complainant):

Name/ Title University of California, Los Angeles

Department _____ School _____

Campus Address and Telephone Number _____ _____E-mail Address_____

Name of Respondent (Person Charged):

Name/ Title Graeme Blair

Department Political Science School College- Social Sciences

Campus Address and Telephone Number 3347 Bunche Hall 310.825.4331 E-mail Address graeme.blair@ucla.edu

I hereby submit a formal charge(s) to the Charges Committee. I have attempted to resolve this matter, but there has been no satisfactory resolution. I certify the charge(s) stated here, and appended documentation, are true to the best of my knowledge and belief. Furthermore, I understand that the Form and appended materials will be sent to the person charged.

Sign below and submit your formal grievance review request to the Charges Chair (as noted above).

SIGNATURE

Complainant **Date**

PERB Received
09/19/24 11:03 AM

	FORMAL CHARGE(S) *Fill out OR attach a document addressing the questions.***
1	What section(s) of the **Faculty Code of Conduct** do you allege the respondent violated? Please specify. C1. Intentional disruption of functions or activities sponsored or authorized by the University. C2. Incitement of others to disobey University rules when such incitement constitutes a clear and present danger that violence or abuse against persons or property will occur or that the University's central functions will be significantly impaired. C3. Unauthorized use of University resources or facilities on a significant scale for personal, commercial, political, or religious purposes. C4. Forcible detention, threats of physical harm to, or harassment of another member of the University community, that interferes with that person's performance of University activities. C8. Serious violation of University policies governing the professional conduct of faculty, including but not limited to policies applying to research, outside professional activites, conficts of commitment, clinical practices, violence in the workplace, and whistle blower policies.
2	What evidence do you believe supports this/these charge(s)? It was reported by the UCLA Police Department (UCPD) that on May 2, 2024, the faculty refused to leave an area of Royce Quad between Powell Library and Royce hall despite multiple dispersal orders issued by UCPD. Beginning on May 1, 2024, at approximately 5:49 PM, UCPD used amplified police broadcasting equipment to declare the encampment at Royce Quad illegal and instructed everyone inside to leave, and that the message was repeated every 30 minutes until approximately 10:00 PM. On May 2, 2024, at approximately 12:30 AM, dispersal order were broadcasted by UCPD to people who remained in Royce Quad and repeated about every 15 minutes for at least nine (9) times. While the dispersal order were being broadcasted, people in Royce Quad had the opportunity to leave voluntarily; and people who refused to leave after the dispersal order had been issued multiple times, including Professor Blair, were arrested.
3	Please explain any steps you may have taken to resolve or correct the situation before filing this charge.
4	Please list any supporting documents/exhibits you are filing with this Charge. The Committee may request additional documentation. Attached is the incident report and list of encampment custodies provided to the administration. Note that as the investigation is on-going additional evidence and additional charges/policy violations may be added.

Please note that charges of sexual harassment or violence, discrimination, and/or research and scientific misconduct will in most instances be investigated by the relevant UCLA offices. Investigation reports from those offices will be considered by Charges for University discipline purposes.

Polices and procedures can be found at the following sites:

Senate Bylaw 336: https://senate.universityofcalifornia.edu/bylaws-regulations/bylaws/blpart3.html#bl336

Academic Personnel Manual (APM) 015 & 016:

http://www.ucop.edu/academic-personnel-programs/_files/apm/apm-015.pdf

http://www.ucop.edu/academic-personnel-programs/_files/apm/apm-016.pdf

UCLA Procedures for Implementation of University Policy on Faculty Code of Conduct (Appendix XII)

** May attach statement and/or additional pages as needed.

PERB Received
09/19/24 11:03 AM

5/31/2024

To: Office of Student Conduct

Fr: Sergeant A. Anderson

Re: Incident Summary (Report No. 24-0855)

Date of Incident: 5/1/24 to 5/2/24

Time of Incident: 5:49PM to 6:20AM

Location: Royce Quad

Synopsis

On 4/25/24, at around 4:15 AM, a group of pro-Palestinian demonstrators occupied an area of Royce Quad between Powell Library and Royce Hall, starting what became known as an "encampment" in support of Palestine/Gaza amid the conflict with Israel. The demonstrators set up tents and makeshift walls to secure the space. In the days following, UCPD received numerous police reports tied to the encampment, identifying its members as both suspects and victims of various crimes such as assault, battery, vandalism, theft, and weapons violations (firearms, knives, pepper spray). On Tuesday night, 4/30/24, counter-protestors and encampment members clashed in serious altercations. Multiple students and members of the public also filed complaints and allegations against the encampment demonstrators, accusing them of blocking students and staff from accessing public areas, sometimes using assaultive behavior to do so.

On 5/1/24, University officials classified the encampment and its members as an Unlawful Assembly, as defined by 407PC, due to the above activity, reported crimes, and disruption to university business. The definition states that an Unlawful Assembly occurs "whenever two or more persons assemble to do an unlawful act, or do a lawful act in a violent, boisterous, or tumultuous manner." UCPD and local law enforcement agencies devised an operational plan to issue dispersal orders to the encampment demonstrators. The orders allowed occupants ample time and opportunity to leave before formal law enforcement action to disperse the encampment began.

At approximately 5:49 PM, UCPD used amplified police broadcasting equipment to declare the encampment illegal and instructed everyone inside to leave. The announcement warned anyone who stayed could face administrative or criminal consequences, including arrest. They repeated these orders every 30 minutes until approximately 10:00 PM, ensuring people could

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09/19/24 11:03 AM

hear the announcements from every side of the encampment. During this period, demonstrators could voluntarily leave without being detained and would not be arrested.

At approximately 12:30 AM on May 2, 2024, UCPD formally issued dispersal orders under the California Penal Code 409 for Failure to Disperse. The order instructed demonstrators to leave within 10 minutes, directing them to exit south via the walkway between Kaplan and Powell. Although not publicly announced, they could also leave west down Janss Steps. UCPD broadcasted these orders about every 15 minutes, repeating them at least nine times before law enforcement advanced on the encampment. At around 3:20 AM, California Highway Patrol (CHP) officers cleared the encampment and arrested any demonstrators who refused to leave. During the operation, CHP officers encountered physical resistance, with demonstrators using fire extinguishers against them. The CHP spent roughly three hours clearing the encampment, arresting anyone who refused to disperse. By around 6:20 AM, the CHP had finished clearing the area. Throughout these three hours, demonstrators could still leave voluntarily while dispersal orders continued to be issued.

Police Officers arrested 205 individuals for violating Penal Code 409 (Failure to Disperse an Unlawful Assembly). Currently, investigators have not explicitly identified any demonstrators who may have used fire extinguishers against officers or assaulted/resisted them, but this is still under investigation. The arrested individuals were taken to local jail facilities and later released with a notice to appear.

Information from UCPD Spreadsheet:

Last Name	First Name	DOB	UID	Career	Classification	Appointment Type
Blair	Graeme	4/7/1984			Assoc-PROF -AY	Academic Faculty

PERB Received
09/19/24 11:03 AM

EXHIBIT NO. 35

PERB Received
09/19/24 11:03 AM

UCLA Academic Senate
Committee on Charges

CONFIDENTIAL

June 21, 2024

Zirwat Chowdhury
By EMAIL: zirwet.chowdhury@humnet.ucla.edu

Re: *UCLA v. Chowdhury*

Dear Professor Chowdhury:

The Charges Committee has received a complaint from the University of California, Los Angeles (UCLA; "Complainant") alleging that you have engaged in conduct that may constitute a violation of the Faculty Code of Conduct (APM-015). This notice initiates the Academic Senate process for investigating and adjudicating disciplinary cases that involve Academic Senate Faculty. Specifically, the alleged conduct may violate the following sections of the Faculty Code of Conduct:

APM-015

C. The University

C1. Intentional disruption of functions or activities sponsored or authorized by the University.

C2. Incitement of others to disobey University rules when such incitement constitutes a clear and present danger that violence or abuse against persons or property will occur or that the University's central functions will be significantly impaired.

C3. Unauthorized use of University resources or facilities on a significant scale for personal, commercial, political, or religious purposes.

C4. Forcible detention, threats of physical harm to, or harassment of another member of the University community, that interferes with that person's performance of University activities.

C8. Serious violation of University policies governing the professional conduct of faculty, including but not limited to policies applying to research, outside professional activities, conflicts of commitment, clinical practices, violence in the workplace, and whistleblower protections.

Charges Committee: Purpose and Process

The Charges Committee process represents the investigation and "probable cause" phase of the faculty disciplinary process. According to the Faculty Code of Conduct, "The Chancellor may not initiate notice of proposed disciplinary action unless there has been a finding of *probable cause.*"[1] "After completion of the investigation, the determination of the Charges

[1] Faculty Code of Conduct, APM 015, Part III.A.4 (https://www.ucop.edu/academic-personnel-programs/_files/apm/apm-015.pdf)

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Committee as to whether there is probable cause shall be transmitted in writing to the Vice Chancellor. The Committee shall also send the full case file to the Vice Chancellor."

Procedures for the Charges Committee are outlined in Section 3 of the "Campus Procedures for Implementation of the University Policy on Faculty Conduct and the Administration of Discipline" (UCLA Academic Senate Bylaws, Appendix XII) ("**Appendix XII**"). At UCLA, Appendix XII procedures serve as the "mechanism for consideration and investigation [or review of investigations] of allegations of misconduct."[2] Under the relevant bylaws and policies, **the Charges investigation and review is considered a confidential process. Any documents shared with you along with any information about the case should be kept confidential and should not be shared or discussed outside of the Academic Senate process**. "All of the proceedings of the Charges Committee, the Privilege and Tenure Committee and any investigating body attached to one of these committees and any reports generated in the course of such proceedings are confidential."[3] You may also find it helpful to review the overview of the Charges Process on the Academic Senate Web page.

Investigative Standard

The probable cause standard is defined in the Faculty Code of Conduct as meaning "that the facts as alleged in the complaint, if true, justify the imposition of discipline for a violation of the Faculty Code of Conduct and that the Chancellor is satisfied that the University can produce credible evidence to support the claim." The Charges Committee bylaws state that "Probable cause is shown 'if a person of ordinary caution or prudence would be led to believe and conscientiously entertain a strong suspicion of' a violation of the Faculty Code. [Adapted from *Somers v. Superior Court*, 32 Cal. App. 3d 961, 108 Cal. Rptr. 630 (1973).]"

The purpose of the investigatory stage is to sift the allegations to ensure that any matter sent forward to the Privilege and Tenure Committee for formal hearing is based on a legally sufficient charge [with] sufficient factual evidence to support the holding of that hearing.[4]

Due Process

You have a right to "receive information about the pending procedures from a GAC [Grievance Advisory Committee] representative, if so desired." If you would like to learn more about that option, please contact the Senate Analyst, Marian Olivas. The following is a summary of the bylaws and policies that describe and regulate the Charges and disciplinary review processes:

- Appendix XII
- Academic Personnel Manual, Policy 015 ("The Faculty Code of Conduct")
- Academic Personnel Manual, Policy 016 ("University Policy on Faculty Conduct and the Administration of Discipline")
- Bylaw 336, "Privilege and Tenure: Divisional Committees—Disciplinary Cases"

[2] Ibid. Part III.B.2.
[3] Appendix XII § 11
[4] App.XII, §1.E

PERB Received
09/19/24 11:03 AM

The Charges Committee invites you to submit a written response to these charges. Any written response you choose to submit should be received by me by **Wednesday, July 17, 2024** with a copy to the Judicial Committee Analyst Marian Olivas (molivas@senate.ucla.edu). If you would like to supply evidence, please arrange with Ms. Olivas to be provided with a Box folder for uploading the evidence files.

The Charges Committee expects to begin to consider this matter at its meeting on **July 22, 2024**. If you are unable to provide a statement in time for review for that meeting (by the above-mentioned date), the Committee reserves the right to proceed with their review of the complaint, as they may deem necessary for an adequate determination of probable cause, schedule witness statements and make evidence requests. However, the Committee will not determine the question of probable cause prior to your submission of a written response, provided that you submit it within a reasonable period of time. You may also request permission to make an oral statement and to make yourself available to respond to questions before the Charges Committee concerning this charge. The Committee will agree to requests to appear only should they, in their "discretion consider such appearance necessary to determine the truth or substance of the allegations" as pertains to the probable cause standard as defined in UC and UCLA polices. Any appearances before the Charges Committee will be conducted privately with the Committee as part of the investigation and are not considered to be a hearing.

After completing its review, the Charges Committee will transmit its determination(s) of probable/ no probable cause to the Vice Chancellor of Academic Personnel.[5] At that point, the Vice Chancellor of Academic Personnel has thirty days to make a final determination. "If there has been a determination of probable cause, the Vice Chancellor shall file a formal complaint."[6] Should there be a formal disciplinary complaint, this letter constitutes notice that if the Committee finds probable cause and the Vice Chancellor of Academic Personnel concurs and refers the case to a formal hearing, the timeline and rules of systemwide Bylaw 336 will apply to that process.

Very truly yours,

Brett Trueman

On behalf of the members of the 2023-24 Charges Committee

cc: Michael S. Levine, Vice Chancellor of Academic Personnel
Robert Goldstein, Special Assistant to the Vice Chancellor of Academic Personnel

Attachment: Formal Charges Case

[5] Appendix XII§5.I.
[6] Ibid §7.C.

PERB Received
09/19/24 11:03 AM

EXHIBIT NO. 36

PERB Received
09/19/24 11:03 AM

UCLA Academic Senate

FORMAL CHARGE FORM

Charges Committee

FORMAL CHARGE: A formal charge is an allegation that a Faculty Senate member has violated the Faculty Code of Conduct (See Part II). If the Charges Committee finds "probable cause" that the allegations are true and, if true, are a violation of the Faculty Code of Conduct, the formal charge becomes a recommendation of a formal complaint.

INSTRUCTIONS: Any member of the University community who wishes to file formal charge(s) with the Charges Committee should complete the following form outlining the main points at issue (OR provide an attachment). Complaints should supply specific and concise answers and provide a list of any documentation/ evidence. The person charged will receive a copy of your complaint and be given an opportunity to respond in writing. At the discretion of the Committee, the complainant or the person charged may be asked to appear before the Committee to provide additional information.

If your charge(s) involve(s) an investigation of research misconduct, sexual harassment or violence, or discrimination, the Charges Committee will consider the investigation reports by the relevant offices in addition to any statement and evidence you provide. By filing this form, you give Charges the authority to review those reports and/or investigate the incidents in question (when they involve other allegations).

Before filing a formal charge(s), faculty should consult Senate Bylaw 336 and the Academic Personnel Manual 015 & 016 as well as UCLA Senate Bylaw Appendix XII to review the relevant policies. You can also request to review your formal charge(s) and the process with a member of the Grievance Advisory Committee by sending an email to the Senate Analyst.

Please forward the completed form and supporting documentation to: Charges Chair Brett Trueman c/o Committee Analyst. If you would like a Box folder set up for you, please contact the **Committee Analyst**: Marian Olivas: molivas@senate.ucla.edu; (310) 206-2469

The **Committee Analyst** can also refer you to a member of the Grievance Advisory Committee to help you review your charge(s) and the procedures.

PLEASE COMPLETE THE FOLLOWING INFORMATION:

Person Filing the Formal Charge(s) (Complainant):

Name/ Title University of California, Los Angeles

Department _____ School _____

Campus Address and Telephone Number _____ _____E-mail Address_____

Name of Respondent (Person Charged):

Name/ Title Zirwat Chowdhury

Department Art History School College- Humanities

Campus Address and Telephone Number 100 Dodd Hall 310.206.6905 E-mail Address zirwat.chowdhury@humnet.ucla.edu

I hereby submit a formal charge(s) to the Charges Committee. I have attempted to resolve this matter, but there has been no satisfactory resolution. I certify the charge(s) stated here, and appended documentation, are true to the best of my knowledge and belief. Furthermore, I understand that the Form and appended materials will be sent to the person charged.

Sign below and submit your formal grievance review request to the Charges Chair (as noted above).

SIGNATURE	
Complainant	**Date**

PERB Received
09/19/24 11:03 AM

	FORMAL CHARGE(S) *Fill out OR attach a document addressing the questions.***
1	What section(s) of the **Faculty Code of Conduct** do you allege the respondent violated? Please specify. C1. Intentional disruption of functions or activities sponsored or authorized by the University. C2. Incitement of others to disobey University rules when such incitement constitutes a clear and present danger that violence or abuse against persons or property will occur or that the University's central functions will be significantly impaired. C3. Unauthorized use of University resources or facilities on a significant scale for personal, commercial, political, or religious purposes. C4. Forcible detention, threats of physical harm to, or harassment of another member of the University community, that interferes with that person's performance of University activities. C8. Serious violation of University policies governing the professional conduct of faculty, including but not limited to policies applying to research, outside professional activites, conficts of commitment, clinical practices, violence in the workplace, and whistle blower policies.
2	What evidence do you believe supports this/these charge(s)? It was reported by the UCLA Police Department (UCPD) that on May 2, 2024, the faculty refused to leave an area of Royce Quad between Powell Library and Royce hall despite multiple dispersal orders issued by UCPD. Beginning on May 1, 2024, at approximately 5:49 PM, UCPD used amplified police broadcasting equipment to declare the encampment at Royce Quad illegal and instructed everyone inside to leave, and that the message was repeated every 30 minutes until approximately 10:00 PM. On May 2, 2024, at approximately 12:30 AM, dispersal order were broadcasted by UCPD to people who remained in Royce Quad and repeated about every 15 minutes for at least nine (9) times. While the dispersal order were being broadcasted, people in Royce Quad had the opportunity to leave voluntarily; and people who refused to leave after the dispersal order had been issued multiple times, including Professor Chowdhury were arrested.
3	Please explain any steps you may have taken to resolve or correct the situation before filing this charge.
4	Please list any supporting documents/exhibits you are filing with this Charge. The Committee may request additional documentation. Attached is the incident report and list of encampment custodies provided to the administration. Note that as the investigation is on-going additional evidence and additional charges/policy violations may be added.

Please note that charges of sexual harassment or violence, discrimination, and/or research and scientific misconduct will in most instances be investigated by the relevant UCLA offices. Investigation reports from those offices will be considered by Charges for University discipline purposes.

Polices and procedures can be found at the following sites:

Senate Bylaw 336: https://senate.universityofcalifornia.edu/bylaws-regulations/bylaws/blpart3.html#bl336

Academic Personnel Manual (APM) 015 & 016:

http://www.ucop.edu/academic-personnel-programs/_files/apm/apm-015.pdf

http://www.ucop.edu/academic-personnel-programs/_files/apm/apm-016.pdf

UCLA Procedures for Implementation of University Policy on Faculty Code of Conduct (Appendix XII)

** May attach statement and/or additional pages as needed.

PERB Received
09/19/24 11:03 AM

6/4/2024

To: Office of Student Conduct

Fr: Sergeant A. Anderson

Re: Incident Summary (Report No. 24-0855)

Date of Incident: 5/1/24 to 5/2/24

Time of Incident: 5:49PM to 6:20AM

Location: Royce Quad

Synopsis

On 4/25/24, at around 4:15 AM, a group of pro-Palestinian demonstrators occupied an area of Royce Quad between Powell Library and Royce Hall, starting what became known as an "encampment" in support of Palestine/Gaza amid the conflict with Israel. The demonstrators set up tents and makeshift walls to secure the space. In the days following, UCPD received numerous police reports tied to the encampment, identifying its members as both suspects and victims of various crimes such as assault, battery, vandalism, theft, and weapons violations (firearms, knives, pepper spray). On Tuesday night, 4/30/24, counter-protestors and encampment members clashed in serious altercations. Multiple students and members of the public also filed complaints and allegations against the encampment demonstrators, accusing them of blocking students and staff from accessing public areas, sometimes using assaultive behavior to do so.

On 5/1/24, University officials classified the encampment and its members as an Unlawful Assembly, as defined by 407PC, due to the above activity, reported crimes, and disruption to university business. The definition states that an Unlawful Assembly occurs "whenever two or more persons assemble to do an unlawful act, or do a lawful act in a violent, boisterous, or tumultuous manner." UCPD and local law enforcement agencies devised an operational plan to issue dispersal orders to the encampment demonstrators. The orders allowed occupants ample time and opportunity to leave before formal law enforcement action to disperse the encampment began.

At approximately 5:49 PM, UCPD used amplified police broadcasting equipment to declare the encampment illegal and instructed everyone inside to leave. The announcement warned anyone who stayed could face administrative or criminal consequences, including arrest. They repeated these orders every 30 minutes until approximately 10:00 PM, ensuring people could

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09/19/24 11:03 AM

hear the announcements from every side of the encampment. During this period, demonstrators could voluntarily leave without being detained and would not be arrested.

At approximately 12:30 AM on May 2, 2024, UCPD formally issued dispersal orders under the California Penal Code 409 for Failure to Disperse. The order instructed demonstrators to leave within 10 minutes, directing them to exit south via the walkway between Kaplan and Powell. Although not publicly announced, they could also leave west down Janss Steps. UCPD broadcasted these orders about every 15 minutes, repeating them at least nine times before law enforcement advanced on the encampment. At around 3:20 AM, California Highway Patrol (CHP) officers cleared the encampment and arrested any demonstrators who refused to leave. During the operation, CHP officers encountered physical resistance, with demonstrators using fire extinguishers against them. The CHP spent roughly three hours clearing the encampment, arresting anyone who refused to disperse. By around 6:20 AM, the CHP had finished clearing the area. Throughout these three hours, demonstrators could still leave voluntarily while dispersal orders continued to be issued.

Police Officers arrested 205 individuals for violating Penal Code 409 (Failure to Disperse an Unlawful Assembly). Currently, investigators have not explicitly identified any demonstrators who may have used fire extinguishers against officers or assaulted/resisted them, but this is still under investigation. The arrested individuals were taken to local jail facilities and later released with a notice to appear.

Information from UCPD Spreadsheet:

Last Name:	First Name:	DOB	UID	Career	Classification	Appointment Type
Chowdhury	Zirwat	8/9/1983			Asst Prof-AY	Academic Faculty

PERB Received
09/19/24 11:03 AM

EXHIBIT NO. 37

PERB Received
09/19/24 11:03 AM

UCLA Academic Senate
Committee on Charges

CONFIDENTIAL

June 21, 2024

Alexander Julius
By EMAIL: julius@humnet.ucla.edu

Re: *UCLA v. Julius*

Dear Professor Julius:

The Charges Committee has received a complaint from the University of California, Los Angeles (UCLA; "Complainant") alleging that you have engaged in conduct that may constitute a violation of the Faculty Code of Conduct (APM-015). This notice initiates the Academic Senate process for investigating and adjudicating disciplinary cases that involve Academic Senate Faculty. Specifically, the alleged conduct may violate the following sections of the Faculty Code of Conduct:

APM-015

C. The University

C1. Intentional disruption of functions or activities sponsored or authorized by the University.

C2. Incitement of others to disobey University rules when such incitement constitutes a clear and present danger that violence or abuse against persons or property will occur or that the University's central functions will be significantly impaired.

C3. Unauthorized use of University resources or facilities on a significant scale for personal, commercial, political, or religious purposes.

C4. Forcible detention, threats of physical harm to, or harassment of another member of the University community, that interferes with that person's performance of University activities.

C8. Serious violation of University policies governing the professional conduct of faculty, including but not limited to policies applying to research, outside professional activities, conflicts of commitment, clinical practices, violence in the workplace, and whistleblower protections.

Charges Committee: Purpose and Process

The Charges Committee process represents the investigation and "probable cause" phase of the faculty disciplinary process. According to the Faculty Code of Conduct, "The Chancellor may not initiate notice of proposed disciplinary action unless there has been a finding of *probable cause.*"[1] "After completion of the investigation, the determination of the Charges

[1] Faculty Code of Conduct, APM 015, Part III.A.4 (https://www.ucop.edu/academic-personnel-programs/_files/apm/apm-015.pdf)

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Committee as to whether there is probable cause shall be transmitted in writing to the Vice Chancellor. The Committee shall also send the full case file to the Vice Chancellor."

Procedures for the Charges Committee are outlined in Section 3 of the "Campus Procedures for Implementation of the University Policy on Faculty Conduct and the Administration of Discipline" (UCLA Academic Senate Bylaws, Appendix XII) ("**Appendix XII**"). At UCLA, Appendix XII procedures serve as the "mechanism for consideration and investigation [or review of investigations] of allegations of misconduct."[2] Under the relevant bylaws and policies, **the Charges investigation and review is considered a confidential process. Any documents shared with you along with any information about the case should be kept confidential and should not be shared or discussed outside of the Academic Senate process**. "All of the proceedings of the Charges Committee, the Privilege and Tenure Committee and any investigating body attached to one of these committees and any reports generated in the course of such proceedings are confidential."[3] You may also find it helpful to review the overview of the Charges Process on the Academic Senate Web page.

Investigative Standard

The probable cause standard is defined in the Faculty Code of Conduct as meaning "that the facts as alleged in the complaint, if true, justify the imposition of discipline for a violation of the Faculty Code of Conduct and that the Chancellor is satisfied that the University can produce credible evidence to support the claim." The Charges Committee bylaws state that "Probable cause is shown 'if a person of ordinary caution or prudence would be led to believe and conscientiously entertain a strong suspicion of' a violation of the Faculty Code. [Adapted from *Somers v. Superior Court*, 32 Cal. App. 3d 961, 108 Cal. Rptr. 630 (1973).]"

The purpose of the investigatory stage is to sift the allegations to ensure that any matter sent forward to the Privilege and Tenure Committee for formal hearing is based on a legally sufficient charge [with] sufficient factual evidence to support the holding of that hearing.[4]

Due Process

You have a right to "receive information about the pending procedures from a GAC [Grievance Advisory Committee] representative, if so desired." If you would like to learn more about that option, please contact the Senate Analyst, Marian Olivas. The following is a summary of the bylaws and policies that describe and regulate the Charges and disciplinary review processes:

- Appendix XII
- Academic Personnel Manual, Policy 015 ("The Faculty Code of Conduct")
- Academic Personnel Manual, Policy 016 ("University Policy on Faculty Conduct and the Administration of Discipline")
- Bylaw 336, "Privilege and Tenure: Divisional Committees—Disciplinary Cases"

[2] Ibid. Part III.B.2.
[3] Appendix XII § 11
[4] App.XII, §1.E

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The Charges Committee invites you to submit a written response to these charges. Any written response you choose to submit should be received by me by **Wednesday, July 17, 2024** with a copy to the Judicial Committee Analyst Marian Olivas (molivas@senate.ucla.edu). If you would like to supply evidence, please arrange with Ms. Olivas to be provided with a Box folder for uploading the evidence files.

The Charges Committee expects to begin to consider this matter at its meeting on **July 22, 2024**. If you are unable to provide a statement in time for review for that meeting (by the above-mentioned date), the Committee reserves the right to proceed with their review of the complaint, as they may deem necessary for an adequate determination of probable cause, schedule witness statements and make evidence requests. However, the Committee will not determine the question of probable cause prior to your submission of a written response, provided that you submit it within a reasonable period of time. You may also request permission to make an oral statement and to make yourself available to respond to questions before the Charges Committee concerning this charge. The Committee will agree to requests to appear only should they, in their "discretion consider such appearance necessary to determine the truth or substance of the allegations" as pertains to the probable cause standard as defined in UC and UCLA polices. Any appearances before the Charges Committee will be conducted privately with the Committee as part of the investigation and are not considered to be a hearing.

After completing its review, the Charges Committee will transmit its determination(s) of probable/ no probable cause to the Vice Chancellor of Academic Personnel.[5] At that point, the Vice Chancellor of Academic Personnel has thirty days to make a final determination. "If there has been a determination of probable cause, the Vice Chancellor shall file a formal complaint."[6] Should there be a formal disciplinary complaint, this letter constitutes notice that if the Committee finds probable cause and the Vice Chancellor of Academic Personnel concurs and refers the case to a formal hearing, the timeline and rules of systemwide Bylaw 336 will apply to that process.

Very truly yours,

Brett Trueman

On behalf of the members of the 2023-24 Charges Committee

cc: Michael S. Levine, Vice Chancellor of Academic Personnel
Robert Goldstein, Special Assistant to the Vice Chancellor of Academic Personnel

Attachment: Formal Charges Case

[5] Appendix XII§5.I.
[6] Ibid §7.C.

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UCLA Academic Senate

FORMAL CHARGE FORM

Charges Committee

FORMAL CHARGE: A formal charge is an allegation that a Faculty Senate member has violated the Faculty Code of Conduct (See Part II). If the Charges Committee finds "probable cause" that the allegations are true and, if true, are a violation of the Faculty Code of Conduct, the formal charge becomes a recommendation of a formal complaint.

INSTRUCTIONS: Any member of the University community who wishes to file formal charge(s) with the Charges Committee should complete the following form outlining the main points at issue (OR provide an attachment). Complaints should supply specific and concise answers and provide a list of any documentation/ evidence. The person charged will receive a copy of your complaint and be given an opportunity to respond in writing. At the discretion of the Committee, the complainant or the person charged may be asked to appear before the Committee to provide additional information.

If your charge(s) involve(s) an investigation of research misconduct, sexual harassment or violence, or discrimination, the Charges Committee will consider the investigation reports by the relevant offices in addition to any statement and evidence you provide. By filing this form, you give Charges the authority to review those reports and/or investigate the incidents in question (when they involve other allegations).

Before filing a formal charge(s), faculty should consult Senate Bylaw 336 and the Academic Personnel Manual 015 & 016 as well as UCLA Senate Bylaw Appendix XII to review the relevant policies. You can also request to review your formal charge(s) and the process with a member of the Grievance Advisory Committee by sending an email to the Senate Analyst.

Please forward the completed form and supporting documentation to: Charges Chair Brett Trueman c/o Committee Analyst. If you would like a Box folder set up for you, please contact the **Committee Analyst**: Marian Olivas: molivas@senate.ucla.edu; (310) 206-2469

The **Committee Analyst** can also refer you to a member of the Grievance Advisory Committee to help you review your charge(s) and the procedures.

PLEASE COMPLETE THE FOLLOWING INFORMATION:

Person Filing the Formal Charge(s) (Complainant):

Name/ Title University of California, Los Angeles

Department _____ School _____

Campus Address and Telephone Number _____ _____E-mail Address_____

Name of Respondent (Person Charged):

Name/ Title Alexander Julius

Department Philosophy School College- Humanities

Campus Address and Telephone Number 383 Dodd Hall 310.825.4364 E-mail Address julius@humnet.ucla.edu

I hereby submit a formal charge(s) to the Charges Committee. I have attempted to resolve this matter, but there has been no satisfactory resolution. I certify the charge(s) stated here, and appended documentation, are true to the best of my knowledge and belief. Furthermore, I understand that the Form and appended materials will be sent to the person charged.

Sign below and submit your formal grievance review request to the Charges Chair (as noted above).

SIGNATURE

Complainant **Date**

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	FORMAL CHARGE(S) *Fill out OR attach a document addressing the questions.***
1	What section(s) of the **Faculty Code of Conduct** do you allege the respondent violated? Please specify. C1. Intentional disruption of functions or activities sponsored or authorized by the University. C2. Incitement of others to disobey University rules when such incitement constitutes a clear and present danger that violence or abuse against persons or property will occur or that the University's central functions will be significantly impaired. C3. Unauthorized use of University resources or facilities on a significant scale for personal, commercial, political, or religious purposes. C4. Forcible detention, threats of physical harm to, or harassment of another member of the University community, that interferes with that person's performance of University activities. C8. Serious violation of University policies governing the professional conduct of faculty, including but not limited to policies applying to research, outside professional activites, conficts of commitment, clinical practices, violence in the workplace, and whistle blower policies.
2	What evidence do you believe supports this/these charge(s)? It was reported by the UCLA Police Department (UCPD) that on May 2, 2024, the faculty refused to leave an area of Royce Quad between Powell Library and Royce hall despite multiple dispersal orders issued by UCPD. Beginning on May 1, 2024, at approximately 5:49 PM, UCPD used amplified police broadcasting equipment to declare the encampment at Royce Quad illegal and instructed everyone inside to leave, and that the message was repeated every 30 minutes until approximately 10:00 PM. On May 2, 2024, at approximately 12:30 AM, dispersal order were broadcasted by UCPD to people who remained in Royce Quad and repeated about every 15 minutes for at least nine (9) times. While the dispersal order were being broadcasted, people in Royce Quad had the opportunity to leave voluntarily; and people who refused to leave after the dispersal order had been issued multiple times, including Professor Alexander were arrested
3	Please explain any steps you may have taken to resolve or correct the situation before filing this charge.
4	Please list any supporting documents/exhibits you are filing with this Charge. The Committee may request additional documentation. Attached is the incident report and list of encampment custodies provided to the administration. Note that as the investigation is on-going additional evidence and additional charges/policy violations may be added.

Please note that charges of sexual harassment or violence, discrimination, and/or research and scientific misconduct will in most instances be investigated by the relevant UCLA offices. Investigation reports from those offices will be considered by Charges for University discipline purposes.

Polices and procedures can be found at the following sites:

Senate Bylaw 336: https://senate.universityofcalifornia.edu/bylaws-regulations/bylaws/blpart3.html#bl336

Academic Personnel Manual (APM) 015 & 016:

http://www.ucop.edu/academic-personnel-programs/_files/apm/apm-015.pdf

http://www.ucop.edu/academic-personnel-programs/_files/apm/apm-016.pdf

UCLA Procedures for Implementation of University Policy on Faculty Code of Conduct (Appendix XII)

** May attach statement and/or additional pages as needed.

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6/4/2024

To: Office of Student Conduct

Fr: Sergeant A. Anderson

Re: Incident Summary (Report No. 24-0855)

Date of Incident: 5/1/24 to 5/2/24

Time of Incident: 5:49PM to 6:20AM

Location: Royce Quad

Synopsis

On 4/25/24, at around 4:15 AM, a group of pro-Palestinian demonstrators occupied an area of Royce Quad between Powell Library and Royce Hall, starting what became known as an "encampment" in support of Palestine/Gaza amid the conflict with Israel. The demonstrators set up tents and makeshift walls to secure the space. In the days following, UCPD received numerous police reports tied to the encampment, identifying its members as both suspects and victims of various crimes such as assault, battery, vandalism, theft, and weapons violations (firearms, knives, pepper spray). On Tuesday night, 4/30/24, counter-protestors and encampment members clashed in serious altercations. Multiple students and members of the public also filed complaints and allegations against the encampment demonstrators, accusing them of blocking students and staff from accessing public areas, sometimes using assaultive behavior to do so.

On 5/1/24, University officials classified the encampment and its members as an Unlawful Assembly, as defined by 407PC, due to the above activity, reported crimes, and disruption to university business. The definition states that an Unlawful Assembly occurs "whenever two or more persons assemble to do an unlawful act, or do a lawful act in a violent, boisterous, or tumultuous manner." UCPD and local law enforcement agencies devised an operational plan to issue dispersal orders to the encampment demonstrators. The orders allowed occupants ample time and opportunity to leave before formal law enforcement action to disperse the encampment began.

At approximately 5:49 PM, UCPD used amplified police broadcasting equipment to declare the encampment illegal and instructed everyone inside to leave. The announcement warned anyone who stayed could face administrative or criminal consequences, including arrest. They repeated these orders every 30 minutes until approximately 10:00 PM, ensuring people could

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hear the announcements from every side of the encampment. During this period, demonstrators could voluntarily leave without being detained and would not be arrested.

At approximately 12:30 AM on May 2, 2024, UCPD formally issued dispersal orders under the California Penal Code 409 for Failure to Disperse. The order instructed demonstrators to leave within 10 minutes, directing them to exit south via the walkway between Kaplan and Powell. Although not publicly announced, they could also leave west down Janss Steps. UCPD broadcasted these orders about every 15 minutes, repeating them at least nine times before law enforcement advanced on the encampment. At around 3:20 AM, California Highway Patrol (CHP) officers cleared the encampment and arrested any demonstrators who refused to leave. During the operation, CHP officers encountered physical resistance, with demonstrators using fire extinguishers against them. The CHP spent roughly three hours clearing the encampment, arresting anyone who refused to disperse. By around 6:20 AM, the CHP had finished clearing the area. Throughout these three hours, demonstrators could still leave voluntarily while dispersal orders continued to be issued.

Police Officers arrested 205 individuals for violating Penal Code 409 (Failure to Disperse an Unlawful Assembly). Currently, investigators have not explicitly identified any demonstrators who may have used fire extinguishers against officers or assaulted/resisted them, but this is still under investigation. The arrested individuals were taken to local jail facilities and later released with a notice to appear.

Information from UCPD Spreadsheet:

Last Name:	First Name:	DOB	UID	Career	Classification	Appointment Type
Alexander	Julius	8/15/73			Assoc Prof-AY	Academic Faculty

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UCLA Academic Senate

FORMAL CHARGE FORM

Charges Committee

FORMAL CHARGE: A formal charge is an allegation that a Faculty Senate member has violated the **Faculty Code of Conduct** (See Part II). If the Charges Committee finds "probable cause" that the allegations are true and, if true, are a violation of the Faculty Code of Conduct, the formal charge becomes a recommendation of a formal complaint.

INSTRUCTIONS: Any member of the University community who wishes to file formal charge(s) with the Charges Committee should complete the following form outlining the main points at issue (OR provide an attachment). Complaints should supply specific and concise answers and provide a list of any documentation/ evidence. The person charged will receive a copy of your complaint and be given an opportunity to respond in writing. At the discretion of the Committee, the complainant or the person charged may be asked to appear before the Committee to provide additional information.

If your charge(s) involve(s) an investigation of research misconduct, sexual harassment or violence, or discrimination, the Charges Committee will consider the investigation reports by the relevant offices in addition to any statement and evidence you provide. By filing this form, you give Charges the authority to review those reports and/or investigate the incidents in question (when they involve other allegations).

Before filing a formal charge(s), faculty should consult Senate **Bylaw 336** and the **Academic Personnel Manual 015** & **016** as well as UCLA Senate Bylaw **Appendix XII** to review the relevant policies. You can also request to review your formal charge(s) and the process with a member of the Grievance Advisory Committee by sending an email to the Senate Analyst.

Please forward the completed form and supporting documentation to: Charges Chair Brett Trueman c/o Committee Analyst. If you would like a Box folder set up for you, please contact the **Committee Analyst**: Marian Olivas: molivas@senate.ucla.edu; (310) 206-2469

The **Committee Analyst** can also refer you to a member of the Grievance Advisory Committee to help you review your charge(s) and the procedures.

PLEASE COMPLETE THE FOLLOWING INFORMATION:

Person Filing the Formal Charge(s) (Complainant):

Name/ Title University of California, Los Angeles

Department _____ School _____

Campus Address and Telephone Number _____ _____E-mail Address_____

Name of Respondent (Person Charged):

Name/ Title Alexander Julius

Department Philosophy School College- Humanities

Campus Address and Telephone Number 383 Dodd Hall 310.825.4364 E-mail Address julius@humnet.ucla.edu

I hereby submit a formal charge(s) to the Charges Committee. I have attempted to resolve this matter, but there has been no satisfactory resolution. I certify the charge(s) stated here, and appended documentation, are true to the best of my knowledge and belief. Furthermore, I understand that the Form and appended materials will be sent to the person charged.

Sign below and submit your formal grievance review request to the Charges Chair (as noted above).

SIGNATURE

Complainant **Date**

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	FORMAL CHARGE(S) *Fill out OR attach a document addressing the questions.***
1	What section(s) of the **Faculty Code of Conduct** do you allege the respondent violated? Please specify. C1. Intentional disruption of functions or activities sponsored or authorized by the University. C2. Incitement of others to disobey University rules when such incitement constitutes a clear and present danger that violence or abuse against persons or property will occur or that the University's central functions will be significantly impaired. C3. Unauthorized use of University resources or facilities on a significant scale for personal, commercial, political, or religious purposes. C4. Forcible detention, threats of physical harm to, or harassment of another member of the University community, that interferes with that person's performance of University activities. C8. Serious violation of University policies governing the professional conduct of faculty, including but not limited to policies applying to research, outside professional activites, conficts of commitment, clinical practices, violence in the workplace, and whistle blower policies.
2	What evidence do you believe supports this/these charge(s)? It was reported by the UCLA Police Department (UCPD) that on June 10, 2024, the faculty refused to leave the courtyard between Dodd Hall and the Law School despite multiple dispersal orders issued by UCPD. Beginning on June 10, 2024, at approximately 3:15pm, subjects attempted to establish new encampments, play amplified sound, and potentially disrupted finals at Royce Quad. At the onset of the activity, AVC Beck delivered notices revoking consent for the group to be on campus and ordered the group to leave. The group them moved to Kerckhoff Patio and Moore Hall where they repeated their actions. They were given new dispersal orders, at which point them moved to the courtyard between Dodd Hall and the Law School. As the group had been given two prior dispersal orders, at about 8:00pm, people who refused to leave were arrested, including Professor Julius.
3	Please explain any steps you may have taken to resolve or correct the situation before filing this charge.
4	Please list any supporting documents/exhibits you are filing with this Charge. The Committee may request additional documentation. Attached is the incident report provided to the administration. Note that as the investigation is on-going additional evidence and additional charges/policy violations may be added. Note this is the second set of charges filed as this is the second time the faculty was placed in custody on campus.

Please note that charges of sexual harassment or violence, discrimination, and/or research and scientific misconduct will in most instances be investigated by the relevant UCLA offices. Investigation reports from those offices will be considered by Charges for University discipline purposes.

Polices and procedures can be found at the following sites:

Senate Bylaw 336: https://senate.universityofcalifornia.edu/bylaws-regulations/bylaws/blpart3.html#bl336

Academic Personnel Manual (APM) 015 & 016:

http://www.ucop.edu/academic-personnel-programs/_files/apm/apm-015.pdf

http://www.ucop.edu/academic-personnel-programs/_files/apm/apm-016.pdf

UCLA Procedures for Implementation of University Policy on Faculty Code of Conduct (Appendix XII)

** May attach statement and/or additional pages as needed.

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09/19/24 11:03 AM

6/11/2024

To: VC R. Braziel

Fr: Sergeant Adrian Anderson

Re: Incident Summary (Report No. 24-1105)

Date of Incident:	6/10/2024
Time of Incident:	3:15 PM to 8:00 PM
Location:	Royce Quad / Kerckhoff Patio / Dodd Hall

Synopsis

On 6/10/24, at about 3:15PM, approximately 100 subjects who were on the Royce Quad for a Students for Justice in Palestine demonstration assembled an encampment located at the top of Janss Steps, completely taking over the patio area west of Shapiro fountain, extending from Royce Hall to Powell Library. The group had a box truck arrive at the flagpole from which they quickly deployed plastic k-rails, chicken wire, wooden shields, helmets and other supplies and set up a blockade on the patio area. The group filled the water barriers with water from Shapiro fountain, which they had dyed red. The encampment blocked access to the top of the stairs and many students had to be redirected to the north or south to access their classes. The group was using amplified sound which disturbed finals being taken inside Royce Hall. As police and security formed a perimeter to contain the group and prevent conflict with counter-protestors, university officials met with the group. The group told university officials they would not leave until they had finished reading all 46,000 names of martyrs killed in Palestine.

University officials determined the encampment was unlawful. The group leader, Dylan Kupsh, was issued a formal letter with multiple copies from AVC Beck informing him and his group that the university had revoked consent to be on campus and they were ordered to leave, pursuant to 626.4(a) PC. The group refused to leave until UCPD began issuing dispersal orders. As the group left, they drained the water-filled barriers, causing dyed red water to pour down Janss steps, which later required power washing to clean. UCLA Facilities also notified UCPD of graffiti found in the area.

The group left down Janss steps with all of their equipment, then shortly thereafter walked south to Kerckhoff Patio, where they set up a second encampment, again blocking access and using amplified sound. An independent journalist inside the encampment reported being assaulted and having hot liquid poured on him. At least one food item was thrown at police officers surrounding the encampment. The demonstrators were also observed entering Moore Hall, removing fire extinguishers, then barricading the exterior doors to Moore Hall. This activity caused a final set for Moore Hall to be moved. A new set of dispersal orders were given to the encampment, and they again left the area with all of their equipment.

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The group then walked directly to the courtyard between Dodd Hall and the Law School and set up a third encampment. As contract security attempted to restrict access to Dodd Hall, one guard was struck on the forehead with a cell phone, causing a laceration and a medical aid call. UCPD also received a report that a UCLA facilities worker was trapped inside the courtyard. A final exam taking place in Dodd Hall was interrupted and students were forced to leave the building. UCPD determined that because the same group that had been previously warned to leave campus pursuant to 626.4(a)PC and had been twice issued dispersal orders at other locations had now started a third encampment, those inside the encampment were in violation of 626.4(d)PC. At about 8:00PM, UCPD officers entered the encampment to arrest those inside for 626.4(d)PC. Officers were met by protestors who donned helmets and wooden shields. Although some demonstrators evaded arrest by escaping the area, approximately 25 demonstrators inside the encampment were taken into custody. The remaining persons inside who were determined to be media members or legal observers were not arrested. The 25 demonstrators who were arrested were processed on scene inside of Dodd Hall and issued notices to appear (citation) in court. They were released on scene shortly thereafter.

Information from UCPD Spreadsheet:

Last Name:	First Name:	DOB	UID	Career Classification	Appointment Type
Alexander	Julius	8/15/73		Assoc Prof-AY	Academic Faculty

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EXHIBIT NO. 40

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UCLA Academic Senate
Committee on Charges

CONFIDENTIAL

June 21, 2024

Danielle Carr
By EMAIL: daniellecarr@g.ucla.edu

Re: *UCLA v. Carr*

Dear Professor Carr:

The Charges Committee has received a complaint from the University of California, Los Angeles (UCLA; "Complainant") alleging that you have engaged in conduct that may constitute a violation of the Faculty Code of Conduct (APM-015). This notice initiates the Academic Senate process for investigating and adjudicating disciplinary cases that involve Academic Senate Faculty. Specifically, the alleged conduct may violate the following sections of the Faculty Code of Conduct:

APM-015

C. The University

C1. Intentional disruption of functions or activities sponsored or authorized by the University.

C2. Incitement of others to disobey University rules when such incitement constitutes a clear and present danger that violence or abuse against persons or property will occur or that the University's central functions will be significantly impaired.

C3. Unauthorized use of University resources or facilities on a significant scale for personal, commercial, political, or religious purposes.

C4. Forcible detention, threats of physical harm to, or harassment of another member of the University community, that interferes with that person's performance of University activities.

C8. Serious violation of University policies governing the professional conduct of faculty, including but not limited to policies applying to research, outside professional activities, conflicts of commitment, clinical practices, violence in the workplace, and whistleblower protections.

