

Attending: Jeffrey Knapp, Chair (UCB), James Jones (UCD), David Redmiles (UCI), Jacqueline Leung (UCSF) (telephone), Bradley Chmelka (UCSB), Myrl Hendershott (UCSD) (telephone), Jang-Ting Guo (UCR), Eric Talley (UCB), Michael Stenstrom (UCLA), David Kelley (UCM), Mary Gilly (Academic Senate Chair), Dan Hare (Academic Senate Vice Chair), Susan Carlson (Vice Provost, Academic Personnel, UCOP), Janet Lockwood (Manager, Academic Policy and Compensation, UCOP), Brenda Abrams (Principal Policy Analyst)

I. Announcements

The Senate is still waiting for a final decision about how the 3% will be allocated to faculty compensation. Details of the plan are still confidential. It is not clear if the increase will even occur since the president wants to wait until the state budget negotiations are complete. There is still no plan to close the salary gap. A group called Collaborative on Academic Careers in Higher Education (COACHE) based at Harvard has been hired by UCOP to conduct exit surveys of faculty and Chair Knapp will suggest that COACHE also survey faculty who have been retained. COACHE is interested in having Senate input into creating the survey and analyzing the results. Finally, significant criticism of the proposed sexual harassment prevention policy resulted from the Senate's review.

II. Consent Calendar

Action: The minutes were approved.

III. Negotiated Salary Trial Program

For the NSTP, the CAP roles at UCI and UCD are similar. These two CAPs are supposed to receive the proposals and decide if the faculty are in good standing. As spelled out in the document, the UCLA CAP's role is somewhat confusing.

Discussion: UCSD's CAP has reviewed these cases regularly. The UCI CAP has not reviewed any cases this year but it is unclear if this means that the vice provost is handling the cases unilaterally. It is not clear how the UCLA CAP will benefit from the notifications about approvals. The UCLA CAP does not normally consider salaries and the committee recently discussed how much work would be involved if it did look at salaries. A member asked about the metrics to be used for the evaluation of the success or failure of this program, such as teaching load. A metric is what happens to the aggregate teaching loads for the NSTP participants. The main purpose of the program was preemptive retention, but the success or failure of preemptive retentions is difficult to gauge. Another question is whether funding agencies outside of UC have started to react to the negotiated salary. It will be difficult to track whether teaching load is impacted by the program. The administration has claimed that teaching loads have not been changed but participants have reported reduced teaching loads. The policy requirements related to summer ninths is unclear. This matter will be discussed with Vice Provost Carlson.

IV. Consultation with the Office of the President

- *Susan Carlson, Vice Provost, Academic Personnel, UCOP*
- *Janet Lockwood, Manager-Academic Policy and Compensation, Academic Personnel, UCOP*

UCOP is partnering with Harvard's COACHE on the faculty exit survey. The exit survey will try to gather information about retention, and retired faculty will be included in the respondents. The representative from COACHE had the opportunity to meet with Chair Knapp as well as UCFW and that committee asked to see the draft survey. UCAP will participate in developing the survey and interpreting the results. There is a focus on salary because it can be measured against our peers or compared from campus to campus and from discipline to

discipline. The survey will be online and administered by COACHE. UC has the rights to keep whatever surveys are developed if it becomes too expensive to contract with COACHE. There are strict confidentiality policies in place but Vice Provost Carlson indicated that decisions about how data can be shared will be made once UC sees the data.

Most of the campuses have submitted their faculty equity salary studies. The faculty equity studies process increased awareness of these issues. The faculty salary equity studies are available online and most campuses found that there are not salary inequities. However, most campuses have identified areas needing further research. Certain pieces of data suggest there are differences in the advancement rate by race/ethnicity and gender. This may explain why salary equity studies found no inequities. Academic Personnel hopes to have additional data to bring to UCAP for follow up in the fall.

Senate Chair Gilly joined Vice Provost Carlson to raise a matter related to ASCOLI. Some lab scientists are frustrated because they want to develop a relationship with a campus but there really is no title that reflects what they are doing. ASCOLI considered whether the title "lab faculty" would be a viable title but also proposed revising the existing policy on the adjunct professor title to fit this need. The lab scientists have difficulty teaching because of where they are located and are unable to teach a ten or 13 week course. Vice Provost Carlson will meet with ASCOLI tomorrow about ways to revise the adjunct title and Chair Gilly appreciated discussing this matter with UCAP.

