

UNIVERSITY COMMITTEE ON ACADEMIC PERSONNEL

VIDEOCONFERENCE MINUTES

WEDNESDAY, MARCH 9, 2022

Attending: John Kuriyan, Chair (UCB), Francis Dunn, Vice Chair (UCSB), Rhonda Righter (UCB), Lisa Tell (UCD), Michelle Garfinkel (UCI), Catia Sternini (UCLA), Ramesh Balasubramaniam (UCM), Deborah Wong (UCR), Steve Briggs (UCSD), Meg Wallhagen (UCSF), Ruth Finkelstein (UCSB), Stefano Profumo (UCSC), Susan Carlson (Vice Provost, Academic Personnel and Programs), Kimberly Grant (Associate Vice Provost, Academic Personnel and Programs), Derjung Mimi Tarn (Chair, Committee on Library and Scholarly Communication), Ellen Finnie (Director, Collection Development and Management Program, California Digital Library), Robert Horwitz (Chair, Academic Senate), Brenda Abrams (Principal Policy Analyst, Academic Senate)

I. Consultation with the Academic Senate Office

- *Robert Horwitz, Chair, Academic Senate*
- In March, the Regents Health Services Committee heard from Vice President Byington about the affiliation contracts with Dignity, Adventist, and other religious hospital groups, and the Senate is trying to ensure that UC faculty are aware of how to file whistleblower complaints.
- The Regents Special Committee on Innovation Transfer and Entrepreneurship learned that the Office of the President (UCOP) reached an agreement with the Chancellors about the work that will occur on the campuses, including that each campus will choose its own patent tracking system. UCOP will maintain a data warehouse with patents and best practices across the campuses and provide backup on licensing and other legal matters.
- Save Berkeley Neighborhoods filed a lawsuit against UCB on the basis of the California Environmental Quality Act (CEQA) and, as a result of a separate case, the campus was ordered to freeze enrollment at the fall 2020 level. The California Supreme Court rejected UC's request to stay the enrollment freeze pending an appeal. Senator Weiner introduced a bill to exempt enrollment growth from CEQA but it may be some time before this is in place.
- The UCB case is being used by advocates of online courses to push for online education. The Senate has been divided on the issue of OUDPs for the last few years and the systemwide Committee on Educational Policy is studying the issue of online undergraduate degree programs with the goal of developing stringent guidelines for their eventual approval.
- Students at UCLA have advocated for mandatory recording of all courses and mandatory hybrid teaching modalities. The Committee on Academic Freedom (UCAF) looked at these issues and sent a memo to Council stating that Americans with Disability Act accommodations take precedence over faculty academic freedom. UCAF's memo indicates that faculty are willing to be flexible but the Senate will not contemplate mandatory recordings or dual instruction.
- The workgroup on Mitigating the Impact of COVID-19 on faculty is finalizing its second report, which Chair Horwitz will discuss with the Regents in May. It is critical that the workgroup's two reports are disseminated to all faculty.
- UCOP's Chief Operating Officer (COO) met with Academic Council in January to discuss concerns about staff who do not want to return to campus. The Regents received the results of a UC Staff Association survey, which showed that 43% of staff say they are considering leaving UC. There are types of staff that can work remotely without it being problematic but Council talked to the COO about the need for different policies for faculty- and student-facing staff. At the broadest level, UC has to address the need for a post-pandemic social contract between students, faculty and staff to figure out their mutual obligations and how to re-establish an intellectual community.

Discussion: Asked by Chair Kuriyan about the issue of Lecturers with Security of Employment (LSOEs) on CAPs, Chair Horwitz noted that some campuses have more LSOEs than others and posited that it would be wrong to exclude them from campus operations. Some CAPs have different models, such as UCSD's Arts & Humanities Committee on Academic Personnel which is a standing subcommittee that advises CAP on the creative activity of faculty artists. A similar type of committee with LSOEs that is not part of CAP could be established. Chair Horwitz understands that some faculty are reticent about having someone on CAP who does not understand the research mission in an intimate way. Chair Horwitz indicated that more thought needs to be given to whether campuses should set their own policies on LSOEs being appointed to CAPs or if there should be a systemwide policy.

On the issue of staff resistance to returning to campus, a member commented that fund managers are critical staff who handle millions of grant dollars on each campus and in the past, there was a fund manager for every three or four faculty members whereas now there may be one for every 20 or 30 faculty members. Chair Horwitz was encouraged to bring this concern to the attention of the Regents who need to understand the cost associated with bringing federal research funds to UC.

II. Announcements and Updates

Chair Kuriyan had no updates.

