

UNIVERSITY OF CALIFORNIA

ACADEMIC SENATE

UNIVERSITY COMMITTEE ON ACADEMIC PERSONNEL

MINUTES OF VIDEOCONFERENCE

WEDNESDAY, MAY 10, 2017

Attending: Fanis Tsoulouhas, Chair, (UCM), Michelle Yeh, Vice Chair (UCD), Peter Ditto (UCI), Catherine Waters (UCSF), Peter Sturman (UCSB), Seana Coulson (UCSD), David Lloyd (UCR), Stuart Brown (UCLA), Patricia Oteiza (UCD), Carla Freccero (UCSC), Daniel Farber (UCB), Arthur Ellis (Vice President for Research and Graduate Studies, UCOP), Susan Carlson (Vice Provost, Academic Personnel), Janet Lockwood (Manager-Academic Policy and Compensation, Academic Personnel), Shane White (Academic Senate Vice Chair), Brenda Abrams (Principal Policy Analyst, Academic Senate)

I. Updates

Chair Tsoulouhas welcomed members to the videoconference and announced changes to the agenda. Non-resident enrollment, including limits at the campuses, will be discussed by the Regents in May. The cap on non-resident enrollments will be 18% except for UCB, UCLA UCSD which are currently above 20%. Academic Council has continued to discuss Lecturers with Security of Employment and a step system will be created for the Teaching Professor series. Other topics on Council's agenda have been faculty diversity in Senate service and BOARS has reported on the status of UCB's letters of recommendation pilot project. Regent Perez met with Council in March. Chair Tsoulouhas mentioned several points made by Committee on Faculty Welfare (UCFW) in a memo about faculty salary. UC's budget will increase four percent next year.

Several members participated in a special videoconference on April 3rd to learn about the American Historical Society's Guidelines for the Evaluation of Digital Scholarship. Since it is difficult for CAPs to know the standards, it is up to the units and candidates to establish the credibility of digital publication outlets. It is not clear if digital publications are included in rankings and some of these outlets like blogs may not utilize peer review.

II. Consent Calendar

Action: The minutes were approved.

III. Consultation with the Academic Senate

- *Shane White, Vice Chair, Academic Senate*

Vice Chair White explained the non-resident policy the Regents will vote on in June. There is no systemwide total cap and the individual campus cap will be 18% which is lower than the Senate would have preferred. However any campus above 18% will be frozen at their current level this year. UCI will soon reach this cap and UCD will do so in about two years. Eventually every campus will be hurt by the cap and the cap implicitly tiers the campuses. The Senate would like this policy to be revisited in three years while the President's Office proposed a review in five years, but the legislature has recommended a review in year two. Senate committees and leadership have dedicated significant time to the topic of non-resident students. The public does not understand that California students are not displaced by non-resident students.

The audit of UC by the state can be seen as retribution for UCOP's firm response to last year's audit. UC has had eight state audits in four years but this year's audit focused on UCOP. The auditor asserted that UCOP has hidden several millions of dollars but President Napolitano explained that there is a reserve of \$38M and the rest are earmarked funds for many presidential initiatives. UCOP was also accused of

manipulating surveys sent to the campuses about OP but Vice Chair White noted that some of the surveys were fifty pages long and questions were not well formulated. UCOP has fifty days to respond to the new audit. The press about the audit has been extremely negative and it is not a coincidence that it was released before the May budget revise. UCOP and the chair of the Board of Regents have acknowledged recommendations that OP will implement. It was noted that the state government is not a monolithic block in terms of how well UC is understood.

Vice Chair White remarked that the policy on Teaching Professors was improved as a result of the management review and input from the Senate. UCAP may want to recommend clarification of the promotion criteria as well as a cap on the number of Teaching Professors. It should also be understood that the Teaching Professor series is new.

