

# **UNIVERSITY COMMITTEE ON ACADEMIC PERSONNEL**

## **2014-2015 ANNUAL REPORT**

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

The University Committee on Academic Personnel (UCAP) had four meetings during the Academic Year 2014-2015 to conduct business with respect to its duties as outlined in Senate Bylaw 135, which are 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:

### **Total Remuneration Study**

UCAP discussed the *2014 Total Remuneration Study for General Campus Ladder Rank Faculty* over the course of several meetings this year. The 2014 study found that the average salaries of UC faculty are now 12 percent below and the average benefits are now 7% below those of faculty at our comparison institutions.

In November the committee was asked to provide its perspective on how the University should address this remuneration gap. Questions UCAP considered included whether salaries or benefits should be increased, whether range adjustments should be given to everyone or only to meritorious faculty, and whether off-scale salaries should be gradually returned to scale. Members agreed that trying to retain faculty once they have received an outside offer is more difficult and expensive than keeping faculty happy in the first place. At the same time, members agreed that the salaries of meritorious faculty who have suffered a “loyalty penalty” for not seeking outside offers should be increased. There was strong agreement that UC’s step system is essential to its system of shared governance and that every effort should be made to strengthen the salary scales.

UCAP’s final recommendations for closing the remuneration gap were submitted to Academic Council in January. The committee recommended that a budgeted 3% increase in the salary pool be applied to an across-the-board increase in the onscale portion of faculty salaries. This approach has the advantages of transparency, equity, and ease of implementation. It would also begin the process of lessening the disparity between onscale and offscale salaries, and it would provide a much-needed boost to faculty morale. The committee agreed that a second, less desirable approach would be to reserve some portion of the 3% increase for flexibility in setting individual campus salary goals. UCAP members also agreed that redesigning the salary scales is impracticable at this time. It is the committee’s view that the total compensation gap is an urgent matter that calls for immediate redress.

### **The President’s Innovation Council Rewards and Recognition Work Group**

President Napolitano established the President’s Innovation Council, comprised mostly of venture capitalists and entrepreneurs, in the summer of 2014. The goal of the Council is to improve UC’s ability to support technology transfer and the commercialization of research. In November, UCAP was joined by Dr. Ann Marie Sastry, who chairs the Council’s Rewards & Recognition Work Group. Following that meeting, UCAP members provided the Work Group with information from their CAPs in response to two questions about the role of technology transfer and commercialization in the review process: 1) how does your committee evaluate achievements in technology transfer such as patents? and 2) has your committee found it difficult to evaluate such achievements? Based on the CAP responses to these questions, both

UCAP and Dr. Sastry concluded that patents were a relatively infrequent issue in reviews, that CAPs encountered no significant difficulties in reviewing patents, and that the review process would not be an especially fruitful path for encouraging more patents.

Two members of UCAP volunteered to participate on the Rewards and Recognition Work Group, which met twice by phone between January and May. The Work Group focused on how UC-developed patent technology can be more effectively transferred to the private sector. UCAP members suggested that it might be useful for campuses as well as the Work Group to solicit reports from the University's intellectual property or technology transfer offices about how patents have benefited UC financially. The committee also suggested that CAPs should develop guidelines for assessing patents, if they have not already done so. Finally, committee members agreed that any emphasis on technology transfer and commercialization must not disadvantage faculty in the arts and humanities.

### **Negotiated Salary Trial Program**

In January, UCAP received the first of three annual reports on the Negotiated Salary Trial Program (NSTP). In this trial program, which involves faculty at UCSD, UCI, and UCLA, faculty can draw a negotiated salary component that must derive exclusively from external funds such as grants, gifts, and self-supporting degree programs. This component cannot exceed 30% of the scale plus offscale salary of the faculty member. The Senate was strongly opposed to this program and UCAP had particular concerns about Senate oversight in a process where chairs and deans alone decide on the negotiated salary.

Each campus has an implementation plan that specifies what the role of CAPs will be, but it was not clear from the annual reports or from the experience of UCAP members whether CAPs had been properly involved in the assessment process. UCAP would like the questionnaire for the reports to include a question about how CAPs were involved in the trial program. Even if the CAPs have a minor role, UCAP thinks that an account of this role should be included in the report. The committee also suggested that the reports should provide more data on any increases or decreases in the research productivity, the teaching, and the mentorship and service activities of participating faculty, and participating campuses should collect more data on whether the salaries for faculty in the trial program impacted the funding for hiring graduate and post-doctoral students.

Several UCAP members wondered what metrics the trial program would use for evaluating the program's success or failure. One possible metric would be the change in aggregate teaching loads for the NSTP participants. The administration has claimed that teaching loads have not changed, but some participants have reported reduced teaching loads. The committee noted that the main purpose of the program is preemptive retention, whose success or failure is inherently difficult to gauge. Another question was whether external funding agencies have started to react to the negotiated salary program. UCAP will continue to monitor the NSTP next year.

### **Faculty Salary Equity Studies**

In May, UCAP reviewed and discussed the faculty salary equity studies produced by each campus in accordance with an agreement between the Office of the President and the Academic Senate that the optimal method of reviewing faculty salary equity was at the campus level. Overall, UCAP was impressed by the work of the joint Senate and Administration steering committees on each campus.