III. Consent Calendar

Action: UCAP's January 12, 2022 videoconference minutes were approved.

IV. Consultation with the Office of the President

- *Susan Carlson, Vice Provost, Academic Personnel and Programs (APP)*
 - *Kimberly Grant, Director, Academic Policy and Compensation, APP*
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- Vice Provost Carlson thanked those committee members who volunteered to work on the advancing faculty diversity grants.
 - Academic Personnel is working on the draft policy revisions on APM 210 that highlight mentoring which were proposed by UCAP and the Coordinating Committee on Graduate Affairs last year.
 - The vice provost also appreciates UCAP's response to the Regents Special Committee on Innovation Transfer and Entrepreneurship and a memo to the Regents based on UCAP's is being drafted with Provost Brown.
 - The University Librarians are developing draft language for the APM to include contributions to diversity in their performance and advancement reviews.
 - The Regents approved a new policy to allow UC to offer new faculty hires a zero interest loan for the purchase of a home. This would allow eligible faculty to have additional money up front for the down payment for a home. UCAP can share this information with their colleagues.
 - Academic Personnel is working on implementation of the contract for Unit 18 lecturers with regard to how they will be reviewed and this work includes developing templates for departments and schools to use.
 - UCOP is in active negotiations on three other contracts for academic appointees including postdoctoral students represented by UAW and it is hoped that this contract can be completed later this spring and operationalized on July 1st.
 - There are discussions with academic student unions, primarily Teaching Assistants, and the students are concerned about issues such as housing costs. Bargaining will soon begin with the

graduate student researchers' (GSRs) union which is under the auspices of the UAW. There will be new rules for how faculty work with their GSRs.

Discussion: Vice Provost Carlson expressed that it is important to involve LSOEs in the decisions made about faculty life and faculty careers. This is related to the fact that so many academic appointees are now represented by unions which creates a different kind of employment relationship to the institution. As a result of the recent decision by the GSRs to join a union, over 70% of UC academic appointees are unionized. SB 55 gives units some discretion to manage the LSOE issue. The analyst asked Vice Provost Carlson to share the most recent data from the exit and retention survey conducted at UC campuses by the Collaborative on Academic Careers in Higher Education in the Graduate School of Education at Harvard with UCAP in May

V. Frequently Asked Questions about Open Access for CAPs

- *Derjung Mimi Tarn, Chair, Committee on Library and Scholarly Communication*
- *Ellen Finnie, Director, Collection Development and Management Program, California Digital Library (CDL)*

UCAP has previously discussed open access (OA) and CAP evaluations and asked the Committee on Library and Scholarly Education (UCOLASC) to create a frequently asked questions (FAQ) document about open access publications. The FAQ focuses on OA journals and was drafted by Chair Tarn, CDL Director Finnie and others on UCOLASC. The audience for this document is the divisional CAPs and it describes peer review for OA articles and how to evaluate the quality of journals.

Discussion: A member inquired if publishing in OA will be mandated by UC and Director Finnie indicated that UC's OA policies have been faculty-driven and there has not been any suggestion of such a mandate. The Article Processing Charges (APC) for publishing in OA can be high and there is a question about whether the agreements UC has negotiated with the publishing houses alleviate those costs. UC has negotiated reduced rates with journals and the University Libraries (UL) subvent the first \$1k of the discounted APC. In addition, authors have the opportunity to use grant funds and, if grant funding are not available, authors can ask the UL to cover the entire APC. It was noted that, unlike in Europe, funding agencies in the U.S. do not provide financial support for OA publishing. UC is working on other models that would involve no charges for the author.

Publishers like Springer, Nature, and Elsevier, which sometimes charge thousands of dollars for gold OA, presumably have reasons to justify the high costs. UC's OA agreements are still in the pilot phase and authors are encouraged to provide feedback on what is and is not working, and some have provided feedback on the price of Elsevier journals. UC has not been able to incorporate Nature journals into these agreements to date. Publishers make the case that the journals have a high rejection rate which is associated with expensive intensive staff peer review processes. There are different economics with some journals and the ULs try to make the dollars the Libraries have invested work for OA. Members thanked UCOLASC and the CDL for developing the FAQ and including the ranking databases. Director Finnie indicated that OA for book-focused disciplines operates in a different way, thus it may be appropriate to have a separate document. Members were pointed to a new FAQ on UC's Office of Scholarly Communications' website about OA books: <https://osc.universityofcalifornia.edu/for-authors/publish-your-book-oa/>