Letters of recommendation for undergraduate applicants is a topic that BOARS has been grappling with for two years. Several years ago, UCB restructured its admission system and created three groups which included pools for yes, no and maybe. In conflict with Regents' policy, UCB decided a pilot requesting letters of recommendation for applicants who fell into the maybe category. The limited data from the campus shows that students who are underrepresented minorities (URMs) had a more difficult time obtaining letters of recommendation. UCLA was able to admit more students from URMs. The Regents' policy established that letters of recommendation could only be used in augmented reviews and the Senate is at risk of losing its delegated authority over admissions. Every campus should have some flexibility to experiment or fine-tune in an effort to improve processes.

BOARS has also been focused on the compare favorably policy which was originally written as a policy that covered UC as an aggregate. Then budget language stipulated that individual campuses were subject to this policy. SAT scores and Grade Point Averages are the only objective measures by which non-resident students can be compared to students from California.

Vice Chair White thanked the committee for its work on salary issues. It is disappointing that the president has allocated only three percent to faculty salaries, half of which will be applied to the base while the other half will be used at the discretion of campus administration. UCFW, UCPB and UCAP were in agreement about recommending that the entire three percent should be spent on the total salaries or more than three percent on the base. The Senate was on the verge of forwarding a recommendation from these committees to President Napolitano when it was learned that a decision about the three percent had already been made. The Senate will revise the recommendation and ask the president to send it to the chancellors.

Vice Chair White shared that the Senate is working with the Senates for the California State University and California Community College systems to help students in these systems who want to transfer to a UC. Implementation of the findings and recommendations of the Joint Committee on Faculty Discipline is beginning. Some campuses may mistakenly believe that they need to change the Senate policies or processes related to sexual harassment cases.

Discussion: A member noted that UC has been audited twice per year which is unusual and Vice Chair White commented that the auditor was not impartial. A criticism of the reserve is that it has increased over time while other expenses have also grown. Chair Tsoulouhas pointed out that the proposed Teaching Professor policy language related to a cap for each campus is weak, which is an issue the committee should discuss.

IV. Faculty Salaries

Chair Tsoulouhas remarked that even administrators are reportedly concerned about dedicating time to figure out how to spend the 1.5% on merit. The campuses have the option to allocate three percent across the board which several campuses did last year. UCFW prepared a memo which was shared with UCAP and the leadership of the Committee on Planning and Budget, UCFW, UCPB and UCAP held several videoconferences to discuss the issue. The committees made a joint recommendation which encourages the administration to identify a means to permanently fix faculty salaries. Vice Chair White added that the president may not fully understand how comprehensive the merit review system is or exactly how it works, that faculty are held accountable, and that non-meritorious faculty are not rewarded. Chair Tsoulouhas remarked that UC's merit review process is more complex than processes at other institutions and the Vice Provost of Academic Personnel may be in the best position to help educate the president. The former president of UC did not understand the merit process although he came from another university.

The Negotiated Salary Trial Program (NSTP) was approved on three campuses several years ago and the committee has received a report on participation in the program during the first three years. Chair Tsoulouhas explained how the NSTP works. Participants are in a wide range of disciplines and the majority of participants agreed that the program is an asset to UC. Administrative support for the program has decreased slightly but administrators felt that the NSTP has been a valuable tool during recruitment.

Discussion: It was suggested that data on faculty who receive the normal merit or less than the normal merit might provide evidence that faculty do not simply approve merits for everyone. The NSTP is simply a program that allows faculty to pay themselves the amount they can generate and it has been useful for retention. UCLA's CAP does not deal with salary but the NSTP seems to have played a role in recent recruitment for higher level faculty

V. Systemwide Reviews

1) Proposed Revisions to Senate Bylaw 336

The committee has the opportunity to comment on proposed revisions to systemwide Senate Bylaw 336 which governs privilege and tenure hearings. SB 336 needs to be updated as a result of changes made to other bylaws.

SB 336. B.2: The committee voted unanimously to suggest that the accused should have 30 calendar days for the date of the receipt in which to file an answer in writing to the Committee.

SB 336.B.3: The committee voted unanimously to suggest that the Privilege and Tenure Committee should be given 30 days to convene after the deadline for receipt of an answer. Chair Tsoulouhas pointed out that if something happens over the summer more than 21 days may be needed. A member questioned why the number of days varies and what the rationale for the number of days might be.

