

Pathway to Progressive Engagement Guidelines for Managing Academic Appointee Compliance with UC San Diego Enhanced Safety Requirements

UC San Diego has developed [enhanced safety requirements](#)¹ to promote health and safety in compliance with public health orders and UC San Diego policy during the COVID-19 pandemic. All members of the UC San Diego community, including academic appointees, are expected to follow the new requirements, including any safety protocols established within individual labs or units in furtherance of these requirements².

All members of a department, program or unit should be encouraged to report to the Chair, Director, Division Chief or Chair equivalent, any instance in which they observe an academic appointee in the unit failing to adhere to the safety requirements³. When an academic appointee fails, as an individual, to act in accordance with safety requirements⁴, the progressive engagement plan below will be followed. However, the progressive engagement plan does not preclude the simultaneous initiation of safety related actions by ORA, as necessary to support public health and safety in the research setting. In addition, the pathway will not be used for academic appointees who induce or otherwise cause others to fail to comply with safety requirements or if the individual behavior is particularly egregious. In those cases, the administration may immediately initiate disciplinary proceedings according to established policies and procedures.⁵

The pathway for progressive engagement for academic appointees is as follows:

¹ 1) All UC San Diego staff, faculty and student employees who are reporting to campus or any other physical UC San Diego location for work must [conduct a self-screening for COVID-19 symptoms](#) and report any symptoms; 2) [face masks covering both the nose and mouth are required](#) for all individuals present onsite at any UC San Diego location; and 3) social distancing of six feet or more must be maintained in all areas. Academic appointees are responsible for complying with these requirements.

² Instances of non-compliance in a research setting in addition to the pathways below, will be forwarded to ORA for a separate investigation of reported concerns.

³ Alternatively, reports may be submitted to <http://blink.ucsd.edu/go/safetyconcern>), or to the UC Whistleblower Hotline (800-403-4744 or www.UniversityofCalifornia.edu/Hotline).

⁴ Note: These guidelines are intended for use only with unrepresented academic appointees. For cases involving conduct by represented academic appointees subject to a [collective bargaining agreement](#), please contact Academic Employee Relations in Academic Personnel Services. The Chief Human Resources Officer and Vice Chancellor for Student Affairs are responsible for compliance by staff employees and students, respectively.

⁵ APM 011, Academic Freedom, Protection of Professional Standards, and Responsibilities of Non-Faculty Academic Appointees; or, APM 015, The Faculty Code of Conduct and APM 016 University Policy on Faculty Conduct and the Administration of Discipline APM-016; or, APM 150, Non-Senate Academic Appointees/Corrective Action and Dismissal.

1. Upon the first instance of reported or observed conduct in violation of the safety requirements, the Chair⁶ will meet with the appointee to discuss the alleged conduct:
 - The Chair will describe the specific observed or reported conduct, and provide the appointee with the opportunity to respond.
 - Regardless of any response, the Chair will remind the appointee of the specific UC San Diego safety requirement(s) applicable to the alleged conduct.
 - The Chair will clearly articulate behavioral expectations going forward, and an action plan to ensure compliance (e.g., address any structural concerns inhibiting social distancing, or lack of adequate facial covering, etc.)
 - The Chair will advise the appointee that a subsequent violation of safety requirements will result in escalation to the Dean.
 - The Chair will send a written summary of the meeting via email to appointee, with a copy to the Dean.

2. Upon a second instance of reported or observed conduct in violation of the safety requirements, the Chair will report the alleged conduct to the Dean, and the Dean will meet with the appointee to discuss the alleged conduct:
 - The Dean will describe the specific observed or reported conduct, remind the appointee of the prior conduct as addressed in the previous meeting with the Chair, and provide the appointee with the opportunity to respond.
 - Regardless of any response, the Dean will remind the appointee of the specific UC San Diego safety requirement(s) applicable to the alleged conduct.
 - The Dean will clearly articulate behavioral expectations going forward, and an action plan to ensure compliance.
 - The Dean will advise the appointee that a subsequent violation of safety requirements will result in escalation to the EVC via the Sr. AVCAA, and the issuance of a written warning.
 - The Dean will send a written summary of the meeting via email to the appointee, with a copy to the Chair and Sr. AVCAA.

3. Upon a third instance of reported or observed conduct in violation of the safety requirements, the Chair will report the alleged conduct to the Dean and Sr. AVCAA, and the Sr. AVCAA will meet with the appointee to discuss the alleged conduct:
 - The Sr. AVCAA will describe the specific observed or reported conduct, remind the appointee of the prior conduct as addressed in previous meetings with the Chair and Dean, and provide the appointee with the opportunity to respond.
 - Regardless of any response, the Sr. AVCAA will remind the appointee of the specific UC San Diego safety requirement(s) applicable to the alleged conduct.

⁶ May be Director, Division Chief or other Chair equivalent.

- The Sr. AVCAA will clearly articulate behavioral expectations going forward, and an action plan to ensure compliance.
- The Sr. AVCAA will advise the appointee that a written warning will be issued, and that further violation may establish probable cause of a violation of [APM 011, Academic Freedom, Protection of Professional Standards, and Responsibilities of Non-Faculty Academic Appointees](#), or [APM 015, The Faculty Code of Conduct](#), as applicable.
- The Sr. AVCAA will advise the appointee that if future conduct results in a finding of a violation of APM 011 or APM 015, the EVC may initiate formal discipline, which may result in issuance of a formal letter of censure, or other disciplinary sanction(s) as appropriate, in accordance with [APM 016, University Policy on Faculty Conduct and the Administration of Discipline](#), or [APM 150, Non-Senate Academic Appointees/Corrective Action and Dismissal](#), as applicable.

The Sr. AVCAA will issue a written warning to the appointee via email, including a summary of the meeting, with a copy to the Chair, Dean, and EVC.

4. A subsequent instance of reported or observed conduct in violation of the safety requirements constitutes probable cause that the faculty member is in violation of [APM 011, Academic Freedom, Protection of Professional Standards, and Responsibilities of Non-Faculty Academic Appointees](#), or [APM 015, The Faculty Code of Conduct](#), as applicable and the EVC will initiate the formal discipline process.