Charges Committee: Purpose and Process

The Charges Committee process represents the investigation and "probable cause" phase of the faculty disciplinary process. According to the Faculty Code of Conduct, "The Chancellor may not initiate notice of proposed disciplinary action unless there has been a finding of *probable cause.*"[1] "After completion of the investigation, the determination of the Charges

[1] Faculty Code of Conduct, APM 015, Part III.A.4 (https://www.ucop.edu/academic-personnel-programs/_files/apm/apm-015.pdf)

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Committee as to whether there is probable cause shall be transmitted in writing to the Vice Chancellor. The Committee shall also send the full case file to the Vice Chancellor."

Procedures for the Charges Committee are outlined in Section 3 of the "Campus Procedures for Implementation of the University Policy on Faculty Conduct and the Administration of Discipline" (UCLA Academic Senate Bylaws, Appendix XII) ("**Appendix XII**"). At UCLA, Appendix XII procedures serve as the "mechanism for consideration and investigation [or review of investigations] of allegations of misconduct."[2] Under the relevant bylaws and policies, **the Charges investigation and review is considered a confidential process. Any documents shared with you along with any information about the case should be kept confidential and should not be shared or discussed outside of the Academic Senate process**. "All of the proceedings of the Charges Committee, the Privilege and Tenure Committee and any investigating body attached to one of these committees and any reports generated in the course of such proceedings are confidential."[3] You may also find it helpful to review the overview of the Charges Process on the Academic Senate Web page.

Investigative Standard

The probable cause standard is defined in the Faculty Code of Conduct as meaning "that the facts as alleged in the complaint, if true, justify the imposition of discipline for a violation of the Faculty Code of Conduct and that the Chancellor is satisfied that the University can produce credible evidence to support the claim." The Charges Committee bylaws state that "Probable cause is shown 'if a person of ordinary caution or prudence would be led to believe and conscientiously entertain a strong suspicion of' a violation of the Faculty Code. [Adapted from *Somers v. Superior Court*, 32 Cal. App. 3d 961, 108 Cal. Rptr. 630 (1973).]"

The purpose of the investigatory stage is to sift the allegations to ensure that any matter sent forward to the Privilege and Tenure Committee for formal hearing is based on a legally sufficient charge [with] sufficient factual evidence to support the holding of that hearing.[4]

Due Process

You have a right to "receive information about the pending procedures from a GAC [Grievance Advisory Committee] representative, if so desired." If you would like to learn more about that option, please contact the Senate Analyst, Marian Olivas. The following is a summary of the bylaws and policies that describe and regulate the Charges and disciplinary review processes:

- Appendix XII
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[2] Ibid. Part III.B.2.
[3] Appendix XII § 11
[4] App.XII, §1.E

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The Charges Committee invites you to submit a written response to these charges. Any written response you choose to submit should be received by me by **Wednesday, July 17, 2024** with a copy to the Judicial Committee Analyst Marian Olivas (molivas@senate.ucla.edu). If you would like to supply evidence, please arrange with Ms. Olivas to be provided with a Box folder for uploading the evidence files.

The Charges Committee expects to begin to consider this matter at its meeting on **July 22, 2024**. If you are unable to provide a statement in time for review for that meeting (by the above-mentioned date), the Committee reserves the right to proceed with their review of the complaint, as they may deem necessary for an adequate determination of probable cause, schedule witness statements and make evidence requests. However, the Committee will not determine the question of probable cause prior to your submission of a written response, provided that you submit it within a reasonable period of time. You may also request permission to make an oral statement and to make yourself available to respond to questions before the Charges Committee concerning this charge. The Committee will agree to requests to appear only should they, in their "discretion consider such appearance necessary to determine the truth or substance of the allegations" as pertains to the probable cause standard as defined in UC and UCLA polices. Any appearances before the Charges Committee will be conducted privately with the Committee as part of the investigation and are not considered to be a hearing.

After completing its review, the Charges Committee will transmit its determination(s) of probable/ no probable cause to the Vice Chancellor of Academic Personnel.[5] At that point, the Vice Chancellor of Academic Personnel has thirty days to make a final determination. "If there has been a determination of probable cause, the Vice Chancellor shall file a formal complaint."[6] Should there be a formal disciplinary complaint, this letter constitutes notice that if the Committee finds probable cause and the Vice Chancellor of Academic Personnel concurs and refers the case to a formal hearing, the timeline and rules of systemwide Bylaw 336 will apply to that process.

Very truly yours,

Brett Trueman

On behalf of the members of the 2023-24 Charges Committee

cc: Michael S. Levine, Vice Chancellor of Academic Personnel
Robert Goldstein, Special Assistant to the Vice Chancellor of Academic Personnel

Attachment: Formal Charges Case

[5] Appendix XII§5.I.
[6] Ibid §7.C.

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EXHIBIT NO. 41

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Charges Committee

FORMAL CHARGE: A formal charge is an allegation that a Faculty Senate member has violated the Faculty Code of Conduct (See Part II). If the Charges Committee finds "probable cause" that the allegations are true and, if true, are a violation of the Faculty Code of Conduct, the formal charge becomes a recommendation of a formal complaint.

INSTRUCTIONS: Any member of the University community who wishes to file formal charge(s) with the Charges Committee should complete the following form outlining the main points at issue (OR provide an attachment). Complaints should supply specific and concise answers and provide a list of any documentation/ evidence. The person charged will receive a copy of your complaint and be given an opportunity to respond in writing. At the discretion of the Committee, the complainant or the person charged may be asked to appear before the Committee to provide additional information.

If your charge(s) involve(s) an investigation of research misconduct, sexual harassment or violence, or discrimination, the Charges Committee will consider the investigation reports by the relevant offices in addition to any statement and evidence you provide. By filing this form, you give Charges the authority to review those reports and/or investigate the incidents in question (when they involve other allegations).

Before filing a formal charge(s), faculty should consult Senate Bylaw 336 and the Academic Personnel Manual 015 & 016 as well as UCLA Senate Bylaw Appendix XII to review the relevant policies. You can also request to review your formal charge(s) and the process with a member of the Grievance Advisory Committee by sending an email to the Senate Analyst.

Please forward the completed form and supporting documentation to: Charges Chair Brett Trueman c/o Committee Analyst. If you would like a Box folder set up for you, please contact the **Committee Analyst**: Marian Olivas: molivas@senate.ucla.edu; (310) 206-2469

The **Committee Analyst** can also refer you to a member of the Grievance Advisory Committee to help you review your charge(s) and the procedures.

PLEASE COMPLETE THE FOLLOWING INFORMATION:

Person Filing the Formal Charge(s) (Complainant):

Name/ Title University of California, Los Angeles

Department _____ School _____

Campus Address and Telephone Number _____ _____E-mail Address_____

Name of Respondent (Person Charged):

Name/ Title Danielle Carr

Department Institute for Society & Genetics School College- Life Sciences

Campus Address and Telephone Number 3323B Life Sciences building 310.267.4990 E-mail Address daniellecarr@g.ucla.edu

I hereby submit a formal charge(s) to the Charges Committee. I have attempted to resolve this matter, but there has been no satisfactory resolution. I certify the charge(s) stated here, and appended documentation, are true to the best of my knowledge and belief. Furthermore, I understand that the Form and appended materials will be sent to the person charged.

Sign below and submit your formal grievance review request to the Charges Chair (as noted above).

SIGNATURE

Complainant **Date**

PERB Received
09/19/24 11:03 AM

	FORMAL CHARGE(S) *Fill out OR attach a document addressing the questions.***
1	What section(s) of the **Faculty Code of Conduct** do you allege the respondent violated? Please specify. C1. Intentional disruption of functions or activities sponsored or authorized by the University. C2. Incitement of others to disobey University rules when such incitement constitutes a clear and present danger that violence or abuse against persons or property will occur or that the University's central functions will be significantly impaired. C3. Unauthorized use of University resources or facilities on a significant scale for personal, commercial, political, or religious purposes. C4. Forcible detention, threats of physical harm to, or harassment of another member of the University community, that interferes with that person's performance of University activities. C8. Serious violation of University policies governing the professional conduct of faculty, including but not limited to policies applying to research, outside professional activites, conflicts of commitment, clinical practices, violence in the workplace, and whistle blower policies.
2	What evidence do you believe supports this/these charge(s)? It was reported by the UCLA Police Department (UCPD) that on May 2, 2024, the faculty refused to leave an area of Royce Quad between Powell Library and Royce hall despite multiple dispersal orders issued by UCPD. Beginning on May 1, 2024, at approximately 5:49 PM, UCPD used amplified police broadcasting equipment to declare the encampment at Royce Quad illegal and instructed everyone inside to leave, and that the message was repeated every 30 minutes until approximately 10:00 PM. On May 2, 2024, at approximately 12:30 AM, dispersal order were broadcasted by UCPD to people who remained in Royce Quad and repeated about every 15 minutes for at least nine (9) times. While the dispersal order were being broadcasted, people in Royce Quad had the opportunity to leave voluntarily; and people who refused to leave after the dispersal order had been issued multiple times, including Professor Carr were arrested.
3	Please explain any steps you may have taken to resolve or correct the situation before filing this charge.
4	Please list any supporting documents/exhibits you are filing with this Charge. The Committee may request additional documentation. Attached is the incident report and list of encampment custodies provided to the administration. Note that as the investigation is on-going additional evidence and additional charges/policy violations may be added.

Please note that charges of sexual harassment or violence, discrimination, and/or research and scientific misconduct will in most instances be investigated by the relevant UCLA offices. Investigation reports from those offices will be considered by Charges for University discipline purposes.

Polices and procedures can be found at the following sites:
Senate Bylaw 336: https://senate.universityofcalifornia.edu/bylaws-regulations/bylaws/blpart3.html#bl336
Academic Personnel Manual (APM) 015 & 016:
http://www.ucop.edu/academic-personnel-programs/_files/apm/apm-015.pdf
http://www.ucop.edu/academic-personnel-programs/_files/apm/apm-016.pdf
UCLA Procedures for Implementation of University Policy on Faculty Code of Conduct (Appendix XII)

** May attach statement and/or additional pages as needed.

PERB Received
09/19/24 11:03 AM

6/4/2024

To: Office of Student Conduct

Fr: Sergeant A. Anderson

Re: Incident Summary (Report No. 24-0855)

Date of Incident: 5/1/24 to 5/2/24

Time of Incident: 5:49PM to 6:20AM

Location: Royce Quad

Synopsis

On 4/25/24, at around 4:15 AM, a group of pro-Palestinian demonstrators occupied an area of Royce Quad between Powell Library and Royce Hall, starting what became known as an "encampment" in support of Palestine/Gaza amid the conflict with Israel. The demonstrators set up tents and makeshift walls to secure the space. In the days following, UCPD received numerous police reports tied to the encampment, identifying its members as both suspects and victims of various crimes such as assault, battery, vandalism, theft, and weapons violations (firearms, knives, pepper spray). On Tuesday night, 4/30/24, counter-protestors and encampment members clashed in serious altercations. Multiple students and members of the public also filed complaints and allegations against the encampment demonstrators, accusing them of blocking students and staff from accessing public areas, sometimes using assaultive behavior to do so.

On 5/1/24, University officials classified the encampment and its members as an Unlawful Assembly, as defined by 407PC, due to the above activity, reported crimes, and disruption to university business. The definition states that an Unlawful Assembly occurs "whenever two or more persons assemble to do an unlawful act, or do a lawful act in a violent, boisterous, or tumultuous manner." UCPD and local law enforcement agencies devised an operational plan to issue dispersal orders to the encampment demonstrators. The orders allowed occupants ample time and opportunity to leave before formal law enforcement action to disperse the encampment began.

At approximately 5:49 PM, UCPD used amplified police broadcasting equipment to declare the encampment illegal and instructed everyone inside to leave. The announcement warned anyone who stayed could face administrative or criminal consequences, including arrest. They repeated these orders every 30 minutes until approximately 10:00 PM, ensuring people could

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hear the announcements from every side of the encampment. During this period, demonstrators could voluntarily leave without being detained and would not be arrested.

At approximately 12:30 AM on May 2, 2024, UCPD formally issued dispersal orders under the California Penal Code 409 for Failure to Disperse. The order instructed demonstrators to leave within 10 minutes, directing them to exit south via the walkway between Kaplan and Powell. Although not publicly announced, they could also leave west down Janss Steps. UCPD broadcasted these orders about every 15 minutes, repeating them at least nine times before law enforcement advanced on the encampment. At around 3:20 AM, California Highway Patrol (CHP) officers cleared the encampment and arrested any demonstrators who refused to leave. During the operation, CHP officers encountered physical resistance, with demonstrators using fire extinguishers against them. The CHP spent roughly three hours clearing the encampment, arresting anyone who refused to disperse. By around 6:20 AM, the CHP had finished clearing the area. Throughout these three hours, demonstrators could still leave voluntarily while dispersal orders continued to be issued.

Police Officers arrested 205 individuals for violating Penal Code 409 (Failure to Disperse an Unlawful Assembly). Currently, investigators have not explicitly identified any demonstrators who may have used fire extinguishers against officers or assaulted/resisted them, but this is still under investigation. The arrested individuals were taken to local jail facilities and later released with a notice to appear.

Information from UCPD Spreadsheet:

Last Name:	First Name:	DOB	UID	Career	Classification	Appointment Type
Carr	Danielle	11/2/1990			Asst Prof-AY	Academic Faculty

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09/19/24 11:03 AM

EXHIBIT NO. 42

PERB Received
09/19/24 11:03 AM

UCLA College | Social Sciences
Political Science

DEPARTMENT OF POLITICAL SCIENCE
4289 BUNCHE HALL
LOS ANGELES, CALIFORNIA 90095

Dr. Abel Valenzuela Jr., Interim Dean
Division of Social Sciences, UCLA
2300 Murphy Hall

January 29, 2024

Dear Dean Valenzuela, Jr.:

On January 12, 2024 the voting ladder faculty of the Department of Political Science at UCLA convened to discuss and vote on the promotion of Graeme Blair to Full Professor, Step 1, off-scale, effective on July 1, 2024. Prof. Blair was advanced to Associate Professor Step 3 effective on July 1, 2023, and thus this promotion is a one-year acceleration. Of the 26 ladder faculty that received the ballot, 18 voted "Yes," and there were 0 abstentions, and 1 "No" vote. I strongly support this action.

Promotion to Full Professor requires the demonstration of scholarly leadership, and Prof. Blair shows initiative and leadership in all dimensions. In his research, he has made original contributions in two research areas: in comparative politics on the study of violence, and on research design and methods, including writing books and software that help all of us to upgrade our statistical techniques. He has also been the lead organizer of multi-researcher coordinated studies that span continents and make comparisons at a scale not previously witnessed in our field. In his teaching, Prof. Blair has established new and much-needed graduate courses and has completely redesigned and reimagined undergraduate classes. In his service, Prof. Blair not only participates in roles already well-established in the discipline but has created entirely new ones. Prof. Blair's efforts for diversity and inclusion include establishing new best practices for supporting and crediting local research staff operating in the Global South.

Professor Blair is a highly esteemed international scholar whose record of research productivity is exceptional. He has published 15 articles as lead co-author in flagship journals of political science, including a stunning ***four*** publications in the *American Political Science Review*, as well as some of the most impactful generalist journals like the *Proceedings of the National Academy of Sciences*, the *Journal of the American Statistical Association, Science Advances,* and *Science.* Prof. Blair has also co-authored one book and a second book (forthcoming September, 2024) with the premier university presses of the profession (Cambridge UP in its prestigious Studies in Comparative Politics series and Princeton UP respectively). This means that during Prof. Blair's tenure as Associate Professor he has published one book, second book forthcoming in September 2024, and several articles in the highest impact journals like *Science* and the *Journal of Politics.* By any metric, Professor Blair's research portfolio exceeds department expectations for Full Professor, Step I.

One important contribution of Prof. Blair's research to Political Science is his innovative and creative solution to address the "credibility crisis" in the experimental social sciences where many of the experiments performed cannot be replicated. His innovation, one that has proven essential to the scientific community as a whole, is the DeclareDesign software and book (Research Design in the Social Sciences: *Declaration, Diagnosis, and Redesign* Princeton, UP 2023) which allows study designs to be tested and optimized using simulated data, before actual data is collected. In other words, Blair has created a way to simulate an experimental design through code and run diagnostics to produce the best possible design, and thus the greatest credibility for the experiment itself. This is a major research contribution, but also a

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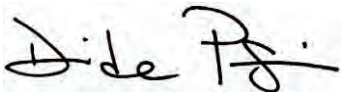
substantial service contribution to the discipline of political science and other experiment-based disciplines including psychology and economics. As such, it is of little surprise that Prof. Blair's statistical software, downloaded over 850,000 times, won the Society for Political Methodology Statistical Software Award and the Society for Improving Psychological Science Commendation. As one letter writer notes, Reviewer 4, "I have just received a copy of the book and am eager to tool in my own research. I have spent my whole career being frustrated by the limitations of extant options for power analysis or other kinds of evaluations of research designs. *DeclareDesign* is the first method I have seen that would enable me to conduct and report a power analysis that I would find informative as a reviewer." Blair's work on the causes and consequences of violence apply these approaches to studying questions of social importance, including how to reintegrate societies after conflict and how to reduce crime and police abuse.

As Prof. Blair's case is a one-year acceleration, it is important to emphasize the fact that though his publications and research contributions are collaborations, there is an understanding by the experts in the field (including his letter writers) that there is no doubt regarding the attribution of the ideas and the work to Prof. Blair as the principal innovator and producer of this body of work. This was explicitly noted with regard to *Crime, Insecurity, and Community Policing: Experiments on Building Trust* (Cambridge, 2024) This monograph has one central theme and argument, with roughly 690 manuscript pages comprising eight chapters written by Professors Blair, Christia, and Weinstein and with one chapter each written by the research groups in each country. Prof. Blair's expertise in and commitment to careful research design, as explicated in his other book, is everywhere apparent in this book. Thus, Reviewer 7 writes that Prof. Blair is "without a doubt the leading author in this research effort and his drive and excellent research instinct throughout this multi-author, multi-year, multi-field experiment project, have been unparalleled"; while Reviewer 6 writes, "Graeme is the first-author on both the article [appearing in *Science*] and the book, since he has truly led the initiative I can also attest to the centrality of his immense contribution to this multi-site, multi-authors project." It is unfortunate, in this regard, that one of the letter writers misunderstood the fact this book would be published by the time of Prof. Blair's review; this, despite the fact that they were invited (on the basis of their misunderstanding) to revise their original letter that mistakenly assumes that *Crime, Insecurity, and Community Policing* is an unpublished manuscript.

Professor Blair's teaching is exemplary at both the undergraduate and graduate level, as the many praises included in this file attest; so much so, in fact, that he is the Department nominee for the Faculty Mentoring Honorary Society for the 2023-2024 academic year. Beyond being one of the most popular instructors, he is a highly sought-after mentor for graduate students. His expertise in experimental design and methods, not to mention his important work on political violence and policing, makes him a pillar of our department as well as a faculty leader in the university as a whole. As the attached report details, Prof. Graeme's inexhaustible commitment to community building in Political Science is a central element of our communal life that is manifest in his institutional service record, but also in all the extra-curricular activities he spearheads (like the weekly student and faculty coffee hour, and the weekly grad and faculty cocktail hour) that have boosted department morale significantly since our collective return from lockdown. As department chair, I can say with confidence that Prof. Blair is a leader among the faculty who has revolutionized (among other things) research and training (one of the central missions of our department) whose high quality agenda setting has earned him millions in research grants making him a major public goods provider for the department and the university as a whole.

In short, I support without hesitation the committee and department's recommendation for a one-year acceleration for Prof. Blair and promotion to Full Professor, Step I, o/s.

Cordially,



Davide Panagia
Professor and Chair
UCLA Department of Political Science

PERB Received
09/19/24 11:03 AM

EXHIBIT NO. 43

PERB Received
09/19/24 11:03 AM

Abel Valenzuela
Interim Dean of Social Sciences
Offices of the Deans
2300 Murphy Hall
Los Angeles, CA 90095-1540
Tel: (310) 825-4017
Fax: (310) 825-8808
E-mail: avalenzuela@college.ucla.edu

April 25, 2024

Michael S. Levine, Ph.D.
Vice Chancellor
Academic Affairs and Personnel

RE: Graeme Blair, Department of Political Science, Proposed Promotion from Associate Professor, Step III to Professor, Step I, effective July 1, 2024 (1-year acceleration)

Dear Vice Chancellor Levine:

The tenured faculty members of our Political Science Department have voted overwhelmingly, by a vote of 18 – 1 – 0, to recommend that Graeme Blair be promoted to Professor, Step I, effective July 1, 2024. The detailed basis for this action is set forth in the December 12, 2023, report of the Ad Hoc Committee. The case receives additional comment in the January 29, 2024, department letter. In addition, I invite your attention to Blair's extensive and informative October 2023 Self-Statement.

Blair completed his PhD in Politics at Princeton University in 2016. He was first appointed to the UCLA faculty in AY 2015/16 at the rank of Assistant Professor, Step III. He was promoted to tenure at the rank of Associate Professor, Step II, in 2022, and to Associate Professor, Step III, his present rank, in 2023. This is his second year as Associate Professor and his 1st year at his present step.

Blair self-describes as a scholar of political violence, a phenomenon that is global, widespread, and seemingly irremediable. His research addresses itself to the causes of violence, the way(s) people's lives are shaped by this phenomenon, and the steps available to governments to abate this phenomenon. To study these topics, he has expanded his interests to include research methodology. His intention is to develop a research framework that can be replicated by other scholars who will then be able to verify – or disprove – his results. Blair's research record shows remarkable productivity. In total, he has authored or co-authored more than a dozen articles, often in leading journals including American Political Science Review, American Journal of Political Science, Political Analysis, and others. Since his 2023 advance to Associate Professor, Step III, he has published an important multi-authored, Princeton University Press volume on research design (A18). He has a fully accepted, forthcoming Cambridge University Press book that will deal with crime and community policing. (C6). Much of Blair's research shows multi-authorship. This has become a common practice in technically demanding areas of research and Blair's statement of co-authorship dispels doubts about the importance of his personal contribution. In Blair's case, the prevalence of multi-authorship may also result from his strong personal belief in collegial

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research as well as his insistence on the importance of developing research methodologies that can be replicated by other scholars.

Blair's research has won high praise, as is reflect in his numerous scholarly awards and his ability to attract generous extra-mural funding for his work. The Ad Hoc Committee report recommending Blair's promotion states, "Prof. Blair has an extensive, highly visible, and influential record of research that is both theoretically focused… and methodologically sophisticated." Of the external letters we received, all but one is supportive of Blair's promotion to full professor. If we discern a note of hesitation in some of the letters, this has to do more with the speed of this promotion — just two years as Associate Professor — rather than with the quality and impact of Blair's research. The letter of August 17, 2023, reflects a common theme among the external referees. It states, "I am very impressed by what Graeme has been able to achieve so far in his career… Graeme's work is central to the project of improving our ability to accumulate knowledge in political science (and beyond)." The letter of September 14, 2023, describes Blair's work in superlatives. "[L]let me be clear…I view him as one of the most outstanding scholars in the field at any rank and at any institution. In raw quantitative terms, Blair's record is of course exceptional."

The letter of September 27, 2023, raises the issue of the speed of this promotion. "What makes this different from other Full Professor letters I have written is the relatively short time and (therefore) smaller body of new work since his PhD and since his promotion to Associate." Even with this consideration in mind, this letter-writer endorses Blair's promotion. "I think there is a good case for promotion to Full. The rapid promotion to Full professor has become increasingly common for top scholars in the nation's top political science departments and policy schools." The letter of August 8, 2023, is the most cautious of those we received. "Professor Blair's case for promotion is mixed…The research during the period of service at his current rank has not been so impactful or visible [as the earlier research]: there is just not enough of it, what exists hasn't been published, and it is all coauthored with more senior scholars like Macartan Humphreys and Jeremy Weinstein…" This letter concludes, "I cannot recommend unconditionally that you promote Professor Blair to the rank of Professor." In assessing these comments, it is important to take note of Blair's November 9, 2023, response. His reply to this letter details factual inaccuracies in the materials supplied to this reviewer, most notably the PS department's failure to convey that the forthcoming Cambridge University Press book had been fully accepted and is forthcoming, not merely "under advance contract."

Blair has established an excellent teaching record, with student evaluations in the 8 range for his undergraduate lecture classes. The department has supplied an extensive peer evaluation of one of Blair's courses (PS 170A, Statistical Analysis). It notes, among other observations, "Professor Blair has a quite pleasing and effective teaching manner. He possesses a genial personality and a lecture style that is simultaneously unpretentious, relaxed, concise, and accessible. Put differently, he steers well clear of conventional professorial stereotypes and, as a result, is well-suited in demeanor to the expectations of contemporary students." This evaluation concludes, "Professor Blair has crafted an intelligent course that is both content rich and focused on the provision of useful and marketable skills." The student letters we received also offer strong accolades to Blair's teaching skills. One doctoral candidate writes (dated August 15, 2023), "Throughout the quarter, Dr. Blair created an encouraging classroom environment that

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promoted a high level of participation…I strongly believe that Dr. Blair has incredible pedagogical skills that are invaluable to the Political Science Department…" The student letter of October 17, 2023, concludes, "Professor Blair is an incredibly talented teacher, which I hope this lengthy letter makes clear." Another student letter of October 30, 2023 adds, "As a professor, Graeme is approachable and, as aforementioned, extremely receptive to feedback; it is clear that Graeme intends for his courses to be of use to his students, and he has repeatedly demonstrated a willingness to spend a significant amount of time and energy on improving the content of those courses…"

Blair has also established an excellent record as an energetic and devoted good citizen of his department, serving on several demanding and time-consuming committee assignments. He has served, for example, on the PS Graduate Studies Committee, the Faculty Recruitment Committee, and the Faculty Retreat Committee. He is well known within his department for his tireless efforts to create a greater sense of academic community, as by organizing informal "meet and greet" sessions wherein students and faculty members can socialize informally. He has also served in numerous ways as an actively involved member of the Political Science profession, as by organizing panels and programs at the meetings of various professional organizations. Professor Blair has submitted a diversity statement that is personal and compelling. "I have increasingly come to understand how my privilege as a white man with an academic parent helped me get to my position as an assistant professor…I have made a renewed commitment to making my classrooms, research groups, and my part of the discipline more diverse and inclusive."

In sum, I find that the PS department has made a powerful case for Blair's promotion to full professor. The concerns of external reviewers who draw our attention to the speed of this promotion are duly noted. However, the strong majority of external reviewers endorse this promotion, doing so in ways that convey a powerful sense of Blair's having fully earned this advance. The most compelling portions of Blair's academic record are his body of research that is original, important, and widely esteemed for its substantive findings and for its methodological innovations, and his reputation as a concerned and caring teacher. Based on that record, I recommend your timely approval of Blair's promotion to the rank of Professor, Step I, effective July 1, 2024.

Sincerely,

Abel Valenzuela, Ph.D.
Interim Dean of Social Sciences

PERB Received
09/19/24 11:03 AM

EXHIBIT NO. 44

PERB Received
09/19/24 10:36 AM

UCLA Academic Senate
Council on Academic Personnel

CAP REPORT

June 4, 2024

Type of Report:	Promotion
Name:	Blair, Graeme
Department:	Political Science
Recommendations:	
Department Proposal:	Professor, Step I Effective 7/1/2024 (1-year acceleration)
Dean:	Favorable
Review Committee:	WORC
CAP (small majority):	Unfavorable

Comments:

The Department of Political Science proposes the one-year accelerated promotion of Professor Graeme Blair to Professor, Step I, effective July 1, 2024. The department, chair, and dean were supportive of the proposed action. External letters were supportive, but one expressed concern about the quantity of publications since last promotion. Professor Blair had a two-year accelerated promotion to Associate Professor, Step II in 2022, based on the publication of three top-ranked journal articles and one book chapter and the promise of two forthcoming books. He had another one-year accelerated merit increase to Associate Professor, Step III in 2023, based on the publication of three journal articles and one lead-authored book in production. Professor Blair's research program comprises of comparative politics that looks particularly at the causes of and remedies for violence and research design and methods. Professor Blair's bibliography lists a total of sixteen research articles, one book chapter, and one book. All of these works are multi-authored but one; he is lead author on fourteen works. Many of his research articles appear in top-ranked journals. His statistical software has won the Society for Political Methodology Statistical Software Award and the Society for Improving Psychological Science Commendation. Professor Blair's teaching record has shown impressive improvements since promotion to Associate Professor. He has now been praised by his peers and students as an innovative, effective, and caring instructor/mentor. He teaches a large undergraduate course and two graduate seminars regularly and uses a combination of the flipped classroom model that focuses on learning through group collaboration. His course ratings were consistently at or above 8.2 on a scale of 9, which is higher than departmental averages. His service record is adequate, especially at the department level and in his professional community off campus. He may be encouraged to take on more work at the Academic Senate. His contributions to EDI are solid and he aims to create an inclusive classroom environment. CAP felt that there was insufficient evidence in the dossier to support the acceleration, especially in consideration of the scholarship that was previously counted towards prior acceleration actions. A small majority of CAP voted unfavorable of the one-year accelerated promotion to Professor, Step I.

Addendum to the June 4, 2024 CAP Report

The dean and chair visited CAP to discuss the proposed one-year accelerated promotion. After the discussion, CAP voted unanimously to not revisit the case and to uphold their initial recommendation of unfavorable of the one-year accelerated promotion to Professor, Step I.

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Vice Chancellor's Approval Form

Please use this form to record your decision for a case and the relevant details (e.g., Step, Salary, Effective Date).

This form should then be uploaded to the Vice Chancellor's Review section of the case in Interfolio.

Approval

Graeme Blair

Disapproved as Professor, Step I.

Name (typed)

Michael S. Levine

Date

07/01/2024

Signature:

Click on "Fill and Sign", then "Insert Signature" in Adobe PDF to insert your signature:

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EXHIBIT NO. 45

PERB Received
09/19/24 11:03 AM

UC San Diego

CAMPUS NOTICE

OFFICE OF THE CHANCELLOR

May 1, 2024

ALL ACADEMICS, STAFF, AND STUDENTS AT UC SAN DIEGO (Including UC San Diego Health)

A Message from Chancellor Pradeep K. Khosla

Today, at approximately noon, campus community members and non-affiliate individuals arrived on campus and set up several tents on the grass adjacent to Library Walk. This activity is in violation of campus policy, which prohibits unauthorized encampments.

We are encouraged that the protest activities on our campus have been peaceful to this point – and reiterate the importance of adhering to our campus Principles of Community. Campus police and security teams are onsite to ensure campus safety and continuity of campus operations.

UC San Diego fully supports the right to peacefully protest and express views on campus; however, we are also fully committed to protecting the physical safety of all individuals in our community and upholding the rights of all students, faculty and staff to continue to work, study and carry out the academic mission of the university without undue disruption.

Our focus remains squarely on maintaining a safe campus environment free from discrimination and harassment and continuing the operation of our academic mission without disruption. We implore all campus community members to treat each other with dignity and respect.

We remind all students, faculty and staff that sanctions for violating university policy and/or the law can include interim suspension, suspension, dismissal or legal action. We will provide further updates as they become available.

Pradeep K. Khosla

PERB Received
09/19/24 11:03 AM

Chancellor

University of California San Diego, 9500 Gilman Drive, La Jolla, CA, 92093

PERB Received
09/19/24 11:03 AM

EXHIBIT NO. 46

PERB Received
09/19/24 11:03 AM

Gmail [redacted]

[redacted]

From: [redacted]
Subject: Thank you!
Date: May 2, 2024 at 12:24:53 PM PDT
To: John Smart <jpsmart@ucsd.edu>

Hello, Sergeant Smart,

I was one of the 4 faculty members who spoke with you last night. We *really* appreciated all your reassurances, your communications with [redacted] and your clarification that the encampment may be against the rules of student conduct, but it is not against the law.

I am in awe of the bravery of the students and their precise and intelligent organizing to maintain the peace.

My cell number is: [redacted]
I do turn it off at night, but I would be happy to be contacted, if ever you think I could serve some constructive purpose.

Thank you for all you are doing!
[redacted]

[redacted]

[redacted]

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EXHIBIT NO. 47

Free Expression Policies and Reminders

- **UC San Diego will hold academic appointees fully accountable under the Faculty Code of Conduct/APM 150/applicable collective bargaining agreement for any and all violations of university policy, including participating in encampments on campus.**
- **While we support freedom of speech and the right to peacefully protest, unapproved tents on campus are strictly prohibited as they can disrupt campus activities, pose serious safety concerns, and create an environment of intimidation.**
- **Our campus policies that protect individuals from harassment and discrimination will continue to be enforced, and all complaints to OPHD will be investigated thoroughly. The UC San Diego Police Department will enforce laws that prohibit threats, intimidation, and tents/overnight encampments as needed.**

UC San Diego

LEARN MORE AT: **FREESPEECH.UCSD.EDU/FAQS**

FLIP FOR **POLICY LINKS**

PERB Received
09/19/24 11:03 AM

EXHIBIT NO. 48

PERB Received
09/19/24 11:03 AM

A Message from Chancellor Pradeep K. Khosla

Chancellor Khosla <adminrec@ucsd.edu>
Sun 2024-05-05 2:39 PM

UC San Diego

CAMPUS NOTICE

OFFICE OF THE CHANCELLOR

May 5, 2024

ALL ACADEMICS, STAFF, AND STUDENTS AT UC SAN DIEGO (Including UC San Diego Health)

A Message from Chancellor Pradeep K. Khosla

On May 1, 2024, campus community members and non-affiliates established an illegal encampment near Library Walk. As I stated in my previous message, unauthorized encampments are strictly prohibited, and we must enforce our campus policies and the law for the safety and well-being of all members of our campus community. We began communicating with participants within minutes of the camp's establishment. Nevertheless, the encampment has tripled in size in violation of the group's commitment not to expand the footprint. This encampment poses an unacceptable safety and security hazard on campus.

Throughout this unlawful encampment, campus police, security teams and free expression monitors have been on site to support the safety and security of all members of the campus community and to maintain the continuity of campus operations and our academic mission. Since the encampment was established, university administration has attempted to maintain regular communication with encampment liaisons identified by the group. We have been met with shifting liaisons and claims that the encampment has no organized leadership with whom to reach binding agreements. Nevertheless, we were assured that the encampment had committed not to increase the size of the area, and despite this agreement, that commitment was not honored.

The encampment poses serious safety and security hazards to those inside

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and outside the encampment area. In the last week, the encampment has limited free movement on campus, created a checkpoint for entry into the camp, and denied access to the fire marshal and health inspectors. As time passes, the threat and potential for violent clashes increases. The presence of a significant number of non-affiliates in the encampment heightens these concerns.

UC San Diego strongly supports the right to free expression and has supported the rights of those participating in multiple pro-Palestinian protests this academic year, including a demonstration with more than 2,000 participants on March 6, 2024.

The violation of law and campus policy represented by this encampment, however, is not a peaceful protest. It has become dangerous. As University of California Board of Regents Chair Richard Leib recently stated in his letter to the university community, “Protests that interfere with university operations or threaten the safety of students require immediate enforcement of university policies.”

I am calling on our students, faculty, staff and non-affiliates participating in the encampment to peacefully disperse.

Pradeep K. Khosla
Chancellor

University of California San Diego, 9500 Gilman Drive, La Jolla, CA, 92093

To continue receiving our emails, add us to your address book.

UC San Diego

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EXHIBIT NO. 49

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UNIVERSITY OF CALIFORNIA, SAN DIEGO

UCSD

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CYNTHIA M. PALMER
ASSISTANT VICE CHANCELLOR
ACADEMIC PERSONNEL

9500 GILMAN DRIVE
LA JOLLA, CALIFORNIA 92093-0065
PHONE (858) 534-3133
FAX (858) 534-2362

May 29, 2024

[redacted]
UC San Diego
Via email - [redacted]

RE: Notice of Investigation – Case # [redacted]

Dear Professor [redacted]

It was reported that you participated in an unlawful, unauthorized encampment on UC San Diego's campus near Library Walk. Despite University communication regarding unauthorized encampments being strictly prohibited and Chancellor Khosla calling on UC San Diego students, faculty, staff, and non-affiliates to disperse on May 5, 2024[1], you refused to leave the encampment, leading to your arrest on May 6, 2024.

UC San Diego takes such reports seriously and as such, has initiated an investigation into the reported behavior. As the subject of the investigation, this letter sets out the investigation process and your rights, responsibilities, and obligations.

The investigation will focus on possible violations of the following policies:

1. **PPM 516:** Environment, Health & Safety—Environmental Sanitation-Housing
2. **PPM 510**: Use of University Properties—Policy on Speech, Advocacy, and Distribution of Literature on University Grounds
3. **APM – 015:** The Faculty Code of Conduct, Part II – Professional Responsibilities, Ethical Principles, and Unacceptable Faculty Conduct, specifically Section C (1-3) and C(8)

The Investigation Process

An investigation conducted at the direction of the Academic Personnel Services Office is an administrative investigation to determine whether the alleged conduct occurred and if so, whether the conduct constitutes a violation of University policy. The investigation is part

[1] See attached 5/5/2024 notice titled "Message from Chancellor Pradeep K. Khosla"

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of a University administrative process and is not a legal proceeding. APS strives to complete the investigation process in a timely manner.

An investigator will be assigned to conduct a full, fair, and independent investigation into the reported behaviors. During the investigation process, the investigator will gather information and evidence that is reasonably available related to the alleged conduct, determine which of the information and evidence is relevant to the allegations made, conduct an analysis of the relevant information, and then based upon a preponderance of the evidence (meaning more likely than not), determine what happened and whether what happened violates University policy.

During the investigation process, you will be able to provide the investigator with evidence (emails, documents, etc.) that you would like them to review as part of the investigation, as well as a witness list. Before the investigation is completed, you will have the opportunity to respond to information gathered during the investigation, and ordinarily this is done during your interview.

Please preserve any electronic and/or documentary records that may be relevant to the reported behaviors.

During the investigation process you may have an advisor present with you when you are interviewed and at any meeting or proceeding that is part of the investigation. Your advisor can be an attorney or anyone else who is not (a) a party to, or witness in, this investigation, or (b) your section head, your department chair, or your dean. Please note that while the advisor may provide support and guidance, they may not speak on your behalf or otherwise actively participate in or disrupt the investigation and resolution process. Please let me know **three business days** in advance if you plan to have an advisor present and the identity of your advisor, including their name and title.

At the conclusion of the investigation, a report will be submitted that will include factual findings and a determination regarding whether University policy has been violated. You will be notified of the outcome of the investigation. The report will be submitted to me and I will forward it to Executive Vice Chancellor Elizabeth H. Simmons. Any recommended disciplinary action taken as a result of the findings of the investigation will be in accordance with the University Policy on Faculty Conduct and the Administration of Discipline – APM 016.

Safeguarding of Privacy

The University will protect the privacy of individuals involved in the investigation process to the extent permitted by law and University policy.

Interview Request

APS has secured Meyers Nave to conduct this administrative investigation. Soon you will be contacted by Camille Hamilton Pating (cpating@ucsd.edu) to set up a mutually convenient

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time for an interview. While it has been campus practice to conduct such interviews remotely via Zoom, we are also able to conduct interviews in person if requested. During the interview, please ensure that your computer or other electronic device is capable of running the Zoom application, that your location has reliable Wifi connectivity, and that you are in a location where you can speak in confidence. We anticipate the interview to last approximately 2 hours. If you are unable to secure access to the technological requirements, an in-person interview will be scheduled. The investigator will make reasonable efforts to accommodate your schedule, but scheduling will not be allowed to unreasonably delay the investigation, and if you fail to make yourself available for an interview within a reasonable timeframe, the investigation will proceed and you may lose the opportunity to provide your perspective, so we encourage you to make scheduling this interview a high priority.

Please be advised that Meyers Nave has been hired solely to conduct an administrative investigation and is not acting as a legal representative of the University. As such, information shared with Meyers Nave will not be considered privileged.

Please note, under the California Business and Professions Code, external consultants engaged to conduct workplace investigations must either be state-licensed private investigators or state-licensed attorneys. While the designee who will be interviewing you will be an attorney, Meyers-Nave is not functioning as University counsel in its capacity as investigator for this matter.

Retaliation

Please be aware that University policy and state and federal law, strictly prohibit retaliation against anyone for filing a complaint, or for participating in an investigation. This includes anyone you know, or think you know, filed this complaint, or may have participated in this investigation. You are encouraged to avoid any behavior that could reasonably be interpreted as retaliatory, including not influencing, coaching, or intimidating participants in an investigation or interfering with the investigation.

At all times, APS strives to ensure the investigation process remains respectful for all who are involved. I ask for your cooperation in respecting the confidentiality of the investigation.

Resources

The following resources are available to you at any time:
UC San Diego Faculty & Staff Assistance Program (FSAP) – (Confidential)
Location: Torrey Pines Center South, 10280 N. Torrey Pines Road, Suite 406
Phone: 858-534-5523

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Website: https://ombuds.ucsd.edu/

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Please contact me as soon as possible if you have disability-related needs and wish to request reasonable accommodations to ensure your full participation in this process.

If you have any questions about this investigation, or the University of California and UC San Diego policies, or the content of this notice, please do not hesitate to contact Academic Employee & Labor Relations at academicemplrelations@ucsd.edu.

Sincerely,

Cynthia M. Palmer
Assistant Vice Chancellor
Academic Personnel Services

Cc: Elizabeth H. Simmons, Executive Vice Chancellor, Academic Affairs
Robert E. Continetti, Sr. Associate Vice Chancellor, Academic Affairs
[redacted]

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EXHIBIT NO. 50

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UNIVERSITY OF CALIFORNIA, SAN DIEGO UCSD

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SANTA BARBARA · SANTA CRUZ

CYNTHIA M. PALMER
ASSISTANT VICE CHANCELLOR
ACADEMIC PERSONNEL

9500 GILMAN DRIVE
LA JOLLA, CALIFORNIA 92093-0065
PHONE (858) 534-3133
FAX: (858) 534--2362

May 29, 2024

Professor [redacted]
[redacted]
UC San Diego
Via email – [redacted]

RE: Notice of Investigation – Case # [redacted]

Dear Professor [redacted]

It was reported that you participated in an unlawful, unauthorized encampment on UC San Diego's campus near Library Walk. Despite University communication regarding unauthorized encampments being strictly prohibited and Chancellor Khosla calling on UC San Diego students, faculty, staff, and non-affiliates to disperse on May 5, 2024[1], you refused to leave the encampment, leading to your arrest on May 6, 2024.

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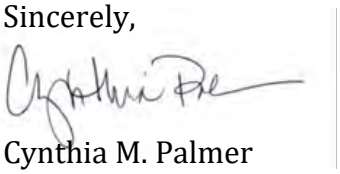
If you have any questions about this investigation, or the University of California and UC San Diego policies, or the content of this notice, please do not hesitate to contact Academic Employee & Labor Relations at academicemplrelations@ucsd.edu.

Sincerely,



Cynthia M. Palmer
Assistant Vice Chancellor
Academic Personnel Services

Cc: Elizabeth H. Simmons, Executive Vice Chancellor, Academic Affairs
Robert E. Continetti, Sr. Associate Vice Chancellor, Academic Affairs
[redacted]

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EXHIBIT NO. 51

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UCSC FACULTY FOR JUSTICE IN PALESTINE

UCSC FJP STATEMENT

ABOUT UCSC FJP:

Following the urgent call to establish Faculty for Justice in Palestine (FJP) groups across U.S. campuses to support students under increasing threats and attacks, we at UC Santa Cruz have formed our own FJP. Faculty, staff, and students who work on and/or organize for Palestine are under increasing censure and censorship across U.S. campuses, including from their own administrations. We intend to protect our students–

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and each other—as we do this work. Our FJP work will include supporting Students for Justice in Palestine in their work, collaborating with students on direct actions, protecting faculty and graduate students under attack for making space to discuss Palestine in their classrooms, hosting events, and acting as liaisons for students experiencing harassment because they are perceived as Arab, Muslim, and/or pro-Palestinian. We will ensure the collective right to academic freedom for advocates of Palestine and combat attempts to equate the critique of the policies of a foreign state with antisemitism. We are inclusive of senate faculty, lecturers, staff, and graduate students and we look forward to organizing joint events and actions with other FJP groups across the Bay Area, California, and the country.

UCSC FJP STATEMENT

We, the undersigned, acknowledge that we are witnessing U.S.-backed Israeli genocidal violence against a dispossessed population in Gaza, escalating state-sponsored settler violence in the West Bank, heightened imprisonment and torture of Palestinians in Israeli prisons, and imprisonment of the state's own citizens, especially Palestinians, who have expressed concern or support for

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Palestinians in the other parts of Palestine. We watch in horror as Israeli bombs continue to rain down on Gaza, murdering over 11,000 Palestinians, including over 4,000 children: a bodycount that grows everyday. Following scholars of genocide, we note that Israeli War Minister Yoav Gallant has stated: "We are imposing a complete siege on Gaza. No electricity, no food, no water, no fuel. Everything is closed. We are fighting human animals, and we will act accordingly." This dehumanization is meant to justify, in advance, the mass death—by bombing or by slowly ending life-giving sustenance—of 2.3 million Palestinians trapped in Gaza. Thus far, Israeli airstrikes have destroyed hospitals, targeted first responders, murdered journalists, eradicated entire families, leveled neighborhoods, and demolished "safe routes" on which Palestinians were told to flee for their lives. It has been accompanied by Israel's denying Palestinians in Gaza water, medicine, food, electricity, and fuel and destroying water, power, and telecommunications infrastructure. This most recent attack is the fifth bombardment in 15 years, perpetrated by one of the world's most powerful militaries against a captive population, nearly half of whom are under eighteen, and the majority of whom are refugees from successive waves of

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displacement by Israeli settlement and ethnic cleansing since 1948. These war crimes are supported by U.S. tax dollars at the rate of $3.8 billion per year. Outraged, we note that our representatives continue to ignore the 66% of constituents in the U.S. who support a ceasefire.

As scholars, we also note that this is a moment of rampant misinformation and racist warmongering, perpetrated by government officials, administrators, and mainstream media outlets. We hold our administrations—and similar messaging by the mainstream U.S. media outlets—responsible for violence against protesters, teach-in attendees, and vigil participants in support of Palestinian freedom on campuses across the United States. Following the University of California Ethnic Studies Faculty Council, we affirm that this rhetorical violence generated by administrative bodies across multiple universities fosters a hostile learning environment for Palestinian, Muslim, and Arab students on our campuses who are reminded in these moments that the university does not protect them and cannot spare a word of care for their families under siege. As educators, following Birzeit University, we too call upon our academic communities to “fulfill their intellectual and academic duty of seeking truth, maintaining a

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critical distance from state-sponsored propaganda, and to hold the perpetrators of genocide and those complicit with them accountable."