SB 336.B.3: The committee voted unanimously to suggest that the accused shall be given at least 14 calendar days' notice of the time and place of the hearing instead of 10 calendar days.

2) Proposed Revisions to APMs 285, 210-3, 133 and 740

Chair Tsoulouhas reminded the committee about what UCAP proposed at the beginning of the year during the management review of these policies. There is no clarification about what will happen with existing LSOEs or LPSOEs and it is not clear if there is an option to grandfather them or if they will all be moved to the new series, and whether campuses should be allowed to make this decision.

Discussion: A member noted that it may be problematic to grandfather individuals currently in this series, and the campuses should be given the flexibility to make this decision. The committee voted unanimously to give individual campuses flexibility as to whether or not their current LSOE/LPSOEs be grandfathered. 210-3.c: This section does not mention creative work which was an earlier recommendation from UCAP. One member would like to again ask for creative work to be included in this section. Another suggestion is to revise the language in c (2) to make it clear that not all three are needed. The committee discussed differences between Unit 18 and LSOEs/LPSOEs. It should be clarified that the creative work is specifically related to their professional work. CAPs consider conferences and publishing scholarly

The committee voted unanimously to propose revising this language to "... (2) Professional, scholarly or creative achievement and activity..."

210-3.c: Members voted unanimously to propose the following revision: "Contributions in all areas of faculty achievement that promote equal opportunity and diversity should be given due recognition in the academic personnel process, and they should be evaluated and credited along with ~~in the same way as~~ other faculty achievements."

285-16.a: Members agreed to reiterate the committee's original recommendation that there should be a cap on the number of Teaching Professors within a department as a percentage of ladder rank faculty.

285-e: Members agreed that this section should be consistent with earlier language: "professional, scholarly or creative activity."

285-15: Members voted unanimously to add: "The base salaries for the new Teaching professor series are identical to the base salaries for ladder rank faculty, and there is an option for off-scales."

VI. CAP Practices that Facilitate More Representative Participation

Chair Tsoulouhas asked if there are recommendations UCAP could make to encourage diverse representation on CAPS. Issues that have come up during the chair's private conversations with others include things such as when CAP meetings are scheduled or not allowing files to be removed from CAP offices.

Discussion: UCSC's Committee on Committees works hard on issues of diversity and it is difficult to get people to serve on CAP. The problem with representation on CAP is related broadly to representation across the campuses. Individuals in the humanities are not given the release they need to reduce their teaching loads. The CAP is using an electronic system which allows members more flexibility. Chair Tsoulouhas asked if UCAP should send a memo encouraging local campuses to reduce CAP members' teaching loads. At UCD, CAP members receive a small stipend or course release but not all campuses have the funding available to give stipends to members.

UCR's CAP members get a course release and a small stipend. The difficulty at this campus related to diversity is the lack of available faculty senior enough to be appropriately appointed to CAP. It is hard to even get senior women on the CAP. It is not as difficult to get individuals from different colleges and schools to serve. It has proven crucial to have people who understand the constraints of particular disciplines. Finding ways to improve the recording and representation on e-file of various activities including digital scholarship are urgent priorities. CAPs need to understand research contributions in different fields.

CAPs could include faculty from different UC campuses as is done at UCM and UCAP could make this suggestion. CAPs can always set up an ad hoc committee to handle particular. An ongoing issue is

educating members of CAPs. One member suggested that a memo from UCAP probably would not be harmful. A question is whether CAPs could allow Associate Professors to serve on CAPs and wondered if there is a specific reason for this restriction. Another question is whether Teaching Professors should serve on CAPs. One possibility is that LSOEs could be evaluated by other LSOEs which could reduce the workload for ladder rank faculty. While there are not very many LSOEs across the campuses now the workload may be an issue on the horizon for UCAP to consider. A member would not support appointing junior to review full professors because a good grasp of the fields are needed for a CAP's evaluation. Members agreed that UCAP could send a general memo that simply encourages COC's to do everything they can to promote diversity including reducing teaching loads.