Discussion: Another group that may be surveyed by COACHE include tenured faculty who leave other institutions to join UC. Some CAPs may have information about retention cases although most retention cases are known about only within a department. Chair Knapp shared the committee's questions about the Negotiated Salary Trial Program and differences in the campus implementation plans. The UCI CAP apparently relinquished its review of these cases. The first year, the UCI CAP did not approve of any of the cases and these decisions were overruled. The cases are reviewed by the Senate chair and vice provost now at UCI which is why that CAP is not seeing the cases. It is not exactly clear if the Senate agreed to this change. The EVCP has also not sent the CAP a report for feedback, as policy requires. The UCI representative will share this discussion with his CAP.

Chair Knapp noted that two campuses are mandating that faculty first take three summer 9ths before availing themselves of NSTP funding. The UCLA policy is not quite as clear in terms of this being a requirement or not and if this is a requirement, why did 8% of the recipients not maximize their summer 9ths? Vice Provost Carlson suggested that UCAP could document its concerns in a memo that would prompt a review of these issues when the campus NSTP implementation reports are evaluated again.

UCB studied rate of advancement in 2008 and found discipline to be the most significant variable. The book based disciplines are at the bottom and the physical sciences are at the top in terms of rate of advancement according to the Vice Provost. How book disciplines are evaluated is really a CAP issue. There are factors that may impact younger faculty such as that fewer books are being published in general. One member expressed surprise that no inequities were uncovered at his campus and the methodology is the likely source of the problem. A member emphasized that when there are multiple measurements at various points in someone's career it is important to look at how well individuals are doing at those different points in time.

Members were asked if UCAP would have an issue with using the adjunct title for faculty who are not teaching actual courses, without salary. The committee did not express concerns about this idea. Several campuses including UCSB, UCB, and UCSD already have experience with adjuncts who are not engaged in teaching. This might be helpful beyond the laboratory scientists at the campuses. The APM may already provide the campuses with flexibility. Because the title is used in so many different ways, UCLA's CAP has recently discussed regularizing the definition of adjunct. Chair Knapp suggested having different types of adjunct titles. There should be clear expectations of what is expected from someone with this title. A member commented that the bare minimum might be mentoring but there should be some involvement with the education process. UCAP will review any proposed language. CAPs may need guidance about the expectations for someone appointed without salary.

V. Rewards & Recognition Work Group of the President's Innovation Initiative

The UCD representative reported that the Work Group has met twice by teleconference. Focus groups with representatives from the campuses will be convened to gather ideas about technology transfer. Rewarding patents is not particularly valuable but facilitating how the patent technology is transferred to the private sector will be the main issue for the Work Group. The UCLA's CAP discussed patents and found that patents do not impact CAP reviews. There is not a good way to understand whether patents have really created something new. There are also various degrees of patents. A report from the intellectual property or technology transfer offices about how they have benefited UC financially might be useful.

Discussion: The fact that the patents get past the US Patent and Trademark Office means they have been peer reviewed, although the value of this is questionable. The US PTO may be more focused on whether something is novel. A member commented that even if a patent is not generating a profit for UC it may be useful as a defensive patent in case of lawsuits. Citation indices for past patents could be provided to CAPs. The majority of patents do not get licensed. The UCSB CAP may use the patents as a sign of impact. It is important that the emphasis on patents does not disadvantage faculty in the arts and humanities. A member indicated that, in the areas where patents are not applicable, there is no interest in them. Individuals who have successful start ups are not rewarded by all by CAPs – the success of their start up is considered the reward.

Dr. Ann Marie Sastry, the chair of the Rewards & Recognition Working Group, wanted UCAP to write a policy statement for campuses with procedures on how to incorporate innovation and entrepreneurial activities into the personnel review process, but Chair Knapp explained that UCAP is a coordinating committee, not a governing committee that issues such policy statements. The committee agreed that an informal email from Chair Knapp to the members with suggested guidelines for CAPs would be an appropriate strategy.

Action: The chair will send an email with UCAP's suggestions to the members to share with the CAPs.

VI. Final Review of Proposed Revisions to APM 210.1.d

UCAP has the opportunity to weigh in on the final systemwide review of proposed revisions to APM 210.1.d.

Discussion: A member pointed out that the revision includes the word "credit" which suggests to CAPs that extra weight should be granted. Chair Knapp indicated that the original version from the task force he chaired to revise the statement was "due recognition." For stylistic reasons, Council proposed the use of "due credit" but UCAP could make a recommendation to use its proposed language. The UCD member proposed developing a checklist to help evaluate (rather than enumerate) the outcome of mentoring to encourage chairs take an analytical approach to these things. Candidates can be given a chance to make the case. It should be the responsibility of the candidate and the chair to make the case for how mentoring is evaluated. Reportedly, APM 210.1.d is frequently discussed by the UCD CAP.