Finally, this is an urgent moment of dangerously shrinking space for freedom of speech on our campuses. Students, staff, and faculty in support of Palestine at UCSC have long been subject to attacks disparaging our work. The scope and scale of intimidation and threats grow everyday. We are aware that universities are under immense pressure from trustees, alumni, and donors to be perceived as "pro-Israel," even at the cost of violating academic freedom and free speech rights. Students nationwide are under increasing threats and attacks, including from university leaderships that refuse to protect them from harassment and instead actively punish them for speaking up; from employers that fire them or reverse decisions to hire them; and from the U.S. Senate, which has dangerously equated criticism of the state of Israel with antisemitism and called pro-Palestine students at NYU and other universities "morally repugnant." As our own administration has recently censured the work of scholars committed to the study of Israel as a settler colonial state, we demand that UCSC ensure that all of its community members, including those who advocate for Palestinian rights,

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are able to produce knowledge with protection and without interference. UCSC also must recognize the harms of Islamophobia and of the racism experienced by Arab and Arab-American colleagues and students, who are currently watching the U.S. media and their government officials encourage the annihilation of the Palestinian people.

Now is the time for faculty, staff, and students to come together to protect our right to speak out and collectively demand an immediate end to the massive violence being inflicted on the people of Gaza. We must also rally, on campus and beyond, in support of our students and against the anti-Palestinian campaigns in the media and the political sphere. We envision Faculty for Justice in Palestine as a space that encourages radical care for each other and invites colleagues across the university to speak out at this critical moment.

As the newly formed Faculty for Justice in Palestine at UC Santa Cruz, we assert that while we are coming together in this moment of escalating genocide, that we know that the Nakba is ongoing and that our work does not begin or end here. UCSC FJP will be an ongoing formation that will continue to implement its commitments and adjust them as needed in future moments until

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liberation of Palestinian land and people is actualized and the right of return is implemented, and our campus communities are free from racialized targeting and disregard.

Please add your name to our statement to oppose this genocidal attack on Gaza, the continuing occupation of Palestinians subject to Israeli control, and the threats to our students and colleagues who want to express their solidarity with the Palestinian people. Subsequently, we will ask if you wish to join our chapter.

You can add your name to our statement here.

1. Javier Fernández Agüera, Lecturer, Languages and Applied Linguistics
2. Michelle Aguilera, Assistant Professor, Education
3. Jon Ayon Alonso, Assistant Professor, Film and Digital Media
4. David Anthony, Professor Emeritus, History Department
5. Amy Argenal, Assistant Teaching Professor, Sociology
6. Amando Argueta, Graduate Student, Latin American & Latino studies

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7. Anjali Arondekar, Professor, Feminist Studies
8. Mai awad, PhD student in Sociology
9. Sophia Azeb, Assistant Professor, Critical Race & Ethnic Studies
10. Abdelkader Berrahmoun, Lecturer, Department of Languages and Applied Linguistics
11. Christina Blebea, PhD student, Environmental Studies
12. Courtney Bonam, Assistant Professor, Psychology & Critical Race and Ethnic Studies
13. Josh Brahinsky, lecturer, John R Lewis College
14. mattie brice, Assistant Professor; Performance, Play, & Design
15. Leonard Butingan, PhD Candidate, History
16. Em Butler, MFA Student, FDM
17. micha cardénas, Associate Professor, Critical Race & Ethnic Studies and Performance, Play & Design
18. Susannah Carney-Waddy, Lecturer, Writing Program
19. Betsy Centeno, PhD student, Psychology

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20. J. Mijin Cha, Assistant Professor, Environmental Studies
21. Susanna Collinson, PhD Candidate, History of Art and Visual Culture
22. Abby Cunniff, PhD Student, Environmental Studies
23. Daniel, PhD candidate, Psychology
24. Yasmeen Daifallah, Assistant Professor of Politics
25. Roberto S. de Roock, Assistant Professor, Education
26. T. J. Demos, Professor, History of Art and Visual Culture
27. Lindsey Dillon, Assistant Professor, Sociology
28. Theo Dubus, MS Applied Economics, UCSC Economics
29. Tamara Duplantis, Lecturer, Performance, Play and Design
30. Alycia Ellington, PhD student, Sociology
31. ksenia fir, Ph.D. candidate, Film and Digital Media
32. Carolina Flores, Assistant Professor, Philosophy
33. Arlo Fosburg, PhD Candidate, FMST

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34. Jess Fournier, PhD Candidate, Feminist Studies
35. Carla Freccero, Distinguished Professor, Literature & History of Consciousness
36. Robin Gabriel, Ph.D. Candidate in sociology and CRES
37. Tricia Gallagher-Geurtsen, Lecturer, Critical Race & Ethnic Studies
38. Yulia Gilichinskaya, lecturer, Film & Digital Media
39. Amy Mihyang Ginther, Associate Professor, Department of Performance, Play & Design
40. Julianne Foxworthy Gonzalez, PhD candidate, Education
41. Victoria Molero González, Staff/Director of Mentoring, Center for Reimagining Leadership
42. Bobby Gordon, Lecturer, Department of Performance, Play & Design
43. Rebecca Gross, Graduate Student Worker, Literature Department
44. Carrie Hamilton, PhD Student, Sociology
45. Veronica Hamilton, PhD Candidate, Psychology

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46. Lani Hanna, PhD candidate, Feminist Studies
47. Camilla Hawthorne, Associate Professor, Sociology and Critical Race & Ethnic Studies
48. Christine Hong, Professor, Critical Race and Ethnic Studies and Literature
49. Hyesung Grace Hwang, Assistant Professor, Psychology
50. Sintia Issa, PhD candidate, History of Art & Visual Culture
51. Rekia Jibrin, Assistant Professor, Education
52. Brittney Jimenez, PhD Student, Latin American and Latino Studies, Critical Race and Ethnic Studies
53. Jenny Kelly, Associate Professor, Critical Race and Ethnic Studies and Feminist Studies
54. Ki'Amber, PhD student, Sociology
55. Savannah Kilner, Postdoctoral Fellow, Institute of the Arts and Sciences
56. René Espinoza Kissell, Assistant Professor, Education Dept
57. Amy Krauss, Visiting Assistant Professor, Feminist Studies

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58. Amanda Lashaw, Lecturer, Education Department
59. Marisol LeBrón, Associate Professor, Critical Race and Ethnic Studies and Feminist Studies
60. Fernando Leiva, Professor, Latin American and Latino Studies
61. Xavier Livermon, Associate Professor, Critical Race and Ethnic Studies
62. Leslie McShane Lodwick, PhD Candidate, History of Art and Visual Culture
63. Alma Esperanza Villa Loma, Graduate Student, Sociology
64. Flora Lu, Professor, Environmental Studies
65. Marina Magalhães, Assistant Professor, Department of Performance, Play & Design
66. Nidhi Mahajan, Assistant Professor, Anthropology
67. Bob Majzler, Lecturer, Psychology and John R. Lewis College
68. Marc Matera, Professor, History
69. Megan McNamara, Continuing Lecturer, Sociology
70. Nick Mitchell, Associate Professor, Critical Race and Ethnic Studies

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71. Carlos Martinez, Assistant Professor, Latin American & Latino Studies
72. Cinthya Martinez, Postdoctoral Fellow, Latin American and Latino Studies
73. Devina Martinez, Undergraduate Advisor, Department of Performance, Play & Design
74. Jennifer Mogannam, Assistant Professor, Critical Race & Ethnic Studies
75. Anny L. Mogollón, PhD Candidate, Literature, Critical Race & Ethnic Studies, Feminist Studies
76. Maywa Montenegro, Assistant Professor, Environmental Studies
77. Rosa Navarro, PhD Student, Sociology
78. Fuifuilupe Niumeitolu, Assistant Professor, Critical Race and Ethnic Studies
79. Marcia Ochoa, Associate Professor, Performance, Play & Design
80. Emily O'Daniels, Staff, Genomics Institute
81. Nico Orlandi, Assistant Professor, Philisophy
82. Brittani R. Orona (Hupa), UC President's and Andrew W. Mellon Postdoctoral Fellow, History
83. John Ortiz, Social Documentation MFA student, Film and Digital Media

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84. Jamilli Pacheco-Urquiza, MFA Student, Film & Digital Media
85. A. Laurie Palmer, Professor, Art Department
86. Ariella Patchen, PhD student, History of Consciousness Department
87. Livia Perez, Lecturer, Film and Digital Media and Digital Arts and New Media
88. Kailani Polzak, Assistant Professor, History of Art and Visual Culture
89. Rowan Powell, PhD student, Politics
90. Fatima Raja, PhD Candidate, Education
91. Emily Reigh, Assistant Professor, Department of Education
92. Kate Ringland, Assistant Professor, Computational Media
93. Martin Rizzo-Martinez, Assistant Professor, Film and Digital Media
94. Josephine Pham, Assistant Professor, Education
95. Delaney Pues, PhD student, Environmental Studies
96. Kaylee-Allyssa Roberts, PhD Candidate, Sociology
97. Pamela Rodriguez-Montero, Assistant Professor, PPD

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98. Lisa Rofel, Professor Emerita and Research Professor, Department of Anthropology
99. Iokepa Casumbal-Salazar, Assistant Professor, Critical Race and Ethnic Studies
100. Dorothy R. Santos, Visiting Assistant Professor, Sociology
101. Felicity Amaya Schaeffer, Chair of Critical Race and Ethnic Studies
102. Thomas Serres, Assistant Professor, Politics
103. Vanita Seth, Associate Professor, Politics
104. Huzaifa Shahbaz, Ph.D. Student, Politics
105. Savannah Shange, Associate Professor, Anthropology
106. Kriti Sharma, Assistant Professor, Critical Race and Ethnic Studies
107. Ivy Sichel, Professor, Linguistics
108. Amanda Smith, Associate Professor, Literature
109. Wesley Somers, PhD Student and Teaching Assistant, Music Department
110. Summer Sullivan, PhD student, Environmental Studies
111. Megan Thomas, Associate Professor, Politics
112. Tara Thomas, Lecturer, Literature

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113. Karen Crespo Triveño (reconnecting Quechua), PhD Student, Environmental Studies Department
114. Tashina Vavuris, Ph.D. Candidate, Environmental Studies
115. Logan Walker, Lecturer, Film and Digital Media
116. Hannah Waterhouse, Assistant Professor, Environmental Studies
117. Marianne Weems, Performance, Play & Design and Digital Arts & New Media
118. Alice Yang, Associate Professor of Critical Race and Ethnic Studies and History
119. Zoe Zhao, Assistant Professor, Sociology

You can follow us on Instagram at @fjpucsc

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PALESTINE WILL BE FREE

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EXHIBIT NO. 52

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UCSC FACULTY FOR JUSTICE IN PALESTINE

UCSC FJP STATEMENT IN SUPPORT OF THE GAZA SOLIDARITY ENCAMPMENT

The UCSC chapter of Faculty for Justice in Palestine unequivocally supports the UCSC student encampment calling for the end to the U.S.-backed Israeli genocide in Palestine; for UCSC's full disclosure of all investments in and dividends and grants from Israeli and warmaking industries, and for full divestment from the military industrial complex.

By erecting this encampment, our students are fulfilling the most basic principles of a well-rounded and intellectually rigorous political education, the historical legacy of which UCSC cites in its own marketing materials as a point of pride for this campus. These students come from throughout the length of California and beyond; they are first-generation, first attendees, legacy, transfer, and international students. They are from all faith groups and ethnicities, majoring in fields ranging from the humanities to the sciences, and they aspire to all manner of careers, from medicine to filmmaking and education to astrophysics. Our students have formed a broad-based coalition that takes the charge to change the world they inherited seriously.

There are no universities remaining in Gaza. All 12 institutions of higher education in Gaza have been leveled by the Israeli Occupation Forces, using U.S.-supplied armaments. Since October

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2023, the state of Israel has murdered at least 95 university professors and 756 teachers, leaving over 608,000 students without any access to education.This murderous state violence is alongside the 34,000+ Palestinian civilians killed in the indiscriminate bombings, snipings, ground occupations, and the forcible capture, torture, and assassinations of Palestinian medical workers, human rights organizers, and journalists we have witnessed over the past over 200 days. The people of Gaza are currently enduring forcible starvation, in a constant state of famine and "catastrophic living conditions," according to the March 28, 2024 International Court of Justice's indication of additional provisional measures to prevent genocide. These horrors are a continuation of nearly 76 years of Zionist efforts to destroy Palestinian civil society and erase Palestinian knowledge-making practices, culture, land, and history. We, as educators in a public institution, committed to the imperative that public education must always serve the greater public good, unconditionally support our students' organizing efforts and embrace our own obligation as faculty, staff, and instructors to condemn this scholasticide and the University of California's complicity in it.

On April 8, 2024 the Lemkin Institute for Genocide Prevention extended its active genocide alert for Gaza into the West Bank, declaring that the entire population of historic Palestine faces expulsion, forced displacement, land and crop destruction, and extralegal killings in the largest illegal seizure of Palestinian land since the Oslo Agreement of 1993. UCSC students are responding as they have been inspired to do during their education at Santa Cruz, in line with what likely compelled them to enroll at UCSC in the first place: their empathy, deep ethical principles, and commitment to both study and struggle. In this sustained and studied commitment, they are expressing their full solidarity with the Palestinian people and all people who seek justice.

We, the UCSC chapter of the national network of Faculty for Justice in Palestine, also yearn for an immediate end to the genocide of Palestinians and the immediate restoration of Palestinian sovereignty and the right to return, enshrined in the 1948 Fourth Geneva Convention, 1948 Universal Declaration of Human Rights, and the 1966 International Covenant on Civil and Political Rights; in addition to disclosure of UCSC investments and divestment from the war machine. Palestinian faculty and students at UCSC are keenly aware of the historic and recent lack of support from UCSC's administrative bodies, as well as UCSC's willingness to concede to external pressures that put UCSC

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faculty, staff, and students who are Palestinian or advocate for Palestine in harm's way. We call for the UCSC administration to honor the demands of our brave and principled student body, and we pledge to stand with our students every step of the way.

No state has the right to exist, but all people do. UCSC should take pride in the commitment our students are demonstrating to preserve the rights of Palestinians to live.

On Instagram at @fjpucsc

PALESTINE WILL BE FREE

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EXHIBIT NO. 53

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Resolution Against Police Deployment Against Student Demonstrations

Be it resolved that the UC Santa Cruz Senate Faculty calls on our Administration to refrain from bringing police to campus to break up, disperse, or arrest participants in the Gaza Solidarity Encampment or related demonstrations. Painful lessons from campuses across the country, including at UCLA, UC Irvine, and UC San Diego, have shown clearly that bringing police force to bear on political demonstrations has led to increased violence, and considerable harm to members of our community. Political protest is a valued tradition at the University of California, and the protection of this freedom, and of the health and well-being of members of our community, is all of our responsibility. We call on our administrators to commit to peace and dialogue when engaging with demonstrators, and to refrain from bringing armed law enforcement personnel to demonstration sites.

Centers
Center for Racial Justice
SEACoast (Center for Southeast Asian Coastal Interactions)

Individuals
Michelle Aguilera, Assistant Professor, Education
Nameera Akhtar, Professor, Psychology
Jordi Aladro, Professor, Literature
Alison Hope Alkon, Associate Teaching Professor of Community Studies, Department of Sociology
Jonathan Ayon Alonso, Assistant Professor, Film and Digital Media Department
Peter Alvaro, Associate Professor, Computer Science and Engineering
Mark Amengual, Professor, Languages and Applied Linguistics
Lawrence Andrews, Professor, Film and Digital Media
Bettina Aptheker, Distinguished Professor Emerita, Feminist Studies
Owen Arden, Assistant Professor, Computer Science and Engineering
Amy Argenal, Assistant Teaching Professor, Social Sciences
Anjali Arondekar, Professor, Feminist Studies
Noriko Aso, Associate Professor, History
Sophia Azeb, Assistant Professor, Critical Race & Ethnic Studies
Margarita Azmitia, Professor, Psychology
Karen Barad, Professor, History of Consciousness
Sanjay Barbora, Associate Professor, Sociology
Chris Benner, Professor of Environmental Studies and Sociology, Dorothy E Everett Chair, Director Institute for Social Transformation
Eva Bertram, Associate Professor, Politics
Hunter Bivens, Associate Professor, Literature
Aaron Bornstein, Assistant Professor, Cognitive Sciences
mattie brice, Assistant Professor, Performance, Play, & Design
David Brundage, Professor Emeritus, History
Cláudio Bueno, Assistant Professor, Art
George Bunch, Professor, Education
micha cárdenas, Associate Professor, CRES and PPD

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Ben Carson, Professor, Music
Iokepa Casumbal-Salazar, Assistant Professor, Critical Race & Ethnic Studies
J. Mijin Cha, Assistant Professor, ENVS
Christopher Chen, Associate Professor, Literature
Robert Coe, Prof. Emeritus Earth & Planetary Sciences
Christopher Connery, Professor, Literature
Vilashini Cooppan, Professor of Literature and Critical Race and Ethnic Studies
E. G. Crichton, Professor Emerita, Art
Yasmeen Daifallah, Assistant Professor of Politics
Sharon Daniel, Professor, Film and Digital Media
Muriam Haleh Davis, Associate Professor, History
T. J. Demos, Professor, History of Art and Visual Culture
Gina Dent, Professor, Feminist Studies
Roberto de Roock, Assistant Professor, Education
Martin Devecka, Associate Professor, Department of Literature
María Elena Díaz, Associate Professor, History
Janette Dinishak, Associate Professor, Philosophy
Joseph Erb, Assistant Professor, Film and Digital Media
Madeleine Fairbairn, Associate Professor, Environmental Studies
Carolina Flores, Assistant Professor, Philosophy
Carla Freccero, Professor, Literature
Anna Friz, Associate Professor, Film and Digital Media
Hiroshi Fukurai, Professor, Sociology & Legal Studies
Filippo Gianferrari, Literature
Susan Gillman, Distinguished Professor, Literature
Amy Mihyang Ginther, Associate Professor, Performance, Play, & Design
Deborah B. Gould, Professor and Chair, Sociology
Miriam Greenberg, Professor, Sociology
Kirsten Silva Gruesz, Literature
Irene Gustafson, Associate Professor, Film and Digital Media
Julie Guthman, Professor, Community Studies
Camilla Hawthorne, Associate Professor, Sociology and Critical Race and Ethnic Studies
Margo Hendricks, Professor, Critical Race and Ethnic Studies
Gail Hershatter, Distinguished Professor Emer. Of History
Dee Hibbert-Jones, Professor, Art
Christine Hong, Professor, Critical Race and Ethnic Studies and Literature
Donna Hunter, Associate Professor Emerita, HAVC
Rekia Jibrin, Assistant Professor, Education Department
Sikina Jinnah, Professor, Environmental Studies
Jennifer Kelly, Associate Professor, Feminist Studies and Critical Race and Ethnic Studies
Sharon Kinoshita, Professor of Literature
René Espinoza Kissell, Assistant Professor, Education
Amy Krauss, Visiting Assistant Professor, Feminist Studies
Lindsey Kuper, Assistant Professor, Computer Science and Engineering
Kimberly Lau, Professor, Literature
Enrique Martinez Leal, Associate Professor, Art

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John Jota Leaños, Professor, Film & Digital Media
Marisol LeBrón, Associate Professor, Feminist Studies and Critical Race and Ethnic Studies
Fernando Leiva, Professor, Latin American and Latino Studies
Cynthia Lewis, Professor, Education
Peter Limbrick, Professor, Film and Digital Media
Cynthia Ling Lee, Associate Professor, Performance, Play and Design
Xavier Livermon, Critical Race and Ethnic Studies
Flora Lu, Professor of Environmental Studies
Irene Lusztig, Professor, Film and Digital Media
Marina Magalhães, Assistant Professor, Department of Performance, Play & Design
Nidhi Mahajan, Assistant Professor, Anthropology
Adriana Manago, Associate Professor, Psychology
Carlos Martinez, Assistant Professor, Latin American & Latino Studies
Marc Matera, Professor, History
Dean Mathiowetz, Associate Professor, Politics
Andrew Mathews, Professor, Anthropology
Steve McKay, Professor, Sociology
Tanya Merchant, Associate Professor, Music and Feminist Studies
Nick Mitchell, Associate Professor, Critical Race & Ethnic Studies and Feminist Studies
Jennifer Mogannam, Assistant Professor, Critical Race & Ethnic Studies
Maywa Montenegro, Assistant Professor Environmental Studies
Megan Moodie, Associate Professor, Anthropology
Taylor Moore, Assistant Professor, History
Julissa O. Muñiz, Assistant Professor, Psychology
Madhavi Murty, Associate Professor, Feminist Studies
Marcia Ochoa, Associate Professor, Performance, Play & Design and CRES; Provost, Oakes College
Laurie Palmer, Professor, Art
Dimitris Papadopoulos, Professor, History of Consciousness
Jennifer A Parker, Professor, Art
Josephine Pham, Assistant Professor, Education
Patricia Pinho, Professor, Latin American and Latino Studies
Eric Porter, Professor, History, HistCon, CRES
Maria Puig de la Bellacasa, Professor, History of Consciousness
Andrew Quinn, Assistant Professor, Computer Science and Engineering
Catherine Ramírez, Professor, Latin American & Latino Studies
Renya Ramirez, Professor, Anthropology
Enrico Ramirez-Ruiz, Professor of Astronomy and Astrophysics
Sarah Sanford, Assistant Teaching Professor, Art
Kathryn E. Ringland, Assistant Professor, Computational Media
Susana Ruiz, Associate Professor, Film and Digital Media
Warren Sack, Professor, Film + Digital Media
GS Sahota, Associate Professor, Literature
Felicity Amaya Schaeffer, Chair of Critical Race and Ethnic Studies
Thomas Serres, Assistant Professor, Politics
Vanita Seth, Associate Professor, Politician

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Katherine Seto, Assistant Professor, Environmental Studies Department
Juned Shaikh, Associate Professor, History
Savannah Shange, Associate Professor, Anthropology
Kriti Sharma, Assistant Professor, Critical Race and Ethnic Studies
Nirvikar Singh, Professor of Economics
Amanda M. Smith, Associate Professor, Literature
Shelley Stamp, Professor, Film + Digital Media
Beth Stephens, Professor, Art
Elizabeth Swensen, Associate Professor, Performance, Play & Design
Jessica Taft, Professor, Latin American and Latino Studies
Kira Tait, Assistant Professor, Politics
Jennifer Maytorena Taylor, Professor, Film and Digital Media
Megan Thomas, Associate Professor, Politics
Jennifer Tseng, Associate Professor, Literature
Anna Tsing, Professor, Anthropology
Gina Athena Ulysse, Professor, Feminist Studies
Anjuli Verma, Assistant Professor, Politics & Legal Studies
Hannah Waterhouse, Assistant Professor, Environmental Studies, UCSC
Grant Whipple, Assistant Teaching Professor, Art
Rob Wilson, Professor, Literature
Ronaldo Wilson, Professor, Literature and Creative Writing; Critical Race and Ethnic Studies
Alice Yang, Associate Professor, History and CRES
Zoe Zhao, Assistant Professor, Sociology
Zac Zimmer, Associate Professor of Literature

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EXHIBIT NO. 54

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Resolution to Defend Academic Freedom and Shared Governance

To: Academic Senate, Santa Cruz Division

Background:
The wave of academic repression we are witnessing right now stands to permanently damage the mission and public role of the University of California and imperil its core commitment to academic freedom and longstanding tradition of shared governance. We note with alarm that since October 7, 2023, the UC Regents have attempted to implement policies that run roughshod over Senate guidance on departmental statements and faculty discipline. These top-down efforts to restructure the university uneasily mirror conservative assaults against the mandate of the public university and diversity in education more broadly. They distort the definition of academic freedom, which at its heart, is the protection of free and open inquiry, including the right to "address the larger community with regard to any matter of social, political, economic, or other interest." We also condemn the scholasticide that has occurred in Palestine, where Israel has killed 439 academics, destroying 11 of 14 universities in Gaza. No pretense of academic freedom can exist for our Palestinian colleagues in light of these ongoing attacks.

The current, wide-ranging attacks on faculty authority are operationalized through crackdowns on certain "unpopular" forms of speech and expression–particularly pro-Palestinian speech and expression. In their January meeting, the UC Regents introduced a policy that would disallow anyone other than the chair of the Board of Regents, the UC president, the chancellors, and the Academic Senate leadership from issuing statements on matters of "public import" on "official channels of communication maintained by the campuses, schools, departments, centers, units, and other entities." Paired with this policy is the regents' slated review of the policy regarding the discipline and dismissal of faculty. This is particularly worrying given mounting threats to academic freedom, including UC President Michael Drake's misguided remarks on the need to support a "viewpoint neutral" history of the Middle East. We reject any conflation between religion and political belief and affirm the imperative of shared governance.

The Council of UC Faculty Associations (CUCFA) and the American Association of University Professors (AAUP) have pointed to a deeply concerning trend of deteriorating academic freedom after October 7, with universities "acceding to external political pressures and demands for political censorship" rather than "protecting the academic community's central mission of education, research, and service to the broader society and to the public good." The Council of UC Faculty Associations (CUCFA) has similarly expressed dismay at the "chilling climate across the United States, and increasingly on UC campuses."

The university must furnish a space of critique, especially during times of crisis. We underscore the fact that multiple campuses in our system, including our own, have led the way in rethinking

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and revising personnel evaluation standards to account for the significance and value of engaged scholarship within a democratic society. It is a given that the University of California is strengthened by the research, teaching, and service–including public intellectual work–of scholars who work on topics that are politically sensitive and matters of urgent public import. The foundation of such engaged scholarship is academic freedom. It is no coincidence that faculty who do engaged scholarship are disproportionately the most structurally vulnerable. At UC Santa Cruz, social justice is identified as central to the mission of our campus. Advancing this laudable goal, however, requires that scholars are free to conduct their research and teaching in accordance with their expertise and free from intimidation or harassment when addressing topics that could be considered controversial. While faculty who speak in support of Palestinians are currently facing particular threats, we defend the right of our colleagues to teach and write on a variety of issues, including structural racism, gender inequality, and climate justice.

WHEREAS: Academic freedom has come under chilling attacks after October 7, 2023, both at the University of California and more generally;

WHEREAS: UC faculty members and students who have criticized Israel's war crimes in Palestine have been particularly targeted for repression;

WHEREAS: Many senate faculty teach and research subjects – including but not limited to the Middle East – that could be viewed as politically controversial; and

WHEREAS: The UC/UCSC mission is to encourage free debate and promote social justice.

Therefore be it resolved: The Academic Senate calls on the administration to actively defend academic freedom by affirming the right to teach, conduct research, participate in institutional decision-making and do the work of public scholarship free from intimidation or harassment; to formally condemn the interference of outside organizations who wage harassment campaigns and encourage threats, doxxing, and harm against UC faculty and other members of the university community; to resist any measures from the UC Regents to introduce disciplinary procedures that exceed the current rules for shared governance laid out in the Senate bylaws and APM 15; and to protect the rights and freedoms of students, including participating in associations to advance their common interests.

Respectfully submitted;
The Center for Labor and Community
The Center for Racial Justice
Faculty for Justice in Palestine
The Santa Cruz Faculty Association (SCFA)

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Nameera Akhtar, Professor, Psychology
Jordi Aladro, Professor, Literature
Jon Ayon Alonso, Assistant Professor, Film and Digital Media
Alison Hope Alkon, Associate Teaching Professor, Community Studies and Sociology
Peter Alvaro, Associate Professor, Computer Science and Engineering
Mark Amengual, Professor, Languages and Applied Linguistics
Mark Anderson, Professor, Anthropology
Bettina Aptheker, Distinguished Professor Emerita, Feminist Studies
Amy Argenal, Assistant Teaching Professor, Sociology
Anjali Arondekar, Feminist Studies and Founding Director of the Center for South Asian Studies
Gabriela Arredondo, Associate Professor, Latin American and Latino Studies
Noriko Aso, Associate Professor, History
Sophia Azeb, Assistant Professor, Critical Race and Ethnic Studies
Margarita Azmitia Professor of Psychology
Banu Bargu, Professor, History of Consciousness
Karen Barad, Professor, Feminist Studies
Claudie Beaulieu, Associate Professor, Ocean Sciences
Jonathan Beecher, Professor Emeritus, History
Dorian Bell, Associate Professor, Literature
Chris Benner, Professor, Environmental Studies and Sociology
Eva Bertram, Associate Professor, Politics Department
Hunter Bivens, Associate Professor, Literature
Courtney Bonam, Assistant Professor, Psychology and Critical Race and Ethnic Studies
George Bunch, Professor, Education
mattie brice, Assistant Professor, Games for Transformational Racial Justice and Performance, Play and Design
David Brundage, Professor Emeritus, History
micha cárdenas, Associate Professor, Critical Race and Ethnic Studies and Performance, Play and Design
Pedro Castillo, Professor Emeritus, History
Iokepa Casumbal-Salazar, Assistant Professor, Critical Race and Ethnic Studies
J. Mijin Cha, Assistant Professor, Environmental Studies
Christopher Chen, Associate Professor, Literature
Alan Christy, Professor, History
Christopher Connery, Professor, Literature
Robert Coe, Professor Emeritus of Earth and Planetary Sciences
Vilashini Cooppan, Professor, Literature and Critical Race and Ethnic Studies
E.G. Crichton, Professor Emerita, Art
Muriam Haleh Davis, Associate Professor, History
T. J. Demos, Professor, History of Art and Visual Culture

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Jennifer Derr, Associate Professor, History and Founding Director of the Center for the Middle East and North Africa (CMENA)
Martin Devecka, Associate Professor, Literature
Maria Elena Diaz, Associate Professor, History
Lindsey Dillon, Assistant Professor, Sociology
James Doucet-Battle, Associate Professor, Sociology
Joseph ᘐᘓᘋ Erb, Assistant Professor, Film and Digital Media
Jeffrey Erbig, Associate Professor, Latin American and Latino Studies
Alegra Eroy-Reveles, Associate Professor of Teaching, Chemistry and Biochemistry
Madeleine Fairbairn, Associate Professor, Environmental Studies
Carolina Flores, Assistant Professor, Philosophy
Carla Freccero, Professor, Literature
Anna Friz, Associate Professor, Film and Digital Media
Hiroshi Fukurai, Professor, Sociology and Legal Studies
Patty Gallagher, Performance, Play and Design
Kristen Gillette, Assistant Teaching Professor, Performance, Play and Design
Amy Mihyang Ginther, Associate Professor, Performance, Play and Design
Kathleen Cruz Gutierrez, Assistant Professor, History
Camilo Gomez-Rivas, Associate Professor, Literature
Jennifer Gonzalez, Professor, History of Art and Visual Culture
Deborah Gould, Professor, Sociology
Miriam Greenberg, Professor of Sociology
Kirsten Silva Gruesz, Professor, Literature
Julie Guthman, Professor, Community Studies, Sociology
Judith Habicht-Mauche, Professor Emerita, Anthropology
Camilla Hawthorne, Associate Professor, Sociology and Critical Race and Ethnic Studies
Margo Hendricks, Professor Emerita Critical Race and Ethnic Studies
Jennifer Horne, Associate Professor, Film & Digital Media
Christine Hong, Professor, Critical Race and Ethnic Studies and Literature
Donna Hunter, Professor Emerita, History of Art and Visual Culture
Rekia Jibrin, Assistant Professor, Education
Catherine Jones, Associate Professor, History
Caitlin Keliiaa, Assistant Professor, History
Jennifer Kelly, Associate Professor, Feminist Studies and Critical Race and Ethnic Studies
René Espinoza Kissell, Assistant Professor, Education
Amy Krauss, Visiting Assistant Professor, Feminist Studies
Regina Day Langhout, Professor, Psychology
Kimberly Lau, Professor, Literature
Alexie Leauthaud, Associate Professor, Astronomy and Astrophysics
Marisol Lebron, Associate Professor, Critical Race and Ethnic Studies and Feminist Studies

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Cynthia Ling Lee, Associate Professor, Performance, Play and Design
Fernando Leiva, Professor, Latin American and Latino Studies
Cynthia Lewis, Professor, Education
Peter Limbrick, Professor, Film and Digital Media
Ronnie Lipschutz, Professor Emeritus, Politics
Xavier Livermon, Associate Professor, Critical Race and Ethnic Studies
Amy Lonetree, Professor, History Department
Flora Lu, Professor, Environmental Studies
Nidhi Mahajan, Assistant Professor, Anthropology
Adriana Manago, Associate Professor, Psychology
Marc Matera, Professor, History
Dean Mathiowetz, Associate Professor, Politics
Andrew S. Mathews, Professor, Anthropology
Tanya Merchant, Associate Professor, Music
Nick Mitchell, Associate Professor, Feminist Studies and Critical Race and Ethnic Studies
Jennifer Mogannam, Assistant Professor, Critical Race and Ethnic Studies
Maywa Montenegro, Assistant Professor, Environmental Studies
Megan Moodie, Associate Professor, Anthropology
Eréndira Quintana Morales, Assistant Professor, Anthropology
Madhavi Murty, Associate Professor, Feminist Studies
Dard Neuman, Associate Professor, Music
Sara Niedzwiecki, Associate Professor, Politics
Fuifuilupe Niumeitolu, Assistant Professor, Critical Race and Ethnic Studies
Natalia Ocampo-Peñuela, Assistant Professor, Environmental Studies
Marcia Ochoa, Associate Professor, Performance, Play and Design
Gregory E. O'Malley, Professor, History
Nico Orlandi, Professor, Philosophy Department
Laurie Palmer, Professor, Art
Jennifer Parker, Professor, Art
Eleonora Pasotti, Professor, Politics
Josephine H. Pham, Assistant Professor, Education
Patricia Pinho, Professor, Latin American and Latino Studies
Kailani Polzak, Assistant Professor, History of Art and Visual Culture
Eric Porter, Professor, History, History of Consciousness, Critical Race and Ethnic Studies
Catherine Ramírez, Professor, Latin American and Latino Studies
Enrico Ramirez-Ruiz, Professor, Astronomy and Astrophysics
Alicia Riley, Assistant Professor, Sociology
Kathryn E. Ringland, Assistant Professor, Computational Media
Lisa Rofel, Professor Emerita, Anthropology
Roberto de Roock, Assistant Professor, Education

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Felicity Amaya Schaeffer, Professor, Feminist Studies and Critical Race and Ethnic Studies
Roger Schoenman, Associate Professor, Politics
Vanita Seth, Politics, Associate Professor
Katherine Seto, Assistant Professor, Environmental Studies
Thomas Serres, Assistant Professor, Politics
Juned Shaikh, Associate Professor, History
Savannah Shange, Associate Professor, Anthropology
Kriti Sharma, Assistant Professor, Critical Race and Ethnic Studies
Nirvikar Singh, Professor, Economics
Norman Su, Associate Professor, Computational Media
Amanda M. Smith, Associate Professor, Literature
Shelley Stamp, Professor, Film and Digital Media
Beth Stephens, Professor, Art
Elaine Sullivan, Associate Professor, History
David Graham Sweet, Professor Emeritus, History
Elizabeth Swensen, Associate Professor, Performance, Play and Design
Jessica Taft, Professor, Latin American and Latino Studies
Megan Thomas, Associate Professor, Politics
Jennifer Tseng, Assistant Professor, Literature and Creative Writing
Anna Tsing, Professor, Anthropology
Gina Athena Ulysse, Professor, Feminist Studies
Amy Vidali, Associate Teaching Professor, Writing Program
Yiman Wang, Professor, Film and Digital Media
Hannah Waterhouse, Assistant Professor, Agroecology and Watershed Ecology
Marianne Weems, Professor, Performance, Play and Design
Rob Wilson, Professor, Literature and Creative Writing
Ronaldo V. Wilson, Literature, Creative Writing, Critical Race and Ethnic Studies
Scott Winton, Assistant Professor, Environmental Studies
Karen Tei Yamashita, Professor Emerita, Literature and Creative Writing
Alice Yang, Associate Professor, History and Critical Race and Ethnic Studies
Patricia Zavella, Professor Emerita, Latin American and Latino Studies
Zoe Zhao, Assistant Professor, Sociology Department
Zac Zimmer, Associate Professor, Literature

February 28, 2024

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EXHIBIT NO. 55

Save

UC FACULTY
IN
SOLIDARITY

"Students and academic workers should not experience or be threatened with police violence for speaking out against the genocide unfolding in Gaza. I stand with students and colleagues across the UCs in **demanding an end to complicity in militarism and apartheid."**

DISCLOSE.
DIVEST.
AMNESTY.

@FJPUCSC

Marisol LeBrón

fjpucsc
and **2 others**

fjpucsc Faculty & students are unified in our demands: disclose, divest & amnesty for all protesters
#ucdivest #strikeforgaza #freepalestine

3w

303 likes
May 28

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Post

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EXHIBIT NO. 56

UC FACULTY
IN
SOLIDARITY
DISCLOSE.
DIVEST.
AMNESTY.
"As scholars of Black studies, we are bound to the political imperatives of our field to both Study & Struggle: ours is an intellectual orientation that positions Black thought and knowledge production at the center of our study in order to put this knowledge to use, towards the liberation of all people from oppression. tl;dr? THERE ARE NO UNIVERSITIES LEFT IN GAZA."
@FJPUCSC
Sophia Azeb
fjpucsc • Follow
fjpucsc Faculty & students are unified in our demands: disclose, divest & amnesty for all protesters
#ucdivest #strikeforgaza #freepalestine
Edited · 3w
48 likes
May 28
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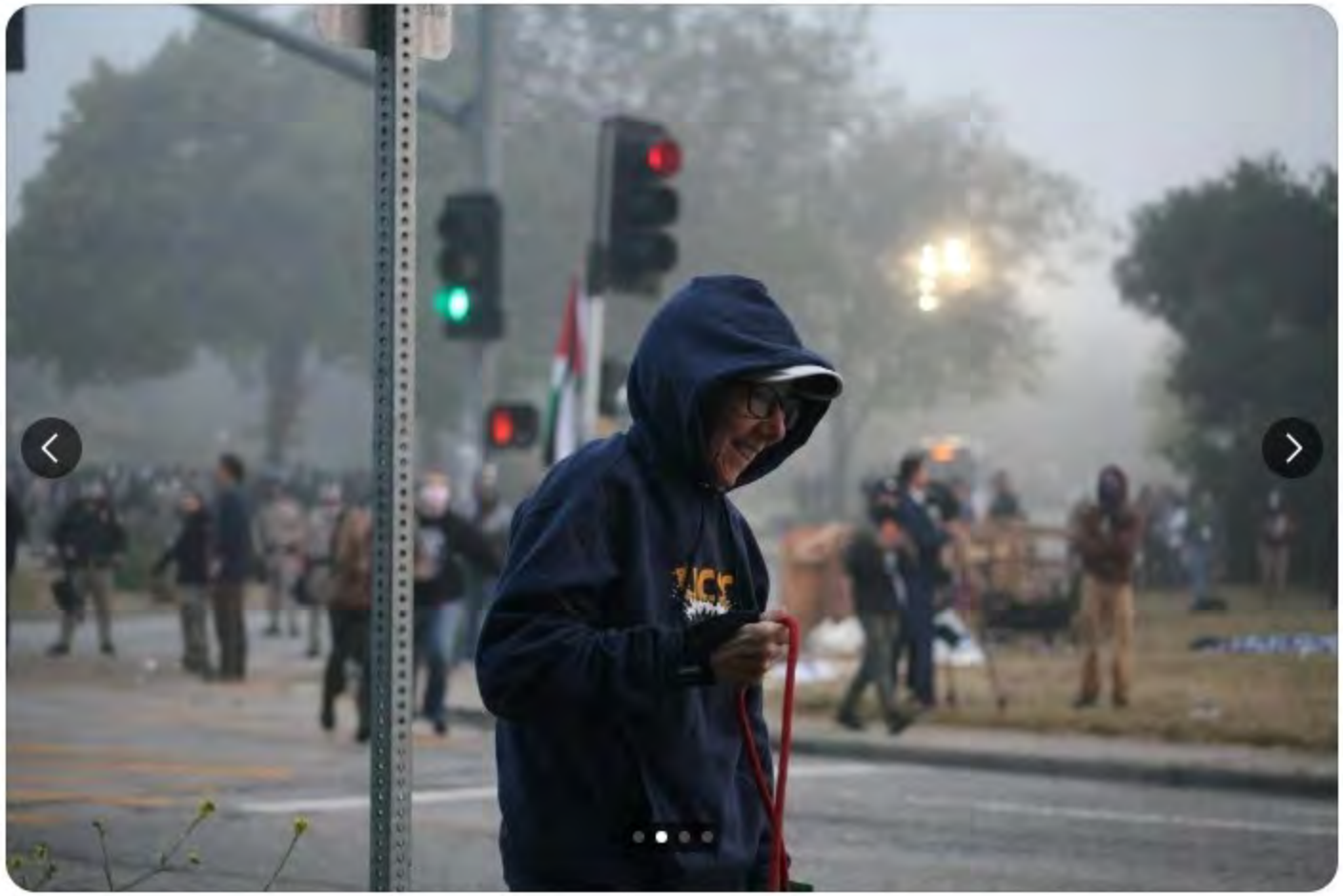
EXHIBIT NO. 57

r/UCSC • 2 mo. ago
Cute_Ad7712

UCSC vice chancellor Lori Kletzer reacts to police presence at encampment



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Cute_Ad7712

UCSC vice chancellor Lori Kletzer reacts to police presence at encampment

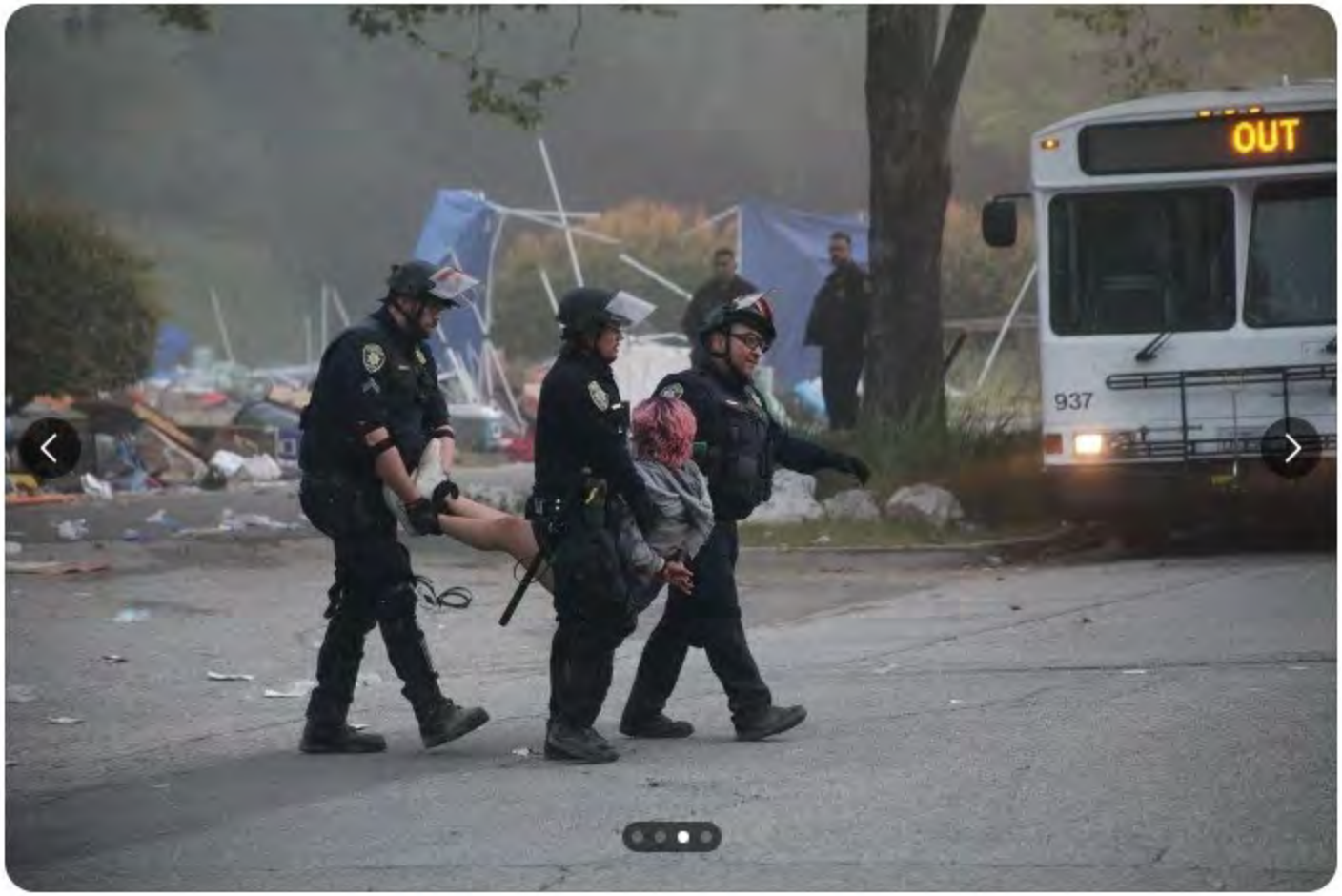

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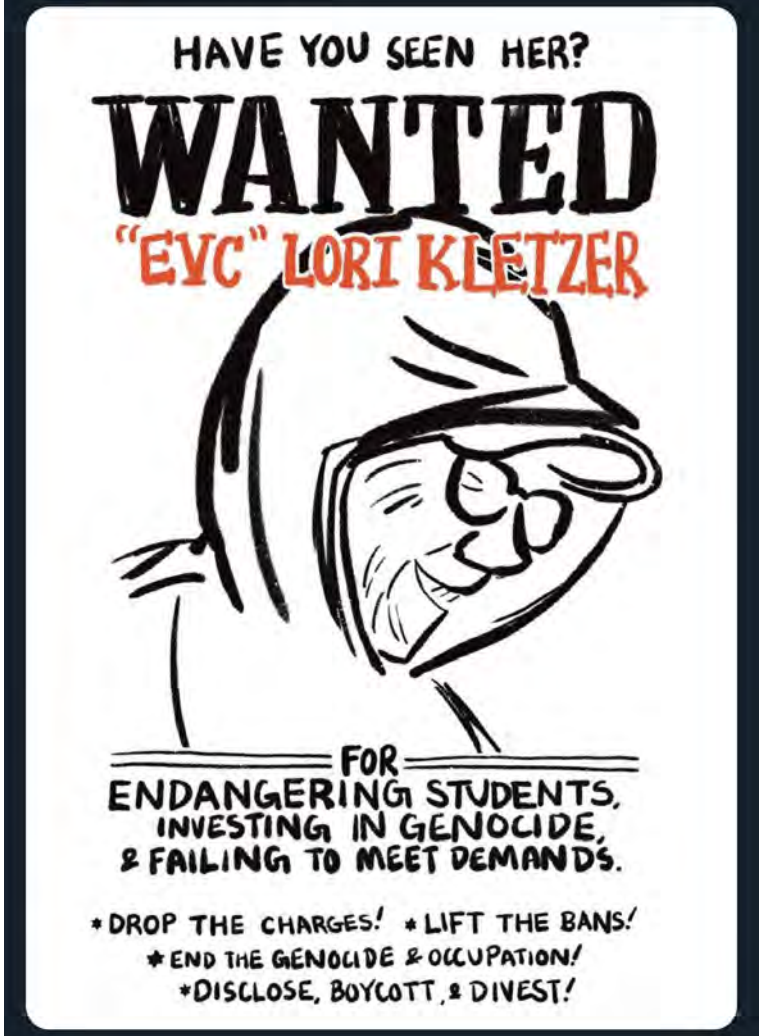
EXHIBIT NO. 58

10:42

94

Post

Marisol LeBrón
@marisollebron



Add another post

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EXHIBIT NO. 59

10:42

94

Post

Marisol LeBrón
@marisollebron

I keep looking at this and getting more and more angry. If I wasn't already in the back of a police van they would have had to lock me up after this.