VII. Consultation with the Office of the President ~ Academic Personnel

- *Art Ellis, Vice President for Research and Graduate Studies, UCOP*
- *Susan Carlson, Vice Provost, Academic Personnel, UCOP*
- *Janet Lockwood, Manager-Academic Policy & Compensation, Academic Personnel, UCOP*

Vice Provost Carlson updated UCAP on the Faculty Exit and Retention Survey. Seven campuses have agreed to continue the survey for the next three years (except UCSF, UCSC, and UCB) and are preparing to distribute the survey. This will enable Academic Personnel to have the data needed to provide a real profile on exit and retention matters. It is hoped that all campuses will eventually participate. The data from the next administration will be available in the fall. UC Recruits is used by all campus faculty hires and information about this year's recruitment process in three schools and colleges that received funding from the state to examine diversity is being compared to schools that did not receive this funding. Another group is funded by the National Science Foundation to use the UC Recruits data set to study the recruitment process and the data set has been built and the research questions to be asked first are now under consideration. This study will look at demographics in different disciplines.

The report on the third year of the NSTP was provided to the committee. A task force has been charged by the president to look at whether the program should be continued, extended to more campuses or eliminated. The task force is looking at extending the program for another four years and inviting any interested campuses to join the program. The task force report will be released in June. One clear recommendation is that the NSTP will not solve the faculty salary program. Vice Provost Carlson confirmed that UCAP does not need to comment on the third annual report on the program but the committee will likely want to offer feedback on the task force's report.

The LSOE policy includes ideas about implementation including whether individuals currently in this title will be moved to the new series. The Vice Provost believes that it would be difficult to transition individuals without giving them an option to stay in the existing series. Individuals who are not comfortable accepting the criteria in the new policy would work with their department chairs and local academic personnel offices to document the old criteria that will continue to apply to them. Vice Provost Carlson suggested that will be important to determine what should happen with the Teaching Professor title in the future without harming individuals who have been in this series for many years.

One principle of the policy change was to align faculty in the new title with ladder rank faculty by having a salary scale that is similar. Current LSOE salaries were mapped based on years of experience at the title to what would be comparable on the professorial scale. Academic personnel offices reviewed the mapping and agreed that it would be very close to how they viewed the transition. Assuming the policy is implemented, campuses would be given a one year transition plan to move the LSOEs to the new scale and to confer with their divisional CAPs about whether further review would be necessary. The base salaries for ladder rank faculty and the Teaching Professor would be the same. The range of off-scale salary is currently much smaller for the LSOEs. Only three percent of ladder rank faculty are on scale.

Academic Personnel is preparing a report on off scale. Depending on the feedback from the current systemwide review, it is hoped that the policy will be issued in early fall.

Vice Provost Carlson and Vice President Ellis thanked UCAP for the feedback on the Collective Excellence paper and asked if the committee has any comments on the new version. The paper has been presented to Academic Council and other groups. A number of comments were integrated into the current draft according to Vice President Ellis who also noted that the paper is not intended to be prescriptive. The vice provost indicated that the goal is to encourage a conversation about issues discussed in the paper, not to introduce them into policy. UCAP is welcome to provide feedback on the revised paper.

Discussion: It is not clear if scholarly achievement is required for a merit or promotion in the new Teaching Professor title. The current policy does not include the word “scholarly.” While some campuses are indicating that this requirement is not a change, Vice Provost Carlson indicated that it is. If there is no research component, Teaching Professors may be difficult to distinguish from Unit 18 lecturers. Chair Tsoulouhas asked about a cap on the number of LSOEs and Vice Provost Carlson indicated that language on Clinical X was used in this policy but UCAP should restate its recommendation about an upper limit. At UCSB there are no faculty on scale. The transition year will include decision making about who will remain in the existing series. Vice Chair Yeh asked if there are LSOEs who are part-time which will have an impact on their research and teaching and the vice provost indicated that the APM does have language related to part-time ladder rank faculty. Unit 18 lecturers do not perform service and are not rewarded for research or scholarship.