In a memo to Academic Council, UCAP suggested that future equity studies should systematically explore whether salary differences are linked not only to gender and race or ethnicity but also to other factors such as field or discipline, era of hire, family accommodations, recruitment offers, and retention offers. The committee noted that the campus reports rarely address how the Senate will be involved in devising and implementing remedies to the salary inequities that the reports disclose. UCAP strongly believes that the Senate must play an active role with the Administration in remedying salary inequities.

Lastly, UCAP suggested that faculty with relevant expertise could be encouraged to participate on equity-study steering committees if the University offered them some form of compensation for their work. UCAP members look forward to the joint Senate and Administration discussion that will take place this summer and fall about the methodologies, best practices, analyses, and findings in the campus-based studies.

### **Step VI-Part I-External Letters**

UCAP was asked by the systemwide Committee on Academic Freedom to discuss campuses practices for including external evaluation letters in Step VI reviews. As UCAF noted, three of the ten UC campuses (UCB, UCD, and UCSD) no longer require such letters for Step VI reviews, and UCAF expressed concern that the lack of external assessment in Step VI cases might infringe the academic freedom of Step VI candidates. UCAF requested that UCAP consider whether CAPs had seen any evidence of problems or potential problems in Step VI reviews on campuses where extramural letters are optional.

The only difficulty that members reported with Step VI reviews was an issue at UCD, which has eliminated external letters for Step VI reviews: the David CAP found that such letters are sometimes useful, and they have urged the campus to adopt a policy in which external letters are optional for Step VI cases. As for the legitimacy of making these letters optional, UCAP carefully consulted the Academic Personnel Manual (APM) and advised UCAF that the APM nowhere specifies that chairs must solicit external letters of evaluation in Step VI reviews. UCAP concluded that it is reasonable for campuses either to require extramural evaluation letters in Step VI reviews or to make such letters optional. Furthermore, UCAP found no specific reference in the APM to academic freedom as the rationale for extramural letters. Throughout the APM, the justifications for extramural letters are broader: the letters are intended to ensure a fair, thorough, and objective review. UCAP agreed with UCAF that a candidate should have the right to request that the chair solicit extramural evaluation letters in Step VI cases; if the chair were to deny this request, the candidate could note that fact in her or his response to the departmental review. UCAP did not agree, however, that candidates should have the right to *require* such letters. Within the department, UCAP noted, the authority for soliciting extramural evaluation letters is explicitly reserved to the chair.

In response to a request from Senate Chair Gilly, UCAP also discussed the value of the Step VI threshold in general. Members agreed that the threshold remains important and should be retained.

### **Review of Health Care Clinical Faculty**

Several UCAP members participated in an email discussion about problems in assessing health care faculty. In the APM, the criteria for evaluating these faculty are not as clearly defined as they could be, and some CAPs have therefore attempted to devise assessment guidelines for their campuses. Next year, UCAP might want to consider how APM policy on health care faculty could be clarified, particularly in regard to the confusing array of appointment titles for these faculty.

### **Off-Cycle Reviews**

Proposed revisions to APM 360 (Librarian Series) led the committee to discuss the issue of off-cycle reviews. The committee agreed that it is best to avoid off-cycle reviews, whenever possible, because they have the potential to generate inequities in the review process and to increase the workload for candidates and reviewers alike. In some cases, such as retention efforts, an off-cycle review may be unavoidable, but the committee agreed that these cases should be regarded as exceptional.

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

University Professor: In November 2014, in accordance with APM 260, UCAP nominated an ad hoc faculty review committee to review an appointment to the University Professor title proposed by a campus. In February 2015, UCAP members reviewed the ad hoc committee's recommendation and all

case materials and Chair Knapp notified Vice Provost by email that UCAP unanimously supported the recommendation for the University Professor appointment.

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

- Proposed Revisions to APM – 080 and APM – 330
- Proposed Revisions to APM 279, APM 360, and APM 210-4
- Final Review of Proposed Revisions to APM 210.1.d

### **Campus Reports**

UCAP devoted part of each regular meeting to discussing issues that face local committees and to compare individual campus practices regarding the review process.

### **UCAP Representation**

UCAP Chair Jeffrey Knapp represented the Committee at meetings of the Academic Council and the Assembly of the Academic Senate. He also served on the Provost's Academic Planning Council and the Total Compensation Working Group. In January Chair Knapp chaired a Senate work group charged by Chair Gilly with improving the wording of a proposed revision to APM 210-1-d based on the systemwide responses to the proposed revision that the Senate had reviewed in December.

### **Committee Consultations and Acknowledgements**

UCAP benefited from regular consultation and reports from Susan Carlson, Vice Provost, Academic Personnel and Janet Lockwood, Manager-Academic Policy and Compensation, Academic Personnel. UCAP occasionally consulted the Academic Senate Chair Mary Gilly and Vice Chair Dan Hare about issues facing the Senate and UC, and the Senate Executive Director Hilary Baxter about Senate office procedures and committee business.

Respectfully submitted,

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