3:58 PM · 6/2/24 From Earth · **4.2K** Views

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EXHIBIT NO. 60

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Police and protestors faced off for much of Friday at the base of the UC Santa Cruz campus. Credit: Kevin Painchaud / Lookout Santa Cruz

EDUCATION

UCSC rescinds some campus bans for pro-Palestine protesters even as criminal charges linger

BY **HILLARY OJEDA**
July 5, 2024

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Quick Take:

UC Santa Cruz students and faculty that were cited by police May 31 at a pro-Palestine encampment say their arraignments have been postponed from July to September. The District Attorney's Office hasn't yet received police reports from the incident.

UC Santa Cruz says it has rescinded “many” of the temporary campus bans handed out to students arrested at an overnight pro-Palestine protest May 31. However, some students say they’ve been told they will have to wait months for resolutions of criminal charges filed against them by police, and a civil liberties group says it has concerns about how the school is handling the disciplinary process for allegations of student misconduct tied to the protests.

A total of 122 students, faculty, staff and community members were arrested at the Gaza solidarity encampment and were cited with failure to disperse. Several others received additional citations including resisting arrest and battery of an officer.

Students and faculty arrested in the early hours of May 31 say that their arraignments – when they were to have the charges against them made clear in Santa Cruz County Superior Court – originally scheduled for Tuesday, have been postponed to September.

Santa Cruz County Chief Deputy District Attorney Tara George confirmed to Lookout that postponement. She said the DA’s office has yet to receive any incident reports from the UCSC police and therefore has not made any decisions on whether to proceed with charges related to the arrests.

The district attorney’s office **reviews the police reports** and ultimately decides whether or not to file a criminal complaint in Santa Cruz Superior Court. The office reviews the reports to see if there’s enough evidence to prove guilt to a jury “beyond a reasonable doubt.”

“Our office has not received any reports from those incidents and therefore has not made any charging decisions,” she wrote via email.

Campus spokesperson Hernandez-Jason also confirmed that the UCSC Police are finalizing arrest reports to send them to the District Attorney’s office soon.

Hernandez-Jason didn’t provide Lookout with the number of 14-day campus bans UCSC had issued or details on how many have since been overturned. However a media liaison for pro-Palestine protesters **previously told Lookou**t that all students arrested overnight May 31 also received notices barring them from campus.

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He said "many of those students" who had participated in hearings the university held on the bans had "satisfactorily made the case that they would not participate in activities that would continue to harm the campus [and] had their temporary exclusion lifted in advance of the 14-day period."

One student and one faculty member who requested hearings to contest the bans in the days following the arrests told Lookout that they successfully got the bans overturned just days before they were meant to expire.

Marisol LeBrón, an associate professor in feminist studies and critical race and ethnic studies, is among the protesters prohibited from entering campus starting May 31 for 14 days. But hours after her hearing on June 10, the ban was lifted – totaling 11 days for her.

She said administrators told her during the hearing that they had no evidence that she was ever a risk to campus safety. "I was like, 'Do you have any evidence against me?'" she recalled from her meeting. "And they said, 'No.'"

UC Santa Cruz professor Marisol LeBrón was one of the 122 people arrested at UCSC, on May 31, 2024. Credit: Kevin Painchaud/Lookout Santa Cruz

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When she was arrested, police cited her for failure to disperse. However, last week, LeBrón received a notice in the mail with an additional citation of resisting arrest with a new court date of Sept. 23. LeBrón told Lookout she "never even heard a dispersal order" and she did not resist arrest. She said the police encircled the crowd which prevented anyone's ability to leave.

"[The officer] takes my arm, he grabs below my wrist, and then he starts to bend my hand backwards. I felt like he was gonna break my wrist," she said. "There was no resistance, and I started shouting, 'I'm not resisting! I'm a professor. I work here, I'm not resisting!'"

Several people, including LeBrón, have told Lookout that the night of the arrests they were only there to observe or provide support, weren't blocking any entrances and did not resist arrest.

University officials say that people failed to disperse and were asked repeatedly to leave the entrance to campus and that UCSC's actions to arrest, ban and threaten disciplinary actions against many protesters are justified.

"Those who were arrested ignored those repeated directions and the many opportunities they had to simply walk away and avoid arrest. Many walked away," said Hernandez-Jason via email. "Those who were arrested were given notices prohibiting them from going to UC Santa Cruz properties. The acts of harm to the campus, the non-compliance with university directives, and ignoring law enforcement directives justified the notices."

Separate from the criminal charges and the campus ban, some students said UCSC had also informed them that their involvement in the May 31 events may have violated the university's student conduct policies. In an email between a student and UCSC's Office of Student Conduct, the office said it met with 110 students who were "alleged to have been involved."

On June 4, the university's Office of Student Conduct & Conflict Education sent emails to students who received the bans telling them that their "behavior may represent violation(s) of the Code of Student Conduct." The email laid out how students had the option to request two different hearings to contest the ban and to decide any alleged student conduct violations. The two disciplinary processes are separate from the police citations that could be heard in court.

UCSC held disciplinary hearings for students to learn about and contest allegations they had violated the school's code of conduct. Code of conduct violations include behavior that "threatens the health or safety of any person" and "obstruction or disruption of teaching, research, administration, disciplinary procedures, or other University activities."

If found to have violated UCSC's code of conduct, students could face a range of penalties, from receiving "reminders" that they are required to comply with the university's community agreements, up to suspension or expulsion.

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One student's experience

Shaila Nathu, staff attorney for the ACLU of Northern California, has voiced concerns.

One issue: An email UCSC's Office of Student Conduct sent suggesting that if students didn't participate in an initial meeting on their conduct, they would waive their right to subsequent disciplinary action hearing. However, she said that she wasn't aware of any specific incidents where that had occurred.

Nathu said that the university must give students an opportunity to contest the accusations against them and engage in a formal hearing to object to any disciplinary actions. She emphasized that discipline could have a serious impact on a student's future and that the campus procedures should be straightforward and the punishment should be fair.

"The stakes are quite high here. Many of the students swept up in recent events are facing school suspension or expulsion as well as criminal charges," she wrote in a **letter** to administrators. "Based on the facts known to ACLU NorCal, it appears that UCSC's current process for disciplining student protestors is, at best, confusing and, at worst, constitutionally infirm."

Jamie Hindery, a UCSC student who graduated this spring quarter, was arrested and charged with failure to disperse. Hindery, who uses they/them pronouns, was an active member of the encampment, but the night of the police raid they were at home off-campus until they received messages about the potential for police action.

They maintain that they didn't break the law or violate any university policies. Hindery went to the encampment to observe and provide support as police began surrounding the area.

"My intention was not to be arrested," they said. "My intention was to be at the scene, to document the scene, but to not not directly participate in the blocking of traffic or the holding of a line or anything."

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UC Santa Cruz student Jamie Hindery was one of the 122 people arrested at UCSC on May 31, 2024. Credit: Kevin Painchaud/Lookout Santa Cruz

Standing on a hillside and not with the protesters, Hindery used a flashlight to shine a light on officers' badges so protesters and observers could identify them. Hindery says they think that was why they were singled out as one of the first to be arrested.

Hindery said police told them to leave, but they told officers they had a right to be there to observe. Hindery said an officer later approached them and told them they were under arrest and Hindery was handcuffed at around 2:55 a.m. They were taken to the Santa Cruz County main jail and released at around 5:30 a.m.

When released, Hindery was given two slips of paper: one from UCSC police issuing the 14-day campus ban, and a citation for failure to disperse with a promise to appear in court July 2.

After their release, Hindery immediately sought input from faculty and fellow students on how to respond to the ban. While Hindery and others felt the bans were unjustly given, they were concerned about the potential impact of violating it: a misdemeanor.

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"We were all terrified, like we didn't have clear information on it, and so while a lot of us felt like these bans were maybe applied unjustly or without proper due process, all of us became pretty nervous about fighting them and getting them overturned," they said.

Hindery requested hearings on the campus ban they received and for potential student code of conduct violations. A team of professors offered to be Hindery's and other students' "notetaker" and their "support person" – which the university allowed each student, they said. During the hearings, students had the opportunity to provide their account of the events.

Hindery's first meeting, which was related to the temporary campus ban, was held virtually on the morning of June 6. Later that night, Hindery received an email saying the university lifted the campus ban after Hindery agreed to not disrupt university activities, resist officials or block entrances.

"The expectation is that you will follow all legal notices and University directives while the incident is investigated," it reads. "Involvement in additional policy violations may result in compounded outcomes."

Hindery had their student conduct hearing on June 17 and they received their resolution on Tuesday, July 2. The resolution told Hindery they wouldn't face any disciplinary action right now but were reminded of the school's "community expectations" and warned "similar future actions may result in additional disciplinary charges or housing contract action being taken."

The message from the office also acknowledged that Hindery said they were on a hill when they were arrested and not on the road with the protesters. While Hindery is relieved that the punishment wasn't more severe, they're still frustrated that the resolution suggests they did harm to campus community members.

"This decision, while being mild, still implies that I was harming the UCSC community," they said.

Instead, Hindery said they feel that senior administrators, Chancellor Cynthia Larive and Campus Provost Lori Kletzer, are the ones causing harm to the campus community by pursuing charges and disciplinary actions. "Their unwillingness to engage students, faculty and staff in meaningful and respectful dialogue is the reason all of this ended up happening."

While their campus ban has been lifted, Hindery said they haven't received a new arraignment date or any other mail about the citation.

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A protester waves a Palestinian flag in front of a line of police officers at the base of the UC Santa Cruz campus May 31. Credit: Kevin Painchaud / Lookout Santa Cruz

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EXHIBIT NO. 61

UNIVERSITY OF CALIFORNIA, SANTA CRUZ

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EQUITY & EQUAL PROTECTION – EQUITY AND EQUAL OPPORTUNITY OFFICE Kerr Hall, 1156 High Street, Santa Cruz, CA 95064

July 9, 2024

Felicity Amaya Schaeffer
Chair, Department of Critical Race and Ethnic Studies
fsg@ucsc.edu

sent via email

Dear Felicity,

I am the Director of Equity and Equal Opportunity ("EEO") in the University's Equity & Equal Protection Office ("EEP"). My role includes receiving and responding to reports of prohibited discrimination and harassment. The EEO Office recently received a report from a University administrator regarding Professor Marisol LeBrón.

The administrator, who identifies as Jewish, reported harassment and abusive conduct on the basis of their shared ancestry and Jewish identity in two public social media posts made by Professor LeBrón in June 2024. This individual reported feeling that the posts contained antisemitic images and personally threatening language on the part of Professor LeBrón.

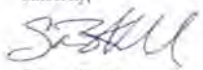
Although the posts in question were made on a personal, non–University affiliated account, after consulting with the Academic Personnel Office, University compliance officers, and Campus Counsel we find it appropriate to address this matter.

The EEO Office is not investigating this report, and Professor LeBrón is not currently under investigation. However, we are obligated to respond informally to the concerns raised by the administrator. This informal process consists of informing you as well as responsible administrators in the Humanities Division of the report we received. Additionally, the process includes a documented discussion with Professor LeBrón, led by the EEO Office. During this discussion, the EEO Office will share the substance of the report we received with Professor LeBrón as well as the reported impacts of the alleged prohibited conduct. We will provide Professor LeBrón with the opportunity to respond to the concerns that were raised and share her perspective.

In consideration of the report we received, this discussion will also emphasize the importance of maintaining an inclusive and respectful culture in matters involving the University, and of considering whether others could perceive their actions as discriminatory, offensive, or threatening. The Office will remind Professor LeBrón that repeated reports of a similar nature could lead to credible claims of a hostile environment or discrimination based on a protected category. We will also discuss the University's prohibition on retaliation, including any harassing, intimidating, or harmful action toward an individual who made a report of discrimination or harassment.

I am providing you with this information so you are empowered to talk with this faculty member if they should approach you with questions or concerns about contact from the EEO Office. If you have questions or would like to speak with me otherwise about this matter, please feel free to reach out with any concerns. Thank you for your consideration.

Sincerely,



Samara Winbush
swinbush@ucsc.edu
EEO Director

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EXHIBIT NO. 62

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UCI / UCI-PSC DRAFT AGREEMENT

As student, staff, and faculty affiliates of the UCI Divest coalition, we demand that the University of California, Irvine publicly call for a permanent ceasefire in Gaza and to demand an end to Israel's apartheid, occupation, and blockade of Palestinian land.

We demand the University of California, Irvine publicly call for the restoration of water, power, and humanitarian aid to Gaza and to endorse the principles of the Boycott, Divestment, and Sanctions movement, including the right of return for Palestinian refugees. Further, we demand that UCI institutionally commit to the disclosure, divestment, investment, and safety plans detailed in each section of this agreement.

In turn, the university administration will work directly with the UCI - Palestine Solidarity Collective (UCI-PSC), a coalition of student, faculty, labor, and community representatives as outlined on page 2 of this agreement, to oversee and ensure UCI and UC Regents' divestments and delinkages.

UCI-PSC will coordinate with the statewide UC-PSC negotiation team to oversee the University of California's collective divestment from companies, investments, research, and institutions that directly facilitate and enable human rights violations and violations of international law as part of prolonged military occupations, apartheid, and genocide. In accordance with the shared governance principles of the university, UCI-PSC will be responsible for the allocation of Irvine Foundation funds away from institutions supporting genocide, as well as all other funds for UCI, including those allocated through UCOP, to ensure that they meet the principles of responsible investment, university anti-discrimination, and safety that the committee will oversee.

UCI-PSC will be composed of representatives from the groups detailed below. It will include student organizations and coalitions, community groups that represent the Palestinian community in Orange County, faculty representatives, and labor unions. All representatives will be determined by the Students for Justice in Palestine and UCI Divest Coalition. Community, faculty, and labor representatives are to provide consultation for the student organizations. The student organizations listed below will have veto power over all decisions decided by the council.

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The representation model for UCI-PSC is as follows:

Student groups (2 representatives per group):

UCI Divest Coalition

Students for Justice in Palestine (SJP)

Associated Students of the University of California, Irvine (ASUCI)

Associated Graduate Students (AGS)

Movimiento Estudiantil Chicanx de Aztlán (MEChA)

Anakbayan (ABUCI)

SAFIRE

Community Groups (2 delegates per group)

National Students for Justice in Palestine (NSJP)

Palestinian Youth Movement (PYM)

UC Divest Regional

Faculty group (1 delegate per group):

Irvine Faculty Association (IFA)

UCI Senate Faculty

Labor groups (1 delegate per group):

UAW 4811

UC-AFT

AFSCME 3299

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UCI will also uphold its commitment to the University of California's Principles of Responsible Investment and withdraw from securities, endowments, mutual funds, and all other monetary instruments with holdings in any weapons manufacturer or any other corporation providing material assistance to the commission or maintenance of violations of international law and human rights. The university will also add language to the Principles of Responsible Investment to explicitly prohibit future investments into weapons manufacturers and intelligence apparatuses. The progress of divestment from these funds will be coordinated between UCI-PSC and UC trustees during the bi-weekly meetings established with UCI administrators and assessed by a new screen of all future investments.

1. DISCLOSE

Immediately upon entering into this agreement, UCI administrators will provide full and complete disclosures of all UCI-based retirement & pension programs, the general endowment pool, the short-term investment pool, the total-return investment pool, and the UCI Foundation's public and private holdings.

2. DIVEST

Immediately upon entering into this agreement, the university shall begin a divestment campaign through a memorial resolution to the UC Board of Regents which will include UCI retirement & pension plans, the general endowment pool, the short-term investment pool, the total-return investment pool, and the UC retirement savings program.

The university will also withdraw all UCI Foundation funds[1] from companies and institutions that are profiting from the Israeli occupation, apartheid, and genocide of the Palestinian people.

Upon entering into this agreement, UCI shall immediately begin the process of implementing the following divestment strategy:

[1] https://ucifoundation.org/

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a. **Investment Policy Statement.** In collaboration with UCI-PSC, UCI shall adopt an investment policy statement that commits to divestment from companies and institutions that are profiting from the Israeli occupation, apartheid, and genocide of the Palestinian people. UCI-PSC shall hold veto power over any proposed policy statement. The policy statement shall commit to complete divestment within the UC retirement & pension plans, the general endowment pool, the short-term investment pool, the total-return investment pool, the UC retirement savings program, and within UCI Foundation funds. These funds are illustrative but not exhaustive. The policy statement shall also commit to a university-wide audit that comprehensively surveys other university investments for connections with companies that would otherwise be divested under this agreement. The Chancellor of UCI and the campus's trustees will be obligated to provide full disclosures on personal tax returns and consulting contracts, as well as documentation on any and all official representation that may serve on any financial and educational boards outside of the University of California. The university shall identify these investments, disclose them to UCI-PSC, and divest in compliance with the investment policy statement. The investment policy statement shall commit to continued divestment, with terms that ensure that companies companies and institutions that are involved in human rights abuses that have been documented by the United Nations, Amnesty International, Human Rights Watch, and others, including human rights abuses occurring due to the Israeli occupation, apartheid, and genocide of the Palestinian people are not reincorporated into the university's investments. UC and UCI-PSC shall halt any new investment companies outlined in this agreement, divest from direct ownership, commingled funds that include public equities, and corporate bonds associated with Israel's violations of human rights and international law within one year.

b. **University of California's Principles of Responsible Investment.** The university shall request that the University of California's Principles of Responsible Investment be revised to include a prohibition of any investment into companies and institutions that are profiting from the Israeli occupation, apartheid, and genocide of the Palestinian people.

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c. **Process.** The university shall meet with UCI-PSC three times per quarter to discuss progress on the divestment strategy. On investments outside the discretionary bounds of campus administrators will be sent as recommendations by UCI-PSC and will then be presented to UC-PSC chapters throughout the UC system and brought to the UC Chief Financial Officer every quarter.

d. **Reporting.** The university shall provide bi-weekly reports to UCI-PSC on the status of the divestment strategy. The university shall provide monthly reports to the campus community on the status of the divestment strategy. These reports should highlight the remaining active investments that do not comply with the investment policy statement, plans to remedy investments not in compliance, and the timeframe for complete divestment. These reports shall also identify any funds found within a comprehensive audit that are noncompliant with the investment policy statement. Reports to the campus community shall be reviewed by UCI-PSC. UCI-PSC shall have the ability to revise, comment on, and clarify any information within the reports.

e. **Grievance Procedure.** A grievance process shall be established to remedy any noncompliance with this agreement. The university shall facilitate an annual, transparent certification from both UCI and UC-PSC to affirm adherence to this agreement. The UCI Foundation Board of Trustees and the Chief Investment Officer at UCI will provide UCI-PSC an annual report that lists the direct and indirect equity and bond investments, both public and private, with the date, amount, purchase price, and current value of the holdings. This listing will be conveniently compiled as part of an annual audited report of UC pensions and endowment funds carried out at the end of each fiscal year. If the UC or UC-PSC fail their annual recertification, they shall have a one-year grace period to rectify. If the UC or UC-PSC fail to adhere to the divestment agreement, UC-PSC will initiate a vote of no confidence in the UC-PSC Trustees Executive Committee or the UC Chief Investment Officer, determined by which institutional level the recertification fails.

f. **Divestment List.** The university shall establish a list of companies and institutions that violate the terms of this agreement and shall be subject to divestment. A preliminary,

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non-exhaustive list of companies and institutions that are subject to divestment can be found in Appendix [A] of the American Friends Service Committee's "Divesting for Palestinian Rights" document.[2] This list shall be updated as more institutions and companies are found to be in noncompliance with the university's investment policy statement. This list shall be made public for the university community to view. If UCI-PSC identifies institutions and companies that are not in compliance with the university divestment policy, UCI shall review these institutions and companies, add them to the list, and divest.

3. DELINK

In light of the human rights violations, crimes against humanity, scholasticide[3], and genocide[4] inflicted against the Palestinian people by the state of Israel, the university will implement an academic boycott of Israeli universities, organizations, and institutions complicit in the ongoing genocide in Gaza.

UCI will end all research collaborations with weapons investors and manufacturers invested in genocide of the Palestinian people, including but not limited to the following companies outlined by the Palestinian BDS National Committee:

> Boeing (BA), Elbit Systems Ltd. (ELST), General Dynamics Corp (GD), General Electric Co. (GE), Honeywell International Inc. (HON), Lockheed Martin Corp. (LMT), Northrop Grumman Corp. (NOC), RTX Corporation (formerly Raytheon Technologies, RTX).

To expedite the demilitarization of campus research, the university will provide transitional research funds for researchers who refuse funding from the Department of Defense (DoD), and will end the 153 project collaborations between UCI researchers, the DoD, and military

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[2] https://investigate.info/sites/default/files/attachment/Divesting%20for%20Palestinian%20Rights%20-%20divestment%20list%20May%202024.pdf

[3] https://www.ohchr.org/en/press-releases/2024/04/un-experts-deeply-concerned-over-scholasticide-gaza

[4] https://news.un.org/en/story/2024/03/1147976

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contracting to Israel and all current collaborations between the DoD and UCI researchers.[5] The university will also cease artificial intelligence (AI) research development connected to all Israeli state, military, and research programs.

In accordance to the academic boycott called by the BDS National Committee, the university agrees to provide progress reports to UCI-PSC during its biweekly meetings on the implementation of the following demands:

a. Immediately end funding for UCI's "Confronting Extremism Program,"[6] which has platformed racist, Islamophobic, and hateful speakers as well as heightened surveillance of students and the surrounding community. This program reinforces the United States's Countering Violent Extremism program, which has been irrefutably disproven by scholars, experts, and researchers of extremism. It has been proven to cause irrevocable harm on Palestinian, Arab and Muslim campus community members and violates the rights of students, faculty, and staff as detailed in the Civil Rights Act of 1964 as well as sections 30.30 and 30.40 of UCI's Principles of Community.[7]
b. Immediately end the Fundraising Campaign Boundaryless Initiative: Israel Studies.[8]
c. Immediately terminate all ADL Partnerships. As Drop the ADL has noted, "The Anti-Defamation League (ADL) has branded itself as a civil rights organization in ways that conceal and legitimize its right-wing activities undermining the rights of Black, immigrant, queer, Muslim, Arab, and other marginalized communities."[9] Continued partnership with this group actively threatens the safety of multiple student communities, thus violating UCI's Principles of Community and Principles Against Intolerance.
d. Immediately dismantle the Confronting Antisemitism Undergraduate Fellows Program of UCI's Center for Jewish Studies.[10] This program perpetuates the false equivalency of

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[5] https://docs.google.com/spreadsheets/d/1NYtitE52k-p8kYsmjpBeuOV6fYWVq4Fy39uNyQokLZ8/edit#gid=1241743245
https://dtic.dimensions.ai/discover/grant?search_mode=content&search_text=uc%20irvine&search_type=kws&search_field=full_search
[6] https://inclusion.uci.edu/funding-programs/confronting-extremism/
[7] https://conduct.uci.edu/policies/pacaos/speech-and-advocacy.php
[8] https://www.giving.socsci.uci.edu/boundaryless/israelstudies.php
[9] https://droptheadl.org/the-adl-is-not-an-ally/
[10] https://www.humanities.uci.edu/news/confronting-antisemitism

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anti-Zionism as antisemitic, thus violating campus community members rights under Title VI of the Civil Rights Act as well as section 30.40 of UCI's Principles of Community.

e. Immediately dismantle the Law School's Public Interest Partnership with the Anti-Defamation League (ADL), as the ADL has falsely conflated all critiques anti-Zionism as antisemitism. This is a violation of students, faculty, and staff's rights protected under Title VI of the Civil Rights Act of 1964.[11]

f. Immediately dismantle and end funding for the Tel Aviv Exchange Program, as it has purposefully excluded Palestinian scholars and researchers. As the exchange program is predicated on the ability to travel to and from Israel, this program is in violation of UCI students, faculty, and staff rights as detailed in Title VI and Title VII of the Civil Rights Act of 1964.[12]

g. Immediately dismantle and end funding for the UCI & Israeli Initiative in the Samueli School of Engineering, as it violates the academic boycott of Israeli universities that have been knowingly complicit to the Israeli government's and military's treatment of Palestinians, in violation of international law.[13]

h. Cease the operation of the Israel Institute visiting professor program in the Department of Political Science, as has been demanded by the Middle East Studies Association, the flagship academic association of experts in Palestine and the Middle East.[14]

i. End all campus presence of predatory weapons and companies tied to the Israeli state and military, such as Boeing, Raytheon, Lockheed Martin at UCI career fairs and other pipeline programming.

j. Immediately sever all UCI institutional connections to Israeli universities, including study abroad programs, fellowships, seminars, research partnerships, and UCLA's Nazarian Center. As this policy cannot guarantee that the ethnic or religious identities of applicants will not be used in consideration of recipients, the programs are in violation of Title VI of the Civil Rights Act of 1964 as well as sections 30.30 and 30.40 of UCI's Principles of Community

[11] https://www.law.uci.edu/about/public-service/partnerships.html
[12] https://inclusion.uci.edu/funding-programs/confronting-extremism/
[13] https://engineering.uci.edu/outreach/international/israel-initative
[14]https://mesana.org/advocacy/committee-on-academic-freedom/2023/12/06/letter-to-the-university-of-california-irvine-protesting-disciplinary-proceedings-against-a-uci-graduate-student

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4. UCI EDUCATIONAL INVESTMENTS

Whereas the University of California's active funding, support, and complicity in scholasticide in Gaza, the UCI-PSC demands that the UC Irvine assist in the reinvestment and reestablishment of the education system in Gaza. Using UC investments, the Israeli military has destroyed all eleven Palestinian universities–Al Aqsa University, Al-Azhar University, Gaza Al-Quds Open University, Gaza University, Islamic University of Gaza, Israa University, Palestine Technical College, University College of Applied Sciences, University of Palestine, the Gaza Community/Training Center, and Hassan University.

UC Irvine will provide the following forms of financial and institutional support for Palestinian scholars and researchers of Palestine:

a. The university will establish the UCI Center for Palestine Studies. The Center's advisory board will be established in coordination with the UCI Divest Coalition and Students for Justice in Palestine. The university will provide funding to build a Center for Palestinian Studies at UCI. It will commit to four FTE permanent faculty lines for Palestinian Studies and funding for two Palestinian studies postdoctoral scholars. The university will support a Palestinian Studies program through commitments to fund graduate student training initiatives in conjunction with existing PhD programs on campus. In addition, the university will commit funds for eight Palestinian visiting scholars through the Scholars At Risk program,[15] redressing the problem of Palestinians exiled and displaced by Israeli scholasticide supported and funded by UC investments toward the Israeli state and military.
b. The Center will establish long-term educational partnerships with Palestinian universities, beginning with Birzeit University in Ramallah in the West Bank.[16] It will also commit to an institutional partnership with the Palestinian American Research Center.[17]
c. The university will provide culturally sensitive mental health services and safe spaces on campus for Palestinian students, faculty, and staff who have been affected by the genocide in Gaza and UC complicity. It will do so by diversifying its mental health

[15] https://www.scholarsatrisk.org/event/sar-2024-global-congress/
[16] https://www.birzeit.edu/en
[17] https://www.parc-us-pal.org/

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service providers and hiring providers from the Palestinian and Arab American communities that can support the undergraduate student community.

d. Since the current genocide in Gaza is tied intimately to ongoing structures of settler-colonialism, displacement, immigration, and carceral systems that implicate the university , the university will commit to working alongside UCI-PSC to develop a plan for an increase in funds and resources into programs, including but not limited to, the Underground Scholars Initiative, the Basic Needs Center, and the DREAM Center. These plans will be developed alongside UCI-PSC to reinvest campus resources into programs such as building more long-term affordable housing, offering more resources through the FRESH Pantry, and other campus programs that support students who are food insecure, experiencing financial hardships and housing crises by both divesting from institutions that further render students vulnerable, and investing in resources that allow for their material needs to be met.

5. POLICE ABOLITION

The university will abolish the University of California, Irvine Police Department (UCIPD) beginning with the following steps. The university shall mandate the removal of all military equipment delineated on UCIPD's Policy Manuals[18] as well as all guns, batons, tasers, and other weapons currently used by police on campus.

The university will also provide a full retrospective and ongoing accounting of the use of surveillance technologies - including but not limited to SoundThinking (formerly ShotSpotter) - which has been used to monitor the activities of university personnel and students. The university will end its contract with SoundThinking, and all other surveillance technology manufacturers that engage with the Israeli military weapons industry. The university shall prevent UCIPD from surveilling students, staff, faculty, and community through drones, biometric technologies, and other surveillance equipment.

Further, the university shall provide full transparency about settlements that UC regents allocate during cases of police misconduct. The UC administration will move toward replacing our current police and will establish a community-controlled system of safety overseen in committee

[18] https://www.police.uci.edu/how-do-i/_img/AB481.pdf

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in collaboration with UC-PSC. The oversight committee will establish alternative forms of campus protection: for instance, teams of unarmed mental health professionals to perform wellness checks, respond to mental health emergencies, and implement alternative safety and security measures. UC-PSC will monitor the creation of an Independent Community Safety Board (ICSB) made up of a mix of students, staff, faculty, and community experts in police abolition and restorative justice practices. Financial resources and space currently dedicated to policing will be used instead for student and community support, mental health and disability services, harm-reduction services, and conflict-resolution support.

The university will end any and all agreements and contracts between UCPD, local police, and sheriff's offices. It will also restrict any future collaborations between the university, its academic community, and all policing apparatuses. All existing “mutual aid agreements,” interagency collaborations, and the use of UC resources to serve warrants for outside agencies will be reevaluated by the newly formed ICSB. No non-campus police forces will be allowed onto campus without the approval of the ICSB. Immigration and Customs Enforcement (ICE) will be prohibited from entering campus property.

6. CORRECT THE NARRATIVE

The university administration will call for an immediate and permanent ceasefire and end to the occupation and genocide in Palestine.

Chancellor Gillman will retract and issue a formal apology on behalf of the UCI administration for previous statements issued using official campus resources to perpetuate the false equivalence that anti-Zionism is a form of antisemitism. He will also apologize on behalf of the university to all involved in the Irvine 11 case and provide compensation for the legal, emotional, economic, and political cost the university-backed prosecution and smear campaign has had on their lives.

The university will respond and address formal complaints sent to the Office of Academic Personnel regarding UCI faculty members who have continuously harassed and targeted campus community members who voice criticism of the Israeli state and the genocide in Gaza.

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Upon mutual agreement to these terms between the UCI and the UCI-PSC, the coalitions affiliated with the UCI-PSC will issue campus messages and media statements to publicize the results of the negotiations. UCI-PSC will then call off all forms of agitation so long as the terms of the agreement are maintained by UCI administrators and the University of California.

7. AMNESTY

The University commits that no student, faculty or community member who has engaged in the encampment will face student conduct, academic personnel or criminal charges for their involvement in the encampment. The university will cease surveillance of students, faculty, and community members as has been conducted by the Office of Privacy and the Council on Teaching, Learning, and Student Experience (CTLSE).

The university will provide amnesty for all student protestors and an end to student repression. We demand that the university revoke all current and future suspensions and other academic disciplinary actions against student protestors and organizations, and commit to the protection of students that engage in student activism in support of Palestine and all other anti-war actions.

If the university attempts to file disciplinary conduct charges, suspensions, or any other form of repression against students, faculty, and/or staff for explicitly political purposes or actions, UCI-PSC will call upon its delegates to notify student and faculty governments, organizations, and labor unions that negotiations have been severed by the UCI Office of the Chancellor and call upon each sector represented by UCI-PSC to respond accordingly.

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EXHIBIT NO. 63

mayorofirvine

•••

MAYOR
Farrah N Khan

ADVISORY

IIRVINE, Calif. (April 29, 2024): As we continue to receive news on the peaceful assembly of students at the University of California, Irvine (UCI), Mayor Farrah N. Khan, City of Irvine, would like to remind the public of their legal rights during protests, demonstrations, and gatherings.

Individuals have a fundamental, constitutionally-guaranteed right to gather, demonstrate, and protest. Under the First Amendment, anyone in the United States must be afforded the ability to access any places historically open to the public and where "public access plays a significant positive role."

California public college and university students generally have the same constitutional free speech protections in their schools that they do as members of the community at large. Courts have recognized the vigilant protection of free speech as vital at colleges and universities.

The California State Education Code also generally provides public college and university students with the same free speech rights on campus they have off campus.

With this in mind, Mayor Khan preemptively condemns any actions taken by UCI and law enforcement agencies that will violate the First Amendment rights of students at University of California, Irvine (UCI):

"I am asking our law enforcement to stand down. I will not tolerate any violations to our students' rights to peacefully assemble and protest."

fkhan@cityofirvine.org 949-724-6229 cityofirvine.org

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EXHIBIT NO. 64

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Abusive Conduct in the Workplace Report

If you are experiencing an immediate safety threat or an emergency, CALL 911.

Please
use this form to report incident(s) or conduct believed to constitute abusive conduct in the workplace at UC Irvine. The relevant UC Policy and UC Irvine Local Implementing Procedures for the Policy may be found through the following links:

- Presidential Policy for Abusive Conduct in the Workplace
- UCI Administrative Policies and Procedures Sec. 700-33: Implementing Procedure for Presidential Policy on Abusive Conduct in the Workplace

Submissions via this form are monitored during regular University business hours. Our office will contact you within 2 business days to confirm receipt of the report if you provide your contact details.

Your Information

Anonymous and third party reports will be reviewed, however the response to such reports maybe limited if the Complainant does not wish to pursue the matter or if the University is unable to collect sufficient information to determine whether the conduct believed to constitute Abusive Conduct occurred or constitutes a violation of the policy.

First Name

[redacted]

Last Name

[redacted]

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09/19/24 11:03 AM

E-mail

[redacted]

Phone Number

[redacted]

Title

Assistant Professor

Department/Unit

[redacted]

School

[redacted]

Individual Alleged to have Engaged in Abusive Conduct

First Name *

Asaf

Last Name *

Ferber

[redacted]

PERB Received
09/19/24 11:03 AM

E-mail

asaff@uci.edu

Phone Number

Title *

Associate Professor

Department/Unit *

Mathematics

School *

Physical Sciences

Description of Incident(s)/Conduct and Supporting Documents

Please use the following textbox to describe the incident(s)/conduct. Please include the following in your description:

- Your department/unit/school
- The department/unit/school of the individual whose conduct is believed to constitute Abusive Conduct
- Context and setting of the incident(s)/conduct
- Frequency and timeline of the incident(s)/conduct
- Anyone else who may have been involved or witnessed the incident(s)/conduct

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- If you are reporting as a witness, please identify to whom the conduct was directed

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Please describe the incident(s)/conduct:

At approximately 12:53pm on Wednesday, May 1st, I witnessed Professor Asaf Ferber (seen in the attached video draped in an Israeli flag) and an unknown associate verbally harass and physically intimidate an undergraduate student who was taking photos of the demonstration organized by Hillel in front of the Aldrich flag poles. The undergraduate student, who asked to remain anonymous out of fear of reprisal from Ferber, was approximately 50-75 feet away from the protest and did not interact with Ferber or any of the protesters prior to the incident.

I was sitting on a bench in front of Langson Library when I witnessed Ferber and his associate approach the undergraduate student who was taking photos of the rally from the stairs leading up to the library. As Ferber and his associate started to approach the student, I began filming the first video. Ferber and his associate surrounded the student, forcing him to back up against the wall of the stairs and began interrogating him for taking photos of the rally. Ferber and his associate held their cameras directly in front of the student's face throughout this time. From my point of view, I overheard the student nervously ask Ferber why he was videotaping him and that he was feeling uncomfortable. The student appeared visibly afraid of Ferber and his associate, so I walked over and began recording a second video out of fear that Ferber and his associate may attack the student.

I then began filming the incident and asked Ferber to please stop harassing the student. Ferber then walked up the stairs toward me and started filming me, putting his phone within inches of my face and claimed he wasn't harassing the student. He justified his actions by claiming he has a right to film people on-campus, despite the fact that student asked him to politely to stop and put his hand up to keep them from avoiding filming his face.

I then asked the student if they were okay and if they felt comfortable. Ferber then stopped filming me and began filming the student again, who nervously fumbled over his words due to him feeling intimidated by Ferber. As evident in my video footage, Ferber then accused the student of taking photos of him, despite the fact that the student never interacted with Ferber or his associate prior to them confronting him. Ferber then claimed if the student had a right to film, he had a right to film him. It was only after Ferber and his associate noticed me filming that their demeanor changed and walked away.

I stayed with the student until Ferber and his associate left and asked him if he was okay and if he wanted me to contact the academic affairs personnel present at the rally to report the incident. At this time, another undergraduate student who witnessed the incident walked over to ask the student if he was okay, as well. The student replied that he was shaken up and didn't understand why Ferber was harassing him for taking photos of a public demonstration. I notified the student that I would report the incident and keep his identity anonymous.

After witnessing the violence of pro-Israeli demonstrators at UCLA in the early hours of May 1st, I felt it was my obligation as a UCI professor and campus community member to be present at the counter-demonstration organized by Hillel to ensure that students and faculty were not threatened or harassed. Throughout my time sitting and viewing the demonstration from afar (from 11:20am-1:00pm), Ferber also continued to point at me and other individuals sitting on benches near the library while speaking to the same associate. His general demeanor indicated that he believed that I was monitoring the rally and/or videotaping the event, which I did not do. Despite the fact that I was over 100 feet away from them and the demonstration and never interacted with any of the protesters during that time.

[redacted]

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As a UCI senate faculty member, Ferber's actions toward the undergraduate student and myself was unacceptable and in violation of UCI's AP-015 Faculty Code of Conduct for the following reasons (as numbered in the AP-015 document):

Section A, item #5. Use of the position or powers of a faculty member to coerce the judgement or conscience of a student or to cause harm to a student for arbitrary or personal reasons.

Section C, item #8. Serious violation of University policies governing the professional conduct of faculty, including but not limited to policies applying to outside professional activities.

Section D, item #2: Discrimination, including harassment, against faculty on political grounds.

Section E, item #1: Intentional misrepresentation of personal views as a statement of position of the University.

This is not the first time that Professor Ferber has harassed undergraduate students based on their political beliefs and/or their presence at demonstrations. On October 25, 2023, Ferber and another colleague of his were videotaped at a SJP rally cursing and physically threatening students and faculty who were peacefully protesting in the same location. I was present at this event and was deeply disturbed by Professor Ferber's actions. Videos of these incidents can be found here: https://www.instagram.com/p/Czw_1U5Piy-/?img_index=1

I have attached two videos of the incident on May 1st to this report. Ferber's ongoing harassment of students and faculty is unacceptable and violates our university's Faculty Code of Conduct and the university's Principles of Communities. I urge the UCI Office of Personnel to investigate this incident and ensure that Professor Ferber stops intimidating UCI students and faculty members.

Please attach any supporting documents you may have.

IMG_6257 - [redacted]...

IMG_6258 - [redacted]...

This form was created inside of University of California, Irvine.

Google Forms

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EXHIBIT NO. 65

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From: **Kelly Lindlar** klindlar@uci.edu [redacted]
Subject: APM 015 Complaint - Assessment Outcome ([redacted])
Date: June 27, 2024 at 4:42 PM
To: [redacted]
Cc: Diane O'Dowd dkodowd@uci.edu, Vanissa Tsang vanissa.t@uci.edu

Dear Professor [redacted]

I write to communicate to you the outcome of the initial assessment conducted in response your complaint alleging conduct by Professor Asaf Ferber that may have violated the University of California Faculty Code of Conduct (APM 015). (See attached.)

In accordance with UCI's *Policies and Procedures on Faculty Conduct and the Administration of Discipline*, when a complaint is filed alleging conduct that may violate APM 015, Vice Provost Diane O'Dowd, serving as Chancellor's Designee, will conduct an initial assessment to determine if there are reasonable grounds to support the allegations. "Reasonable grounds" in this context means that facts exist that would lead a reasonable person to conclude that the alleged misconduct, if true, may violate APM 015. If reasonable grounds are found, the complaint will be referred for formal review and/or there will be an attempt at informal resolution; however, if there are no reasonable grounds, the complaint will be dismissed and the matter will be closed.

Following careful consideration of all information submitted by you with your complaint and during your meeting with me to discuss your complaint, VP O'Dowd did not find that facts exist that would lead a reasonable person to conclude that the alleged conduct, if true, may violate APM 015. As such, your complaint will not be referred for formal review or informal resolution, and this matter is now considered closed.

UC Irvine is committed to promoting and supporting a community where students, staff and faculty alike can work and learn together in a respectful and professional atmosphere. While the information provided in your complaint does not rise to the level warranting formal investigation of misconduct under APM 015, you have alleged conduct that falls short of the high standards of civility and professionalism we strive for in our community. Your report has therefore been referred for administrative action, as appropriate. In accordance with University policy, you will not be informed of the details of any administrative action(s) taken without the respondent's consent, unless any such administrative action is directly related to you.

We understand that it can be difficult to come forward and want to thank you for reporting behavior that caused you concern. Your efforts help us to foster an environment of fairness, cooperation, and professionalism, which is vital to UCI's academic mission.

Kelly Lindlar
Associate Director, Academic Labor & Employee Relations
UC Irvine

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2024-69A-F - Original 2024.05.01.pdf

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EXHIBIT NO. 66

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ATTACHMENT A

UNIVERSITY'S PUBLIC GROUNDS, LIMITED PUBLIC GROUNDS, AND SPECIAL-USE GROUNDS

Use of Public, Limited-Public, and Special-Use Grounds for Expressive Activities is limited to those grounds expressly identified below and subject to Time, Place, and Manner restrictions (Section B).

<table>
<tr><td>Public Grounds
(No advanced arrangements required)</td><td colspan="2">Outdoor Areas & Side/Walkways, excluding Outdoor Limited-Public Grounds and Outdoor Special-Use Grounds

Recommended Public Grounds:
Mission Bay: Koret Quad
Parnassus Heights: Kalmanovitz Library Forecourt
City Side/Walkways[5]</td></tr>
<tr><td rowspan="2">Limited-Public Grounds
(Advanced arrangements required)</td><td>Indoor</td><td>Outdoor</td></tr>
<tr><td>Mission Bay: Conference Center
Parnassus Heights: Millberry Union Conference Center</td><td>Mission Bay: Mission Hall Courtyard, Plaza (by Gene Friend Way) and Hospital plaza/ grass area</td></tr>
<tr><td>Special-Use Grounds
(For Students; advanced arrangements required)</td><td colspan="2">Full List in the University's Classroom System: 25Live.
Examples Include
Parnassus Heights: Saunders Court
All Campuses: Indoor Classrooms, Designated Atria, Mezzanines, and Building Lobbies.</td></tr>
</table>

[5] Public (city) sidewalks may be used for Expressive Activities: however, these public areas are under the jurisdiction of the respective city (San Francisco, Fresno, etc.) and organizers of and participants in Expressive Activities using public sidewalks must comply with rules and regulations for use of those spaces, as applicable.

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EXHIBIT NO. 67

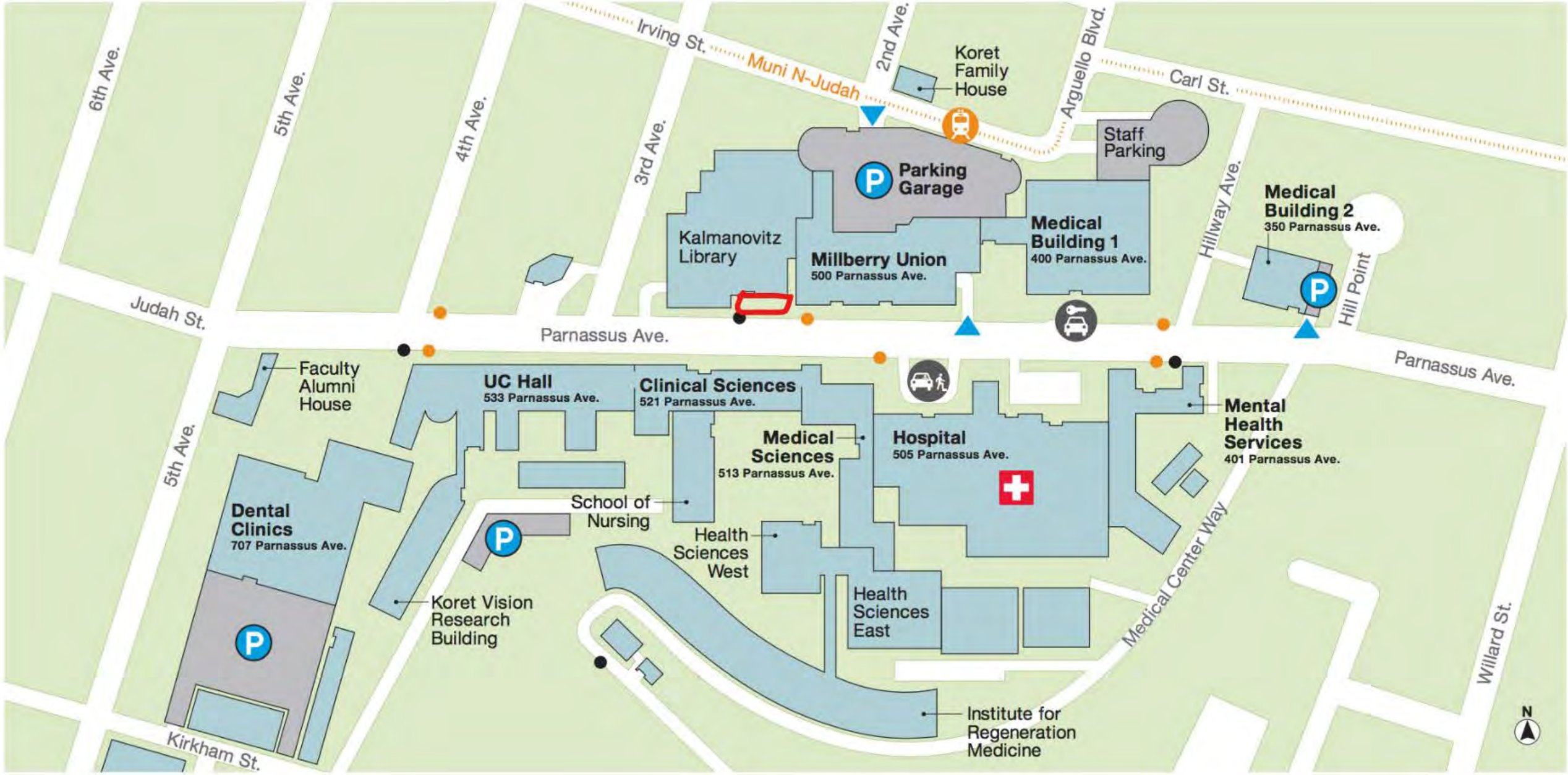
6th Ave.
5th Ave.
4th Ave.
3rd Ave.
2nd Ave.
Irving St.
Muni N-Judah
Arguello Blvd.
Carl St.
Koret Family House
Staff Parking
Parking Garage
Kalmanovitz Library
Millberry Union
500 Parnassus Ave.
Medical Building 1
400 Parnassus Ave.
Hillway Ave.
Medical Building 2
350 Parnassus Ave.
Hill Point
Judah St.
Parnassus Ave.
Parnassus Ave.
Faculty Alumni House
UC Hall
533 Parnassus Ave.
Clinical Sciences
521 Parnassus Ave.
Medical Sciences
513 Parnassus Ave.
Hospital
505 Parnassus Ave.
Mental Health Services
401 Parnassus Ave.
5th Ave.
Dental Clinics
707 Parnassus Ave.
School of Nursing
Health Sciences West
Health Sciences East
Koret Vision Research Building
Medical Center Way
Willard St.
Kirkham St.
Institute for Regeneration Medicine
N

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EXHIBIT NO. 68

Press release

May 13th 2024

UCSF Launches Palestine Solidarity Encampment
vv

San Francisco, CA. UCSF students, faculty, staff, and community members have launched UCSF Palestine Solidarity Encampment at the Parnassus Campus on May 13th 2024. UCSF Palestine Solidarity Encampment becomes the first Palestine Solidarity Encampment at a major academic medical institution in the United States and joins the over 200 encampments across the United States condemning the genocide of Palestinians in Gaza by Israel with the complicity and support of the Biden administration. Since October 7th, 2023, over 35000 Palestinians have been killed by Israel with US made bombs and technology, the majority being children and women.