Chair Tsoulouhas remarked that the revised paper on Collective Excellence is an improvement over the first version. The chair suggested that the paper could be shared with the academic personnel offices and the Academic Council. Chair Tsoulouhas proposed sending a memo stating “Thank you for incorporating our suggestions and for confirming that Collective Excellence should not be added to the APM. UCAP is happy to distribute this memo to be posted on the Academic Personnel websites.”

Chair Tsoulouhas reported on the UCAP, UCFW, UCPB memo on the faculty salary plan for this year. The recommendation indicates that whatever changes are made should not have an impact on merit. Vice Provost Carlson was aware of the committees’ work on the faculty salaries recommendation but has not yet seen the memo. UCAP underscored its position that campuses should be allowed to decide on how the three percent increase is implemented.

VIII. Quinquennial Reviews

The chair reported that before today’s meeting, Vice Provost Carlson reviewed the language proposed by UCR’s CAP and determined that it is not in violation of the APM and indicated that this should continue to be rarely used. Chair Tsoulouhas summarized the information received from the campuses related to quinquennial reviews.

Discussion: Based on the campus feedback, there does not appear to be a major issue related to faculty at Associate V, Professor V and Professor IX, whose advancement across the threshold has not been recommended.

IX. Proposed Changes to the CAP Practices Survey

Two campuses submitted proposed changes to the CAP Practices Survey. Chair Tsoulouhas reminded members that the survey is conducted every three years.

Discussion: Members agreed that CAP analysts could be asked now about the use of separate CAPs for clinical series or non-Senate series. The question from UCI about how many files are reviewed by CAP each year should be moved so that it is not under the section on teaching evaluation.

X. Campus Reports/Member Items

Santa Cruz: Members were asked if preemptive retention actions prior to any offer or if the offer is confidential? Do CAPs ever make retention actions without an offer?

UCM's CAP can make salary recommendations but would probably not react preemptively without looking at an actual case. UCSF and UCI do not look at salaries. The deans' letters may be sent to the UCI CAP but the CAP tries not to do anything that suggests that someone being at risk would make the CAP more inclined towards certain actions. UCSF occasionally gets a memo from the department chair or dean indicating that it is a retention issue but this is not factored in the CAP's decisions, and this CAP does not see salary recommendations. UCR's CAP makes recommendations on half step increases but does not make any other specific salary recommendations. UCR sees the current salary but not recommendations since the dean does not make recommendations before the review process is completed.

Irvine: The chair of CAP met with COC chair about the problem of getting people to be on CAP or volunteer for any Senate committee. From the perspective of UCSD, a cultural change is needed to encourage Senate service. People do not think Senate service is necessary to progress through the system. The UCSC representative reported having this discussion with COC chair and while nothing is put in the CAP letter service is encouraged. As a faculty member continues to advance, there is an expectation of Senate service unless there is some service outside of the Senate that is clearly of major significance. This goes into the CAP letter and it may or may not be echoed in subsequent letters. Vice Chair White commented that service is the third leg of UC but it can be problematic in its measurement.

At UCM the divisional Council writes a letter explaining a faculty member's contribution and perhaps the same thing could be done for service systemwide. UCD gives a lot of weight to service and the CAP evaluates teaching, research and service separately and the higher people advance the more that is expected. Faculty are now realizing this and some candidates' statements will point out the burden of service. At UCR, in the past year the CAP has penalized higher ranked faculty for lack of Senate service. Service is taken seriously and that this is a serious expectation should be publicized more. For some cases with lots of research the CAP members voted against extra off scales if the faculty were not doing service. If professional service represents the campus publicly it is viewed as appropriate. UCI's CAP takes service very seriously but the difficulty is how a cultural change can be made to impact service in a clear way. People cannot enjoy privileges of shared governance without bearing the burden of service.

Meeting adjourned at: 3 p.m.

Minutes prepared by: Brenda Abrams

Attest: Fanis Tsoulouhas