

**UNIVERSITY COMMITTEE  
ON  
ACADEMIC PERSONNEL  
2011-2012 ANNUAL REPORT**

**TO THE ASSEMBLY OF THE ACADEMIC SENATE:**

The University Committee on Academic Personnel (UCAP) had four meetings during the Academic Year 2011-2012 to conduct business with respect to its duties as outlined in Senate Bylaw 135 to consider general policy on academic personnel, including salary scales, appointments and promotions, and related matters. The issues that UCAP considered this year are described briefly as follows:

**Proposed Revisions to APMs 010, 015 and 016**

UCAP considered proposed revisions to APMs 010, 015 and 016 in October 2011 during a Management review and in May 2012 during a complete Systemwide review. The proposed changes respond to an Academic Council request to create an explicit protection for faculty freedom to speak on matters of institutional policy following a ruling by the U.S. Supreme Court that permitted public employers to discipline employees for criticizing agency decisions (Garcetti). The proposed change to APM 016 is proposed by the Administration to add an expectation that faculty will comply with University policies to the existing expectation that faculty will comply with rules and regulations. In its response to Council in June, the committee requested clarification from the Office of General Counsel about why it would like to add the phrase “when acting as a member of the faculty” to the APM and indicated that interpretation of this vague phrase could be problematic.

**Proposed Revisions to APM 668**

In October, UCAP discussed proposed revisions to APM 668, the negotiated salary plan, and identified a number of concerns. Members were concerned that at some point there will be pressure to use grants to compensate outstanding faculty and that faculty who bring in numerous grants will be able to negotiate a higher salary simply for this reason. Another issue is that the plan could potentially widen the gender gap. There were also concerns about inequities even within the same department and about exacerbating differences and widening the gap between grant rich and grant poor disciplines. The plan could create two salary structures, one which is not transparent in addition to the merit based structure that UCAP would like to maintain.

Another concern was that this policy would negatively impact the academic culture by causing faculty to further shift their priorities away from service and teaching, so there should be safeguards to ensure that an appropriate balance is maintained. It is unclear who would review the annual negotiation required by the plan since faculty are not evaluated annually. Another type of CAP could be established to provide oversight and look at salaries. UCAP was also concerned that APM 668 will take pressure off of the system to fix the salary scales. In the event that implementation of this program is unavoidable, UCAP members made various suggestions, for instance, that there could be a way to allow for revenue sharing, and that the chancellors should set a strict limit on the Y component.

UCAP submitted a memo to Council expressing the committee's concerns in October and in February, Academic Assembly voted against APM 668. In January, Vice Provost Carlson reported that Academic Personnel was in the process of analyzing comments received in response to the review of APM 668, and noted that there is concern about what the proposed changes would mean for the role of CAPs.

**UCAAD Salary Equity Report**

The salary equity report was put together by the University Committee on Affirmative Action and Diversity and reviewed by UCAP in October. This comprehensive report on the analysis across 72 different units shows that UC has not made progress in achieving salary equity for women and underrepresented minorities.

The committee noted that there is no mechanism in the CAP or salary structure to correct the inequity. Another issue is the CAPs at some campuses do not look at salary while others do. This issue has been clouded since the scales fell apart, creating an opportunity for unfairness. One question is whether minorities are being systematically discriminated against with respect to the off-scale component, although exploring this would take much more data.

In light of the data available, the committee concluded that UC should look at distributing whatever resources are available to the campuses to reduce the inequities and also suggested other strategies. Money to adjust salaries could come from UCOP since this class of underpaid faculty is located throughout the system. UCAP also suggested that a targeted decoupling increment could be used for this class to adjust salaries or that UCOP could provide the chancellors with funds to use at their discretion for equity adjustment. While the committee felt that UCAAD could take the lead in suggesting remedies that address past problems as well as future issues, it was agreed that UCAAD is not familiar with the details of how CAPs look at salaries. UCAAD could meet with the chairs of each CAP to help develop strategies to address salary equity issues regardless of whether or not the CAP looks at salary data. During its meeting of May 8, 2012, the committee examined data on faculty salaries prepared by Academic Personnel which prompted further discussion about salary inequities within the UC system. In a June letter to Council, UCAP recommended that each campus determine the full extent of its salary inequity problem and propose strategies to correct the inequities.