The health care system in Gaza has been decimated and over 400 health care workers have been killed, tortured, injured, or arrested. It is the greatest assault on a civilian health care system in human history. We condemn Israel and its genocide of Palestinians in Gaza and condemn the absence of a moral and ethical response from the US government, from the University of California, and from the leadership of UCSF, who have remained silent in the face of Palestinian physicians, nurses, and health care workers being murdered by Israel. We refuse to remain silent in the face of genocide and ethnic cleansing.

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UCSF Palestine Solidarity Encampment stands in the proud tradition of UCSF Pride values where marginalized communities are valued, protected, and respected. There is no Palestinian exception to our Pride values. We stand proudly with our brothers, sisters, and siblings in the LGBTQ+, API, Latino, SWANA, Indigenous, Black, and Disabled communities who condemn violence and oppression against marginalized peoples, including Palestinians – and they stand with us.

We are also part of a larger system wide University of California collective that is calling on President Drake, the Regents, Governor Newsom, and all UC Chancellors to condemn the genocide in Gaza, demand an immediate and permanent ceasefire, and the resumption of humanitarian and medical aid into Gaza. We also demand that the University of California, and all of its Campuses, delink their relationships with Israeli institutions that profit from, and support, the genocide of Palestinians. The University of California must no longer be complicit and support the brutal apartheid state of Israel and its settler colonial aims.

UCSF, as an institution, is also complicit in the genocide of Palestinians – by commission and by omission. The UCSF leadership, despite hundreds of calls and emails, has refused to condemn the genocide in Gaza and the murder of health care workers. This omission is a moral failure. Additionally, one of the largest donors to UCSF – The Helen Diller Foundation – has deep ties to

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extremist Israeli organizations and has a history of financially supporting right-wing groups with ties to the government of Israel, like Canary Mission. We demand the UCSF leadership take a moral and principled stand against genocide, delink all ties to the Helen Diller Foundation, and allow for a total, complete, and transparent review of all of their donors and relationships with institutions that support apartheid Israel.

UCSF Palestine Solidarity Encampment stands, and will stay, as a symbol of moral clarity, ethical responsibility, and Pride values until our demands are met.

Our demands:

1. Divest: Divest from all companies, programs, and organizations profiting from and aiding the occupation and genocide of Palestine.
2. Delink: Delink from Israeli universities, organizations, and institutions complicit in the genocide through academic boycott.
3. Reinvest: Reinvest in Palestinian Studies programs and support for Palestinian students/faculty affected by the genocide happening in Palestine.
4. Amnesty: Amnesty for students, faculty, and community members who protest against the genocide and who call for liberation of the Palestinian people.
5. Police Abolition: Cut ties with the police departments (UCPD), ceasing the use of the military weapons on campus and creating a community-controlled system of safety.
6. Correct the Narrative: Call for an immediate ceasefire and an end to the occupation in Palestine. Acknowledge that anti-Zionism does not equal anti-Semitism.

Media Contact: @ucsf4palestine

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EXHIBIT NO. 69

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bConnected
powered by Google

[redacted]

Update: UAW strike vote has passed

1 message

'EVCP Office' via uawsupervisors <uawsupervisors@lists.berkeley.edu>
Reply-To: EVCP Office <evcp@berkeley.edu>

Thu, May 16, 2024 at 3:06 PM

[redacted]

Key takeaways

- The UAW strike authorization vote passed. This means that UAW 4811's Executive Board is authorized to call a systemwide strike.
- **We will not know until Friday, May 17** if and when UAW members at Berkeley will be asked to go on strike ("stand up").
- Depending on the level of strike participation and its duration, the strike could affect graduate and undergraduate instruction, as well as research activities at Berkeley.

Dear Campus Colleagues,

UAW Local 4811 members have authorized its leadership, the Executive Board, to call a strike.

As a reminder, UAW Local 4811 represents UC Academic Student Employees (ASEs), including Graduate Student Instructors; Readers and Tutors; Graduate Student Researchers; Postdoctoral Scholars; and Academic Researchers.

At this point it appears that the UAW Executive Board will call "stand-up strikes," which means they could ask UAW members on certain campuses only to strike. **We will not know until Friday, May 17** whether UAW members at Berkeley will be asked to go on strike (i.e., "stand up"). A strike could last into late June.

What does this mean for UC Berkeley?

While we do not know whether Berkeley will be one of the campuses affected by the strike, we should plan now for continuity of all operations should some employees go on strike. Some of those preparations were already outlined in our previous communication to you.

Pre-strike activities

Please be advised that while UAW 4811's membership has authorized a strike, **a strike has not been called**. As such, employees cannot withhold grades and/or labor in anticipation of a strike. Employees engaged in such activity should be instructed to perform the work. For instance, if your GSI has not submitted grades by the required deadline, you may send the following message:

> "Please be advised that the deadline to submit all grades was Wednesday, May 15. Since the deadline has passed, you are expected to submit your grades immediately. If you have any questions or if I can be of assistance please feel free to contact me directly."

[redacted]

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Given that the deadline has passed, please ensure that you follow up on your previous messages to ensure that grades are submitted.

Additional reminders

- If your GSI has not submitted grades, please **do not file an incomplete grade** as a placeholder as this may have unintended detrimental consequences for your students.
- If there are work slowdowns or withheld labor **prior to a strike being called**, please let the campus know so that we might take appropriate steps.

Resources available to you

- UCOP Strike Resource for Faculty Instructors and PIs who Supervise Graduate Student Employees *(confidential)*
- UCOP FAQs about UAW Actions
- How to Support Undergraduate Students in the Event of Instructional Disruption
- UC Berkeley's Academic Labor Information for Key Stakeholders Microsite *(restricted access)*
- Message from Max Auffhammer re: grade submissions
- Message from VPUE O'Reilly on incomplete grades

Once we hear more information from UAW and/or UCOP, we will provide you with updates. Should you observe any unsanctioned pre-strike activity or need assistance, please contact addison_elr@berkeley.edu.

If you have further questions, email: addison_elr@berkeley.edu or techguidance-apo-elr@berkeley.edu.

Regards,

Ben Hermalin, Executive Vice Chancellor and Provost
Oliver O'Reilly, Vice Provost for Undergraduate Education
Katherine Yelick, Vice Chancellor for Research
Lisa García Bedolla, Vice Provost for Graduate Studies
Eugene Whitlock, Chief People & Culture Officer
Rick Russo, Dean, Extended Education
--

Office of the Executive Vice Chancellor & Provost (EVCP)
University of California, Berkeley
200 California Hall, MC 1500
t: 510-642-1961 / e: evcp@berkeley.edu
evcp.berkeley.edu

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EXHIBIT NO. 70

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09/19/24 11:03 AM

[redacted]

From: **CPEVC Lori Kletzer** <officeofcpevc@ucsc.edu>
Date: Wed, May 15, 2024 at 1:53 PM
Subject: UCOP FAQs about UAW Actions
To:

To: Deans, Department Chairs, College Provosts, Principal Investigators, Faculty
Cc: Assistant Deans, AHR Coordinators, Department Managers

May 15, 2024

Dear Colleagues,

As a follow up to the message that I sent yesterday, I am sharing a resource webpage prepared by UCOP. The three-day UAW 4811 strike authorization vote concludes today. A work stoppage can start as early as this evening. FAQs are available at this link.

Sincerely,
Lori

Lori Kletzer
Campus Provost and Executive Vice Chancellor

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EXHIBIT NO. 71

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[View email in a web browser]

May 17, 2023

Dear Campus Community,

The International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW)—which represents academic student employees, postdoctoral scholars and academic researchers—has announced a systemwide labor strike that will begin Monday, May 20 at UC Santa Cruz.

The University of California disagrees with the union's position and views this work stoppage as unlawful and in violation of the clear terms of the collective bargaining agreements between the parties, which prohibits strikes, work stoppages, and any other concerted activities that interfere directly or indirectly with University operations during the life of the current collective bargaining agreements.

Today, the University of California filed an Unfair Labor Practice (ULP) with the state Public Employment Relations Board, asking the state to order UAW 4811 and its bargaining unit members to cease and desist strike activity.

UC and UC Santa Cruz both have a long tradition of respecting the civil expression of individual views. Individual graduate student employees are free to exercise their rights so long as such participation does not conflict or interfere with their work responsibilities and does not violate university policies, including the Student Code of Conduct.

With a strike, our primary goal is to minimize the disruptive impact, especially given the many educational and research disruptions that have affected students and researchers in recent years. Academic

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[redacted]

and operational continuity is essential to the University of California's education and research mission and a core responsibility to our students.

The campus will share important information at ucsc.edu/strike and use text messages and email to share time-sensitive updates. For questions, you may call your Employee & Labor Relations Analyst in Staff HR or email elrinfo@ucsc.edu. Academic employees may reach out to apo@ucsc.edu.

I am writing to share important and helpful information and resources ahead of Monday's announced strike.

Continuity of instruction and research

Deans, department chairs, department managers, college provosts, and faculty received guidance on May 14 regarding responsibilities and support for continuity of instruction and research. Instructors are encouraged to talk with their department chair for assistance. UC has answers to frequently asked questions online. Our Teaching and Learning Center offers a labor actions resource page with current information and instructional support.

UCSC supports protected free speech activities

UC Santa Cruz is committed to ensuring that all people may exercise their constitutionally protected rights of free expression, speech, and assembly. The ongoing opportunity for the expression of a variety of viewpoints is at the core of this commitment. The right of free speech at public universities includes the right to acts of peaceful dissent, protests in peaceable assembly, and orderly, nondisruptive demonstrations which include picketing.

Our campus Free Speech website provides additional information

No employee is ever obligated to engage in collective labor activities, such as striking, picketing, or protesting. Unions are legally prohibited from threatening or coercing members in other ways to keep them from coming to work. Academic and staff employees should remain in contact with their supervisors, managers, and chairs to discuss their schedules and work locations as needed.

If you feel you are being threatened, harassed, or intimidated about crossing a picket line, or are prevented from working by picketers or striking employees, please immediately notify your supervisor and your campus employee and labor relations office. In cases of emergency, please dial 9–1–1.

Blocking access roads harms members of the campus community

Preventing vehicles or individuals from entering or leaving campus imposes burdens on those who already must overcome obstacles in

[redacted]

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their day. Students, staff, and faculty with mobility challenges face additional difficulty getting to the academic core of the campus if buses are unable to come onto campus. Parents face uncertainty or delays in taking their children to school or childcare or medical care. Students, staff, faculty and their families living on campus experience stress about getting to off-campus jobs or appointments on time.

Campus community should stay informed, remain flexible

Though we do not know precisely how strike activities will impact the operation of the residential campus, we are working to do everything we can to minimize disruptions and provide operational continuity. Campus Transit shuttles will be operational. However, potential strike-related disruptions at the main and/or west campus entrances may result in transportation delays, including an inability of METRO buses to access campus. In that situation, we anticipate that METRO campus routes will instead stop at the Barn Theater, and riders can board a Campus Transit shuttle nearby.

TAPS Transit Operations will give the highest priority to providing Disability Van Service (DVS) clients transport between on-campus locations while suspending the Bike Shuttle and modifying regular Loop and Upper Campus services as needed.

We anticipate that campus dining halls and cafes and the Student Health Services building, including Counseling and Psychological Services, will be open through the strike. If you are experiencing emotional or psychological distress, call 831–459–2628 or go to the crisis assistance webpage.

Information about campus operations will be shared at ucsc.edu/strike. The campus may also send SlugSafe and CruzAlert notifications as appropriate.

Thank you for your patience during this time.

Sincerely,
Lori

Lori Kletzer
Campus Provost and Executive Vice Chancellor

PERB Received
09/19/24 11:03 AM

EXHIBIT NO. 72

PERB Received
09/19/24 11:03 AM

From: **Hal Stern - Provost and Executive Vice Chancellor** zotmail@uci.edu
Subject: UAW Strike Authorized
Date: May 17, 2024 at 9:32 AM
To: Senate Faculty & Unit 18 Lecturers, Sender Custom Email List zotmail@uci.edu

Hal Stern

Dear colleagues,

Late Wednesday, United Auto Workers Union Local 4811 announced that its members across the UC system voted to authorize a strike. UAW represents Academic Student Employees (Teaching Assistants, Readers, and Tutors), Graduate Student Researchers, Academic Researchers, and Postdoctoral Scholars.

The strike authorization vote was driven by claims of Unfair Labor Practices filed in relation to the encampments on several UC campuses. The University believes this is an unlawful strike. We understand that the UAW Local 4811 Executive Board will meet this morning to determine next steps, which may include calling upon UAW members on individual campuses to strike. We encourage faculty to review these Frequently Asked Questions and guidance from the Systemwide Academic Senate. Faculty and the research community should take steps to prepare for instructional and research continuity.

Faculty and Principal Investigators should not comment on the strike to UAW-represented employees except to direct them to their union for any questions. While you cannot ask whether UAW-represented employees will strike, you may ask if they are planning to work on specific dates.

We will provide regular updates at www.provost.uci.edu/continuity. As a reminder, questions can be directed to the Continuity Support Committee at continuity@uci.edu.

Hal Stern
Provost and Executive Vice Chancellor

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09/19/24 11:03 AM

Chancellor's Professor, Department of Statistics

PERB Received
09/19/24 11:03 AM

EXHIBIT NO. 73

PERB Received
09/19/24 11:03 AM

From: **Philip H Kass** <phkass@ucdavis.edu>
Date: Fri, May 17, 2024 at 8:13 AM
Subject: Update Regarding the UAW Strike Vote
To: academic-senate Sympa List <academic-senate@ucdavis.edu>, academic-fed Sympa List <academic-fed@ucdavis.edu>
Cc: Edwin M Arevalo <emarevalo@ucdavis.edu>, Mary E Vasquez <mpvasquez@ucdavis.edu>

Dear Faculty,

The UC Davis Division of the Academic Senate forwarded a letter from the University of California Academic Senate yesterday. It informed all faculty that the UAW Local 4811-—which represents graduate student researchers, academic student employees, postdoctoral scholars, and academic researchers—has voted in favor of and authorized a strike.

The UAW has indicated this will be a "stand-up" or rolling strike, meaning that campuses may not all be affected by work stoppages simultaneously. The strike activity may begin with small, localized work stoppages that may expand in scope or location should the UC refuse to meet the UAW's demands.

The UC's position is that this is an illegal strike because the UAW contract includes a no-strike clause. However, the UAW contends that its actions are legal and justified. As previously stated, any strike's legality will be determined months or years from now by the Public Employment Relations Board and the California Courts of Appeal.

Visit the Academic Affairs Strike Related Resources and Support webpage for updates, including FAQs. You can send questions to strikequestions@ucdavis.edu.

In the event we experience significant strike activity or work stoppages on our campus, we will issue guidance on maintaining the academic continuity essential to fulfilling our education and research functions at UC Davis. Thank you.

Sincerely,

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09/19/24 11:03 AM

Jean-Pierre Delplanque
Vice Provost and Dean, Graduate Studies

Philip H. Kass
Vice Provost, Academic Affairs

****

Philip H. Kass
Vice Provost—Academic Affairs
Distinguished Professor of Analytic Epidemiology,
Population Health and Reproduction (Veterinary Medicine), and
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SOVM website: https://www.vetmed.ucdavis.edu/faculty/philip-h-kass

UCDAVIS
ACADEMIC AFFAIRS

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09/19/24 11:03 AM

EXHIBIT NO. 74

e Service Portal <academic.senate@senateserviceportal.ucsf.edu>
day, May 16, 2024 9:00 AM
[redacted]@ucsf.edu>
W Strike Guidance

ssage Is From an External Sender
age came from outside your organization.

UCSF Academic Senate

Office of the Academic Senate
Wayne & Gladys Valley Center for Vision
490 Illinois Street, 5th Floor
San Francisco, CA 94158
Campus Box 0764
tel: 415/514-2696
fax: 415/514-3844

Steven Hetts, MD, Chair
Errol Lobo, MD, PhD, Vice Chair
Thomas Chi, MD, Secretary
Katherine Yang, PharmD, Parliamentarian
Todd Giedt, Executive Director

Dear UCSF Faculty,
On behalf of UCSF Academic Senate Chair Steve Hetts, I am sending out formal UAW strike guidance fro the systemwide UC Academic Senate. We just learned that UAW Local 4811, which represents graduate student researchers (GSRs), academic student employees (ASEs, such as teaching assistants [TAs] and similar), postdocs, and academic researchers across the University of California, has authorized a strike w work stoppages beginning as soon as tomorrow. According to official announcements from UAW 4811, this be a "stand-up strike," in which the local's executive board will call on individual campuses separately and circumstances justify" to stop work. Work stoppages could last as late as June 30. To justify the possible s action, the union alleges unfair labor practices (ULPs) related to the encampments and to "other nonviolen protests" on campuses. For UAW 4811's positions, please see here: https://www.uaw4811.org
Per UCOP, the UC administration maintains that the strike is not justified on ULP grounds, that it breaks settled contracts, and is thus illegal. Determination of the legality of the strike will ultimately be settled by California's Public Employment Relations Board (PERB) and/or the California courts, and such a determin could take a considerable length of time to reach. The uncertain legal status of the strike further complicate an already complicated situation regarding communications between faculty and striking employees, the possibility of sanctions, and more. UC Office of the President (UCOP) has just posted FAQs that aim to address most questions you might have regarding the strike authorization and what may follow:
https://ucnet.universityofcalifornia.edu/uaw-faqs-2024/
Please read the attached additional information and guidance from the systemwide Academic Senate on several questions of key concern to faculty regarding potential work stoppages.
Sincerely,
Todd Giedt (he, him, his)
Executive Director
UCSF Academic Senate
415-476-1307
todd.giedt@ucsf.edu
http://senate.ucsf.edu/

Please note, this email is generated from the Academic Senate Service Portal managed by UCSF Academic Senate. If you have received this email in error, please contact the Academic Senate Office.

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EXHIBIT NO. 75

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UC San Diego

CAMPUS NOTICE

OFFICE OF THE EXECUTIVE VICE CHANCELLOR

May 31, 2024

ALL ACADEMICS, STAFF AND STUDENTS AT UC SAN DIEGO

UAW Strike Update

Dear Colleagues and Students,

As you may know, the United Auto Workers (UAW), which represents four bargaining units of UC academic appointees, voted earlier this month to authorize strike activity. **The UAW announced earlier today that UAW-represented employees at UC San Diego will strike on Monday, June 3.** Individuals represented by the UAW include:

- Academic Student Employees (ASEs), which includes teaching assistants/associates/readers/tutors
- Academic Researchers (ARs)
- Graduate Student Researchers (GSRs)
- Postdoctoral Scholars

The duration of the strike is unknown. The University of California filed an amended request for injunctive relief on May 29, asking the state Public Employment Relations Board (PERB) to have a court rule to end the UAW strike across UC campuses immediately. A decision on that request has not yet been announced.

UC San Diego will take the steps within its power to minimize disruption to learning and research during this strike. At this time, there are no plans to change class schedules, office hours or campus services; however, some undergraduate, graduate and research activities could be impacted. UC San Diego has created an online FAQ with more information about learning and

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research continuity. This information will continue to be updated as needed.

Thank you for your continued flexibility during this time.

Best regards,

Elizabeth H. Simmons
Executive Vice Chancellor

Corinne Peek-Asa
Vice Chancellor for Research and Innovation

James Soto Antony
Dean, Division of Graduate Education and Postdoctoral Affairs

University of California San Diego, 9500 Gilman Drive, La Jolla, CA, 92093

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09/19/24 11:03 AM

EXHIBIT NO. 76

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09/19/24 11:03 AM

Labor Activity Updates – Spring 2024

Last Updated: June 4, 2024

This page is intended to provide information about the labor activity initiated by the UAW Local 4811 in spring 2024.

On May 31, 2024, the UAW announced that UAW-represented workers at UC San Diego would strike on June 3, 2024.

This announcement follows the United Automobile, Aerospace and Agricultural Implement Workers of America (UAW) voting to authorize a work stoppage or strike after a three-day vote, from May 13-15, 2024. The units represented consist of Postdoctoral Scholars, Academic Researchers, Academic Student Employees (ASEs - TAs/Readers/Tutors), and Graduate Student Researchers (GSRs, including some graduate students on training grants and external fellowships).

This vote was held after the union filed an Unfair Labor Practice against UCLA with the Public Employment Relations Board (PERB) on May 3, and amended those charges to include UC San Diego and UC Irvine on May 10, 2024. On May 16, 2024, the UAW Local 4811 announced that workers as UC Santa Cruz would strike on Monday May 20, 2024. On May 17, 2024, the UAW further amended their charges.

The University of California filed an Unfair Labor Practice with PERB against the UAW 4811 on May 17, 2024, asking the state to order members to cease and desist strike activity. The University of California filed an amended request for injunctive relief on May 29, asking the state Public Employment Relations Board (PERB) to have a court rule to end the UAW strike across UC campuses immediately. A decision on that request has not yet been announced.

The below subsections contain strike-related resources and correspondence from leadership with additional FAQs provided below. If you have particular questions not addressed here, you can email them to updatequestions@ucsd.edu.

Labor activity news, including information on the University's position on the UAW's strike, is available at on the UC UAW news and updates webpage.

The UC San Diego Principles of Community remind us to maintain the fairness, cooperation, and professionalism that will foster the best possible working and learning environment, even in times of disagreement. UC San Diego affirms each individual's right to dignity and freedom of expression. May we

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jointly sustain a climate of justice marked by mutual respect that will support our common academic mission.

We recognize that additional guidance will be required as the situation develops on our campus and ask that you please check this page regularly as it will continue to be updated.

Expand All

Leadership Correspondence

May 31, 2024

UAW Strike Update

May 30, 2024

Guidance for Instruction in Light of Impending UAW Strike

May 16, 2024

Information Regarding UAW Strike Activity

May 16, 2024

Academic Senate: UAW Strike Guidance

Educational Continuity

Q: What impacts to instruction are anticipated?

A: We anticipate a period of unknown duration where some of these workers will not fulfill their job duties. These duties include but are not limited to: teaching lectures, labs, and discussion sections; grading submitted work and entering/maintaining grades; tutoring; supplemental instruction; research; outreach; program administration; and other duties assigned.

Q: What is expected of chairs, faculty members, and other instructors?

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A: **Department chairs** are responsible for working with college/school leadership and educators to ensure instructional and research continuity. Chairs should work with instructors who need support or guidance in implementing continuity plans. **Faculty members and other instructors** should maintain instructional activities for all students. While the strike is ongoing, class sessions, examinations, and other academic activities are still continuing and the university expects that academic work will be completed.

We understand that this situation is challenging and requires many to make difficult decisions. We greatly appreciate your resiliency and dedication to student learning during this time.

Q: What should our school be doing to prepare?

A: Faculty should work with Deans and Chairs to develop an action plan to ensure that the educational program for all students continues. For example, you can plan to provide special academic advising office hours and suggest to students that they can follow readings in course syllabus even if some class meetings do not occur.

Q: What should an instructor of record do at this time?

A: If you currently supervise one or more ASEs (TAs/Readers/Tutors) in an instructional setting, please plan ahead for the possibility of a strike. The specific actions you take will depend on different circumstances, but may include the following:

- Notify your students of the possibility of a strike, how they could be impacted, and steps you will take in the event of a strike. Courses should not be canceled because of the strike.
- Identify any aspects of the course that may be postponed, abbreviated, or omitted, and revise your lesson planning and grading rubric accordingly. Consider engaging your students in making these revisions and be transparent and reasonable with your new expectations.
- Maintain clear and frequent communication with your students. Remind them that you will be the main point of contact during the strike, and ensure they know how to reach you.
- Focus on maintaining course continuity. Among these priorities should be preserving each student's access to the course and materials.
- Examine the work currently being done by each ASE to understand its stage, how it might be disrupted, and the specific steps you can take to mitigate disruption if it happens.
- Ensure you have access to ASE lesson plans, student grades, graded materials, and submitted work that has not yet been graded.
- If grading will be delayed, ask students in your course to maintain copies of submitted work and post timely sample solutions for them to review.

Q: How do I prepare for a work stoppage impacting my course?

A: (1) Ensure that you have up-to-date access to all course materials and grade data for your courses in Canvas.
(2) Backup gradebooks and take steps to ensure continuity and accuracy.

Q: May I ask who intends to walk out in support of the labor action?

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09/13/24 12:08 AM

A: No. It is not appropriate to ask anyone if they will be participating. Commenting on participation in the strike can be construed as interference or retaliation.

Q: What should I do if there are disruptions in the class/students feel intimidated coming to class/crossing a picket line?

A: We expect striking students to exercise their rights within the limits established by the law. Picket lines should not disrupt entry and egress from buildings or classrooms, and there should be no intimidation on either side. If these expectations are violated, please contact Labor Relations at laborrelations@ucsd.edu.

Q: Can we shift classes online for the duration of a strike?

A: Senate policy allows any course to be taught up to (but not exceeding) 50% remotely without prior senate approval. As long as your class complies with this Senate policy you can teach remotely during this time. Make sure to communicate any modality changes to all students in a timely manner.

Q: What resources are available to instructors who may need assistance maintaining the continuity of instruction?

A: The Teaching and Learning Commons is available to support educational continuity.

Q: What about graduate courses?

A: Graduate instruction should continue. Graduate students are students regardless of their employment status with the university and should continue to participate in university educational activities associated with their respective programs of study during the strike. Graduate classes and the evaluation of graduate student academic progress for grades and credit should continue as normal.

Q: Can I expect graduate students to complete coursework, including independent study?

A: Students enrolled in courses, independent study or otherwise, should continue to do the activities associated with those courses and be graded in response to their academic progress regardless of employment or strike participation. Faculty may still communicate with striking students regarding academic activities associated with the courses in which those students are enrolled.

Q: Am I required/expected to/allowed to make accommodations for students engaged in strike activities?

A: You are not required to make accommodations for such activities, but you may do so if you wish. Keep in mind that any such accommodations should be communicated clearly, and should be applied consistently (e.g., students who are not covered by bargaining agreement or who chose not to strike should not be adversely affected). Non-striking students may be counting on completing planned assignments to boost their grades, so (as always) think through the potential impacts of canceling or modifying assignments.

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Q: Can we give U grades for 299 courses if students completely stop research activities?

A: 299 courses have flexible units (1-12) associated with S/U grades; this represents the academic value of the research graduate students conduct as a requirement for their degree.

The research work performed by graduate students employed as GSRs typically has a lot of overlap with the work they need to perform to receive a satisfactory grade in their research units. A GSR not engaging in research work because of the strike **might** not make academic progress in their 299 units during that time.

Assessment and grading are a faculty prerogative. The assessment of student performance in any course **must** only be based on academic criteria that are consistently applied to all students.

Q: How might the strike potentially impact international employees?

A: Please contact the International Services and Engagement Office (ISEO) (iScholars@ucsd.edu) with any questions.

Q: Have there been any updates from the Academic Senate, San Diego Division?

A: The Academic Senate sent a message to Academic Senate faculty on May 16, 2024. A link to the message can be found under Leadership Correspondence.

Research Continuity

Research facilities do not need to cease operations, but will need to adjust workflow in light of potential work stoppage.

Principal investigators (PIs) and research group leads should plan alternate workflows in the event that Graduate Student Researchers, Postdoctoral Scholars, and Academic Researchers do not appear at scheduled work times.

And, as always, we need to work together to protect the safety and integrity of our research and lab spaces and those working there.

Research spaces may contain hazardous chemicals, biological agents, and equipment. Safety practices and protocols in research spaces must adhere to applicable federal, state, and university rules. Anyone who enters a laboratory or other research space must follow all safety practices and protocols, including mandatory training, use of protective equipment, and appropriate interaction with any research substances or equipment.

Please lock doors and restrict access so that only those with approved research-related access are in the research space.

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If there is a concern about the safety of anyone in a research area, please ask those individuals to leave and follow the usual protocols to notify the lab's safety officer or principal investigator. If concerns persist, Labor Relations may be contacted at laborrelations@ucsd.edu.

General Frequently Asked Questions (FAQ)

Q: What is a strike?

A: It is important for everyone to understand the differences between a strike and other protected activity in support of striking employees.

A strike is a work stoppage. This means that an employee has decided to stop working and performing their job duties in support of a particular cause or issue. Because the employee is not working and performing their job duties, they are generally not eligible for wages that are paid in exchange for work performed.

"Supporting" a strike is different. It means that individuals who either are not employees, or are employees but not on working time (such as before or after work, on breaks, or on their non-work days) may lawfully engage in demonstrations and other similar protected activity, so long as such activity is lawful, non-violent, and otherwise adheres to University policies and applicable collective-bargaining agreements.

In light of these definitions, please be aware that:

- University employees who are part of a bargaining-unit covered by an active collective-bargaining agreement containing a no-strike clause may not strike in violation of the contract. Those who do so may be subject to appropriate action pursuant to the terms of those agreements and University policy.
- All members of the University community, whether or not they are employees, are free to support or oppose a strike, so long as their activity is lawful, non-violent, and otherwise adheres to University policies.

Q: Which workers could go on strike?

A: Workers in four bargaining units represented by the UAW:

1. Academic Student Employees (ASEs) (Teaching Assistants (TAs)/Associates, Readers, Tutors);
2. Postdoctoral Scholars;
3. Academic Researchers (Specialists, Project Scientists, Research Scientists and
4. Graduate Student Researchers (including some on training grants and external fellowships).

Q: What impacts are anticipated?

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A: We anticipate a period of unknown duration where some of these workers will not fulfill their job duties. These duties include but are not limited to: teaching lectures, labs, and discussion sections; grading submitted work and entering/maintaining grades; tutoring; supplemental instruction; research; outreach; program administration; and other duties assigned.

Q: Are there any guidelines on what is or isn't permissible as a supervisor/manager?

Permissible Actions	Impermissible Actions to Avoid

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• **Do** take lawful steps to ensure safety and security at University campuses and properties. Report misconduct or threats to safety and security.

• **Do** call Labor Relations if you observe obstructed entrances or exits.

• **Do** take lawful steps to ensure continuity of operations. Do plan for potential disruption of ongoing research as a result of a strike. Plans for the preservation of experimental materials and the like must be carefully prepared.

• **Do** refer employees to their union if they have questions regarding union membership, union activities, and potential strike activity.

• **Do** plan for supporting student academic progress, including alternate methods of instructional delivery and educational continuity.

• **Do** stay in close contact with your local Labor Relations and Academic Personnel offices and promptly report threats to safety and security, violence, or other misconduct or dangerous circumstances.

• **Do not** photograph, video, or generally "monitor" employees striking activity for reasons unrelated to ensuring safety, security, and access. This includes refraining from monitoring or perusing employees' social media.

• **Do not** survey or communicate with employees, including Senate Faculty, Unit 18 faculty, UAW unit members, and other employees, regarding their intention to participate in or support a strike. Such communication can be found to violate employee rights.

• **Do not** make statements to employees intended to elicit a response concerning their union activity or union sympathies.

• **Avoid** tweets and comments on social media (encouraging or discouraging employees' protected activities, including strike activity) which purport to be official statements on behalf of the University.

• **Do not** ask employees about their protected activities, their union sympathies nor the protected activities/union sympathies of others. Protected activity includes strikes and protests concerning terms and conditions of employment or bargaining.

• **Do not** discipline, discharge, reprimand, or otherwise take adverse action against employees for protected activity, including lawful strike activity.

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	• **Do not** deal directly, solicit grievances, or make promises to employees, including Senate and Unit 18 faculty and student employees, based on their participation/non-participation in, or support/non-support, for a strike.

Q: How long is the work stoppage expected to continue?

A: We are unable to predict the duration of the work stoppage.

Q: Can I ask any of these workers about their intentions to strike?

A: No. Do not discuss the potential strike action, or ask others about plans to participate.

Q: Will workers who participate in a strike be paid?

A: No. We value our employees and fully respect represented employees' right to engage in protected activity, including a lawful strike. However, since striking employees are, by definition, not working, they are not eligible to receive their regular pay. Additionally, federal guidelines indicate that we are not able to pay employees on federal grants if they are not working. Employees who wish to receive their regular pay, may perform their work during this time.

It is essential that departments accurately record employee absences. Both authorized and unauthorized absences, including those absences when work is withheld as part of a strike or protest, need to be recorded in Ecotime. In addition to reporting absences (also called "leave reporting"), please note that accurate effort reporting on sponsored research awards is a federal and university requirement; personnel expenses may only be charged to sponsored research awards for work actually performed.

All supervisors have access to Ecotime and should view and approve or disapprove leaves for their employees. If you are a PI with Graduate Student Researchers (GSRs), postdocs, and/or academic researchers, you are a supervisor. If you are an Instructor on Record (IOR) with Academic Student Employees (ASEs, e.g., TA, tutor, or reader), you are also a supervisor. It is important as a supervisor to properly record all absences of your employees. Instructors of Record and Principal Investigators should contact their Office of Labor Relations or Academic Personnel if they have questions.

Q: How does someone log into and approve leave in Ecotime?

A: Log into ecotimecampus.ucsd.edu and use the two-step DUO login process. Once logged in, click the applicable Employee or Manager tasks tab, then Timesheets, select Pay Period and click go to see the your timesheet, or your employee's timesheet, to be able to view, enter, or approve their leave reporting, as applicable to your role.

Q: What if I have a problem logging in, seeing timesheets, etc.?

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A: Links to guidance on how to use Ecotime can be found on the Ecotime Blink page. Information included on these pages includes how to return a timesheet to be corrected when leave time was reported incorrectly, and so on.

Q: What if an employee does not report leave, but they were absent and withheld work?

A: If a supervisor is aware of an unreported unauthorized leave, they or their delegate should record that entry for the employee. The Ecotime Blink page includes additional information on timesheet corrections.

Q: What if I have Ecotime questions?

A: Office hours for Ecotime users will be offered. To attend office hours, please see the next times available on the Center for Operational Excellence webpage.

Expand All

For more information, please email updatequestions@ucsd.edu.

UC San Diego Updates

Labor Activity

Israel-Hamas War Support

Emergency Status

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09/19/24 11:03 AM

EXHIBIT NO. 77

PERB Received
09/19/24 11:03 AM

[redacted]

From: **CPEVC Lori Kletzer** <officeofcpevc@ucsc.edu>
Date: Tue, May 14, 2024 at 1:27 PM
Subject: Continuity of Instruction and Research
To:

To: Deans, Department Chairs, College Provosts, Principal Investigators, Faculty
Cc: Assistant Deans, AHR Coordinators, Department Managers

May 14, 2024

Dear Colleagues:

I am writing today to update and inform you about developments regarding our academic student employees (ASEs). On May 3, 2024, the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW) filed Unfair Labor Practice charges against the University of California, related to ongoing campus protests and arrests that followed at other UC campuses. UAW 4811 is conducting a strike authorization vote from May 13-15. If the strike vote is successful, UAW's Executive Board will have the authority from their members to call a systemwide strike.

The University disagrees with the Union's position and views this potential work stoppage as an unlawful one that violates the clear terms of the collective bargaining agreements between the parties, which prohibits strikes, work stoppages, and any other concerted activities that interfere directly or indirectly with University operations during the life of the current collective bargaining agreements.

UC has a long tradition of respecting the civil expression of individual views, and individual graduate student employees are free to exercise their rights so long as such participation does not conflict or interfere with their work responsibilities,

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and does not violate University policies, including the Student Code of Conduct.

In the event of a work stoppage, our primary goal is to minimize the disruptive impact, especially in light of the many educational and research disruptions that have affected students and researchers in recent years. Academic continuity is essential to the education and research mission of the University of California and it is a core responsibility to our students.

Continuity in Instruction

In the event strike activity occurs, the University has an obligation to hold all classes we have committed to provide, including lectures and other primary class meetings, discussion sections, and labs. This means there must be contingency plans for department chairs to know and record if an instructor of record, including graduate student instructors (GSI), is not teaching their class meeting and for instructors of record to know and record if a TA is not conducting their discussion sessions and/or labs. **If scheduled instruction does not take place, student learning must be facilitated through alternative means so that students can continue to make progress toward course learning outcomes and maintain progress in their efforts to complete their degrees. Steps should also be taken to ensure that grading will be completed and grades submitted to meet deadlines.** Instructors of record should make efforts now to have a record of all existing student grades if they supervise TAs, and faculty mentors should do the same for the grade books of their GSIs.

Instructors may find assistance in working to ensure instructional continuity in dialogue with their department colleagues and department chair. The Teaching and Learning Center has resources available for instructional continuity in a wide range of circumstances and has prepared new resources specific to labor actions. These resources will likely be modified and expanded in the coming days with material relevant to current circumstances.

Continuity of Research

Similarly, it is essential for Principal Investigators (PIs) to engage in efforts to minimize any impact a strike might have on our research mission.

I encourage you to consider planning for the following:

Deliveries — Deliveries of cryogenics, gas cylinders and other critical

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research supplies may be affected if delivery drivers are unwilling to cross picket lines, so please plan accordingly with respect to the deliveries of critical or perishable research items.

Sensitive research assets — PIs should make backup arrangements now to ensure continuous care of sensitive research assets, including animals, plants and cell lines. Make sure research data assets are stored in accessible locations.

Research facilities — We do not anticipate that access to research facilities will be affected for those who will continue to work on campus.

One key responsibility for PIs is the accurate recording and reporting of personnel engagement on sponsored research. Personnel expenses may only be charged to sponsored research for work actually performed.

PIs are encouraged to work with the Office of Research to develop plans to continue research in the event of a work stoppage, including preservation of research materials, and effort reporting. Questions can be directed to vcr@ucsc.edu

Instructor of Record and Principal Investigator Responsibilities

While the University respects the right of employees to withhold their labor during a lawful strike, they can only be compensated for work they actually perform. Further, if a strike occurs following the strike authorization vote, it is the University's position that it will be an unlawful action as the University has closed contracts with all UAW bargaining units that prohibit strikes, work stoppages, or other concerted activities that interfere with University operations during the terms of the agreements.

Pursuant to Regents Bylaw 40.1, the Regents of the University of California delegated to the Academic Senate supervision of all courses and curricula in recognition that faculty participation in the shared governance of the University of California, through the agency of the Academic Senate, ensures the quality of instruction, research, and public service at the University while protecting academic freedom. The Academic Personnel Manual (APM – 410-20) provides that Teaching Assistants serve "under the active direction and supervision of a regular member of the faculty to whom responsibility for the course's entire instruction, including the performance of Teaching Assistants, has been assigned." Accordingly, the University relies on Instructors of Record to certify the accuracy of leave-reporting for Teaching Assistants in our CruzPay time and attendance system.

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Principal Investigators are reminded that federal research grants are subject to Uniform Guidance (2 C.F.R. Part 200), which establishes uniform administrative requirements, cost principles, and audit requirements, in addition to agency-specific reporting and cost principles. Principal Investigators have primary responsibility for financial management and control of project funds in accordance with University and sponsor policies and procedures. This includes ensuring accurate reporting of hours worked and wages charged to sponsored agreements. Principal Investigators are required to certify the accuracy of leave-reporting by employees in our CruzPay time and attendance system.

Supervisors of TAs, GSIs, GSRs, Postdocs, and Academic Researchers are responsible for ensuring their employees are submitting leave taken accurately. Moreover, it is critical that supervisors and their employees are submitting leave reports each period, whether or not any leave was taken. In the event an employee submits an inaccurate leave report, the supervisors should reject the leave report in CruzPay and ask the employee to re-submit it.

Leave Without Pay should be recorded on an employee's leave report in the event they were scheduled to work but did not work. Personal Time Off (GSRs and Postdocs), Short Term Leave (TA/GSIs) or vacation or sick leave (Professional Researchers, Project Scientists, Specialists) is **not permitted** to be used for strike purposes unless the PTO, STL, vacation, or sick leave was approved in advance.

I acknowledge that these issues are difficult and contested. Aligning pay with work is not a disciplinary move; in fact, UAW 4811 posts on its website, “UC also has the right to not pay us for the work we don’t do while on strike.” In regard to leave-reporting, the UAW 4811 website offers, “The University may ask Academic Workers to ‘attest’ as to whether they worked, or not, during a strike. These are forms that Universities sometimes use to assess whether or not to deduct pay for work not performed during a strike. It is unlawful to ask workers to fill out strike attestation forms before a strike or before labor is withheld. There is power in numbers: workers should fill out these forms truthfully and accurately, but only after the work has been struck.”

Instructors of Record and Principal Investigators should contact their Office of Labor Relations or Academic Personnel in the event that they have questions.

Resources for Faculty and PIs

With five weeks remaining in spring quarter, I recognize the strong feelings and reactions that this situation creates. Knowing what to do can feel uncertain for many. We all, however, have responsibilities to

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our students, largely undergraduate students, and we have responsibilities to conduct our sponsored research. Not conducting primary class sessions or discussion sections, labs, and office hours, or leaving students without grades indefinitely for a course they have completed, can impact their educational progress, financial aid, applications for work and graduate school, commencement, and other career plans. We must work to minimize these disruptions.

In our continuity plans, it is important that faculty not inadvertently violate California's Higher Education Employee Relations Act (HEERA). The attached FAQs, developed by Systemwide Labor Relations, can be a helpful resource. **Please treat these FAQs as confidential and do not further distribute.**

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EXHIBIT NO. 78

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University of California statement on divestment

UC Office of the President April 26, 2024

The University of California shared the following statement today, Friday, April 26, 2024:

The University of California has consistently opposed calls for boycott against and divestment from Israel. While the University affirms the right of our community members to express diverse viewpoints, a boycott of this sort impinges on the academic freedom of our students and faculty and the unfettered exchange of ideas on our campuses.

UC tuition and fees are the primary funding sources for the University's core operations. None of these funds are used for investment purposes.

Through careful management of the University's retirement and endowment funds, UC Investments provides a stable and growing revenue stream that benefits current and retired employees and supports the University's education, research, and public service mission.

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EXHIBIT NO. 79

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Lt. Gov. Kounalakis Blasts California's Handling of Campus Gaza Protests

By **David Taub, Senior Reporter**

Published 23 hours ago on
May 15, 2024

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California Lt. Gov Eleni Kounalakis speaks to attendees at the Jewish Public Affairs Committee of California summit, Wednesday, May 15, 2024, in Sacramento. (GV Wire/David Taub)

- Lt. Gov. Eleni Kounalakis criticizes the handling of pro-Palestinian protests at California's public universities.
- She denounces campus officials who "negotiated" with protest leaders.
- Kounalakis addressed JPAC, a Jewish advocacy group, in Sacramento on Wednesday.

SHARE

SACRAMENTO — California's lieutenant governor is critical of how the UC and CSU systems are handling pro-Palestinian campus protests.

"The campuses were woefully unprepared," Lt. Gov. Eleni Kounalakis told the **Jewish Public Affairs Committee of California** on Wednesday morning. "And even as the encampments were building and the issues were building, and we had data of (Jewish) students not just feeling unsafe, but frankly, being unsafe. (The campuses) were not equipped to quickly and swiftly move to handle the challenge in front of them."

JPAC, with 500 attendees at its Capitol Summit this week, advocates for state legislation on behalf of Jewish issues.

The group held a reception Tuesday evening at the Grand Sheraton — blocks away from the Capitol — with more than 50 legislators attending. Although JPAC invited most of the Central Valley delegation in the Assembly and state Senate, no one attended.

JPAC will lobby more than 100 lawmakers in person at the Capitol this afternoon.

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Kounalakis, a former U.S. Ambassador to Hungary before her 2018 election as lieutenant governor, announced her candidacy last year for governor to succeed termed-out Gavin Newsom. She is a Democrat and California's first female lieutenant governor.

Kounalakis: Campus Leaders Shouldn't Negotiate With Protesters

Leaders at the UC campuses in Berkeley and Riverside negotiated with tent-encampment protesters — a strategy that Kounalakis disagrees with.

"Each campus is handling these situations in their own way with inconsistencies and, frankly, sometimes coming up with agreements that they really don't have the authority to come up with," she said.

As lieutenant governor, Kounalakis sits on the governing boards of the UC, CSU and community college systems. She said things are de-escalating, partly because schools are moving into the less-intense summer session.

"The most important thing that we can be doing from the UC standpoint is clarifying where the lines are between freedom to assemble, freedom of speech, and crossing over into the territory of violations of state law, federal law, of course, but also violations of codes of conduct," Kounalakis said.

Antisemetic Tweets by UC Davis Professor

Kounalakis mentioned **antisemitic tweets of a UC Davis professor** shortly after the Oct. 7 Hamas attacks in Israel. Jemma Decristo, an assistant professor of American studies, posted a message attacking "zionist journalists" with threatening emojis.