Action: The committee agreed to not opine on this matter.

VII. Faculty Salary Equity Studies

Chair Knapp invited members to share their comments on the faculty salary equity studies.

Discussion: A member described general issues with the methodology that is chosen. It can be difficult to tease out the issues depending on the variables chosen. UCD found disparities related to the loyalty tax and family leave, and looked at era of hire in its analysis. The UCD CAP learned there are limitations to the types of data academic personnel departments are collecting. Even an effort to look systemwide at some demographic groups is complicated. Reportedly, the finding that most UCLA faculty are off scale demonstrated that the administration is taking the right steps.

UCAP might want to point out to Vice Provost Carlson that the role of CAPs in articulating remedies should be spelled out. The deans may have been the ones who created the inequity. A member asked how the information about the studies is being disseminated. The UCSB member emphasized that CAPs trust the merit and review process. A member suggested that some of the individual experts at the campuses who normally conduct this type of research may not have been included in the group that developed the survey. Different ways to change the composition of the committees that conducted the studies was discussed. One CAP invites deans to meetings to explain their decision-making.

Action: Chair Knapp will draft a memo outlining the committee's concerns.

VIII. Consultation with the Academic Senate Office

- *Mary Gilly, Chair, Academic Senate*
- *Dan Hare, Vice Chair, Academic Senate*

In the November budget approved by the Regents, there was a 3% increase for faculty salary. A recommendation from the combined Senate administrative workgroup, established to identify strategies for how to administer the 3%, will not be followed by the president. The president has decided to increase both on and off scale salaries by 1.5 % and give the campuses the other 1.5% to be used for four defined purposes: equity, compression, inversion and exceptional merit. CAPs that are not involved currently with reviewing salary may have to become involved. The chancellors and executive vice provosts are complaining that the four parameters are too much and that reporting on the 1.5% is too onerous. It should be noted that the Senate recommended the 3% to be applied systemwide and to the on scale salary. The president may have originally wanted the 3% to be flexible only so she may have been influenced a bit by the Senate.

Senate leadership expects to hear about the salary gap after the state budget revise is announced. The final details of the budget are to be determined. The Senate has made it clear that the Regents need a presentation on the results of the total remuneration study. The Senate has been working on the transfer major preparation project and Chair Gilly explained the purpose of this effort. Recently representatives from the governor's office visited Academic Council and several other Senate committee meetings.

Discussion: There could be a major workload issue for CAPs if these committees have four different criteria to assess. It was clarified that a chancellor could apply the funds to only one of the criteria. Another problem related to workload is the deadline for getting this done. The exceptional merit criteria will be difficult to define. It was suggested that campuses could use the funds to address inequities, but it was noted that some of the campuses report finding none. If academic merit is excluded from the criterion, it will be more difficult for CAPs to make an assessment. A presentation to the Regents on total compensation is being discussed. The state budget will allocate a certain amount and it will be up to UCOP to determine how those funds will be allocated. The analyst forwarded information from Chair Gilly about the transfer major preparation initiative and requested that members follow up at their campuses if possible.

IX. Step VI-Part I-External Letters

Chair Knapp explained that this issue came from the Committee on Academic Freedom. However, the concern is shared by only some UCAF members. UCAP is asked to address two points. The first point is about the potential for the candidate's academic freedom to be compromised if the advancement file does not contain extramural letters and therefore extramural letters should be required. The second assertion is that the candidates themselves should be given the option to require that the letters at Step VI cases be solicited if the candidates believe that these would make a material difference to their case.

Discussion: One UCAP member suggested that expert opinions about a candidate's work could easily work against the candidate. Whereas a campus might be willing to accept an article portfolio for advancement across the barrier step in certain humanities and social sciences, the external letter writers of a certain stature in some disciplines may be much more conservative. UCD did away with the requirement for letters a couple of years

ago in part because the external letter writers can be asked repeatedly for letters from UC and the majority of cases are generally clear. However, the UCD CAP has recently discussed cases where it was difficult to evaluate the candidate without external letters. This CAP does not think Step VI should be a barrier step because it just creates a needless obstacle that doesn't fundamentally mean anything, except the CAP thinks these cases should go to CAP so they get a career equity review and can be evaluated for their overall contributions.