#### **APM 210**

APM 210 was not under formal systemwide review this year. However, UCAP discussed it during several meetings after the University Committee on Academic Freedom questioned language in the policy about promoting research on diversity and concluded that this language appears to favor one type of research over another. UCAP discussed the clarity or confusion resulting from language in APM 210 regarding assessing contributions to diversity. A source of confusion for the committee was whether APM 210 introduces a “fourth leg” to be evaluated when a faculty member is reviewed for a merit increase (in addition to research, teaching, and service) or whether APM 210 in fact does not do this. At some campuses, departments do not monitor diversity-related activities and these activities are not indicated on the biobib, while other campus CAPs, in contrast, provide places on the biobib to discuss diversity contributions and recognize these contributions consistently. CAPs that consider diversity may look for contributions that exceed the norm and highlight evidence of a contribution in the final report.

Some members of UCAP strongly asserted the APM's language is satisfactory and that the issue is lack of understanding that diversity is not a fourth leg. Since CAPs consider diversity activities on a campus by campus basis, the current language allows for local interpretation by each CAP. A larger number of members of the committee argued strongly that the language in APM 210 could be interpreted to mean that research that highlights inequalities is a special type of research and does not make it clear whether CAPs are being asked to give extra credit to faculty in this field. They would like UCAP to work on a rewording of section 1.d of APM 210. In a letter to Council in June, UCAP proposed revising the language on criteria for appointment, promotion and appraisal to exclude the reference to research that highlights inequalities.

The majority opinion of UCAP was that whether or not APM 210 is ultimately modified, faculty who focus on diversity in their academic field should not receive a bonus simply because of this focus. Members also agreed that CAPs have an understanding of what constitutes good or bad research. Members suggested that awareness and training are needed, and that one way this could be done is through outreach to chairs and deans to discuss how credit might be considered. Equity advisers at the campuses could provide training on APM 210 within the review process.

In March, UCAP was joined by the chair of the University Committee on Affirmative Action and Diversity, Meg Conkey. Chair Conkey indicated that UCAAD has heard feedback from a number of committees that

are concerned about implementation of APM 210 and that there is an interest in discussing best practices related to diversity at the campus CAPs and committees on diversity. In contrast to UCAP's concerns, UCAAD is concerned about whether faculty know they can add activities related to diversity explicitly, and also with where in the biobib attention is paid to APM 210. Additionally, UCAAD would like to have even more places in the biobib to report activities related to APM 210. It is anticipated that UCAP and UCAAD will have another discussion about APM 210 in the upcoming academic year.

### **Report of the Faculty Diversity Working Group**

The Faculty Diversity Working Group was one of five established under the President's Campus Climate Task Force and it issued its final report in April. UCAP's discussion and feedback about the report was influenced by the issues the committee has raised regarding APM 210. Members agreed that it is important to emphasize that UCAP is committed to diversity and to preserving equity at all levels. While diversity remains a problem that should be improved, the committee members did not agree with many of the strategies recommended by the Working Group. In its June response to Council, the committee conveyed its belief that the chancellors, executive vice chancellors and deans are best positioned to make a real difference in improving diversity. Diversifying the faculty should be done through funding grants programs or creation of special initiatives; diversity should be kept separated from the review process. Committee members felt that CAPs can best contribute to improving diversity by placing a premium on mentoring and service that promotes diversity and by being attentive to the various challenges related to maintaining diversity. Support for some of the Working Group's recommendations is contingent upon the revisions to APM 210 discussed above.

### **Faculty Salaries Task Force**

UCAP members were asked to provide comments in response to the Faculty Salaries Task Force report in March. Chair Lindenberg was a member of the Salary Equity Task Force which devised a five year plan to improve the faculty salary scales although it is not clear where any money would come from to implement the plan. Most UCAP members agreed that the strategies in the report are a reasonable start to fixing the scales, and there was support for giving campuses flexibility. It is important to fix the scales, especially intercampus differences, but the committee recognizes that one solution will not fix all of the problems. Although UCAP members felt that the plan is a good first step, the committee was concerned that it will fall short and does not resolve salary differences between faculty at UC and the comparison eight institutions. UCAP conveyed its feedback to Council in a March letter.