"It is still under investigation. Now, if that does not cross a line of a code of conduct, my God, what does?" Kounalakis said.

Kounalakis called for schools to clearly identify "where the lines are" to enact disciplinary measures.

She also criticized Sonoma State for agreeing to demands of pro-Palestinian protesters, including creating an advisory council with membership determined by the campus Students for Justice in Palestine, **as reported by The Press Democrat**.

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"They do not represent the majority of Jews here. And it's really just devastating," Kounalakis said.

She called students chanting "from the river to the sea" outrageous.

"We have to fight back and educate our students (so they) understand the very importance morally and from a national security standpoint of the existence, celebration and empowerment of Israel in the region," Kounalakis said.

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EXHIBIT NO. 80

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California Playbook PM

Your afternoon must-read briefing on politics and government in the Golden State

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Exclusive: Dems vote to endorse Evan Low

By **SARAH GRACE TAYLOR** | 05/15/2024 07:13 PM EDT

Presented by California Resources Corporation

LAST CHANCE TO WIN COOL PRIZES — Hundreds of bills are headed to the Appropriations committees on Thursday. Use your insider knowledge to guess which bills will be blocked and won't advance past the hearings. Make your prediction by today for a chance to win a shout-out in California Playbook, some extra special swag and maybe even an invite to a POLITICO coffee date. Hint: You can find the list of bills on the Assembly Appropriations agenda and on the Senate hearing agenda. Happy guessing!

FIRST IN PLAYBOOK: A divided California Democratic Party is set to endorse **Evan Low** for Congress after a slew of newly-appointed delegates gave him one more vote than he needed to earn the nod over rival **Sam Liccardo**.

Of course, nothing can happen in the race between Low, a state lawmaker, and Liccardo, a former San Jose mayor, without one accusing the other of foul play. Low until this month was locked in a 30,249-vote tie with a third candidate until a former Liccardo employee — claiming to be acting independently of the campaign — forced a contentious recount in the primary, knocking out **Joe Simitian**.

Low and his allies managed to add 27 pro-Low delegates to the district during the 10-day voting period, netting 58 votes, according to internal vote records obtained by Playbook and confirmed by party officials — just enough to secure the endorsement, which has yet to be finalized.

Liccardo, meanwhile, had urged delegates to vote "no endorsement" — a tactic often used to block a rival's bid. Now, he's criticizing Low's maneuver.

In a letter to delegates after the vote, Liccardo said Low had "packed" the vote by subbing delegates from elsewhere in California with those from the 16th district.

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"The Low campaign scrambled to find 'alternate' delegates who would rapidly fill those slots, and vote for Evan Low's endorsement," Liccardo wrote.

"Surely, as we consider the endorsement process, we can do better," he added.

Robin Swanson, a spokesperson for the party, said that Low's delegate-shifting move is allowed under the party's bylaws.

Low's campaign would not comment on its involvement in delegate appointments but said the candidate followed the party's bylaws. A spokesperson credited the endorsement vote to Low's service in the party as a former president of the Silicon Valley LGBT Democratic Club and longtime history as a volunteer — before taking the opportunity to bash Liccardo.

"The same commitment to our Democratic Party cannot be said about Evan's opponent, Sam Liccardo, who is sowing doubt in the Democratic process because Democrats rejected him," **Clay Volino**, a spokesperson for Low, told Playbook.

But some delegates were put off by the tactic, including **Elsa Schafer Raval**, a San Mateo County resident. She said she was originally open to voting for Low, but found the delegate shuffle "sleazy" and voted against making any endorsement.

"It just sounded like the right time, with everything going on between Liccardo and Low, to have no endorsement and spend the next six months getting to know them," Schafer Raval told Playbook. "The two of them sure are going at it."

As of this afternoon, the Liccardo campaign was not planning to challenge the results of the endorsement vote, with a deadline of 5 p.m. to do so. The campaign also thanked delegates for the process but did not comment further on Low's involvement.

IT'S WEDNESDAY AFTERNOON. This is California Playbook PM, a POLITICO newsletter that serves as an afternoon temperature check on California politics and a look at what our policy reporters are watching. Got tips or suggestions? Shoot an email to sgtaylor@politico.com.

A message from California Resources Corporation:
California Resources Corporation (CRC) is a different kind of energy company, committed to our net zero future and advancing the energy transition. CRC's carbon management business, Carbon TerraVault, will offer solutions to help reduce emissions while our workforce provides low-carbon energy needed to power our lives. Carbon TerraVault will enable the capture and permanent storage of carbon dioxide deep underground, helping decarbonize our local economies and empowering California to achieve carbon neutrality. CRC's Carbon TerraVault

WHAT YOU NEED TO KNOW TODAY

'THERE WAS NO RAID' — State Treasurer **Fiona Ma** gave POLITICO her most detailed response yet to rumors that the FBI visited her Sacramento office last month. "There was no raid," Ma, a candidate for lieutenant governor, said in an interview, adding that she receives public records requests and subpoenas "all the time."

Obviously anticipating the question, Ma read from a prepared statement that her custodian of records "received a document request from a law enforcement agency," noting her office gets those kinds of queries "on a regular basis" and saying they were assisting the unnamed law enforcement agency. A representative for the Eastern district of the U.S. attorney's office said they had nothing to share about a potential investigation.

Ma also assailed a former employee's sexual harassment lawsuit, again reading a prepared statement calling it a "frivolous" effort to force a settlement by threatening her career. Ma defended having shared lodging with her accuser Judith Blackwell as an "accommodation" for the "very desperate, serious" Covid-19 situation in which essential employees were coming into the office but hotels were shuttered.

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But she conceded she could have handled things differently: "Maybe I should have just come and stayed at a hotel by myself or not rented an Airbnb with anyone."

Waukeen McCoy, the attorney representing Blackwell, said in an email that a court allowing some claims to proceed to trial established the case was not frivolous. "No one has threatened Ma's career, she is the party that wanted to resolve the matter with money, just as long as she got dismissed out of the case first, so it would not impact her career," he said. Ma has repeatedly said she's never offered a settlement. **— Jeremy B. White**

NEW! AN EXCLUSIVE CALIFORNIA BALLOT-MEASURES COVERAGE TEAM: The impact that ballot measures have on California residents, industries, and Legislature is enormous. From settling broad cultural questions to changing obscure governance rules, ballot measures in essence, have become the fourth branch of government in the most influential state capital in the U.S. As your go-to source for reporting on Golden State politics, policy, power, POLITICO has formed a new ballot measure team in California that will deliver in-depth insights into the strategies, policy ideas, personalities, money and influence driving ballot measures. LEARN MORE.

ON THE BEATS

KOUNALAKIS TALKS TOUGH — Lt. Gov. Kounalakis had harsh words for the University of California and its handling of campus protests at a meeting of the Jewish Public Affairs Committee of California this morning.

Speaking to a crowded ballroom in downtown Sacramento, the lieutenant governor and University of California regent (who is running for governor in 2026) said the UC system was unprepared for the protests that disrupted classes in the final weeks of the spring semester.

She also said the system's campus-by-campus approach resulted in troubling inconsistencies in its response.

"We're in the summer now and, largely, it's been deescalated," she said. "But we have a lot of work to do now."

Kounalakis spoke passionately about the need to clearly define what speech and behavior is prohibited for students and faculty. She recounted a tweet from a UC Davis professor threatening Jewish journalists as an example of what shouldn't be tolerated.

"If that does not cross a line of a code of conduct, my God, what does?" she said to uproarious applause.

She spoke against the movement calling for divestment from Israel, saying students have been swept up in a "wave of misinformation" and that they need to be reeducated.

"We have the summer to really clarify how we are going to go about taking control of our campuses back for all of our students," Kounalakis said in closing, earning her a standing ovation. **— Lara Korte**

HEALTHY DEBATE: Newsom and his administration are on the defensive as lawmakers and health groups excoriate its latest proposed cuts to health care programs.

At a budget subcommittee hearing today, lawmakers repeatedly asked state agency representatives how they expected the state's poorest patients to get access to care when the May budget revision would cut planned payments to many safety-net providers and hospitals. Lawmakers also objected to reductions to Indian health grants, public health and youth behavioral health programs.

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"This is a really deep cut," said **Jim Wood**, the former Assembly Health committee chair. "It feels like this population doesn't matter anymore, like our hospitals don't matter anymore. I'm shocked, I'm almost beyond words."

Throughout the hearing, the administration reiterated that it was a difficult year and that every decision to cut was a hard one.

"I understand your concerns, they do not fall on deaf ears," said a budget analyst from the Department of Finance. "We are facing a very serious budget shortfall, and it was very difficult to find money to solve for that."

Newsom himself defended his budget decisions on Tuesday, arguing the state was still providing "unprecedented support" to Medi-Cal in response to a question from POLITICO.

"There's no administration that we know of in the United States that has done more work to address the provider payments," he said. **— Rachel Bluth**

PROBING QUESTIONS: The House education committee announced an investigation of UCLA's handling of antisemitism and protests today, demanding a broad swath of documents a week before embattled Chancellor **Gene Block** is set to appear before the panel.

Chair **Virginia Foxx** previously summoned Block and the presidents of Rutgers and Northwestern universities to be questioned on campus antisemitism, after her committee grilled four other college leaders over the issue. The North Carolina Republican has opened probes and sent documents requests to presidents who've already been questioned, and she formally launched an inquiry into Northwestern's handling of campus antisemitism on May 10.

Foxx's directive to UCLA cited reports of pro-Palestinian protesters setting up checkpoints around campus that prevented self-identifying Zionists from moving freely about the campus. It also criticized the delayed campus police response to a violent attack on a pro-Palestinian encampment last month.

The committee requested records of university officials' communications on the encampment and on antisemitism — not just at UCLA, but at the UC Office of the President — as well as video surveillance of protests. **— Blake Jones**

A message from California Resources Corporation:

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WHAT WE'RE READING TODAY

— Tesla's fourth straight week of layoff announcements is hitting the Bay Area hard. The latest wave will lay off 378 employees in Fremont and 223 in Palo Alto. (Los Angeles Times)

— Nevada Gov. Joe Lombardo sent Newsom a letter warning him against capping profits for oil refineries that could hike his own state's gas prices. Newsom says it's a stunt. (POLITICO)

— Vermont Sen. Bernie Sanders is backing two California ballot measures: one on rent control and one on restricting oil drilling. (Los Angeles Times)

THE GOLD STANDARD OF DEFENSE POLICY REPORTING & INTELLIGENCE: POLITICO has more than 500 journalists delivering unrivaled reporting and illuminating the policy and regulatory landscape for those who need to know what's next. Throughout the election and the legislative and regulatory pushes that will follow, POLITICO Pro is indispensable to those who need to make informed decisions fast. The Pro platform dives deeper into critical and quickly evolving sectors and industries, like defense, equipping policymakers and those who shape legislation and regulation with essential news and intelligence from the world's best politics and policy journalists.
Our newsroom is deeper, more experienced, and better sourced than any other. Our defense reporting team—including Lara Seligman, Joe Gould, Paul McCleary, Connor O'Brien and Lee Hudson—is embedded with the market-moving legislative committees and agencies in Washington and across states, delivering unparalleled coverage of defense policy and the defense industry. We bring subscribers inside the conversations that determine policy outcomes and the future of industries, providing insight that cannot be found anywhere else. Get the premier news and policy intelligence service, **SUBSCRIBE TO POLITICO PRO TODAY.**

AROUND THE STATE

— Jane Fonda Day could be rescheduled after an outcry from LA County's Vietnamese community.County leaders initially chose a date coinciding with "Black April," commemorating the fall of Saigon. (East Bay Times)

— General Motors' autonomous taxi unit reached a settlement for over $8 million with a pedestrian who was dragged by one of its self-driving vehicles in San Francisco. (Orange County Register)

— A committee of California lawmakers voted to audit a multi-million dollar settlement between an airshow operator and Huntington Beach over damages caused by an oil spill in 2021. (Los Angeles Times)

A message from California Resources Corporation:
Californians need reliable energy to power our busy lives. California Resources Corporation (CRC) is committed to providing innovative carbon management solutions while powering our local communities with the low-carbon energy they need. CRC's carbon management business, Carbon TerraVault, is developing pathways to help deliver the deep emissions reductions needed for our net zero future.

CRC provides real solutions to advance the energy transition and empower California to achieve carbon neutrality by 2045. CRC's 2045 Full-Scope Net Zero Goal for Scope 1, 2 and 3 emissions places the company among a select

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few industry peers to include scope 3 emissions in their net zero goal. CRC's Carbon TerraVault enables the capture and permanent storage of carbon dioxide deep underground - helping decarbonize our local economies and mitigate climate change in California and beyond.

Get The Facts on CRC's Carbon TerraVault

CLARIFICATION: California Playbook PM has been updated to clarify state Treasurer Fiona Ma's position that she never offered a settlement to a former employee who has accused her of sexual harassment.

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EXHIBIT NO. 81

PERB Received
09/19/24 11:03 AM

Fwd: Fw: Plainclothes Officer

From [redacted]

To [redacted]

Date Monday, August 19th, 2024 at 3:53 PM

They never responded to her.

Forwarded message

[redacted]

From: [redacted]

Sent: Thursday, April 25, 2024 1:52 PM

To: Denson, Mike <Mike.Denson@ucsf.edu>

Cc: [redacted]

Subject: Re: Plainclothes Officer

Hi All,

Thank you very much for this additional information, Chief Denson, and for including me in the conversation, Dr. Marya. So others are aware, Chief Denson and I were emailing on a separate thread. I've pasted the questions I asked yesterday below. I would still love answers to those questions if possible. I am really interested in understanding both what happened, what to expect in the future, and if there are gaps in communication with faculty, staff and learners about UCSF PD policies that should or could be filled.

I wonder if there are written policies somewhere about UCSF PD involvement with campus events? As I mentioned in our other email thread, I've been at UCSF for many years as a student, fellow, and faculty member and I have never experienced UCSF PD being sent to an event this size (pretty small). I wonder if more communication is needed across campus for folks to be aware of this possibility and what our rights and responsibilities are if or when police arrive. Perhaps this is my own naivete but it just never occurred to me that UCSF PD might be monitoring our social media activities. I'm glad to now be aware, though I'll admit it makes me uncomfortable. I'll also note, I'm still confused about why, if the UCSF PD was concerned about the event, they didn't notify the organizers. If there was some kind of threat or worry about a disturbance, it would seem logical for us to be notified so we can determine if we needed to make any changes to our program. I can very much appreciate that Dr. Marya has received threats and there were concerns and that you have been tasked with protecting our community. I can see why this decision was made. But I would have thought she or our organizing team would have been notified that it was determined additional surveillance was warranted. Can you explain why that wasn't the first step?

I also feel compelled to mention what I am sure is well known to all: the presence of police, plain clothed or uniformed, does not carry the same meaning or construct the same ideas of safety for all in our community. The

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presence of police made some at our event feel less safe. The officers who arrived were perfectly nice and respectful. They did their jobs as directed (I assume). And still the presence of policing and our interaction with the officers changed the tenor of the event. My students were shaken. I was shaken. These questions of how best to grapple with conflicting views and difficult conversations (and potential disruptions) were at the center of our event. Seeking ways to advance scholarship and knowledge through healing and community are core values of our organization. If asked, we would have much preferred that our event was "disrupted" by someone with a different viewpoint. If there was concern about a potentially violent situation, we would of course want to be notified to determine if or how the event should proceed (that is scary and horrifying to us all). But/And, I feel strongly that *disruption* is a part of academic freedom and our work on a university campus. If I had been notified of an intention to protest, interrupt, disrupt, I would have still requested there to not be an officer present and would have instead wanted to think through how to have a potentially difficult conversation in our space.

I think what it boils down to is that we (me/my lab and the UCSF PD) have a different idea of our shared mission. We have a different definition of a safe and welcoming environment. I also don't think I have a right to pursue work without interruption conflicting ideas is a part of our work. I'm sure others on campus have a very different conception of all of these terms than I do! They may approach this very differently. Again, I think that's ok as long as there is awareness of potential gaps. I'm curious how best to make sure that these potentially divergent (or at least not fully shared) missions are known and how these conversations can happen prior to instead of during and after events. I know that UCSF PD has been working with the Office of Diversity and Outreach to think through really challenging topics — much much bigger than our small event and these post-hoc questions. I don't know if that is the right venue for me to raise some of these concerns I'm happy to do so.

My big questions rights now:

1. Can someone send me any existing policies that I should be aware of that relate to these topics? (I've looked at the policies on UCSF PD website but mostly found things related to student organization events and those not affiliated with UCSF). Specifically, I would like to know:
    1. My rights as a faculty member (but also for others in our community) if UCSF PD show up to an event. I didn't know what to tell my students because I didn't know what questions to ask either. I felt quite unprepared.
    2. Policies for notification that UCSF PD are monitoring an event or a discussion online. How and when are UCSF community members informed of this?
    3. Policies and procedures for UCSF PD notifying UCSF community members about concerns about threats or disturbances. Is it abnormal we were not informed prior to police arriving?
    4. How plans to have officers at events are communicated with event organizers. Again, would or should we be notified in advance?
2. If these policies do not exist, is there a plan to formalize or create them?
    1. Given the activities happening across our country this week, I'm realizing how woefully undereducated I am about the relationship between UCSF, UCSF PD and SFPD when it comes to topics like disruptions or protest. It seems there are guidelines for students and those not affiliated, but I'm not sure how events like ours fit in and I would just like to know more about my rights as a faculty member and member of the community and how best to communicate with UCSF and UCSF PD about concerns or with ideas about practices.
    2. Does or should the academic senate play a role in this?
    3. I know there is already a CAB made up of UCSF community members — I'm happy to direct these questions there as well

Thank you all so much for your attention to this matter! Apologies for the length I'm really trying to grapple with the complexities of policing and the university. These are hard and important conversations. I've appreciated the willingness of all of you, and your lieutenant and officers, Chief Denson, to engage in this conversation with me.

PERB Received
09/19/24 11:03 AM

[redacted]

Best,

[redacted]

Prior questions sent to Chief Denson:

Can you please share:
How the UCSF PD became aware of the event?
- Who asked or recommended that the UCSF PD attend the event and how those decisions are made? (I've been involved in several much larger events this year where we didn't encounter this that we were aware of).
- The officer mentioned the name of one our participants - it was not an organizer or even a keynote speaker so I wanted to know why that speaker was mentioned. Can you please clarify?
- Can you please clarify the directives these officers would have received? I'm just not sure I'm clear who was being protected or what they were there to observe or potentially intervene upon. What disruptions? What does that mean?
- Is there usually a process for notifying event organizers? Or can you clarify what we should do in the future if this happens? My students were the ones who greeted the officers and were very confused and I felt I left them unprepared.
Relatedly, and this is challenging, but were the officers armed? Having weapons present in a learning space feels quite counter to the mission of a safe and welcoming environment so again, trying to understand both what happened to communicate with the rest of the team and how to address or ask these questions if this should come up in the future.

[redacted]

University of California, San Francisco

[redacted]

> On Apr 25, 2024, at 12:02 PM, Denson, Mike <Mike.Denson@ucsf.edu> wrote:
>
> [redacted]
>
> One of the UCSF PD's most important responsibilities is to ensure a safe environment for our faculty, students, staff, and patients. As you know, some college campuses have seen attempts to interrupt speakers or otherwise shut down official events.
> Given these recent incidents, the UCSF PD stays informed about UCSF's event schedule and monitors social media in order to assess the potential for disruptions. Coupled with your prior reporting to the UCSF PD that you have received threatening email, we became concerned that there could be an attempt to disrupt Monday's event. I assigned a plainclothes officer to the Emancipatory Sciences Lab event to help ensure that the speakers and participants could pursue their work and activities without disruption.
> Regards,
> <image002.png>
> Mike Denson | Chief of Police
> UCSF Police Department
> 654 Minnesota Street, Box 0238
> San Francisco, CA 94143

[redacted]

PERB Received
09/19/24 11:03 AM

[redacted]

415-571-4110
Pronouns: He/Him/His
For scheduling purposes, please email Ailene.Estalilla

From: [redacted]
Date: Wednesday, April 24, 2024 at 4:38 PM
To: Denson, Mike <Mike.Denson@ucsf.edu>, Lucey, Catherine <Catherine.Lucey@ucsf.edu>, Hawgood, Sam <Sam.Hawgood@ucsf.edu>
Cc: [redacted]
Subject: Re: Plainclothes Officer

Thank you, Mike.
I do have several questions. Because of harassment I've endured from UCSF (including from Catherine Lucey herself) for my speech and because of the various tactics to repress free speech through intimidation often involving police on US campuses right now, I am concerned that you sent an officer to my presentation without informing me or the organizer of the conference, Dr James.
Who alerted you to my presence and who asked you to send an officer to my talk?
The officer said he was specifically there for me and mentioned me by name to several attendees. Do you routinely send police officers to specific faculty member's talks? Was there a concern about that something would interrupt our ability to safely conduct the conference? Was there a threat you or someone else was concerned about? If there was concern, why were we not directly alerted?

Thank you,
[redacted]

From: Denson, Mike <Mike.Denson@ucsf.edu>
Sent: Wednesday, April 24, 2024 12:55 PM
To: [redacted] Lucey, Catherine <Catherine.Lucey@ucsf.edu>; Hawgood, Sam <Sam.Hawgood@ucsf.edu>
Subject: Plainclothes Officer

Dear [redacted],

Provost Lucey shared your email with me and I want to take this opportunity to answer your question about the plainclothes officer I assigned to the Emancipatory Sciences Lab event on Monday, April 22.

A key priority for the UCSF PD is to help ensure that UCSF faculty, students, staff, and patients have the ability to pursue their work and activities at UCSF in a safe and welcoming environment free from disruption. The organizers and participants of all official UCSF events have a right to pursue their work without interruption, and I regularly assign my officers to UCSF events in support of our shared mission.

I hope this information is helpful. Please reach out if I may answer any additional questions.

Sincerely,

<image001.png>
Mike Denson | Chief of Police

[redacted]

[redacted]

PERB Received
09/19/24 11:03 AM

UCSF Police Department
654 Minnesota Street, Box 0238
San Francisco, CA 94143
415-571-4110
Pronouns: He/Him/His
For scheduling purposes, please email Ailene.Estalilla

[redacted]

PERB Received
09/19/24 11:03 AM

EXHIBIT NO. 82

PERB Received
09/19/24 11:03 AM

Re: [redacted] Re: Letter To the UCSD [redacted]

[redacted]

Fri 11/17/2023 5:28 PM

[redacted]

I will be the third faculty member to call a meeting. Thanks, [redacted]

[redacted]

UC San Diego

From: [redacted]
Sent: Friday, November 17, 2023 4:58:06 PM

[redacted]

Subject: Re: [redacted] Re: Letter To the UCSD [redacted]

Thank you! As mentioned, we can set aside time on 11/22 for scheduling or you can proceed with the on-line scheduler-- (whenisgood, doodle, etc.).

[redacted]

[redacted]

Professor and Chair

[redacted]

Tthe University of California, San Diego, as well as the cities of La Jolla and San Diego where our university is located, and the US-Mexico border nearby are all located on the traditional and ancestral lands of the Kumeyaay/Kumiai People, who maintain their political sovereignty.]

PERB Received
09/19/24 11:03 AM

From: [redacted]
Sent: Friday, November 17, 2023 4:49 PM
[redacted]
Subject: Re: [redacted] Re: Letter To the UCSD [redacted]

I will be the third person [redacted]

Get Outlook for Android

From: [redacted]
Sent: Friday, November 17, 2023 4:47:42 PM
[redacted]
Subject: Re: [redacted] Re: Letter To the UCSD [redacted]

Hello all,

As both [redacted] and [redacted] have called for a meeting, upon a third member calling the meeting, we can convene an official department meeting.

As we only have one item on the agenda for 11/22, I believe we will be able to set aside a portion of time at the end of that meeting for folx to try to schedule the meeting (I think it is reasonable that at least one more person will join [redacted] and [redacted] in the call by that point).

Alternately, conveners may use one of the scheduling tools to send out a call and schedule the meeting. It seems possible (likely?) you will need more than one meeting. Traditionally, when we have had additional department meetings to discuss department response to matters beyond traditional academic realm (as for the meeting discussing department response to the Cops on Campus Coalition and that of the wildcat strike of a few years back), Fridays seem to work.

Traditionally, the department chair neither attends nor facilitates these meetings; that's just past practice (with good reasons for it), not a "rule," though.

[redacted]

[redacted]
Professor and Chair
[redacted]

PERB Received
09/19/24 11:03 AM

[redacted]

Tthe University of California, San Diego, as well as the cities of La Jolla and San Diego where our university is located, and the US-Mexico border nearby are all located on the traditional and ancestral lands of the Kumeyaay/Kumiai People, who maintain their political sovereignty.]

From: [redacted]
Sent: Friday, November 17, 2023 3:16 PM
[redacted]
Subject: Re: [redacted] Re: Letter To the UCSD [redacted]

Ok I'll second the call for another meeting and am interested in hearing oughts, strategies, feelings, and all. There are some important reasons I can imagine Chair[redacted] may not be the best-positioned among us to make this important call for faculty discussion, and I appreciate any skillful nudges to make it happen.

Yours truly,

[redacted]

On Nov 17, 2023, at 2:33 PM, [redacted] wrote:

Hi Folks,

These are no times for internal fights but to act together.

So, I am formally calling here for a department meeting to coordinate a statement. I need, however, two other faculty members to back up my call as three are needed.

[redacted]

PERB Received
09/19/24 11:03 AM

From: [redacted]
Date: Friday, November 17, 2023 at 1:10 PM
[redacted]
Subject: [redacted] Re: Letter To the UCSD [redacted]

[redacted] it is deeply, profoundly inappropriate for you to copy internal faculty business to students, especially since the email address we received is not a UCSD email address. You are also copying [redacted] who is our MSO and not a member of the faculty.

I am one of the earliest signatories to PACBI, in case you are interested, having signed on in late 2008. If you are horrified by this department's response then take action.

Is identity politics our dominant form of discourse? Well, I too am a queer refugee. And someone who worked in Palestine for many years, and have intimate and long-standing political and personal connections to the region and the people who live there.

If you want to call a meeting, call a meeting. If you want to write a statement, write a statement. Keep it on point, my colleague.

[redacted]

[redacted]
Professor and Chair
[redacted]

[redacted]

Tthe University of California, San Diego, as well as the cities of La Jolla and San Diego where our university is located, and the US-Mexico border nearby are all located on the traditional and ancestral lands of the Kumeyaay/Kumiai People, who maintain their political sovereignty.]

From: [redacted]
Sent: Friday, November 17, 2023 12:22 PM

PERB Received
09/19/24 11:03 AM

[redacted]

Subject: Re: Letter To the UCSD [redacted]

I am disappointed, horrified, humiliated, and ashamed by the non-response of the [redacted] to the ongoing genocide in Gaza.

Our department chair [redacted] response to the faculty on 10/11:

"Dear colleagues,

I wanted to express my concern that recent unfolding events in the Middle East have had a profound impact on our students and faculty and members of the UCSD community. Many of us have deep connections to the region and have loved ones in Israel and Palestine that we are all very concerned about. Some of those in our community have already lost people in the ongoing violence. Please take care with yourself and your students and your colleagues during these difficult moments.

[redacted]

In an email from a faculty requesting an agenda to the weekly faculty meeting, he wrote:

"Thanks for your note.

The rest of the quarter's department meeting agendas are completely full with 4th year appraisals and promotion cases, so any meeting on doing a department statement would need to be a specially planned meeting outside the Wednesday at 12pm timeslot. We can announce at the meeting to that you (and others?) are planning to call this meeting; according to our by-laws, any three members of the department can call a meeting. We can use the faculty list to schedule it.

[redacted]

These emails suggest that Chair [redacted] and dept leadership view the ethnic cleansing / genocide in Gaza as a blip" in world events and that we as the department should progress as usual. The department is simply conforming to "business-as-usual."

On Nov 7, Chair [redacted] called the faculty's attention to:

"A few people have written to me asking whether our department will be making its own statement. That is not a question for me, but a question for you. My job as chair is to administer this department by the policies and guidelines this faculty determines. It is not the role of the chair to drive department opinion and stances, particularly on matters of such political urgency. Per our current bylaws, any three faculty members can call for a department meeting, though any such meeting would

PERB Received
09/19/24 11:03 AM

need to take place outside of our normal meeting time as *each* Wednesday meeting between now and the end of the quarter has a full agenda already slated.

In addition, you may be interested in the guidelines and recommendations released by the UC Academic Senate and UCAF (committee on Academic Freedom) as far as describing "department speech" vis-a-vis statement on public events, etc.:

https://urldefense.com/v3/__https://senate.universityofcalifornia.edu/_files/reports/rh-senate-divs-recs-for-dept-statements.pdf__;!!Mih3wA!CoIxW27vqTVjz3dFNp8zINJ1xsdFqsXsd3NsbhIWDXXMv_kKlh63LJB8BovJcPHCZ-vQT8EPmPwvNXD6ozlWKlB_Wg$”

To invoke identity politics, as it is the dominant discourse in 2023 of the department, I speak as queer Vietnamese American refugee. I grew up in 1970s Vietnam where we were in constant surveillance.

I remember being subjected to a public critique as a 6-year-old in my Communist youth group. The current environment in the [redacted] Dept triggered this childhood memory.

Warm regards,

[redacted]

University of California, San Diego

[redacted]

From: [redacted]
Sent: Thursday, November 16, 2023 7:18 AM

[redacted]

Letter

[redacted]

Professor and Chair

[redacted]

PERB Received
09/19/24 11:03 AM

From: Writers For Palestine <writers4palestine@gmail.com>
Sent: Wednesday, November 15, 2023 7:32 PM
[redacted]
Subject: Letter To the UCSD [redacted]

Dear [redacted]

Pasted below is a letter from concerned graduate students in UCSD's [redacted] department. We write to you in the midst of our collective grief, and with great concern.

To the [redacted] Department at UCSD:

We write this statement as concerned graduate students of the UCSD [redacted] department, as academic workers and researchers, as international students, as people of varying settler and Indigenous backgrounds, as people in solidarity with the Palestinian people's struggle for liberation against a genocidal settler colonial military occupation. As we witness the atrocities taking place in Palestine, we also witness UC and UCSD campus leadership ignore, disparage, and misrepresent the struggle and history of Palestinian people. In the midst of [redacted] messaging released within the UC system, by other university campuses across the nation, and by our local and national representatives and institutions, we call upon our Literature department faculty to take an unapologetic stance against the Israeli occupation and genocide in support of Palestinian life and peoplehood. We welcome the endorsement of this letter and its release by our department.

We would like to uplift Students for Justice in Palestine (SJP) at UCSD in their condemnation of both the discriminatory email from Chancellor Khosla and the statement made by University of California Board of Regents. SJP writes that Khosla's "dangerous and discriminatory statement… sends the message to all minoritized students loud and clear: UC San Diego supports Israeli war crimes and is indifferent to… more than 75 years of ethnic cleansing and crimes against humanity." To echo the statement written by colleagues in Ethnic and Gender Studies programs across the UC system, we condemn violence "toward Palestinian students from Zionist supporters on UC campuses," including UCSD, "which took place in the last few [weeks] and in past instances where pro-Palestinian solidarity rallies, meetings, or events have taken place." We condemn "in the strongest possible terms the UC's failure to create a safe environment for Palestinian students and their supporters."

This dangerous environment is buttressed by policies that conflate anti-Zionism and anti-Semitism; these policies repress critical conversations and free political expression. In 2016, the UC Regents approved a policy linking anti-Zionism to anti-Semitism in the name of standing against "discrimination" and "intolerance." This move is a predecessor to what we are now witnessing across the western imperial core: a McCarthyite campaign that

PERB Received
09/19/24 11:03 AM

bills any critics of the Israeli state—Jewish, Palestinian, or otherwise—as anti-Semitic, thereby silencing any critical conversation around the lived realities of the Palestinian people. To quote a statement from the Jewish students at the CUNY School of Law, "[we] are steadfast in our belief that Zionism—as a political ideology predicated on theft and destruction—serves to imperil both Jews and Palestinians, even though its proponents only target the latter."

Palestinians and Jews alike deserve safety. But one group's safety is not and should not be predicated on the "right" to establish an ethnonationalist state on land that another group has lived on and stewarded for generations. We grieve the loss of lives in both Palestine and Israel. But it is precisely the historical and ongoing genocidal and apartheid military occupation and settler colonial dispossession of Palestinians by the Israeli state that keeps both Israelis and Palestinians unsafe. To claim otherwise erases the decades of unspeakable oppression Palestinians have faced under a Zionist settler colonial regime for over 75 years.
To police how Palestinians and their allies resist and to demand that they be "perfect victims" is to support the continuation of genocidal tactics that make Palestinian resistance necessary in the first place (Ethnic and Gender Studies statement).

In addition to the dangerous statements made by the Chancellor and the Regents, UCSD's ties to the defense industry (1) demonstrate the university's complicity and at times direct involvement with colonial and imperial violence. The university partners with Boeing, Northrop Grumman, and Lockheed Martin—to name a few companies—thereby directly producing or funding opportunities for student engineers to work for weapons manufacturers, all of which have been profiting from the Israeli genocide of Palestinians. In 2004, UCSD Extension was awarded a $150,000 grant to collaborate with the Technion Israel Institute of Technology to "foster the growth of the biotechnology clusters in the United States and Israel." As Chancellor Khosla himself writes in a summary of his work experience, he served as project manager for the Defense Advanced Research Projects Agency (DARPA) in 1996, the year DARPA mass produced The Predator Drone, a drone originally developed by an Israeli company, which launched "a new era" of silent engines that transformed drone warfare into a "covert" or quiet killer. UCSD as a public education institution is inextricable from its ongoing involvement in settler colonial projects enacted against the Palestinian people, against Indigenous, Black and brown people in the United States and along its US-Mexico Border, and against civilians targeted by drone strikes under the guise of the US's long list of military "interventions" and the supposed "war on terror" in Iraq, Afghanistan, Pakistan, Yemen, Syria, and Somalia.

At every New Writing Series reading in the department, we acknowledge that UCSD is on stolen land. This action will remain performative and hollow so long as the department doesn't publicly condemn Israel as a settler colonial state. As stated on our website, as a department, we "seek to develop critical and creative interventions that will shape and inform a sustainable and just future." How can we be a [redacted] Department that prides itself on critically engaged writing and research on [redacted] thought, a department that prides itself on bridging disciplinary fields, spaces, and peoples, and not take a stance on global issues of settler colonialism and militarism? We urge all who claim to be committed to [redacted] —to name just a few areas in our department—to not only think intersectionally about systems of power but also put theory into practice.

We demand that the [redacted] Department faculty:

1. Take a public stance in solidarity with Palestine.

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2. Provide active support for Palestinian, Arab, and/or Muslim students. (Here is a resource guide created by UCSD students.)
3. Create spaces and resources for students to learn more about the history of Palestine and their ongoing struggle for justice as well as to practice critical media literacy when bombarded by biased reporting and disinformation. We want to see courses, lectures, talks, panels, and more on Palestine.
4. Create spaces and resources for students to learn more about the military-industrial complex and how UCSD actively contributes to it. We do not want this to be discussed in the abstract or merely "gestured at."
5. Boycott institutions that have not, in writing or action, condemned Israel's brutal genocide of the Palestinian people. This boycott includes conferences, guest lectures, readings, performances, and any other form of labor the institution asks for, even if they were previously arranged. In this, we follow the lead of numerous other writers and artists in solidarity around the world.
6. Urge the university to support the BDS (Boycott, Divestments, Sanctions) movement.

Notes:

(1) UCSD's military involvement "began shortly after the first world war" according to the Scripps Institution of Oceanography at UC San Diego, which "became a hub of the University of California Division of War Research in 1941." UCSD has also collaborated with Naval Information Warfare Systems Command (NAVWAR) as recently as 2019. In addition, the UC has over 2 million dollars in holdings with BlackRock Inc., the world's largest investor in weapons manufacturing, private prisons, and fossil fuels.

Signed,

Concerned graduate students of the UCSD [redacted] Department

[redacted]

PERB Received
09/19/24 11:03 AM

EXHIBIT NO. 83

PERB Received
09/19/24 11:03 AM

CYNTHIA M. PALMER
ASSISTANT VICE CHANCELLOR
ACADEMIC PERSONNEL

9500 GILMAN DRIVE
LA JOLLA, CALIFORNIA 92093-0065
PHONE (858) 534-3133
FAX: (858) 534--2362

Corrected Notice due to Typo
December 13, 2023

[redacted]

RE: Notice of Investigation – Abusive Conduct in the Workplace Policy
[redacted]

Dear [redacted]

Academic Personnel Services (APS) has received a report of conduct alleging the following:

See attachment: " Re: Letter To the UCSD [redacted]"

As a result of this conduct, it has been alleged that you engaged in "inappropriate professional behavior" that has "compromised" the work of the department chair and has "created a hostile work environment".

UC San Diego takes such complaints seriously. After our initial review, it has been determined that the reported behavior may potentially violate the University of California Policy on Abusive Conduct in the Workplace, Regents Policy 2301, Regents Policy 4403, and other relevant guidelines and policies as applicable. As such, we are initiating an administrative investigation into the allegations. You are the subject of the investigation. This letter sets out the reported behavior(s), investigation process, and your rights, responsibilities, and obligations.

The investigator is tasked with conducting a full, fair, and independent investigation into the reported behaviors described above.

Investigation

An investigation conducted at the direction of Academic Personnel Services is an administrative investigation to determine whether the reported behaviors occurred and if so, whether the behaviors constitute a violation of University and/or Regent policies. The investigation is a University administrative process and not a legal proceeding. APS strives to complete the investigation process in a timely manner. The investigator is tasked with conducting a full, fair, and independent investigation.

PERB Received
09/19/24 11:03 AM

During the investigation process, the investigator will gather all of the relevant information and evidence that is reasonably available related to the reported behavior. You will be able to provide the investigator with evidence (emails, documents, etc.) that you would like them to review as part of the investigation, as well as a witness list. Before the investigation is completed, you will have the opportunity to respond to material points of evidence that will be included in the investigation report and ordinarily, this is done during your interview.

Please preserve any electronic and/or documentary records that may be relevant to the reported behaviors.

During the investigation process you may have an advisor present with you when you are interviewed and at any meeting or proceeding that is part of the investigation. Your advisor can be an attorney or anyone else who is not (a) a party to, or witness in, this investigation, or (b) your section head, your department chair or your dean. Please note that while the advisor may provide support and guidance, they may not speak on your behalf, or otherwise actively participate in or disrupt the investigation and resolution process. Please let me know **three business days** in advance if you plan to have an advisor present and the identity of your advisor, including their name and title.

At the conclusion of the investigation, a report will be submitted that will include factual findings and a determination regarding whether the University of California Policy on Abusive Conduct in the Workplace, Regents Policy 2301, and/or the Regents Policy 4403, and other relevant guidelines and policies as applicable were violated. You will be notified of the outcome of the investigation.

I will submit the investigation report to Executive Vice Chancellor Elizabeth H. Simmons. Any recommended disciplinary action taken as a result of the findings of the investigation will be in accordance with the University Policy on Faculty Conduct and the Administration of Discipline – APM 016.

Safeguarding of Privacy

The University will protect the privacy of individuals involved in the investigation process to the extent permitted by law and University policy.

Interview Request

APS has secured Meyers Nave to conduct this administrative investigation. Soon you will be contacted by Camille Hamilton Pating (cpating@ucsd.edu) to set up a mutually convenient time for an interview. While it has been campus practice to conduct such interviews in person, we are also able to conduct interviews remotely. During the interview, please ensure that your computer or other electronic device is capable of running the Zoom application, that your location has reliable Wifi connectivity, and that you are in a location where you can speak in confidence. We anticipate the interview to last approximately 2

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09/19/24 11:03 AM

hours, but that is subject to change. If you are unable to secure access to the technological requirements, an in-person interview will be scheduled. Please be advised that Meyers Nave has been hired solely to conduct an administrative investigation and is not acting as a legal representative of the University, as such, information shared with Meyers Nave will not be considered privileged.

Please note, under the California Business and Professions Code, external consultants engaged to conduct workplace investigations must either be state-licensed private investigators or state-licensed attorneys. While the designee who will be interviewing you will be an attorney, Meyers-Nave is not functioning as University counsel in its capacity as investigator for this matter.

The designee conducting the investigation will complete the investigation promptly, typically within 90 business days of notifying the parties in writing that a formal investigation of the complaint will be conducted. This timeline includes, interviews, review of statements and collected documents and submission of the final report. This time may be extended for good cause, with written notice to you and the Respondent of the reason for the extension and the projected new timeline. Please note that there are strict timetables for completing investigations to support due process and we must therefore ask you to prioritize your participation **before December 22, 2023**, prior to the campus closure.

Retaliation

Please be aware that University policy and state and federal law, strictly prohibit retaliation against anyone for filing a complaint, or for participating in an investigation. This includes anyone you know, or think you know, filed this complaint, or may have participated in this investigation. You are encouraged to avoid any behavior that could reasonably be interpreted as retaliatory, including not influencing, coaching, or intimidating participants in an investigation or interfering with the investigation.

This investigation is confidential. It will only be discussed with those inside or outside the University who need to know. At all times, APS strives to ensure the investigation process remains respectful for all who are involved. I ask for your cooperation in respecting the confidentiality of the investigation.

Resources

The following resources are available to you at any time:

UC San Diego Faculty & Staff Assistance Program (FSAP) – UCSD employees (Confidential)
Location: Torrey Pines Center South, 10280 N. Torrey Pines Road, Suite 406
Phone: 858-534-5523

Office of the Ombuds – UCSD employees (Confidential)
Location: Pepper Canyon Hall 402
Phone: 858-534-0777

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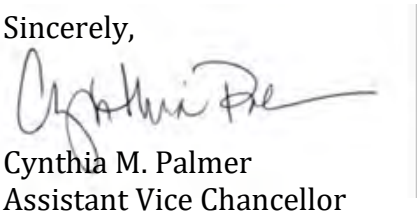
Please contact me as soon as possible if you have disability-related needs and wish to request reasonable accommodations to ensure your full participation in this process.

If you have any questions about this process please do not hesitate to contact Director of Academic Employee & Labor Relations, Lori Ayon. Ms. Ayon can be reached at layon@ucsd.edu.

Sincerely,



Cynthia M. Palmer
Assistant Vice Chancellor
Academic Personnel Services

Cc: EVC Simmons
Senior Associate Vice Chancellor Continetti
[redacted]
Director of Academic Employee & Labor Relations Ms. Ayon

Attachment: " Re: Letter To the UCSD [redacted]"

PERB Received
09/19/24 11:03 AM

Attachment

Re: Letter To the UCSD [redacted]

[redacted]

Fri 11/17/2023 12:22 PM

[redacted]

I am disappointed, horrified, humiliated, and ashamed by the non-response of the [redacted] to the ongoing genocide in Gaza.

Our department chair [redacted] response to the faculty on 10/11:

“Dear colleagues,

I wanted to express my concern that recent unfolding events in the Middle East have had a profound impact on our students and faculty and members of the UCSD community. Many of us have deep connections to the region and have loved ones in Israel and Palestine that we are all very concerned about. Some of those in our community have already lost people in the ongoing violence. Please take care with yourself and your students and your colleagues during these difficult moments.

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These emails suggest that Chair [redacted] and dept leadership view the ethnic cleansing / genocide in Gaza as a blip* in world events and that we as the department should progress as usual. The department is simply conforming to “business-as-usual.”

On Nov 7, Chair [redacted] called the faculty’s attention to:

“A few people have written to me asking whether our department will be making its own statement. That is not a question for me, but a question for you. My job as chair is to administer this department by the policies and guidelines this faculty determines. It is not the role of the chair to drive department opinion and stances, particularly on matters of such political urgency.

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https://urldefense.com/v3/__https://senate.universityofcalifornia.edu/_files/reports/rh-senate-divs-recs-for-dept-statements.pdf__;!!Mih3wA!CoIxW27vqTVjz3dFNp8zINJ1xsdFqsXsd3NsbhIWDXXMv_kKIh63LJB8BovJcPHCZ-vQT8EPmPwvNXD6ozlWKlB_Wg$”

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I remember being subjected to a public critique as a 6-year-old in my Communist youth group. The current environment in the Literature Dept triggered this childhood memory.

Warm regards,

[redacted]
University of California, San Diego
[redacted]

From: [redacted]
Sent: Thursday, November 16, 2023 7:18 AM
To: [redacted]
Cc: [redacted]
Subject: [redacted] Fw: Letter To the UCSD [redacted]

Letter

[redacted]
Professor and Chair

[redacted] PERB Received
09/19/24 11:03 AM

From: Writers For Palestine <writers4palestine@gmail.com>
Sent: Wednesday, November 15, 2023 7:32 PM
To: [redacted]
Subject: Letter To the UCSD [redacted]

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To the [redacted] at UCSD:

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place in the last few weeks and in past instances where pro-Palestinian solidarity rallies, meetings, or events have taken place." We condemn "in the strongest possible terms the UC's failure to create a safe environment for Palestinian students and their supporters."

This dangerous environment is buttressed by policies that conflate anti-Zionism and anti-Semitism; these policies repress critical conversations and free political expression. In 2016, the UC Regents approved a policy linking anti-Zionism to anti-Semitism in the name of standing against "discrimination" and "intolerance." This move is a predecessor to what we are now witnessing across the western imperial core: a McCarthyite campaign that bills any critics of the Israeli state—Jewish, Palestinian, or otherwise—as anti-Semitic, thereby silencing any critical conversation around the lived realities of the Palestinian people. To quote a statement from the Jewish students at the CUNY School of Law, "[we] are steadfast in our belief that Zionism—as a political ideology predicated on theft and destruction—serves to imperil both Jews and Palestinians, even though its proponents only target the latter."

Palestinians and Jews alike deserve safety. But one group's safety is not and should not be predicated on the "right" to establish an ethnonationalist state on land that another group has lived on and stewarded for generations. We grieve the loss of lives in both Palestine and Israel. But it is precisely the historical and ongoing genocidal and apartheid military occupation and settler colonial dispossession of Palestinians by the Israeli state that keeps both Israelis and Palestinians unsafe. To claim otherwise erases the decades of unspeakable oppression Palestinians have faced under a Zionist settler colonial regime for over 75 years.
To police how Palestinians and their allies resist and to demand that they be "perfect victims" is to support the continuation of genocidal tactics that make Palestinian resistance necessary in the first place (Ethnic and Gender Studies statement).