At UCB letters at Step VI are optional so the concerns raised by UCAF are already in place at this campus. One reason the letter requirement may have been relaxed at Berkeley is because there are just a few letter writers in some areas and it becomes difficult to enlist them. If a case is unclear, it will be sent back with the advice that letters be solicited. One problem with UCAF's argument is that there is no evidence in the APM that external letters are intended as protection for the candidates' academic freedom. The members agreed that letters should continue to be optional and that the candidate should be able to request, but not require, that letters be solicited.

UCLA's CAP just made a requirement for five independent letters for all of its steps. There seems to be confusion about the difference between Step VI and above scale and members agreed that some explanation should be provided to the letter writers. As described in the APM section on Step VI, there is no reference to it as a promotion and letters are not mentioned. The strength of the external letters help a CAP justify its decisions. Letters might be more valuable for faculty in the book disciplines. At UCSF, a service center handles solicitation of the letters but the candidate provides the names. The CAP can see who has and has not provided a letter which is helpful. The analyst suggested that CAPs should take steps toward clarifying the policies about letters for faculty.

Action: The chair will draft a letter to UCAF about UCAP's recommendation.

X. Step VI-Part II-Value of Step VI

The committee members are asked to consider the value of Step VI. Some campuses now refer this as a threshold rather than barrier step.

Discussion: Members agreed that the status quo is fine and that Step VI should be retained.

XI. Review of Health Care Clinical Faculty

Several UCAP members participated in a discussion about the evaluation of health care faculty by email.

Discussion: According to the UCSF representative, the criterion in the APM is not very clearly defined so the CAP has attempted to find different standards to use for health care faculty. This is particularly with respect to national recognition at the associate professor rank and international recognition at the professor rank. Especially from associate to full professor rank, questions include issues about recognition and evidence of dissemination. UCAP may want to work on clarification of titles for health sciences faculty next year. UCSF's CAP does not review people in health sciences but the committee often considers whether a person should be in the Clinical X or health sciences series. UCLA reviews the Clinical X series.

To be considered for the Clinical X series by the UCSF CAP, there has to be creative work that has been disseminated but research funding is not required. The UCSF representative noted that there has to be a search for a Clinical X position at that campus. UCI does not look at the health sciences positions but the CAP does look at Clinical X and in residence. This CAP distinguishes between the types of publications and research whereas UCSF does not make this distinction. Chair Knapp suggested that UCAP may want to take up this topic next year with the goal of providing more clarity.

There are faculty who game the system to get the Clinical X title so they can be promoted more easily. UCD has a lowered expectation of research for the Clinical X faculty and at the health sciences clinical professors level the cases are not reviewed by CAP but the expectation is entirely on their clinical skills and their teaching (with

a little bit of service) but no expectation that they produce any research. Chairs need to be educated so they put the candidate in the correct title. CAPs could issue a statement to chairs that explain the titles. CAPs should meet with their VP to discuss expectations. The UCD representative reported on the ADVANCE meeting. It was noted that the mentoring of faculty is often overlooked. An individual who mentored many students of color felt that this was essentially research about how to mentor these students, but there was no way for her to report this to her CAP. There was an exchange of many useful ideas and UCAP hopes to see a report on this eventually.

XII. Campus Reports/Members Items

Merced: There is an administrative policy that gives the dean the authority to look at the ethnicity of who will be interviewed and terminate the search if there is insufficient representation of minorities on the short list. This is in contrast to a UCOP statement on affirmative action that authorizes administrators to “scrutinize” the selection process if there is not sufficient representation of minorities on the short list. There is concern that the policies and procedures facilitated by UCM do not correspond to UCOP's stated position about diversity. The campus needs to comply with 209 or UCOP policies and reportedly the dean has dismissed this argument. Members agreed that it is critical that the process be fair.

Members recommended that campus counsel should be involved in this matter. Some CAPs look at the statistics associated with the pool although there can be pushback from the administration when this information is requested. The search committee is required to do due diligence but their reports just go to the deans. The UCOP policy says that administrators may review the race and gender of candidates on the short list. But it is not clear that they can insist on a different pool. Instead the UCOP document suggests that the pool can be scrutinized (without specifying by whom) and that the search committee, not the dean, may either reopen the search or revisit the pool of all qualified candidates. Chair Knapp stated that this lack of clarity at the UCOP level highlights why legal counsel is required.