### **Proposed Open Access Policy**

The University Committee on Library and Scholarly Communication asked the committee for informal feedback of a proposed open access policy for UC. Several years ago, UC attempted to approve an open access policy but this effort was not successful. Other universities, including Harvard, have since passed their own policies that address some of the criticisms of UC's failed policy. There is currently a greater understanding of and interest in open access at UC. The main goal is to make research more widely and freely accessible to the public, which is something publishers do not do because of the subscription model. UC campus libraries, including the California Digital Library, are at the limit of being able to pay for research publications. The policy would also create an infrastructure for a repository for making those works available which already exists through eScholarship. One question UCAP was asked to consider was what kind of effect this policy would have on promotion and tenure. UCAP submitted a letter to Council in July expressing support for the proposed policy.

### **Changes in Publication Venues**

The topic of changes in publication venues has come up in previous years at UCAP. Faculty are publishing in non-traditional venues and this creates different issues depending on the discipline. As publishers are disappearing, some faculty in the book disciplines are turning to self-publishing. The question is how the personnel review system should handle this. The venue issue is related to the amount of publications

expected of people and how this impacts decisions about advancement. As more journals are introduced it becomes difficult to evaluate their impact and it is also hard to determine the prestige of any new journals. Since the issue of the change in venues will continue to affect the work that CAPs do, the committee agreed with the idea of appointing systemwide groups of faculty, not necessarily UCAP members, to develop systemwide guidelines to deal with these issues. In April, UCAP submitted a letter to Council suggesting the creation of working groups to look at the issue of changing venues and perhaps generate recommendations to address the changes in the context of the faculty review process. One working group should be comprised of faculty in the humanities, arts and social sciences and the second group comprised of science and engineering faculty. UCAP will continue to discuss this issue during the 2012-13 academic year.

### **Other Issues and Additional Business**

In response to requests for formal comment from the Academic Council, UCAP submitted views on the following:

- Proposed Revisions to APMs 200 and 205
- APM 670
- UCSD's Proposed Affiliation Agreement with the California Western School of Law
- APM 430
- National Association of Scholars "A Crisis of Competence" Report

### **Campus Reports**

UCAP devoted part of each regular meeting to reports about issues facing local committees and comparison of individual campus practices

### **Survey of CAP Practices**

UCAP updated its annual survey of local CAP practices and experiences. The survey covers a wide range of topics, including the type and number of files reviewed by CAPs; CAP support, resources and member compensation; final review authority; CAP's involvement in the review of salary and off-scale increments at the time of hiring or in retention cases; and the use of ad hocs. UCAP considers the survey to be an important resource that helps the committee identify areas in which campus practices might be brought into closer congruence. This year, members agreed that the survey should be conducted every other year. The survey will next be updated in 2014.

### **UCAP Representation**

UCAP Chair Katja Lindenberg represented the Committee at meetings of the Academic Council and the Assembly of the Academic Senate.

### **Committee Consultations and Acknowledgements**

UCAP benefited from regular consultation and reports from Susan Carlson, Vice Provost, Academic Personnel; Nancy Tanaka, Executive Director, Academic Personnel; Janet Lockwood, Manager-Academic Policy and Compensation, Academic Personnel; and Mathew Xaview, Data Coordinator, Academic Personnel.

UCAP occasionally consulted the Academic Senate chair Bob Anderson and vice-chair Bob Powell about issues facing the Senate and UC, and the Senate executive director Martha Winnaker about Senate office procedures and committee business.

UCAP is grateful to all of them for their very helpful and knowledgeable input.

UCAP is also extremely grateful to Brenda Abrams, whose help and good advice are especially noted. Her historical memory and general knowledge were invaluable. (UCAP Chair Lindenberg added this note and enjoins Brenda from removing this in spite of the fact that she is a signatory to this document.)

Respectfully submitted,

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