In addition to the dangerous statements made by the Chancellor and the Regents, UCSD's ties to the defense industry (1) demonstrate the university's complicity and at times direct involvement with colonial and imperial violence. The university partners with Boeing, Northrop Grumman, and Lockheed Martin—to name a few companies—thereby directly producing or funding opportunities for student engineers to work for weapons manufacturers, all of which have been profiting from the Israeli genocide of Palestinians. In 2004, UCSD Extension was awarded a $150,000 grant to collaborate with the Technion Israel Institute of Technology to "foster the growth of the biotechnology clusters in the United States and Israel." As Chancellor Khosla himself writes in a summary of his work experience, he served as project manager for the Defense Advanced Research Projects Agency (DARPA) in 1996, the year DARPA mass produced The Predator Drone, a drone originally developed by an Israeli company, which launched "a new era" of silent engines that transformed drone warfare into a "covert" or quiet killer. UCSD as a public education institution is inextricable from its ongoing involvement in settler colonial projects enacted against the Palestinian people, against Indigenous, Black and brown people in the United States and along its US-Mexico Border, and against civilians targeted by drone strikes under the guise of the US's long list of military "interventions" and the supposed "war on terror" in Iraq, Afghanistan, Pakistan, Yemen, Syria, and Somalia.

At every [redacted] in the department, we acknowledge that UCSD is on stolen land. This action will remain performative and hollow so long as the department doesn't publicly condemn Israel as a settler colonial state. As stated on our website, as a department, we "seek to develop critical and creative interventions that will shape and inform a sustainable and just future." How can we be a

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[redacted] that prides itself on critically engaged writing and research on [redacted], a department that prides itself on bridging disciplinary fields, spaces, and peoples, and not take a stance on global issues of settler colonialism and militarism? We urge all who claim to be committed to decolonial studies, feminist, queer and trans scholarship, Asian studies, critical refugee and immigration studies, and ecocriticism—to name just a few areas in our department—to not only think intersectionally about systems of power but also put theory into practice.

We demand that the [redacted] faculty:

1. Take a public stance in solidarity with Palestine.
2. Provide active support for Palestinian, Arab, and/or Muslim students. (Here is a resource guide created by UCSD students.)
3. Create spaces and resources for students to learn more about the history of Palestine and their ongoing struggle for justice as well as to practice critical media literacy when bombarded by biased reporting and disinformation. We want to see courses, lectures, talks, panels, and more on Palestine.
4. Create spaces and resources for students to learn more about the military-industrial complex and how UCSD actively contributes to it. We do not want this to be discussed in the abstract or merely "gestured at."
5. Boycott institutions that have not, in writing or action, condemned Israel's brutal genocide of the Palestinian people. This boycott includes conferences, guest lectures, readings, performances, and any other form of labor the institution asks for, even if they were previously arranged. In this, we follow the lead of numerous other writers and artists in solidarity around the world.
6. Urge the university to support the BDS (Boycott, Divestments, Sanctions) movement.

Notes:

(1) UCSD's military involvement "began shortly after the first world war" according to the Scripps Institution of Oceanography at UC San Diego, which "became a hub of the University of California Division of War Research in 1941." UCSD has also collaborated with Naval Information Warfare Systems Command (NAVWAR) as recently as 2019. In addition, the UC has over 2 million dollars in holdings with BlackRock Inc., the world's largest investor in weapons manufacturing, private prisons, and fossil fuels.

Signed,

Concerned graduate students of the UCSD [redacted]

To unsubscribe from this group and stop receiving emails from it, send an email to [redacted]

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CYNTHIA M. PALMER
ASSISTANT VICE CHANCELLOR
ACADEMIC PERSONNEL

9500 GILMAN DRIVE
LA JOLLA, CALIFORNIA 92093-0065
PHONE (858) 534-3133
FAX: (858) 534--2362

April 17, 2024

[redacted]

RE: Notice of Outcome – Abusive Conduct in the Workplace Policy, Regents Policy 2301, Regents Policy 4403

Case No.	[redacted]
Complainant	[redacted]
Respondent	[redacted]

Dear Professor [redacted]

I write to communicate to you the outcome of the investigation conducted in response to the complaint made on November 17, 2023.

It was reported that on November 16, 2023, the Complainant received an email from an anonymous email which claimed to be representing graduate students in your department. This email requested that department faculty consider making a statement on recent events in the Israel-Gaza war. The Complainant forwarded the letter to the faculty list. It was reported that on November 17, 2023, you wrote back to the faculty list, inappropriately cc'd the student group, and "attacked" him in your email reply. The Complainant reported that your "inappropriate professional behavior" had "compromised [his] work as department chair" and "created a hostile work environment" for him.

UC San Diego take such complaints seriously. As such, UC San Diego retained Meyers Nave to conduct an outside, independent investigation into the complaint and to assess whether the reported behavior may potentially violate the University of California Policy on Abusive Conduct in the Workplace, Regents Policy 2301, and/or Regents Policy 4403.

On December 13, 2023, Meyers Nave Investigators, Camille Hamilton, Suzanne Roten, and Brenda Verduzco, began an investigation of the above allegations. The investigation was conducted using information and statements offered by you and the Complainant as well as information gathered by the Investigators. The information was reviewed and weighed using a preponderance of the evidence standard. The investigation was concluded on April 10, 2024.

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Summary of Factual Findings and Determination as to Policy Violations

The following is a summary of the investigators' findings and assessment. For a full accounting of the investigation, including the analysis of the information gathered, please refer to the investigation report that accompanies this letter.

1. **Abusive Conduct in the Workplace**

The Investigators found the testimony of both you and the Complainant to be credible with respect to your concerns over the emotionally fraught issue of the Israel/Gaza conflict. The Investigators found that your November 17, 2023 email reply to the Complainant used charged language, including your declaration that you were "disappointed, horrified humiliated and ashamed by the non-response of the [redacted] to the ongoing genocide in Gaza." The Investigators determined that your email reply included statements that a reasonable person could find to be offensive and unrelated to the University's legitimate educational, employment, and business interests. The Investigators found that you stated in your email that, "[t]hese emails suggest that Chair Kazim and dept leadership view ethnic cleansing/genocide in Gaza as a blip* in world events and that we as the department should progress as usual. The department is simply conforming to 'business-as-usual.'" The Complainant reported that he found these statements to be offensive and unfounded. The Investigators noted that other faculty on the listserv responding to the email thread also recognized the hostility of the conversation by responding that "[t]hese are no times for internal fights."

The Investigators found that while your language in the email was objectively inflammatory, the facts do not establish that your single email rises to the level of an "especially severe or egregious" act under the Abusive Conduct in the Workplace Policy. Further, even taking into account that including the entire faculty listserv and the student group could amount to dozens of emails transmitted by you, the facts do not establish that the behavior was "sufficiently severe, persistent, or pervasive conduct" under the policy. The Investigators found that the facts amount to an expression of differences of opinion about academic decisions passionately held. Accordingly, the Investigators found there is insufficient evidence to establish a violation of the Abusive Conduct in the Workplace Policy. **NOT SUBSTANTIATED.**

2. **Regents Policy 2301: Policy on Course Content**

The Investigators found that the facts do not support a finding that you violated Regents Policy 2301. There is no evidence that your conduct had any impact on academic course content, nor were there any facts that you disrupted or misused the classroom. Furthermore, the Complainant confirmed that he had no evidence of any such classroom misuse by you and did not believe that you had violated Regents Policy 2301. Accordingly, the Investigators found there is insufficient evidence to establish a violation of this policy. **NOT SUBSTANTIATED.**

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3. Regents Policy 4403: Statement of Principles Against Intolerance

Lastly, the Investigators determined that the facts do not support a finding that you violated Regents Policy 4403. The Investigators found that the statements in your November 17, 2023 email do not rise to the level of anti-Semitism or discrimination based on any other protected category. The Complainant confirmed that he had no evidence of any discriminatory statements made by you and did not believe that you had violated the University's anti-discrimination policies. Accordingly, the Investigators found insufficient evidence to establish a violation of this policy. **NOT SUBSTANTIATED.**

In sum, the Investigators found insufficient evidence to substantiate the complaint. The Investigators found by a preponderance of the evidence that you did not violate the University of California Policy on Abusive Conduct in the Workplace, Regents Policy 2301, or Regents Policy 4403.

Next Steps

You have an opportunity to respond in person and/or in writing to the Executive Vice Chancellor. The purpose of this response is not to challenge the factual findings in the investigation report or present new evidence, but to provide you with an opportunity to express your perspective and address what outcome you wish to see. I will write separately to you to provide you with the manner and timeline for which you may submit this response. Your advisor may accompany you to this or any meeting related to the resolution of this matter.

Resources Available to You

We understand that this information may seem overwhelming, and that participating in a process like this can be stressful. The following resources are available to you at any time:

UC San Diego Faculty & Staff Assistance Program (FSAP) – (Confidential)
Location: Torrey Pines Center South, 10280 N. Torrey Pines Road, Suite 406
Phone: 858-534-5523

> The University Faculty and Staff Assistance Program (FSAP) is a free service which is designed to help all University employees (on a confidential basis) to resolve concerns that may be affecting personal well-being and/or job performance.

Office of the Ombuds – (Confidential)
Location: Pepper Canyon Hall 402
Phone: 858-534-0777
Website: https://ombuds.ucsd.edu/

> The Office of the Ombuds provides a confidential, safe space for students, staff, and faculty to talk about concerns and problem-solve issues arising from interpersonal and group conflict.

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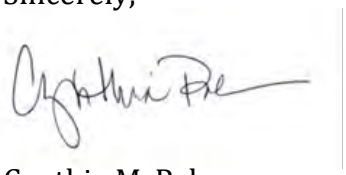
A Note Regarding Retaliation
Please note, the University has zero tolerance for retaliation. The Abusive Conduct Policy prohibits Retaliation (e.g., threats, intimidation, reprisals, or other adverse actions) against any person who reports Abusive Conduct, assists someone with a report of Abusive Conduct, or participates, in good faith, in an investigation or other process under the policy. Any such Retaliation is a violation of the policy, independent of whether the report of Abusive Conduct is substantiated. Should you believe that retaliatory conduct is occurring, please notify our office as soon as possible.

If you have any questions about this investigation, or the University of California and UC San Diego policies, or the content of this notice, please do not hesitate to contact me. I can be reached at c5palmer@ucsd.edu or at (858) 534-3133.

Sincerely,



Cynthia M. Palmer
Assistant Vice Chancellor
Academic Personnel Services

Cc: Elizabeth Simmons, Executive Vice Chancellor Academic Affairs
Robert E. Continetti, Senior Associate Vice Chancellor
[redacted]
Lori Ayon, Director, Academic Employee & Labor Relations

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CONFIDENTIAL

INVESTIGATIVE REPORT

for

UNIVERSITY OF CALIFORNIA, SAN DIEGO

Complainant:	Kazim Ali
Respondent:	[redacted]
Allegations:	Abusive Conduct Regents Policy 2301 Regents Policy 4403
Investigators:	Camille Hamilton Pating, Esq. Suzanne K. Roten, Esq. Brenda Ayon Verduzco, Esq.
Report Submitted:	4/10/2024

Camille Hamilton Pating
(SBN 122890)

meyers | nave

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I. SUMMARY

Meyers Nave ("Meyers Nave") was retained by the University of California, San Diego (the "University") to conduct an independent investigation ("Investigation") involving the Complainant, Professor and Chair of the [redacted] who filed a complaint on November 17, 2023 ("Complaint")[1] alleging abusive conduct and hostile work environment by the Respondent, Associate Professor in the [redacted] The purpose of this Confidential Investigative Report ("Report") is to make factual findings[2] and determine whether any of the University's workplace policies identified in the December 13, 2023, Notices of Investigation sent to Complainant and Respondent have been violated.

This report sets forth Findings of Facts, which are summarized below.

No	Allegation	Policy	Finding[3]
1.	Whether Respondent's conduct violated the University's policy against abusive conduct in the workplace?	UCSD Abusive Conduct in the Workplace Policy	**Not Substantiated**
2.	Whether Respondent's conduct violated the University's policy against intolerance and anti-Semitism?	Regents Policy 4403: Statement of Principles Against Intolerance	**Not Substantiated**
3.	Whether Respondent's conduct violated the University's policy addressing course content?	Regents Policy 2301: Policy on Course Content	**Not Substantiated**

[1] Complaint—Originating Email from Respondent to the Complainant (Nov. 17, 2023) (Exhibit 1 (hereinafter "Exh.")

[2] This report contains findings of fact, not conclusions of law.

[3] The standard of proof used in this investigation is the preponderance of evidence, or" more likely than not" standard. The following possible findings were utilized in this investigation:

SUBSTANTIATED—There is sufficient evidence, on a more likely than not basis, to prove the allegation.
NOT SUBSTANTIATED—There is insufficient evidence, on a more likely than not basis, to prove or disprove the allegation.
UNFOUNDED—The allegation has no basis in fact or has been disproved through the investigation.

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II. METHODOLOGY

The Investigators, Camille Hamilton-Pating, Suzanne K. Roten, and Brenda Ayon Verduzco obtained necessary background information, relevant documents, and formulated a list of witnesses to be interviewed. Once the scope of the investigation was determined and agreed upon, the Investigators operated with complete independence as to witness identification, interview content, and preparation of findings.

This Report is limited in scope to the key charges made in the Complaint against the Respondent. The findings, by necessity, do not seek to address each and every contention asserted during the course of this investigation. Instead, the findings examine what the Investigators believed to be the key charges made in the Complaint. Allegations or responses not specifically addressed in this Report were deemed by the Investigator to be redundant, cumulative, not materially different from other charges, or outside the scope of the investigation. The following analysis includes the allegations against the Respondent, the statements/interviews of relevant witnesses, a review of the relevant University policies, and the Investigators' findings, including determinations of credibility.

III. CREDIBILITY OF WITNESSES

The evidence gathered in the course of this Investigation supports the findings of fact, based on credibility determinations made pursuant to the U.S. Equal Employment Opportunity Commission's ("EEOC") standards for assessing witness credibility, which are contained in its publication entitled "Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors."

These factors are: (1) presence or absence of corroboration; (2) presence or absence of contradictions; (3) whether the facts are inherently improbable; (4) whether the witness has a motive to fabricate; and (5) presence or absence of declarations against interest.[4]

The Investigators interviewed all available witnesses believed to be necessary to reach conclusions about the key allegations. Witnesses with relevant information were identified by the parties (complainant and subjects) involved in this investigation. During the course of this investigation, the following individuals were interviewed:

Date	Witness	Title/Position
December 27, 2023	**Respondent**	Associate Professor, [redacted]

[4] U.S. Equal Employment Opportunity Commission, *Enforcement Guidance: Vicarious Liability for Unlawful Harassment by Supervisors*, Pub. No. 915.002 (June 18, 1999).

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January 10, 2024	**Complainant**	Professor and Chair, [redacted]

IV. RELEVANT UNIVERSITY POLICIES AND STANDARD OF REVIEW

The Investigators reviewed allegations against the Respondent of abusive conduct, discrimination/anti-Semitism, and inappropriate course content contrary to the University's policies prohibiting such behavior by University employees. The University initially identified in its Notices of Investigation potential violations of University policies including, 1) Abusive Conduct in the Workplace, 2) Regents Policy 2301; and 3) Regents Policy 4403.

A. Abusive Conduct in the Workplace

Abusive Conduct in the Workplace (effective January 1, 2023) prohibits abusive conduct by all University employees (*see* Exh. 7). In relevant part, this policy states:

> Abusive Conduct, including disruptive behavior, may erode morale and lead to stress; disrupt the functioning of the University community; and interfere with individuals' ability to learn, teach, research, and work. Abusive Conduct may occur in situations in which the Respondent has more, less, or equal relative power or authority than the Complainant. Abusive Conduct in violation of this policy is prohibited.

Under this policy, "abusive conduct" is defined as:

> harassing or threatening behavior that is sufficiently severe, persistent, or pervasive conduct in the Workplace that denies, adversely limits, or interferes with a person's participation in or benefit from the education, employment, or other programs or activities of the University. The conduct creates an environment, whether intended or not, that a reasonable person would find to be intimidating or offensive and unrelated to the University's legitimate educational, employment, and business interests.

"Workplace" is defined as:

> Any space where University business is conducted or occurs, in connection with University employment and/or in the context of a University program or activity (for example, University-sponsored study abroad, research, health services, or internship programs, as well as the online workplace).

The policy further provides that:

> The conduct shall be evaluated taking into account the circumstances of the parties, relationship between the parties (including power imbalance); the

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> frequency, nature and severity of the alleged conduct; whether the conduct was physically threatening; and whether the conduct may be protected as academic freedom or free speech. A single act may constitute Abusive Conduct, if especially severe or egregious.

In evaluating such allegations, the policy provides that a standard of a "reasonable person" shall be applied to determine whether conduct rises to the level of abusive conduct such that "a reasonable person in the same or similar circumstances would find the conduct hostile or offensive in the Workplace given the totality of the circumstances." While the intentions of the accused party may be considered, "it is not determinative."

The policy also provides examples of abusive conduct, including but not limited to the following:

- Use of abusive and/or insulting language (written, electronic or verbal)
- Spreading false information or malicious rumors
- Behavior, language, or gestures that frighten, humiliate, belittle, or degrade, including criticism or feedback that is delivered with yelling, screaming, threats, implicit threats, or insults
- Encouraging others to act, singly or in a group, to intimidate or harass other individuals
- Circulating photos, videos, or information via e-mail, text messages, social media, or other means without a legitimate business or educational purpose
- Repeatedly demanding of an individual that the individual do tasks or take actions that are inconsistent with that individual's job, are not that individual's responsibility, for which the employee does not have authority, or repeatedly refusing to take "no" for an answer when the individual is within the individual's right to decline a demand; pressuring an individual to provide information that the individual is not authorized to release (or may not even possess)
- Making threats to block a person's academic or other advancement, opportunities, or continued employment at the University without a legitimate business or educational purpose
- Sabotaging or undermining a person's work performance

The policy also provides examples that do <u>not</u> constitute abusive conduct, including but not limited to the following:

- Providing performance appraisals to employees, including negative appraisals
- Delivering constructive criticism
- Coaching or providing constructive feedback
- Scheduling regular or ongoing meetings to address performance issues
- Setting ambitious performance goals to align with departmental goals
- Investigating alleged misconduct or violation of University policy

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- Engaging in assertive behavior
- Having a disagreement
- Making unpopular statements or articulating positions on controversial issues
- Participating in debates and expressing differences of opinion about academic decisions
- Participating in a formal complaint resolution or grievance process
- Exercising academic freedom, including comments about scholarship, instruction within the classroom, different approaches to curriculum, opposing opinions about policy issues, or academic achievement, even if the content is considered insulting by the recipient and even if delivered passionately

B. Regents Policy 2301 - Policy on Course Content

Regents Policy 2301 (approved on June 19, 1970 and amended September 22, 2005) prohibits any department or instructor from distorting the instructional process in a manner that deviates from the responsibilities inherent in academic freedom (*see* Exh. 5). In relevant part, this policy states:

> Misuse of the classroom by, for example, allowing it to be used for political indoctrination, for purposes other than those for which the course was constituted, or for providing grades without commensurate and appropriate student achievement, constitutes misuse of the University as an institution.
>
> . . .
>
> Therefore, it is The Regents' policy that no campus, no academic college, no department, and no instructor distort the instructional process in a manner which deviates from the responsibilities inherent in academic freedom. The right of students to have their classes held on the regularly scheduled basis and to be taught by the instructor whose responsibility it is to teach the course in question is to be upheld.

The Investigators reviewed allegations of abusive conduct and hostile work environment under Regents Policy 2301. However, this policy does not provide definitions or examples of prohibited conduct related to abusive conduct and hostile work environment beyond those that are disruptive to academic course content. Instead, Regents Policy 2301 prohibits misuse of the University as an educational institution. Examples of violations of this policy include the "misuse of the classroom" and to "interrupt progress of an academic course" by "allowing it to be used for political indoctrination" or to "modify grading procedures to provide such discussion." Regents Policy 2301 applies to every University academic college, department, and instructor.

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C. Regents Policy 4403 - Statement of Principles Against Intolerance

Regents Policy 4403 (effective March 24, 2016) prohibits acts of intolerance on the University campus (*see* Exh. 6). In relevant part, this policy states:

> B. University policy prohibits discrimination based on race, color, national origin, religion, sex, gender, gender expression, gender identity, pregnancy, physical or mental disability, medical condition (cancer-related or genetic characteristics), genetic information (including family medical history), ancestry, marital status, age, sexual orientation, citizenship, service in the uniformed services, or the intersection of any of these factors. Prohibited discrimination arising from historical biases, stereotypes and prejudices jeopardizes the research, teaching and service mission of the University…
>
> …Anti-Semitism and other forms of discrimination have no place in the University. The Regents call on University leaders actively to challenge anti-Semitism and other forms of discrimination when and wherever they emerge within the University community.

The Investigators reviewed allegations of abusive conduct and hostile work environment under Regents Policy 4403. This policy prohibits discrimination on the basis of various protected categories, including "race, color, national origin, religion, sex, gender, gender expression, gender identity, pregnancy, physical or mental disability, medical condition (cancer-related or genetic characteristics), genetic information (including family medical history), ancestry, marital status, age, sexual orientation, citizenship, service in the uniformed services, or the intersection of any of these factors." It also specifically prohibits "anti-Semitism" as a form of discrimination.

The Regents Policy 4403 further provides that "[a]ctions that physically or otherwise interfere with the ability of an individual or group to assemble, speak, and share or hear the opinions of others…will not be tolerated." The policy provides limited examples including, "[h]arassment, threats, assaults, vandalism, and destruction of property" that constitute a violation of Regents Policy 4403.

V. FACTUAL CHRONOLOGY

The following facts were found by the Investigators to be true. Most of the facts were not in dispute; where factual disputes existed, the Investigator made factual determinations by applying the standards of credibility set forth in the EEOC Guidance.[5]

[5] According to the EEOC Guidance, the factors to be considered in determining credibility are corroboration/consistency of memory, demeanor, inherent implausibility, and motive to fabricate. U.S. Equal Employment Opportunity Commission, *Enforcement Guidance: Vicarious Liability for Unlawful Harassment by Supervisors*, Pub. No. 915.002 (June 18, 1999).

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1. On November 10, 2023, the UC Office of the President issued a Joint Statement with the Campus Chancellors on Intolerance and Campus Bigotry relating to the Israel/Gaza Conflict. (Exh. 8)

2. On November 15, 2023, "writers4palestine" Gmail account, a self-proclaimed graduate student group within the [redacted] emailed a letter to the Complainant requesting that [redacted] take "a stance against the Israeli occupation and genocide in support of Palestinian life and peoplehood" and welcoming endorsement of their letter and its release by the [redacted] (Exh. 1)

3. On November 16, 2023, the Complainant forwarded the email and its attached letter from the "writers4palestine" to the [redacted] faculty listserv, which included professors and lecturers, Person C, a Management Services Officer of the [redacted] but not the graduate student group, the writers4palestine. (Exh. 1)

4. On November 17, 2023, at 12:22 p.m., the Respondent responded to the Complainant and copied the [redacted] faculty listserv, including professors and lecturers, Person C, as well as the writers4palestine Gmail account. (Exh. 9)

5. In the November 17 email, the Respondent stated: "I am disappointed, horrified humiliated and ashamed by the non-response of [redacted] to the ongoing genocide in Gaza." The Respondent included excerpts in his email relating to the Complainant's correspondence with other faculty in which he provides information to faculty about the process for calling a special meeting to determine if the [redacted] would put out a statement on the Israel/Gaza conflict. In addition to these excerpts, the Respondent included text that stated "[t]hese emails suggest that [the Complainant] and dept leadership view the ethnic cleansing / genocide in Gaza as a blip* in world events and that we as the department should progress as usual. The department is simply conforming to 'business-as-usual'." (Exh. 9)

6. On November 17, 2023, at 1:09 p.m., the Complainant replied to the Respondent's email and stated: "[Respondent], it is deeply, profoundly inappropriate for you to copy internal faculty business to students, especially since the email address we received is not a UCSD email address." The Complainant's email also stated that he is "someone who worked in Palestine for many years" has "intimate and long-standing political and personal connections to the region and the people who live there." (Exh. 10)

7. On November 17, 2023, after the Complainant's reply email to the Respondent, faculty members along with Person A responded to the entire Department faculty listserv and stated, "I will be the third faculty member to call a meeting. Thanks, [Person A]." (Exh. 11)

8. The same day, Complainant filed a formal complaint with the University alleging that Respondent attacked him in his email response of November 17, 2023. Complainant also stated this email response by Respondent was inappropriate professional behavior, compromised his work as department chair, and created a hostile work environment.

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He believed it was inappropriate to cc the students and that he was at a loss as to how to reply.

9. On November 21, 2023, the Complainant emailed the entire faculty listserv announcing that the Chair will no longer be holding the Department meeting on the regularly scheduled Wednesday and could hold the time and space for discussions on Israel/Gaza. In that email, the Complainant stated that "[s]ome members did not receive the file materials planned for discussion and vote tomorrow, so we will need to move that discussion to 11/29." (Exh. 13)

10. On November 22, 2023, the [redacted] faculty held a regularly scheduled meeting involving a special item on the agenda that was the Israel/Gaza conflict and whether the Department would be issuing a statement. Both the Complainant and the Respondent report that it was a very productive meeting amongst all faculty, including graduate students. The Department ultimately does not reach a decision on whether it will make an official statement relating to the Israel/Gaza conflict.

11. On December 09, 2023, the newspaper publication, The Triton, publishes "Submission: Letter for Palestine from Members of [redacted]" which contains the same letter sent to the Complainant from the writers4palestine group. The newspaper article read: "This letter was originally written and sent to the UCSD [redacted] in late November. We are still waiting for a response. Although our faculty has formally failed to comment, we commit to continuing to work towards these demands and challenge others to do so as well. We urge other graduate students to compose similar letters and pressure their departments to take action." It closes with "Concerned members of the UCSF [redacted]" In its signature, the published letter now reads "members" where it once read "students." (Exh. 16)

VI. STATEMENTS PROVIDED BY COMPLAINANT

The Complainant provided the following factual information during his interview.

A. Events in the Immediate Aftermath of the October 7, 2023 Hamas Attack

After the events of October 7, 2023, involving the Israel/Gaza conflict, several faculty members raised issues about the "horrible things" taking place in the Middle East. The Complainant was approached by faculty inquiring about whether the [redacted] would issue a statement regarding the conflict. The Complainant responded to these requests by informing faculty that they could call for a special meeting regarding whether the [redacted] would issue a statement surrounding the Israel/Gaza conflict. As Chair, the Complainant reported that he did not wish to direct faculty regarding how the [redacted] would manage the Israel/Gaza conflict. The Complainant understood that the conflict deals with "incredibly sensitive issues" and as Chair, he was "not going to drive this issue."

On October 29, 2023, a faculty member wrote the Complainant an "angry" letter asking why the [redacted] was not releasing a statement on the Israel/Gaza conflict. The Complainant responded to this faculty on October 30, 2023, letting them know that faculty could call for a

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special meeting to draft a statement. On October 31, 2023, the faculty member responded to the Complainant stating that they would not be writing a statement, but the [redacted] should author a statement on the conflict. (Exh. 18)

In these communications, the Complainant told those who were interested in holding a department-wide meeting to address the Israel/Gaza conflict and potentially issue an official [redacted] statement, that faculty could call a specially planned department-wide meeting to do so. The Complainant told them that per the [redacted] by-laws, they needed three faculty to make the request. The Complainant explained that this needed to occur because at that point in the semester all regularly scheduled [redacted] faculty meeting agendas were full with faculty and graduate student appraisals (nineteen faculty performance reviews had already been calendared). A department-wide discussion on Israel/Gaza would need to take place during a specially planned meeting. However, no faculty member made the request for a specially planned meeting.

The Complainant reported that on November 10, 2023, the UCSD Chancellor made a statement regarding the Israel/Gaza conflict with which he believed many faculty disagreed. (Exh. 8) At the same time, the political environment around the subject was very tense and there were news reports of other university faculty around the country being called out for positions they took relating to the subject. The Complainant was aware of the rising tension and that the Israel/Gaza conflict was a sensitive topic among the [redacted] faculty at the University. The Complainant understood that some faculty desired to see the [redacted] publish an official statement. The Complainant stated that if faculty came together to issue a "democratic statement" for the [redacted] he would support it, but as Chair, the Complainant refused to force it upon faculty by saying, "I am not the mayor of the city."

B. The November 15, 2023 Email From "writers4palestine" and Respondent's November 16, 2023 Response

On November 15, 2023, "writers4palestine," an external account purporting to be a graduate student group within the [redacted] emailed a letter to the Complainant requesting that the [redacted] take "a stance against the Israeli occupation and genocide in support of Palestinian life and peoplehood" and welcomed endorsement of their letter and its release by the [redacted]

On November 16, 2023, at 7:18 a.m., the Complainant circulated this email and letter to the faculty listserv, which contained [redacted] professors and lecturers, and Person C, a Management Services Officer of the Department. The Complainant, however, did not include the graduate student group, the writers4palestine. (Exh. 1)

On November 17, 2023, at 12:22 p.m., the Complainant received an email reply from the Respondent that copied the faculty listserv, Person C, and also copied the writers4palestine group. (Exh. 9)

In the reply, the Respondent voiced his displeasure with the Complainant's failure to call a [redacted] faculty meeting regarding the Israel/Gaza conflict. The Respondent wrote that he was "disappointed, horrified, humiliated, and ashamed by the non-response of the [redacted] to the ongoing genocide in Gaza." The Respondent's reply included various excerpts from the

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Complainant's emails with faculty, with his own commentary added. In discussing the excerpts, the Respondent stated that the Complainant's recommendation for faculty to call a specially planned meeting, "suggest[ed] that [the Complainant] and dept leadership view the ethnic cleansing / genocide in Gaza as a blip* in world events." (Exh. 9)

C. The Complainant's Response to Respondent and the Impact of Respondent's Email on the Complainant

The Complainant felt publicly chastised by the Respondent. The Complainant was especially upset that the Respondent included the writers4palestine group in an email discussing internal [redacted] matters reserved for faculty only.

The Complainant reported that he responded to the Respondent's email reply that same day, on November 17, 2023, including the faculty listserv but he deleted the writers4palestine email because he wanted to "stem the flow" of information to outside the University. (*See* Exh. 10). In the Complainant's email response to the Respondent, he stated that he has personal and professional ties to Palestine, and called on the Respondent to take action if he was horrified by the [redacted] nonresponse and told the Respondent he could call a meeting if he wanted to. In fact, three [redacted] faculty members (not including the Respondent) called for a meeting which was held on November 22, 2023. (*See* Exh. 11) The Complainant recalled that many faculty members who supported Palestine thought a statement by the [redacted] would bring scrutiny and harm people. The Complainant reported that the Respondent attended the meeting but did not actively participate and made no comments during the meeting. The email communication from the Respondent on November 17, 2023, was not discussed. Ultimately, the faculty chose to not issue an official [redacted] statement on the Israel/Gaza conflict.

The Complainant felt that the Respondent should have addressed his concerns with the Complainant personally and privately. The Complainant stated that if the Respondent reached out to him directly, he would have supported the Respondent's request "100%," as he was more than willing to have a meeting if properly requested by the faculty. However, the Respondent did not request a meeting, but instead called the Complainant out publicly. The Complainant was also not sure what the Respondent meant by writing about the "identity politics" in the [redacted] as the dominant discourse and considered this a "mysterious comment." The Complainant was equally confused about being called out by the Respondent who identified himself as queer man of color because the Complainant also identifies as the same.

The Complainant reported that his relationships with faculty have suffered as a result of the Respondent's email. After the incident, the Complainant recalled inviting [redacted] lecturers to meet with him instead of normally meeting with the Vice Chair. After extending this invitation, however, the Complainant later heard that lecturers felt they were "being pulled into the principal's office," a characterization the Complainant believes was the result of the Respondent's email.

The Complainant also stated that a University newspaper, The Triton, published the writers4palestine letter, along with comments stating that the letter was sent to the [redacted] and that the [redacted] did not respond. Separately, the Complainant also heard that the graduate

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students considered the Respondent to be a hero for standing up to the Complainant, and that "[the Complainant is] a fascist who refused to condemn genocide and how craven our department is for not putting out a statement."

The Complainant considered the Respondent's email an effort to "tarnish" his reputation with graduate students. The Complainant described the fallout resulting from the Respondent's email as having left him "vulnerable" and "exposed outside the proper chain of communication" by the inclusion of the graduate student group. The Complainant explained that graduate students were on strike last year and had recently unionized. As the [redacted] Chair, the Complainant was responsible for negotiations and as a result the relationship was "not great." The Complainant stated that he was concerned that the Respondent's conduct could have a negative effect on his working relationship with the graduate student union as the [redacted] Chair.

VII. STATEMENTS PROVIDED BY RESPONDENT

The Respondent provided the following factual information during his interview.

A. The Writers4paslestine Email and Respondent's Response to the Complainant

The Respondent reported that he first saw the writers4palestine email and letter when the Complainant circulated it via the faculty listserv on November 16, 2023, at 7:18 a.m. The Complainant's email was directed to the faculty listserv, which contained [redacted] professors and lecturers, and Person C, a Management Services Officer of the [redacted] but the Complainant did not include the graduate student group writers4palestine.

The Respondent stated that on November 17, 2023, at 12:22 p.m., he responded to the Complainant and the entire faculty listserv, Person C, and also copied the writers4palestine group. The Respondent included the writers4palestine group because he was "motivated by a desire to amplify the concerns and voices of the students on this issue and bring the issues to the table." The Respondent wanted to use his position as a professor to ask for a meeting by the [redacted] to discuss the issues raised by the students. The Respondent repeated his assertion that all he wanted to do was "amplify the voices of the students," however, the Respondent was reluctant to explain himself further on this point or on the content of the writers4palestine letter. When asked if he would have done the same if the students had supported Israel, the Respondent refused to answer; he also refused to answer questions about whether he agreed with the statements contained in the writers4palestine letter. In both instances, the Respondent said the questions were not relevant and/or were outside the scope of the investigation.[6]

The Respondent's email response to the Complainant included various excerpts from the Complainant's email communication with the faculty, with the Respondent's own commentary added. The Respondent confirmed that in the email he wrote he was "disappointed, horrified,

[6] Person D attended the interview as the Respondent's "advisor," and Person D used the chat function to advise the Respondent not to answer these questions.

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humiliated, and ashamed by the non-response of the [redacted] to the ongoing genocide in Gaza." The Respondent maintained that the excerpts relating to the Complainant's proposal that faculty call a special meeting "suggest that [the Complainant] and department leadership view the ethnic cleansing / genocide in Gaza as a blip* in world events."

When Investigators asked why the Respondent chose to send a public email instead of contacting the Complainant in person or via a private email, the Respondent stated that he did not feel safe enough to raise the issue in person with the Complainant. He stated that as a "queer refugee" in "this national environment" he "felt it was safer to send a public email." The Respondent also stated that he was not directing his email response to the Complainant individually, but to the Complainant in his position as the Department Chair, whose role it was to hold meetings on matters relevant to faculty. The Respondent's email included excerpts of the Complainant's comments to the faculty, which the Respondent believed was justified because those comments came from the Complainant as the Department Chair.

B. The Complainant's Email Response to Respondent and its Impact on Respondent

The Respondent reported that the Complainant responded to his email that same day, including all the faculty listserv but not the writers4palestine group, and that the Complainant "chastised" the Respondent and "publicly humiliated him." The Respondent felt that the Complainant minimized his personal experience as a Vietnamese Queer person, which he included in the closing of his initial email to the Complainant. The Respondent felt humiliated and embarrassed by the Complainant's response.

The Respondent views the Complainant's Complaint to constitute retaliation against him for standing up to the Complainant. The Respondent stated that this is the Complainant's attempt to "silence [him]" for criticizing the Complainant's leadership of the [redacted] and for speaking up about Israel and Palestine. The Respondent claims that as the [redacted] Chair, the Complainant has power over him and had access to all the Respondent's records and promotion file.[7]

C. Events Subsequent to the Complainant/Respondent Email Exchange

The Respondent reported that four other colleagues responded to the email conversation thread between the Respondent and the Complainant, requesting that the [redacted] hold a special meeting to discuss the Israel/Gaza conflict. (Exh. 11) On November 21, 2023, the Complainant emailed the entire faculty listserv announcing that the regularly scheduled Wednesday [redacted] meeting could be used for a discussion of Israel/Gaza. (Exh. 12). The Respondent stated he felt proud that his email must have precipitated the change, because initially the Complainant told faculty there was no room to address that discussion on the agenda.

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[7] The Investigators note that the Respondent is a tenured professor in the [redacted] which provides job security and protects his ability to express himself freely, casting doubt on Respondent's statement that he sent his email because he did not feel "safe" addressing Complainant privately and that he had concerns about Complainant's "power" over him.

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The Respondent viewed the [redacted] meeting of Wednesday, November 22, 2023, as a very productive meeting amongst all [redacted] faculty, including graduate students. The Respondent felt it was apparent from the meeting that graduate students were desperate for information and just wanted to feel heard.

VIII. ANALYSIS AND FINDINGS

A. Allegation of Abusive Conduct by Respondent: Not Substantiated

The Complainant's allegations of abusive conduct and hostile work environment stem from his claim that the Respondent "attacked" him in his email reply of November 17, 2023. In his complaint, the Complainant stated this email response by Respondent was inappropriate professional behavior, compromised his work as department chair, and created a hostile work environment. He believed it was inappropriate to cc the students and that he was at a loss as to how to reply.

1. Abusive Conduct in the Workplace

The Investigators found the testimony of both the Complainant and the Respondent to be credible with respect to their concerns over the emotionally fraught issue of the Israel/Gaza conflict. The November 17, 2023 email reply by the Respondent to the Complainant used charged language demonstrative of that, including the Respondent's declaration that he was "disappointed, horrified humiliated and ashamed by the non-response of the [redacted] to the ongoing genocide in Gaza." (Exh. 9) The Complainant's reply to the Respondent similarly demonstrates the personal sensitivities involved when he claimed to be "someone who worked in Palestine for many years" and has "intimate and long-standing political and personal connections to the region and the people who live there." (Exh. 10)

The Respondent's email reply included statements a reasonable person could "find to be…offensive and unrelated to the University's legitimate educational, employment, and business interests" as provided for in this policy. (Exh. 7) The Respondent stated that, "[t]hese emails suggest that [the Complainant] and dept leadership view the ethnic cleansing / genocide in Gaza as a blip* in world events and that we as the department should progress as usual. The department is simply conforming to 'business-as-usual'." (Exh. 9) The Complainant reported that he found these statements to be offensive and unfounded, and the escalation of this online incident to a formal complaint within the same day adds weight to his sincere belief that he was offended and "at a loss as to how to reply." Other faculty on the listserv responding to the email thread also recognized the hostility of the conversation by responding that "[t]hese are no times for internal fights." (Exh. 11)

Despite the objectively inflammatory language contained in the Respondent's email, the University's policy against abusive conduct in the workplace contains a number of examples of conduct that generally does not constitute abusive conduct that apply in this case, and which lead the Investigators to conclude that the Respondent's conduct did not violate the policy. In particular, the abusive conduct policy states that the following acts do not constitute conduct that "a reasonable person in the same or similar circumstances would find the conduct hostile or offensive in the workplace given the totality of the circumstances":

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- Having a disagreement
- Making unpopular statements or articulating positions on controversial issues
- Participating in debates and expressing differences of opinion about academic decisions
- Participating in a formal complaint resolution or grievance process
- Exercising academic freedom, including comments about …opposing opinions about policy issues …even if the content is considered insulting by the recipient and even if delivered passionately

Accordingly, while the Respondent's language was objectively inflammatory within the confines of the online workplace and in connection with the business of the University, the facts do not establish that the Respondent's single email rises to the level of an "especially severe or egregious" act under the Abusive Conduct in the Workplace Policy. Furthermore, even taking into account that including the entire faculty listserv and the student group could amount to dozens of emails transmitted by the Respondent, the facts still do not establish that the behavior was "sufficiently severe, persistent, or pervasive conduct" under this policy.

Based on the credible testimony and the documentary evidence reviewed, the Investigators find that these facts amount to an expression of differences of opinion about academic decisions passionately held, which falls within behavior that generally does not constitute abusive conduct under this policy. Accordingly, the Investigators find there is insufficient evidence to establish a violation of this policy. **NOT SUBSTANTIATED.**

2. Regents Policy 2301: Policy on Course Content

In this Investigation, the facts do not support a finding that the Respondent violated Regents Policy 2301. There is no evidence that the Respondent's conduct had any impact on academic course content, nor were there any facts that the Respondent disrupted or misused the classroom. Furthermore, the Complainant confirmed that he had no evidence of any such classroom misuse by the Respondent and that he did not believe the Respondent violated Regents Policy 2301. Accordingly, the Investigators find there is insufficient evidence to establish a violation of this policy. **NOT SUBSTANTIATED.**

3. Regents Policy 4403: Statement of Principles Against Intolerance

In this Investigation, the facts do not support a finding that the Respondent violated Regents Policy 4403. The statements in the Respondent's November 17, 2023 email do not rise to the level of anti-Semitism or discrimination based on any other protected category. Furthermore, the Complainant confirmed that he had no evidence of any discriminatory statements by the Respondent and that he did not believe the Respondent had violated the University's anti-discrimination policies. Accordingly, the Investigators find insufficient evidence to establish a violation of this policy. **NOT SUBSTANTIATED.**

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IX. CONCLUSION

The Investigators found insufficient evidence to substantiate the Complainant's complaints that the Respondent violated the University's Abusive Conduct Policy based on his conduct on November 17, 2023. Similarly, the Investigators found insufficient evidence to substantiate a finding that the Respondent violated either Regents Policy 2301 or 4403.

X. TABLE OF EXHIBITS

Exh.	Description
1.	Originating Email from Respondent to the Complainant regarding the "writers4palestine" Letter to the UCSD [redacted] (Nov. 17, 2023) (Attachment to Case [redacted])
2.	Notice of Investigation from UCSD Assistant Vice Chancellor Cynthia Palmer to Complainant RE: Notice of Investigation – Abusive Conduct in the Workplace Policy, Regents Policy 2301, Policy 4403 (Dec. 13, 2023)
3.	Notice of Investigation from UCSD Assistant Vice Chancellor Cynthia Palmer to Respondent RE: Notice of Investigation – Abusive Conduct in the Workplace Policy Case [redacted] (Dec. 13, 2023)
4.	UC San Diego Policy & Procedure Manual Section: 510-1 Section IX (Oct. 4, 2010)
5.	UC Board of Regents Policy 2301: Policy on Course Content (Sept. 22, 2005)
6.	UC Board of Regents Policy 4403: Statement of Principles Against Intolerance (Mar. 24, 2016)
7.	UC Abusive Conduct in the Workplace: Statement of Principles Against Intolerance (January 1, 2023)
8.	Email from the UC Office of the President, Re: University of California President and Campus Chancellors Issue Joint Statement on Intolerance of Campus Bigotry (Nov. 10, 2023)
9.	Email from Respondent to Complainant and Literature Department Re: Letter to the UCSD [redacted] (Nov. 17, 2023)
10.	Email from Complainant to Respondent and Literature Department Re: Letter to the UCSD [redacted] (Nov. 17, 2023)
11.	Email from Person A to Complainant and Literature Department Re: Letter to the UCSD [redacted] (Nov. 17, 2023)

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Exh.	Description
12.	Email from Complainant to [redacted] Re: Department Meeting 11/22 (Nov. 21, 2023)
13.	Email from Respondent to Investigator Re: Confidential Correspondence – Interview Follow Up (Dec. 28, 2023)
14.	Email from Complainant to Investigator Re: Confidential Investigation UCSD Case [redacted] - Additional Documents (Jan. 10, 2024)
15.	Email from Complainant to Investigator Re: Newspaper Article (Jan. 10, 2024)
16.	UCSD Student Newspaper: The Triton: Community Op-Eds Opinion "Submission: Letter for Palestine from Members of the [redacted]" (Dec. 9, 2023)
17.	Email from Person B to Complainant Re: Silence (Oct. 29, 2023) - Forwarded by Complainant to Investigator on Jan. 10, 2024
18.	Email from Person B to Complainant re Fw: Meeting Tomorrow (Nov. 21, 2023) – Forwarded by Complainant to Investigator on Jan. 10, 2024
19.	Email from Person B to Complainant re Department Meeting 11/22 (Meeting at 11:00 AM Canceled) (Nov. 22, 2023)-Forwarded by Complainant to Investigator on Jan. 10, 2024

[redacted]

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EXHIBIT NO. 86

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UCI University of California, Irvine

Office of Academic Personnel
354 Aldrich Hall
Irvine, CA 92697 -1015
www.ap.uci.edu

May 28, 2024

[redacted]

RE: Letter of Warning – Reports of Concerning Conduct

Dear [redacted]:

This letter is a follow-up to your meeting on May 2, 2024 with your [redacted] Chair, [redacted] regarding reports of alleged conduct by you which, if true, may be inconsistent with University of California Academic Personnel Manual Section 015, *The Faculty Code of Conduct* (APM 015), Part II, Section A, Teaching and Students, and University of Califiornia Regents' Policy 2301: *Policy on Course Content.*

I understand that Dean [redacted] met with you on October 26, 2023, to counsel you regarding your cancellation of a class for which you were instructor of record to allow students to attend a protest related to the Gaza-Israel conflict. During that meeting, Dean [redacted] reviewed University policy regarding political advocacy in instruction and the prohibition against arbitrary denial of instruction to your students. [redacted] further counseled you about the inappropriateness of your action in cancelling your class.

More recently, [redacted] spoke with you about new reports the School received about conduct by you on May 1, 2024. On that day, it has been alleged that you requested that students in your Spring 2024 [redacted] class vote on a proposal to hold future class sessions at the "UCI Gaza Solidarity Encampment" site located near Rowland Hall on the UCI campus, noting that if the class meetings were moved to the encampment, attendance would be optional for those who felt uncomfortable in the new location. While your proposal would not have required all students to attend class at the encampment, it appears that students opting out were not offered an alternate means of receiving instruction.

Concerns were expressed that students who may not support the encampment due to their political views or deeply held religious beliefs, or who may fear attending class at the encampment due to safety concerns would be denied instruction in [redacted]. Some further reported apprehensions that holding class at the encampment as proposed might effectively separate students with differing beliefs, political views and ethnic backgrounds, resulting in discriminatory educational outcomes.

It was reported that you conducted the vote by asking students to close their eyes and raise their hands to indicate their support of the proposal. While this method of voting may have been intended

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to provide an "anonymous" voting experience for students (given that students who closed their eyes would theoretically not be able view the votes of their peers), you as instructor – and any others who did not close their eyes – would be privy to the votes of participating students. Concerns were expressed by students who felt that by being asked to cast a vote, they were being asked to communicate their private views on the sensitive matters being protested at the encampment.

As a reminder, department chairs hold the authority to reschedule and/or relocate academic activities.[1] While modifications to established course times and locations can sometimes be arranged in advance, all such changes must be requested and implemented in accordance with normal departmental practices and procedures. I understand that you did not seek advance approval from the department to modify the location of instruction, nor did you discuss your intention to propose such a change to your students with [redacted] Chair [redacted] prior to doing so.

