



John B. Oakley
Distinguished Professor of Law, U.C. Davis
Telephone: (510) 987-9303
Fax: (510) 763-0309
Email: John.Oakley@ucop.edu

Chair of the Assembly and the Academic Council
Faculty Representative to the Board of Regents
University of California
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200

August 21, 2007

ROBERT DYNES
PRESIDENT

Re: Academic Council Comments on the UCOP Governance Work Team's *Draft Guiding Principles for Policy Setting and Compensation Governance*

Dear Bob,

At its meeting on June 27, 2007, the Academic Council first reviewed the UCOP Governance Work Team's *Draft Guiding Principles for Policy Setting and Compensation Governance*. The Council deferred final action until its July meeting, and appointed a Council working group to develop detailed recommendations for Council action, and specifically to evaluate whether the draft principles adequately recognize the role of the Academic Senate in policy-setting and compensation governance.

The University Committee on Faculty Welfare (UCFW) took the lead in drafting the working group's recommendations. UCFW found multiple instances in the draft principles where the role of the Academic Senate was not acknowledged, or was insufficiently recognized. In addition to recommendations to strengthen the draft principles' express recognition of the Academic Senate's consultative role in the shared governance of the University of California, UCFW made several editorial suggestions for improving the draft principles in other respects.

UCFW's comments on behalf of the working group were adopted in full by the Academic Council on July 27, 2007. On behalf of the Academic Council, I respectfully request that the recommended changes be made to the draft principles as the UCOP Governance Work Team moves forward with its charge in the next academic year. As members of the UCOP Governance Work Team, Vice-Chair and Chair-Designate Michael T. Brown, and I, look forward to continued progress on this worthwhile project.

Sincerely,

A handwritten signature in blue ink, appearing to be 'JO' followed by a stylized flourish.

John B. Oakley, Chair
Academic Council

Copy: Academic Council
Wyatt R. Hume, Provost and Chief Operating Officer
Michael T. Brown, Vice Chair, Academic Council
María Bertero-Barceló, Senate Director

Enclosure: 1



UNIVERSITY COMMITTEE ON FACULTY WELFARE (UCFW)
Susan French, Chair
french@law.ucla.edu

Assembly of the Academic Senate
1111 Franklin Street, 12th Floor
Oakland, CA 94607-5200
Phone: (510) 987-9466
Fax: (510) 763-0309

July 16, 2007

**JOHN OAKLEY, CHAIR
ACADEMIC COUNCIL**

**RE: UCFW Comments on Policy Review Project – Draft Guiding Principles for Policy Setting
and Compensation Governance**

Dear John,

UCFW considered the draft Guiding Principles for Policy Setting and Compensation Governance at its July 13, 2007 meeting. UCFW believes that the draft does not adequately recognize the role of the Academic Senate in policy setting and compensation governance. UCFW suggests changing the following paragraphs to read:

A. VI. Policies approved by The Regents will receive careful deliberation and will be approved only after consultation with the Academic Senate and the General Counsel of the Regents, and, as appropriate, consultation with other academic, student, and staff constituencies.

C. II. f) Recommend to the Board on matters relating to professorial salary scales presented by the President of the University.

C. III. e). Compensation policies and decisions will be adopted, revised, and acted upon by the Office of the President only after consultation with the Academic Senate and the General Counsel of The Regents, and, as appropriate, with other academic, student, and staff constituencies.

C. IV. Add new section c):

Compensation decisions and actions shall be made in accordance with policy, and, with respect to faculty, shall be made only after consultation with the Academic Senate in cases where policy calls for such consultation.

In addition to these changes, UCFW calls attention to the fact that there are significant discrepancies among campuses in the way that compensation policies are applied. UCFW suggests that some attention should be given to the question whether it would be desirable to address discrepant application in the principles.

In addition, “discrepancies” has been stricken from C. I. a). Consideration should be given to adding “equity” in its place.

Finally, UCFW notes that the principles could benefit from some additional editing.

For example, A.VII, says that “The Regents will be guided by the principles of public, institutional, and individual accountability, transparency and disclosure, and effective governance and oversight” suggesting that there is a single set of principles—which can’t be the case. “the” should be omitted.

B. X does not make it clear that the policies referred to cover senior managers who do not hold faculty appointments. Insert “governing senior managers” after board service and “also” after “will govern.”

C. Compensation philosophy. Should “policy” be substituted for “strategy”? If strategy is retained, it should specify the purpose of the strategy: “UC’s strategy for achieving and maintaining excellence is to offer competitive compensation that will attract and retain the highest quality academic, managerial, and staff talent.” . . .”

Paragraphs C I a) and b) are quite awkward. Substantively, why is the Compensation Committee’s role in C. II. b), limited to assessment? Why doesn’t it include a responsibility to report to the Board on UC’s progress? Also, why limit the responsibility to “periods established by the Board”? Periods established by the Board may be so long that they create risks of substantial erosion in the quality of UC (like the 10-year period of RE-61).

On behalf of UCFW, I hope you find these comments useful. Thank you for requesting UCFW’s input on this matter.

Sincerely,

Susan F. French, Chair
UCFW

Copy: UCFW
Maria Bertero-Barcelo, Executive Director, Academic Senate