At UCI, deans always sign off on the short list and a new vice provost for academic equity, diversity and inclusion also signs off on it. UCB has a similar vice provost who reviews the short lists. There are potentially large ramifications related to this matter. UC is required by federal law to make the applicant pools as broad as possible and there is no prohibition against doing this. In the recruitment process, it is institutionally encouraged that campuses seek far and wide for a diverse applicant pool, and in the process by which finalists are chosen there are state law constraints. UCAP's questions include whether all the campuses are in line with the existing UCOP policy and is the existing policy clear enough to provide direction to the campuses. The existing policies do not indicate that the dean has the authority to cancel the search. Members agreed that UCAP should send a memo to Vice Provost Carlson about this issue and expressing UCAP's concerns about compliance with federal and state laws.

Los Angeles: Recently there have been multiple personnel actions in the nursing school. There is only one track for the nurses and there is nothing like clinical or regular faculty nursing. There have been several cases of really good nurses who are having trouble getting promoted. An idea is that there could be a health science clinical nursing track. The types of research papers that come up do have a clinical appearance to one CAP. UCSF has a very talented school of nursing that is top in the nation for NIH funding. A robust faculty are either in residence or ladder rank but there are also many people in clinics and a large number of nurse practitioners teach nursing students and because of this role they have to be faculty. They are evaluated the same as health sciences faculty although the academic requirements are somewhat different. The UCSF representative will send that CAP's guidelines to the analyst to be forwarded to the committee.

San Francisco: There is a discrepancy between the APM and the UCSF faculty handbook. For promotion from assistant to the associate professor rank, the APM does not specify a minimum number of years that should be spent at the assistant professor level before one is promoted to the associate level. The faculty handbook specifies that an individual should spend a minimum six years at the assistant professor rank. This has caused a controversy because the electronic personnel system automatically categorizes a case for someone at six years as

an acceleration. The other members indicated that they do not have the problem because individuals are not required to spend six years at assistant professor rank. At many campuses, faculty can go up for promotion at any time they would like. The APM does not seem to specify how long individuals must stay at any particular rank. The UCSF representative believes there is an error in the campus handbook.

Irvine: The CAP has seen numerous cases with requests for acceleration in step (with a few in time). One year accelerations in step can be the most difficult to distinguish. For a three year acceleration, the CAP looks for accomplishments in all areas and this information can be clear. For one year accelerations, some members of CAP indicate that research is enough of a marker. The UCB CAP pushes back against accelerations in time. At UCD, a “step+ “ program has been implemented (modeled after UCB’s approach but without the half step) and excellence in each category is spelled out. Two categories have to be exceptional to justify a two step at UCD and this is almost always for research. Chair Knapp suggested that accelerations in time should be discouraged in part because of the workload issue. There is also likely to be favoritism as certain deans or departments can be very aggressive about wanting to advance people as quickly as possible. The beauty of the step system depends upon not having accelerations in time.

UCLA uses accelerations but almost exclusively for research. Vice chairs and deans are required by the vice chancellor to explicitly state the reason for acceleration and the CAP has not granted the acceleration when the reason was not included in the letter. UCLA does not have half steps and the CAP does not propose further steps than the dean, candidate or chairs propose. At UCSF, a one year acceleration does not come to the CAP. The UCLA CAP votes on accelerations but it is not afraid of using them for meritorious candidates. The CAP rarely says someone should be accelerated though it might be noted that someone might be a candidate for acceleration the next time around.

Accelerations may be used differently in the book disciplines. The CAP is essentially evaluating a merit until the book is published and sometimes what they are publishing is very difficult to be compared against what the committee usually sees. Publishing practices make this more difficult too because many do not want to publish a book from which more than two chapters have already been published. Election to an academy or royal society can be a recognized honor related to scholarly academy and can be part of the basis for a one year acceleration at UCB. Election to a royal society is generally the basis for some type of acceleration at another campus.

Davis: The newly formed nursing school wants to have its own personnel committee. There are basically only three tenured full professors who might be on the committee. There was an idea that someone from another campus would join by teleconference. The CAP met with the chair of the nursing school executive committee and the proposal being considered is to combine the nursing school and the school of education and graduate school of management which also helps to educate people about the broader campus expectations for performance. The CAP is waiting to hear the feedback on this proposal. Having a health sciences defined discipline within the nursing school would be an ideal solution for this campus.

XIII. New Business

There was no New Business.

XIV. Executive Session (*if necessary*)

There was no Executive Session.

Meeting adjourned at: 2:45

Minutes prepared by: Brenda Abrams

Attest: Jeffrey Knapp