Moreover, all faculty of the University of California are expected uphold their mandated educational obligations to students, which include ensuring the rights of *all students* to teaching and learning. The *Faculty Code of Conduct* states in pertinent part, "…[p]rofessors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors…They avoid any exploitation, harassment, or discriminatory treatment of students." (*See* APM 015, Part II, Section A.)

APM 015 further specifies that the following conduct by faculty is unacceptable:

> *Failure to meet the responsibilities of instruction, including (a) arbitrary denial of access to instruction; (b) significant intrusion of materials unrelated to the course; (c) significant failure to adhere, without legitimate reason, to the rules of the faculty in the conduct of courses…* (*See,* APM 015, Part II, Section A.1.)

As noted by Provost Stern in his January 24, 2024 reminder to faculty regarding Political Advocacy, Academic Freedom and Instruction, while instructors enjoy considerable freedom and free speech rights, University policy limits use of the classroom or one's course for purposes of political advocacy.[2] In addition, APM prohibits "[u]se of the position or powers of a faculty member to coerce the judgment or conscience of a student or to cause harm to a student for arbitrary or personal reasons," and "[p]articipating in or deliberately abetting intimidation in the classroom." (*See*, APM 015, Part II, Sections A.5 and A.6.)

UC Irvine respects the rights of students of all viewpoints to engage in free speech and expression; at the same time, the campus remains committed to preventing any actions that

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[1] *See* University of California Academic Personnel Manual Section 245, *Department Chairs* (APM 245), Appendix A, which specifies that the Department Chair is responsible for preparing the department's schedule of courses and establishing the times and places for class meetings.

[2] See University of Califiornia Regents' Policy 2301: *Policy on Course Content*, which, citing the Regents' responsibility to ensure that the University "remain aloof from politics and never function as an instrument for the advance of partisan interests," prohibits "misuse of the classroom by, for example, allowing it to be used for political indoctrination, for purposes other than those for which the course was constituted."

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may silence or intimidate those with differing opinions. I ask that you commit to fostering these values when relating to your students and members of the campus community going forward, and ensure that your conduct is consistent with University policy. Should you have questions concerning permissible or impermissible conduct, please raise those questions with your department chair or school dean prior to taking action.

A copy of this letter will be kept indefinitely in a separate and confidential file located in the Academic Personnel Office. Should the University receive additional reports alleging similar conduct by you, these will be formally investigated in accordance with UC Irvine's *Policies and Procedures on Faculty Conduct and the Administration of Discipline*. Substantiated violations of University policy may result in disciplinary action in accordance with University of California Academic Personnel Manual Section 016, *University Policy on Faculty Conduct and the Administration of Discipline* (APM 016).

Sincerely,

Diane O'Dowd
Vice Provost for Academic Personnel

cc: Provost and Executive Vice Chancellor Hal Stern
Dean [redacted]
[redacted] Chair [redacted]
Associate Provost Kate Brigman
Assistant Vice Chancellor Marianne Liu Beckett
Academic Personnel File

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EXHIBIT NO. 87

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University of California, Irvine

Office of Academic Personnel
354 Aldrich Hall
Irvine, CA 92697 -1015
www.ap.uci.edu

June 25, 2024

[redacted]
Assistant Professor
[redacted]
School of Humanities
[redacted]

RE: Letter of Warning – Reports of Concerning Conduct

Dear [redacted]:

I am writing to you regarding reports of alleged conduct by you which, if true, may be inconsistent with University of California Academic Personnel Manual Section 015, *The Faculty Code of Conduct* (APM 015), Part II, Section A, Teaching and Students, and University of Califiornia Regents' Policy 2301: *Policy on Course Content.*

The following student concerns were shared with me with respect to alleged conduct by you in your capacity as instructor of record for Film 101B, *History of Film II: The Studio Era* during spring quarter 2024:

1. You devoted approximately fifty minutes during your lecture on May 21, 2024 to unscheduled discussion about the conflict between Israel/Hamas/Gaza (a topic unrelated to the subject matter of [redacted] It is alleged that you expressed in detail your knowledge about and opinion regarding the situation, including making references to Israel as an "oppressor," and heavily using terms like "genocide" and "apartheid" in ways that appeared to be out of context. It is also alleged that you invited students in the course to ask questions and speak about their opinions during this discussion.

   It is further reported that you encouraged students to take initiative in the divestment cause, and to take a stance against the school and Chancellor Gillman, allegedly stating that,
   a. Chancellor Gillman was spreading propaganda in his campus messages, and
   b. Chancellor Gillman was to blame for previous police activity at UCI.

   It was alleged that you were "very careful" with your words, stating that the university does not want you to "be political," and stating that you were not trying to influence students, but were instead just sharing your opinions on the subject, given the humanitarian crisis. Nonetheless, it was reported that your remarks caused some students to feel nervous, self-conscious, unsafe and unsupported in the classroom. It was reported that one or more students missed subsequent instruction due to these concerns.

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[redacted]

While student participation in the discussion appears to have been voluntary, students were nonetheless being asked to publicly communicate their private views on highly-charged, sensitive matters. Asking students (who may not support your expressed views due to their own political views or deeply held religious beliefs), to participate in such a discussion about a topic unrelated to instruction, may have caused them to feel pressured or intimidated to publicly express agreement with you or remain silent, given the inherent power differential between you as instructor in relation to their role as undergraduate students dependent upon your evaluation of their coursework.

2. On Tuesday, May 28, 2024, you allegedly told students that you were unable to teach class due to the impact of news content you observed related to the conflict. In lieu of delivering a lecture, it was reported that you assigned an optional project to create a short film or video essay about each student's sociopolitical topic of choice. While the given criteria for the assignment were vague, it was reported that encouragement to create content about the war was heavily implied.

   After providing the amended assignment, you allegedly stated that instead of showing that week's scheduled film (the 1962 film, *Cleo from 5 to 7*) and giving a lecture about French New Wave Cinema as planned, you would instead show two documentaries, *Gaza Fights for Freedom* (2019) and *Revolution Until Victory* (2015). You then permitted students to leave if they wished, rather than view the documentaries.

   It was reported that the established schedule for Film 101B during spring 2024 was for lectures to be provided on Tuesdays and Thursdays from 5:00-6:20 pm, with additional film screening time on Tuesdays, starting at 6:30. It was further reported that the advocacy group, Students for Justice in Palestine (SJP) posted a flyer on their Instagram story on May 28, 2024, inviting viewers to come to HIB 100 at 5:30 p.m. that evening to view *Gaza Fights for Freedom* and *Revolution Until Victory*. Concern was expressed that it appeared you had essentially cancelled class and denied UCI students instruction in order to reallocate University resources (the [redacted] classroom) to a non-class event.

Although it was reported that you permitted students who did not wish to view the unscheduled films to leave class, doing so (particularly in the absence of providing an alternate instructional opportunity) might effectively separate students with differing beliefs, political views and ethnic backgrounds, resulting in discriminatory educational outcomes. Moreover, students might reasonably fear that opting to leave class might communicate disagreement with your views and/or the views expressed in the films.

As a reminder, department chairs hold the authority to reschedule academic activities. While modifications to established course times and locations can sometimes be arranged in advance, all such changes must be requested and implemented in accordance with normal departmental practices and procedures.

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Policy Requirements

All faculty of the University of California are expected uphold their mandated educational obligations to students, which include ensuring the rights of *all students* to teaching and learning. The *Faculty Code of Conduct* states in pertinent part, "…[p]rofessors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors…They avoid any exploitation, harassment, or discriminatory treatment of students." (*See* APM 015, Part II, Section A.)

APM 015 further specifies that the following conduct by faculty is unacceptable:

> *Failure to meet the responsibilities of instruction, including (a) arbitrary denial of access to instruction; (b) significant intrusion of materials unrelated to the course; (c) significant failure to adhere, without legitimate reason, to the rules of the faculty in the conduct of courses…* (*See,* APM 015, Part II, Section A.1.)

As noted by Provost Stern in his January 24, 2024 reminder to faculty regarding Political Advocacy, Academic Freedom and Instruction, while instructors enjoy considerable freedom and free speech rights, University policy limits use of the classroom or one's course for purposes of political advocacy.[1] In addition, APM prohibits "[u]se of the position or powers of a faculty member to coerce the judgment or conscience of a student or to cause harm to a student for arbitrary or personal reasons," and "[p]articipating in or deliberately abetting intimidation in the classroom." (*See*, APM 015, Part II, Sections A.5 and A.6.)

UC Irvine respects the rights of students of all viewpoints to engage in free speech and expression; at the same time, the campus remains committed to preventing any actions that may silence or intimidate those with differing opinions. I ask that you commit to fostering these values when relating to your students and members of the campus community going forward, and ensure that your conduct is consistent with University policy. Should you have questions concerning permissible or impermissible conduct, please raise those questions with your department chair or school dean prior to taking action.

A copy of this letter will be kept indefinitely in a separate and confidential file located in the Academic Personnel Office. Should the University receive additional reports alleging similar conduct by you, these will be formally investigated in accordance with UC Irvine's *Policies and Procedures on Faculty Conduct and the Administration of Discipline*. Substantiated violations of University policy may result in disciplinary action in accordance with University of California Academic Personnel Manual Section 016, *University Policy on Faculty Conduct and the Administration of Discipline* (APM 016).

[1] See University of Califiornia Regents' Policy 2301: *Policy on Course Content*, which, citing the Regents' responsibility to ensure that the University "remain aloof from politics and never function as an instrument for the advance of partisan interests," prohibits "misuse of the classroom by, for example, allowing it to be used for political indoctrination, for purposes other than those for which the course was constituted."

PERB Received
09/19/24 11:03 AM

Sincerely,

Diane O'Dowd
Vice Provost for Academic Personnel

cc: Provost and Executive Vice Chancellor Hal Stern
Dean [redacted]
Chair [redacted]
Associate Provost Kate Brigman
Assistant Vice Chancellor Marianne Liu Beckett
Academic Personnel File

PERB Received
09/19/24 11:03 AM

EXHIBIT NO. 88

PERB Received
09/19/24 11:03 AM

University of California president, 10 campus chancellors issue statement on intolerance of campus bigotry

UC Office of the President November 10, 2023

University of California President Michael V. Drake, M.D., and the 10 University of California chancellors sent the following message today (Friday, Nov. 10, 2023) to members of the UC community:

To the University of California community,

We write today to condemn the alarming, profoundly disappointing acts of bigotry, intolerance, and intimidation we have seen on our campuses over these past several weeks. It is our shared responsibility to maintain a sense of community where everyone feels safe and welcome.

Some of the rhetoric we have seen and heard over the past month at campus protests, online, in student government meetings, and in classrooms has been

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is unacceptable under our principles of community. It will not be tolerated.

Similarly, Islamophobia is unacceptable and will not be tolerated. We will work to ensure that those who advocate on behalf of Palestinians can also be confident of their physical safety on our campuses.

It is our collective responsibility to foster a safe and welcoming learning, living, and working environment while also promoting the principles of free expression and academic freedom. We take our obligation to uphold the First Amendment seriously, even when the viewpoints expressed are hateful or repugnant. We cannot censor voices or ban groups we disagree with, so long as those voices and groups comply with state and federal laws and with university policy.

But free speech is not absolute, and violations of policy or law will have consequences. Regents Policy 4403: Statement of Principles Against Intolerance calls on UC leaders "actively to challenge anti-Semitism and other forms of discrimination when and whenever they emerge within the University community." We will uphold this policy. Our campuses have and will continue to impose consequences on behavior that crosses the line into unprotected speech, such as persistent harassment of individuals or groups, or credible threats of physical violence. We will also take steps against any violations of the law or university policy such as disruptions of university activity, violence, or vandalism. Our educators must continue to provide a supportive and welcoming environment for all students and avoid using classroom time for improper political indoctrination.

And while words matter a great deal — and we stand firmly by the words we share today — this is also a time for action. Over the coming days, President Drake will announce a series of initiatives to help us address the current climate on our campuses, provide additional support for our students, staff, and faculty, and improve the public discourse on this issue.

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ensure that the University of California is a safe community for all.

Michael V. Drake, M.D.
President, University of California

Gene Block
Chancellor, UCLA

Carol Christ
Chancellor, UC Berkeley

Howard Gillman
Chancellor, UC Irvine

Sam Hawgood
Chancellor, UCSF

Pradeep Khosla
Chancellor, UC San Diego

Cynthia Larive
Chancellor, UC Santa Cruz

Gary May
Chancellor, UC Davis

Juan Sánchez Muñoz
Chancellor, UC Merced

Kim Wilcox
Chancellor, UC Riverside

Henry Yang
Chancellor, UC Santa Barbara

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EXHIBIT NO. 89

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09/19/24 11:03 AM

Campus & community

Message on political advocacy, academic freedom and instruction

There are limits on using the classroom for purposes of political advocacy.

By Public Affairs

Keegan Houser/UC Berkeley

October 25, 2023

PERB Received
08/13/24 11:03 AM

Executive Vice Chancellor & Provost Benjamin Hermalin sent the following message to the campus community on Wednesday:

I write to remind people of University policy as pertains to academic freedom and political advocacy in the classroom. While instructors enjoy considerable freedom and all individuals, when acting as private citizens, enjoy free speech rights, University policy does impose limits on using the classroom or one's course for purposes of political advocacy.

I call your immediate attention to Regents' Policy 2301, which prohibits canceling a class session for the purpose of encouraging students to participate in a protest or rally.

The principal policies that apply to these matters are (URLs at end of message):

- the Faculty Code of Conduct found in Section 015 of the Academic Personnel Manual (APM 015);
- Regents' Policy 2301; and
- for Unit 18 Lecturers, Section B4 of the Collective Bargaining agreement.

Among other limitations, these policies *prohibit*:

- significant intrusion of material unrelated to the course (APM 015, Section II, A.1.b & Section B4(b) of Unit 18 agreement);
- use of the position or powers of a faculty member to coerce the judgment or conscience of a student or to cause harm to a student for arbitrary or personal reasons (APM 015, Section II, A.5 & Section B4(h) of Unit 18 agreement); and
- misuse of the classroom by, for example, allowing it to be used for political indoctrination, for purposes other than those for which the course was constituted, or for providing grades without commensurate and appropriate student achievement (Regents' Policy 2301).

In addition,

- Regents' Policy 2301 stipulates "the right of students to have their classes held on the regularly scheduled basis and to be taught by the instructor whose responsibility it is to teach the course in question is to be upheld"; and
- APM 015, Part II, A.1.c. defines"significant failure to adhere, without legitimate reason, to the rules of the faculty in the conduct of courses, to meet class, to keep office hours, or to hold examinations as scheduled" to be a violation of the Faculty Code of Conduct.

Instructors are also reminded of the campus's Principles of Community and of the importance of ensuring that students are not made to feel intimidated, threatened, and/or excluded in

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09/19/24 11:03 AM

their classes.

Instructors who have questions concerning permissible or impermissible actions should discuss them with their department chair or school dean.

Relevant URLs: The URLs for the reference policies are

- APM 015: https://www.ucop.edu/academic-personnel-programs/_files/apm/apm-015.pdf.
- Regents' Policy 2301: https://regents.universityofcalifornia.edu/governance/policies/2301.html.
- Collective Bargaining agreement with Unite 18: https://ucnet.universityofcalifornia.edu/labor/bargaining-units/ix/docs/ix_03_academic-responsibility_2016-2020.pdf.

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09/19/24 11:03 AM

EXHIBIT NO. 90

PERB Received
09/19/24 11:03 AM

Berkeley Faculty Association on Academic Freedom and Palestine

by admin | Nov 2, 2023 | Academic Freedom, Free Speech, Viewpoints Page

Photo credit: Anita Liu/The Daily Californian

Dear colleagues,

The Berkeley Faculty Association is deeply alarmed at the chilling climate that undermines the academic freedom of instructional faculty, and the free speech rights of the rest of our campus community, to express support for the Palestinian people.

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09/19/24 11:03 AM

On October 25th, during the walkout organized as part of the demonstrations across the country coordinated by the National Students for Justice in Palestine, which filled Sproul Plaza, Executive Vice Provost Ben Hermalin sent the entire campus an email detailing what he considered the limits on political advocacy for instructors, including canceling or shifting classes. In particular, this email referenced a portion of the faculty code of conduct that describes 'political indoctrination' and coerc[ion of] the judgment or conscience of a student.' A week earlier he, along with Chancellor Christ, had signed an open letter that took its own particular political position on the conflict. Neither has to date signed the statement of solidarity with Palestinians by UC faculty.

Unfortunately this is part of a pattern of intimidation, which reinforces or stymies speech rights differentially across members of our campus community depending upon the position taken. In 2019, Chancellor Christ signed a statement authored by all UC Chancellors claiming that support for the academic boycott of Israel constituted a 'direct and serious threat' to academic freedom. In 2021, a departmental statement in support of Palestinian lives resulted in a joint Senate-Administration taskforce report that questioned, and called for constraints on, the ability of departments to engage in what it defined as 'political action'.

This pattern of ongoing statements by senior campus leadership and other professors across our community has created a climate of fear and intimidation for those wishing to speak out and teach about the highly distressing events unfolding in Gaza. Events that many world leaders and leading human rights scholars and practitioners argue violate the international law of war, and that some equate to the genocide of an entrapped population.

The Berkeley Faculty Association stands in support of the right of any member of the academic community wishing to draw attention to a century of settler colonialism in Palestine/Israel and the loss of Palestinian lives today during the brutal destruction of Gaza, or the plight of the Palestinian people generally.

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We also draw attention to the irony that at the very moment when the campus has begun to finally acknowledge its own role in settler colonialism, occupying the unceded land of the Ohlone peoples and still holding over 9000 unrepatriated human remains in Hearst Museum, it seeks to disallow discussion of the annihilation of indigenous peoples elsewhere.

We urge the administration to defend the academic freedom of instructional faculty and the free speech rights of students, not delimit them. For many faculty who teach about colonialism, international law, and human rights, among many other areas, it would be an abrogation of our duties and our educational mission not to discuss and contextualize the current conflict with our students. Professional educators often teach in a manner that is germane to the historical moment, in doing so they seek to create classrooms that nourish diverse and critical perspectives for learning. They can not do this if only some perspectives are allowed to be heard.

Berkeley Faculty Association

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PERB Received
09/19/24 11:03 AM

EXHIBIT NO. 91

PERB Received
09/19/24 11:03 AM

From: **'EVCP Office' via Managers of EVCP Units** <managersofevcpunits@lists.berkeley.edu>
Date: Tue, Nov 14, 2023 at 9:23 AM
Subject: Follow-up to email on adherence to policy regarding political advocacy and instruction
To: Council of Deans <council_of_deans@lists.berkeley.edu>, Associate Deans <associate_deans@lists.berkeley.edu>, Department Chairs <dept-chairs@lists.berkeley.edu>
Cc: cabinetmembers lists.berkeley.edu <cabinetmembers@lists.berkeley.edu>, CAO Group <caogroup@lists.berkeley.edu>, Managers of EVCP Units <managersofevcpunits@lists.berkeley.edu>

Dear Colleagues,

I regret to report that, while the vast majority of instructors appear to be following UC policy, we continue to receive allegations of instructors failing to abide by University policies pertaining to the use of their classrooms for political advocacy and/or canceling classes in support of political activity (e.g., protests). I kindly ask, therefore, that you ensure that *all* instructors in your unit, including GSIs and Unit 18 lecturers, are familiar with relevant University policies, summaries of which can be found at https://evcp.berkeley.edu/news/political-advocacy-academic-freedom-and-instruction. In addition to the policies summarized there, instructors should also be familiar with Regents' Policy 4403, Statement of Principles Against Intolerance, which includes a strong stance against discrimination and harassment, and which can be found at https://regents.universityofcalifornia.edu/governance/policies/4403.html. Please note that the instructor of record bears ultimate responsibility for a course, including classes taught by graduate students and undergraduate students.

Adherence to these policies neither infringes on instructors' free speech rights nor their academic freedom, both of which the University continues to defend vigorously. At the same time, Regents' Policy 2301 makes clear that instructors are not to use the classroom as a place to promote their political views. Moreover, students have the right to receive the education for which they have enrolled, meaning both that classes not be canceled nor that they miss out on relevant course material due to the intrusion of material not germane to the course in question. Beyond that, political advocacy in the classroom creates real fear among our students that they will be—impermissibly—discriminated against if they hold views contrary to the instructors or will be—impermissibly—evaluated by criteria other than that directly reflective of course performance. While we might expect that Berkeley instructors would not engage in such unacceptable behavior, our students, especially our Arab, Israeli, Jewish, Muslim, and Palestinian students, are nonetheless anxious and we, thus, have an obligation not to fuel that anxiety.

I am receiving many inquiries as to what the sanctions are for instructors who fail to abide by UC policy in this domain. Personally, I would hope that people abide by these policies because it is the right thing to do, not simply because they fear sanctions. Moreover, I have never believed that our "go-to" response should be sanctions—wherever possible, we should rely on

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educational conversations and having people correct their mistakes. That being said, people should be aware that failing to abide by University policy can lead to disciplinary action.

I would add that our campus, like campuses across the country, is under scrutiny on these matters. The UC Office of the President, the Legislature, and the US Department of Education have all made clear their concern and their commitment to an environment free of discrimination, so the stakes around our complying with policy are high. For that reason, it is important that you document actions you take in response to complaints you receive and you inform the complainants or the office that notified you of the complaint that you have taken action.

If you have questions, please contact my office.

Sincerely,

Benjamin E. Hermalin
Executive Vice Chancellor & Provost

--

Office of the Executive Vice Chancellor & Provost (EVCP)
University of California, Berkeley
200 California Hall, MC 1500
t: 510-642-1961 / e: evcp@berkeley.edu
evcp.berkeley.edu

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09/19/24 11:03 AM

EXHIBIT NO. 92

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09/19/24 11:03 AM

UC San Diego

[redacted]

Political Advocacy, Academic Freedom, and the Classroom

2 messages

Senior Associate Vice Chancellor - Academic Affairs <adminrec@ucsd.edu> Mon, Feb 12, 2024 at 11:02 AM
Reply-To: admindnr@ucsd.edu

[redacted]

UC San Diego

CAMPUS NOTICE

OFFICE OF THE SENIOR ASSOCIATE VICE CHANCELLOR,
ACADEMIC AFFAIRS

February 12, 2024

ALL ACADEMICS AT UC SAN DIEGO

Political Advocacy, Academic Freedom, and the Classroom

Dear Colleagues,

[redacted]

PERB Received
09/19/24 11:03 AM

These are complicated times with many geopolitical challenges across the globe. We are also entering another election cycle here in the United States. In light of these circumstances, I am writing to remind you of our shared obligations as academics working at a public university.

As a public institution we must maintain our strong commitment to academic freedom and constitutionally-protected freedom of expression; however, those freedoms are not absolute and have important limits given our mission of delivering an educational experience that is accessible to all.

Regents Policy 2301 states that in our educational mission we must ensure that the University "remains aloof from politics and never functions as an instrument for the advancement of partisan interests." This is supported by the Faculty Code of Conduct which notes that it is unacceptable for faculty to conduct their courses in a manner that involves the significant intrusion of material unrelated to the course.

Instructors are also reminded of UC San Diego's Principles of Community and of the importance of ensuring that students are not made to feel intimidated, threatened, and/or excluded in their classes.

The principal policies that apply to these matters are:

- the Faculty Code of Conduct in the Academic Personnel Manual APM 015
- Regents' Policy 2301
- for Unit 18 Lecturers, Section B4 of the Collective Bargaining Agreement

Specific aspects of these policies include:

- Regents' Policy 2301 prohibits canceling a class session for the purpose of encouraging students to participate in a protest or rally
- Significant intrusion of material unrelated to a course is prohibited under

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APM 015, Section II, A.1.b, and Section B4(b) of the Unit 18 agreement

- Use of the position or powers of a faculty member to coerce the judgment or conscience of a student or to cause harm to a student for arbitrary or personal reasons is prohibited under APM 015, Section II, A.5 and Section B4(h) of Unit 18 agreement

- Misuse of the classroom by, for example, allowing it to be used for political indoctrination, for purposes other than those for which the course was constituted, or for providing grades without commensurate and appropriate student achievement is also prohibited under Regents' Policy 2301

- Regents' Policy 2301 stipulates "the right of students to have their classes held on the regularly scheduled basis and to be taught by the instructor whose responsibility it is to teach the course in question is to be upheld"

- APM 015, Part II, A.1.c. defines "significant failure to adhere, without legitimate reason, to the rules of the faculty in the conduct of courses, to meet class, to keep office hours, or to hold examinations as scheduled" to be a violation of the Faculty Code of Conduct.

As members of a public institution, it is our responsibility to ensure that the delivery of instruction does not become a tool for advocacy on the issues of the day, including international events and electoral politics. Instructors who have questions concerning permissible or impermissible actions under these policies should discuss them with their department chair or school dean.

Sincerely,

Robert E. Continetti

Senior Associate Vice Chancellor, Academic Affairs

PERB Received
09/19/24 11:03 AM

University of California San Diego, 9500 Gilman Drive, La Jolla, CA, 92093

UC San Diego

[redacted]

Mon, Feb 12, 2024 at 11:12 AM

[redacted]

PERB Received
09/19/24 11:03 AM

EXHIBIT NO. 93

PERB Received
09/19/24 11:03 AM

View email in a web browser

November 13, 2023

Dear Instructional Community,

I write today to draw attention, and provide references, to University of California policy regarding academic freedom and political advocacy in the classroom and other instructional spaces. In an overall context that provides instructors with considerable academic freedom, University policy imposes limits on using the classroom and courses of instruction for political advocacy. These University policy limits co-exist with the free speech rights all individuals have when acting as private citizens.

The principal policies that apply to these matters are (references to the URLs are below this message):

- For all instructors and Teaching Assistants, Regents' Policy 2301;
- For Senate faculty, the Faculty Code of Conduct found in Section 015 of the Academic Personnel Manual (APM 015); and
- For Unit 18 Lecturers, Section B4 of the Collective Bargaining agreement.

Centrally, I want to call your attention to Regents' Policy 2301, which applies to all members of the University instructional community, in its prohibition of canceling a class session for the purpose of encouraging students to participate in a protest or rally.

I want to highlight several prohibitions in these policies:

- significant intrusion of material unrelated to the course (APM 015, Section II, A.1.b and Section B4(b) of Unit 18 agreement);
- use of the position or powers of a faculty member to coerce the judgment or conscience of a student or to cause harm to a student for

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09/19/24 11:03 AM

- arbitrary or personal reasons (APM 015, Section II, A.5 and Section B4(h) of Unit 18 agreement); and
- misuse of the classroom by allowing it to be used for political indoctrination, for purposes other than those for which the course was constituted, or for providing grades without commensurate and appropriate student achievement (Regents' Policy 2301).

In addition,

- Regents' Policy 2301 stipulates "the right of students to have their classes held on the regularly scheduled basis and to be taught by the instructor whose responsibility it is to teach the course in question is to be upheld"; and
- APM 015, Part II, A.1.c. defines "significant failure to adhere, without legitimate reason, to the rules of the faculty in the conduct of courses, to meet class, to keep office hours, or to hold examinations as scheduled" to be a violation of the Faculty Code of Conduct.

I also want to remind all in our campus community of our Principles of Community and of the importance of ensuring that students are not made to feel intimidated, threatened, and/or excluded in their classes.

It is our collective responsibility to foster a safe and welcoming learning, living, and working environment while also promoting the principles of free expression and academic freedom.

Instructors who have questions concerning permissible or impermissible actions should discuss them with their department chair or dean.

Sincerely,

Lori Kletzer
Campus Provost and Executive Vice Chancellor

Relevant URLs:

- The URLs for the reference policies are
- APM 015: https://www.ucop.edu/academic-personnel-programs/_files/apm/apm-015.pdf.
- Regents' Policy 2301: https://regents.universityofcalifornia.edu/governance/policies/2301.html.
- Collective Bargaining agreement with Unite 18: https://ucnet.universityofcalifornia.edu/labor/bargaining-units/ix/docs/ix_03_academic-responsibility_2016-2020.pdf.

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EXHIBIT NO. 94

PERB Received
09/19/24 11:03 AM

Political Advocacy, Academic Freedom, and Instruction

May 3, 2024

Dear colleagues,

PERB Received
09/13/24 11:03 AM

In light of ongoing global events and the upcoming election cycle, I write to remind all instructors of university policies relevant to academic freedom and political advocacy in the classroom. While instructors enjoy considerable freedom and all individuals, when acting as private citizens, enjoy free speech rights, University policy does impose limits on using the classroom or one's course for purposes of political advocacy. As a public institution we have a particular obligation to preserve the public's trust.

Regents' Policy 2301: Policy on Course Content (https://regents.universityofcalifornia.edu/governance/policies/2301.html) upholds students' rights to have their classes held as scheduled and taught by the instructor assigned to the course. This policy also prohibits "misuse of the classroom by, for example, allowing it to be used for political indoctrination, for purposes other than those for which the course was constituted, or for providing grades without commensurate and appropriate student achievement."

The Faculty Code of Conduct (https://www.ucop.edu/academic-personnel-programs/_files/apm/apm-015.pdf), found in Section 015 of the Academic Personnel Manual, and Article 3 of the Collective Bargaining Agreement (https://ucnet.universityofcalifornia.edu/labor/bargaining-units/ix/docs/ix_03_academic-responsibility_2016-2020.pdf) with Unit 18 Lecturers both prohibit significant intrusion of material unrelated to the course and the use of the position or powers of a faculty member to coerce the judgment or conscience of a student or to cause harm to a student for arbitrary or personal reasons.

This is a time at which we should strengthen our commitment to tolerance, civility, and mutual respect for the diversity of our population and the variety of views and opinions held. This and other guidelines by which we operate are described in UCI's Principles of Community (https://conduct.uci.edu/policies/pacaos/principles-of-community.php).

Instructors who have questions concerning permissible or impermissible actions should discuss them with their department chair or school dean.

Thank you for your commitment to our students.

Sincerely,

Hal Stern
Provost and Executive Vice Chancellor
Chancellor's Professor, Department of Statistics

Note: This message was also sent previously on January 25, 2024.

UCI Office of the Provost and Executive Vice Chancellor
(/)
510 Aldrich Hall
Irvine, CA 92697

PERB Received
09/19/24 11:03 AM

EXHIBIT NO. 95

PERB Received
09/19/24 11:03 AM

UNIVERSITY OF CALIFORNIA

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OFFICE OF THE VICE PROVOST --
ACADEMIC PERSONNEL AND PROGRAMS

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

April 5, 2024

CHANCELLORS
ACADEMIC COUNCIL CHAIR JAMES STEINTRAGER
LABORATORY DIRECTOR MICHAEL WITHERELL
ANR VICE PRESIDENT GLENDA HUMISTON

RE: Systemwide Review of Proposed Revisions to Academic Personnel Manual (APM) Section 016, University Policy on Faculty Conduct and the Administration of Discipline

Dear Colleagues:

Enclosed for systemwide review are proposed revisions to Academic Personnel Manual (APM) Section 016, University Policy on Faculty Conduct and the Administration of Discipline (APM - 016). The policy revisions respond to the need to revise APM - 016 to address the handling of simultaneous academic misconduct investigations and personnel actions.

Key Policy Revisions
Summarized below are the proposed policy revisions:

- **Pause on Academic Personnel Review Actions:** At the beginning of a formal investigation of alleged misconduct by a faculty member, if the Chancellor (or Chancellor's designee) finds that any of the alleged misconduct is relevant to the assessment criteria for academic personnel review actions, the Chancellor (or Chancellor's designee) may impose a no-fault pause on any current or future academic personnel action (e.g., for merit, promotion, or advancement) of that faculty member. Locations are responsible for developing implementation procedures that address at what stage in existing local procedures the pause occurs and that identify the offices that have responsibility for providing written confirmation of the pause to the respondent, giving a respondent periodic updates on the status of the investigation, and for notifying relevant administrators of the beginning and end of the pause.
- **Conclusion of the pause:** The pause will end when the investigative and disciplinary processes are concluded. In the event of a disciplinary process following a formal investigation, the pause will end when a final decision is made whether to impose disciplinary sanctions. The academic personnel process may then proceed according to campus procedures.
- **Assistant Professors in Year 8:** If the investigative and disciplinary processes are not concluded by the beginning of the faculty member's eighth year of service at the rank of Assistant Professor (or a combination of equivalent titles), the Chancellor is authorized to recommend to the President that the appointment be extended beyond the eighth year, in accordance with Regents Bylaw 40.3(c).

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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 Academic Personnel and Programs website. Attached is a Model Communication which may be used to inform non-exclusively represented employees about these proposals. The Labor Relations Office 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 **July 8, 2024**. Please submit your comments to VP-ACADEMICPERSONNEL@ucop.edu. Please indicate "APM - 016" in the subject line. If you have any questions, please contact Rebecca Woolston, Associate Director, Academic Policy and Policy Exceptions, at Rebecca.Woolston@ucop.edu.

Sincerely,

Douglas M. Haynes
Vice Provost
Academic Personnel and Programs

Enclosures:
1) Proposed Revisions to APM - 016, Clean Version
2) Proposed Revisions to APM - 016, Tracked-Changes Version
3) Model Communication

cc: President Drake
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 & Audit Officer Bustamante
Vice President Lloyd
Vice President Maldonado
Vice Provosts/Vice Chancellors for Academic Affairs/Academic Personnel
Academic Council Vice Chair Cheung
Assistant Vice Provosts/Vice Chancellors for Academic Affairs/Academic Personnel
Associate Vice Provost Lee
Associate Vice President Matella

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09/19/24 11:03 AM

Deputy General Counsel Woodall
Executive Director Lin
Chief of Staff Beechem
Chief of Staff Kao
Deputy Chief HR Officer and Chief of Staff Henderson
Chief of Staff Levintov
Chief Policy Advisor McAuliffe
Principal Counsel Mastro
Director Anders
Director Chin
Director Weston-Dawkes
Associate Director DiCaprio
Associate Director Soria
Associate Director Woolston
Assistant Director LaBriola
HR Manager Crosson
Policy Analyst Durrin
Policy Analyst Miller
Policy Analyst Wilson

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EXHIBIT NO. 96

PERB Received
09/19/24 11:03 AM

UC San Diego

CAMPUS NOTICE

OFFICE OF POLICY AND RECORDS ADMINISTRATION

April 8, 2024

ALL ACADEMICS AT UC SAN DIEGO

Systemwide Review of Proposed Revisions to APM - 016

The University invites comments on proposed revisions to the following policy:

- APM - 016, University Policy on Faculty Conduct and the Administration of Discipline

Summarized below are the proposed key policy revisions that are being distributed for systemwide review.

Key Policy Revisions

The policy revisions respond to the need to revise APM - 016 to address the handling of simultaneous academic misconduct investigations and personnel actions and include:

- **Pause on Academic Personnel Review Actions:** At the beginning of a formal investigation of alleged misconduct by a faculty member, if the Chancellor (or Chancellor's designee) finds that any of the alleged misconduct is relevant to the assessment criteria for academic personnel review actions, the Chancellor (or Chancellor's designee) may impose a no-fault pause on any current or future academic personnel action (e.g., for merit, promotion, or advancement) of that faculty member. Locations are responsible for developing implementation procedures that address at what stage in existing local procedures the pause occurs and that identify the offices that have responsibility for providing written

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confirmation of the pause to the respondent, giving a respondent periodic updates on the status of the investigation, and for notifying relevant administrators of the beginning and end of the pause.

- **Conclusion of the pause:** The pause will end when the investigative and disciplinary processes are concluded. In the event of a disciplinary process following a formal investigation, the pause will end when a final decision is made whether to impose disciplinary sanctions. The academic personnel process may then proceed according to campus procedures.

- **Assistant Professors in Year 8:** If the investigative and disciplinary processes are not concluded by the beginning of the faculty member's eighth year of service at the rank of Assistant Professor (or a combination of equivalent titles), the Chancellor is authorized to recommend to the President that the appointment be extended beyond the eighth year, in accordance with Regents Bylaw 40.3(c).

The draft policy is posted here. If you have any questions or if you wish to comment, please contact Paula Johnson in Policy and Records Administration at policy@ucsd.edu no later than July 1, 2024.

Paula Johnson
Director, Policy and Records Administration

University of California San Diego, 9500 Gilman Drive, La Jolla, CA, 92093

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EXHIBIT NO. 97

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Reaffirming Our Principles of Community

EVC / VC-EDI / VC-SACL <adminrec@ucsd.edu>
Wed 2024-04-24 4:19 PM

UC San Diego

CAMPUS NOTICE

OFFICE OF THE EXECUTIVE VICE CHANCELLOR

OFFICE OF THE VICE CHANCELLOR FOR
EQUITY, DIVERSITY, AND INCLUSION

OFFICE OF THE VICE CHANCELLOR FOR
STUDENT AFFAIRS AND CAMPUS LIFE

April 24, 2024

ALL ACADEMICS, STAFF, AND STUDENTS AT UC SAN DIEGO (Including UC San Diego Health)

Reaffirming Our Principles of Community

UC San Diego is committed to fostering a climate of cooperation, empathy and professionalism in which all members of our community feel valued and respected. This commitment is reflected in our Principles of Community, which reinforce our shared responsibility to cultivate a respectful, inclusive campus, in which all students, staff, and faculty can fully participate.

The annual student organization-sponsored Justice in Palestine Week will take place May 6 through May 9, 2024, and Peace in Israel Week, also sponsored by student organizations, will take place from May 13 through May 16, 2024. These events have occurred for many years during the same time period. However, in light of current events, we want to remind everyone about our expectations as embodied in the Principles that free expression and treatment of one another are to be conducted within the bounds of courtesy and physical

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safety, and honoring the inherent dignity within one another. We must remain mindful of the impact our words and actions have on our fellow Tritons.

Freedom of Expression

As a public university, we encourage open dialogue, the free exchange of scholarly ideas, and thoughtful debate as both fundamental cornerstones of academic freedom and as part of our commitment to uphold freedom of speech protected by the U.S. Constitution. While nearly all speech is legally protected, maintaining a welcoming campus climate depends upon every member of the community treating every other member of the community with dignity and respect.

Policy Violations

Freedom of expression is not absolute and comes with responsibility. We will not tolerate violations of law or university policy – including threats of violence or acts of intimidation – and we will prosecute violations to the fullest extent possible, should they occur. The code of conduct policies for students, faculty and staff that protect individuals from harassment and discrimination, as well as policies that protect against abusive behavior and misuse of class time for political indoctrination, will continue to be enforced. If you believe you have experienced harassment or acts of discrimination, please contact the Office for the Prevention of Harassment and Discrimination (OPHD).

Tritons Belong

To promote ongoing learning, enhanced understanding and deepened compassion among our campus community, UC San Diego has created the "Tritons Belong" initiative. This initiative aims to educate, foster respectful dialogue, and promote connection among members of our campus community in challenging times. We encourage you to participate in these excellent webinars and in-person discussions as a reminder that we are all part of one Triton community. Videos are posted online for viewing shortly after the events for review and continued learning, and additional resources on free speech are provided as well.

Available Resources

On a public university campus with a rich diversity of people and perspectives, students and community members will inevitably be confronted with unsettling views and opinions. For Tritons who feel that they need extra help, we encourage you to seek support and resources for students, faculty and staff from the many campus partners who are here to help you.

Thank You

UC San Diego is a world-renowned, top-tier university and a phenomenal

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place to learn, work and grow because of each and every one of you. We deeply appreciate your shared commitment to fostering an inclusive campus environment that respects, supports and takes care of all of our diverse community members. As we navigate the remainder of this academic year, let us do so with empathy, compassion and understanding, with our core values and shared purpose driving our words and actions. Thank you, Tritons.

Elizabeth H. Simmons
Executive Vice Chancellor

Becky R. Petitt
Vice Chancellor for Equity, Diversity, and Inclusion

Alysson M. Satterlund
Vice Chancellor for Student Affairs and Campus Life

University of California San Diego, 9500 Gilman Drive, La Jolla, CA, 92093

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UC San Diego

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EXHIBIT NO. 98

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09/19/24 11:03 AM

Reminders about UC San Diego Policies

EVC / VC-EDI / VC-SACL <adminrec@ucsd.edu>
Mon 2024-04-29 6:41 PM

UC San Diego

CAMPUS NOTICE

OFFICE OF THE EXECUTIVE VICE CHANCELLOR

OFFICE OF THE VICE CHANCELLOR FOR
EQUITY, DIVERSITY, AND INCLUSION

OFFICE OF THE VICE CHANCELLOR FOR
STUDENT AFFAIRS AND CAMPUS LIFE

April 29, 2024

ALL ACADEMICS, STAFF, AND STUDENTS AT UC SAN DIEGO (Including UC San Diego Health)

Reminders about UC San Diego Policies

Given the current protest activity on campuses across the country, we wish to reiterate our campus policies and remind the community of their rights and responsibilities, as well as possible consequences for policy violations. UC San Diego fully supports the right to peaceful protest and free expression; however, we continue to hold students, student organizations, faculty, staff and non-affiliates fully accountable under our codes of conduct and the law for any and all violations.

Policy Violations

Freedom of expression does not authorize individuals to violate university policy or the law. **Those who break the law or violate university policy – including threats of violence or acts of intimidation – should anticipate**

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disciplinary and/or legal action.

The code of conduct policies for students, faculty and staff that protect individuals from harassment and discrimination, as well as policies that prohibit abusive behavior, misuse of class time for political indoctrination, and unapproved tents and encampments on campus will continue to be enforced. **Sanctions for violating university policy can include interim suspension, suspension or dismissal.**

Applicable university policies include:

- Policies Applying to Campus Activities, Organizations and Students (PACAOS)
- Policy on Use of University Properties
- Policy on Environment, Health and Safety
- Policy on Non-Affiliates on Campus

Principles of Community

UC San Diego is committed to fostering a climate of cooperation, empathy and professionalism in which all members of our community feel valued and respected. This commitment is underscored by our Principles of Community, which reinforce our shared responsibility to cultivate a respectful, inclusive campus, in which all students, staff and faculty can fully participate.

Thank you for your continued cooperation and commitment to foster an inclusive and respectful campus environment for all.

Elizabeth H. Simmons
Executive Vice Chancellor

Becky R. Petitt
Vice Chancellor for Equity, Diversity, and Inclusion

Alysson M. Satterlund
Vice Chancellor for Student Affairs and Campus Life

University of California San Diego, 9500 Gilman Drive, La Jolla, CA, 92093

UC San Diego

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09/19/24 11:03 AM

UC San Diego

CAMPUS NOTICE

OFFICE OF THE SENIOR ASSOCIATE VICE CHANCELLOR,
ACADEMIC AFFAIRS

May 1, 2024

ALL ACADEMICS AT UC SAN DIEGO

Political Advocacy, Academic Freedom, and the Classroom

Dear Colleagues,

These are complicated times with many geopolitical challenges across the globe. We are also entering another election cycle here in the United States. In light of these circumstances, I am writing to you again to remind you of our shared obligations as academics working at a public university.

As a public institution we must maintain our strong commitment to academic freedom and constitutionally-protected freedom of expression; however, those freedoms are not absolute and have important limits given our mission of delivering an educational experience that is accessible to all.

Regents Policy 2301 states that in our educational mission we must ensure that the University "remains aloof from politics and never functions as an instrument for the advancement of partisan interests." This is supported by the Faculty Code of Conduct which notes that it is unacceptable for faculty to conduct their courses in a manner that involves the significant intrusion of material unrelated to the course.

Instructors are also reminded of UC San Diego's Principles of Community and of the importance of ensuring that students are not made to feel intimidated, threatened, and/or excluded in their classes.

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The principal policies that apply to these matters are:

- the Faculty Code of Conduct in the Academic Personnel Manual APM 015
- Regents' Policy 2301
- for Unit 18 Lecturers, Section B4 of the Collective Bargaining Agreement

Specific aspects of these policies include:

- Regents' Policy 2301 prohibits canceling a class session for the purpose of encouraging students to participate in a protest or rally
- Significant intrusion of material unrelated to a course is prohibited under APM 015, Part II, A.1.b, and Section B4(b) of the Unit 18 agreement Use of the position or powers of a faculty member to coerce the judgment or conscience of a student or to cause harm to a student for arbitrary or personal reasons is prohibited under APM 015, Part II, A.5 and Section B4(h) of Unit 18 agreement
- Misuse of the classroom by, for example, allowing it to be used for political indoctrination, for purposes other than those for which the course was constituted, or for providing grades without commensurate and appropriate student achievement is also prohibited under Regents' Policy 2301
- Regents' Policy 2301 stipulates "the right of students to have their classes held on the regularly scheduled basis and to be taught by the instructor whose responsibility it is to teach the course in question is to be upheld"
- APM 015, Part II, A.1.c. defines "significant failure to adhere, without legitimate reason, to the rules of the faculty in the conduct of courses, to meet class, to keep office hours, or to hold examinations as scheduled" to be a violation of the Faculty Code of Conduct.

As members of a public institution, it is our responsibility to ensure that the delivery of instruction does not become a tool for advocacy on the issues of the day, including international events and electoral politics. Instructors who have questions concerning permissible or impermissible actions under these policies should discuss them with their department chair or school dean.

Sincerely,

Robert E. Continetti
Senior Associate Vice Chancellor, Academic Affairs

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09/19/24 11:03 AM

UC San Diego

CAMPUS NOTICE

OFFICE OF THE EXECUTIVE VICE CHANCELLOR

May 9, 2024

ALL ACADEMICS AT UC SAN DIEGO

Faculty Rights and Responsibilities in the Classroom

Dear Colleagues,

Given the ongoing challenges around the world, the last few weeks have been particularly difficult for our university community and others across the nation. While we may each have different perspectives on global issues and their local manifestations, I think we can all agree that the associated stress is impacting everyone here, including our students.

As faculty, it is our responsibility to ensure that all students feel welcome and engaged in their classes and that instruction is not interrupted or encroached upon by partisan matters or current events unrelated to course content.

Unfortunately, some faculty have been receiving emails from students, asking them to cancel class as a means of demonstrating alignment with a political viewpoint. The students are probably not aware that doing so would run contrary to the faculty member's foundational duties as an educator.

In this context, I invite you to take another look at Sr. AVC-AA Robert Continetti's May 1 message to academic appointees regarding political advocacy, academic freedom, and the classroom, including specific aspects of university policies that apply to these matters.

After all, as academic members of a public institution of higher education, we must not only maintain our commitment to academic freedom and freedom of

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expression, but also prioritize public health and safety, our principles of community, our educational and academic mission, and established codes of conduct.

As we close out the last few weeks of the Spring quarter, I hope that you can find some time for reflection and renewal to carry you through a challenging time.

Elizabeth H. Simmons
Executive Vice Chancellor

University of California San Diego, 9500 Gilman Drive, La Jolla, CA, 92093