VI. Senate Bylaw 55 and Lecturers with Security of Employment (LSOEs) on CAPs

The UCSD Senate asked the Committee on Rules and Jurisdiction (UCRJ) to consider the issue of LSOEs/Teaching Professors voting on CAPs. UCSD's CAP shared a summary of its position with

UCAP that asserts that there is nothing in Senate Bylaw 55 that prevents LSOEs from serving on CAP because this bylaw is restricted to departmental voting rights which is separate from participation and voting on Senate committees. A decision that LSOEs should not be on CAPs would call into question the participation of other Senate series on Senate committees. Making appointments to CAP is a careful process that engages the department and the Senate to make sure the faculty appointed are fully qualified. Chair Kuriyan proposed that UCAP take the position that the departmental vote is a different process from a CAP deliberation. UCAP will recommend that the decisions about who serves on CAPs should be left to the divisions.

Discussion: The number of Teaching Professors at UCSC has grown and the CAP wants to better understand how to evaluate them, especially in the category of scholarly and professional activity. The appointment of a Teaching Professor to UCSC's CAP this year has helped not only with the evaluation of other Teaching Professors' files but also with the evaluation of the teaching and research of regular research faculty. This particular Teaching Professor does not have SB 55 voting rights in their own department and the divisional Committee on Rules and Jurisdiction opined that Teaching Professors should be allowed to vote on CAP and that SB 55 is pertinent only at the department level. There is a wide disparity across the campuses in terms of the importance of having LSOEs/Teaching Professors on CAPs.

The Teaching Professor on UCSC's CAP vote on all actions and this Teaching Professor is equivalent to the Full Professor rank. There are concerns that LSOEs will not understand the research components for other units. The Teaching Professor on UCSC's CAP is a mathematician who decided to focus on teaching but is knowledgeable about the hard sciences and beyond. The committee discussed how the issue should be framed in UCAP's memo. There is a question about why Health Sciences faculty are not considered part of the Senate whereas the In-Residence and Clinical X faculty are. The analyst pointed out that Chair Horwitz reported that a new Senate workgroup will look at the issue of Senate membership, which was previously studied in 2010. Chair Kuriyan will draft a memo to share with the committee and solicit input.

VII. CAP Evaluations of Team Science

- *Catia Sternini, UCLA*

The UCLA representative suggested that UCAP discuss the evaluation of Team Science and Chair Kuriyan indicated that the committee should decide if this is an issue that needs to be addressed. UCLA's CAP has been considering how the contribution of faculty is evaluated when they are not working as an individual on a project. Interdisciplinary efforts have increased because of the need for faculty to be collaborative, and this has been recognized at the level of the National Institutes of Health. The problem with these collaborative Team Science efforts is that people contribute in different ways and instead of a single principal investigator there are multiple investigators, so the question becomes how this is evaluated. Since there is a group of individuals, it can be difficult to understand the contribution of one person. UCLA's CAP is considering adding something to its guidelines regarding this issue, and one idea is to ask faculty to explain their contribution to the Team Science collaboration and provide information to help CAPs evaluate it.

Discussion: This issue is related to the new guidelines for holistic review which involve the faculty member writing a statement about the issues in play and having the department chair comment on the individual's contributions. It could be helpful to have uniform guidelines about what CAP might look for in terms of the contributions along with how to present that information. UCSD's CAP has been trying to address questions about Team Science as well and all departments are supposed to have written standards for advancement and guidelines for expectations of normal productivity

when the candidate is the lead or corresponding author on an article. Often with Team Science there are either multiple corresponding authors or very substantial contributors and this could be a big fraction of a candidate's productivity in a given review period. Therefore, the UCSD CAP has started asking candidates to briefly annotate their publications in their research statement, particularly those where they feel their contribution to an article is substantial. In the past this CAP only counted corresponding author articles and the others did not get counted. There are faculty involved in crucial ways who are not a contributing author and it would be unfair if that work is not even counted.

Collaborative research in the Humanities has been on the rise for some time and Humanities faculty are not accustomed to making the case about their individual contributions. UCSC's CAP asks candidates to produce a document which details specifically what they contributed to the publication which enables the committee to discern the contribution to publications as well as the service that goes into these collaborations. Based on this discussion, Chair Kuriyan thinks this is an issue that ought to be discussed by UCAP in the future and that divisional CAPs should be consulted.

VIII. Campus Reports/Member Items

There were no Campus Reports/Member Items.

IX. New Business

There was no New Business.

X. Executive Session

There was no Executive Session.

Videoconference adjourned at: 12:52
Minutes prepared by: Brenda Abrams
Attest: John Kuriyan