

**UNIVERSITY COMMITTEE ON ACADEMIC PERSONNEL
VIDEOCONFERENCE MINUTES
WEDNESDAY, MAY 10, 2023**

Attending: Francis Dunn, Chair (UCSB), Lisa Tell, Vice Chair (UCD), Hannah Ginsborg (UCB), Patricia Oteiza De Fraga (UCD Alternate), Susanne Jaeggi (UCI), Peggy O'Day (UCM), Deborah Wong (UCR), Katerina Semendeferi (UCSD), Hannah Glass (UCSF), Ruth Finkelstein (UCSB), Stefano Profumo (UCSC), Douglas Haynes (Vice Provost, Academic Personnel and Programs (APP)), Susan Cochran (Chair, Academic Senate), Brenda Abrams (Principal Policy Analyst, Academic Senate)

I. Consultation with the Academic Senate Office

- *Susan Cochran, Chair, Academic Senate*
- *Jim Steintrager, Vice Chair, Academic Senate*

Academic Council discussed UCAP's proposal to revise Senate Bylaw (SB) 55 to give Teaching Professors departmental voting rights and to change the series title in the APM from "Lecturers with Security of Employment" (LSOEs) to "Teaching Professor." The proposal will be sent out for systemwide review this fall. Senate leadership discussed this matter with the Office of Academic Personnel and Programs because that office owns the APM whereas the Bylaws are under the Senate's purview, and UCAP's proposal conflates the two matters. The committee should consider sending the proposed APM changes out for systemwide review first and sending out the SB 55 proposal after the APM is changed. If the proposals are sent out at the same time and both are approved, UCAP will need to follow-up with the proposal to replace "LSOEs" with "Teaching Professors" in SB 55.

The Regents are preparing a report with six aspirational recommendations about UC, and the Regents envision that UC will create satellite centers wherever the students are. Senate leadership is trying to help the Regents understand that a strength of UC is the interdisciplinary work of faculty so isolating a faculty member in some distant locale will be harmful. In March, Council appointed Steven Cheung to serve as the vice chair of the Senate next year and approved mid-career awards for Kadee Russ (UCD) the former vice chair of the Committee on Educational Policy and Danny Widener (UCSD) the former chair of the Committee on Affirmative Action, Diversity and Equity.

In April, Council declined to endorse a proposed policy on the purchase of goods and supply chain management and the policy on anti-discrimination. The latter was problematic because it removed the Senate from the process of disciplining faculty and would give this responsibility to an administrator in the anti-discrimination office. Academic Planning Council (APC) has launched a new workgroup on the future of doctoral programs which will consider how to train graduate students in the context of meeting the needs of the State. Provost Newman is planning an August congress on graduate education. UC is still dealing with labor issues and union contracts. Graduate student researchers have filed unfair labor practice complaints because they received failing grades for courses they did not participate in during the strike, with the union arguing that the courses are labor and UC asserting that it is academic work. Senate leadership is interested in hearing about how the admission cycle for graduate students went this year and if departments had to cut back.

Discussion: The systemwide review of proposed changes to SB 55 and the APM would take about a year. Chair Dunn indicated that later in the meeting UCAP will discuss whether the proposed changes to the bylaw and APM should be sent out simultaneously for review. Members described the cuts being made

to the admission of graduate students into their departments, which in some cases are drastic, and there are issues related to ongoing support for existing graduate students.

II. Consultation with the Office of the President

- *Douglas Haynes, Vice Provost, Academic Personnel and Programs (APP)*

Changes to APM 210 have been sent out for systemwide review and the goal is to encourage faculty who engage in mentoring to report this activity so it can be recognized. The change to APM 210 is not intended to add new criteria for review. APM 710 is also out for systemwide review, and the proposed changes aim to align APM policies with California Assembly bills 1949 and 1041 which allow employees to take paid sick leave to care for a designated person who is not necessarily an immediate family member. APP is preparing for the management review of APM 672, a proposal to make the Negotiated Salary Trial Program (NSTP) permanent. Vice Provost Haynes reported that campus administrators asked Provost Newman about the possibility of replacing “LSOE” with the “Teaching Professor” title to create better alignment with the larger population of Senate faculty. APP has discussed UCAP’s proposed revisions to the APM and is determining next steps.

Discussion: Campuses should have some flexibility in how they implement APM 672 in the future because of their disparate needs. UCSC is concerned about the NSTP’s impact on the ability of the campus to support graduate students. UCD has concerns about the representation of Professors of Teaching on the divisional CAP, and Vice Provost Haynes indicated that this will be a campus decision. Campuses will have to develop a robust set of guidelines and tools that are designed to ensure greater alignment of Teaching Professors within the faculty culture, including participation in Senate committees. The changes to the APM and SB 55 should help standardize the status and eligibility of Teaching Professors, so they are more clearly seen as members of the Senate. Chair Dunn remarked that SB 55 does not prohibit Teaching Professors from being appointed to divisional CAPs.

III. Chair’s Updates

Chair Dunn asked members if the proposed revisions to the APM and SB 55 related to Teaching Professors should be sent out for systemwide review simultaneously or if the proposed changes to the APM should be sent out first so that the proposed revisions to SB 55 only need to go out for review once. Academic Assembly approved revisions related to standardized tests and changes to Senate Regulation 636 which governs the Entry Level Writing Requirement. Council approved the Committee on Privilege and Tenure’s proposed policy regarding simultaneous misconduct and personnel actions, and it will be disseminated for systemwide review this fall.

The APC workgroup on the future of undergraduate education included recommendations which Council viewed as being cost prohibitive. The provost is proposing a congress on this matter to allow stakeholders throughout the system to weigh in on implementation of the recommendations without burdening faculty. The workgroup on mitigating the impacts of COVID-19 recommended the incorporation of achievement relative to opportunity (ARO) principles into personnel reviews, and the president charged the provost with developing systemwide guidance on the implementation of these procedures in an equitable manner. The provost has established a working group on ARO to be co-chaired by Chair Dunn and Vice Provost Haynes and it includes the UCSC and UCI members of UCAP.

Discussion: Members agreed that the proposed APM and SB 55 changes related to Teaching Professors should go out for review simultaneously, so the process moves forward as swiftly as possible. There are

concerns that faculty do not understand that Teaching Professors/LSOEs are full-fledged members of the Senate. The working group on ARO agreed to collect relevant data from comparable universities and across the UC system over the summer. A key question will be how to systematize and create consistent guidelines across the ten UC campuses while respecting campus autonomy.

IV. Consent Calendar

Action: UCAP's March 22, 2023 videoconference minutes were approved.

V. Updated CAP Practices Survey

The CAP Practices Survey, completed every three years, provides information about the different practices on the campuses. The survey now includes data from all ten campuses and Chair Dunn invited members to share their observations and questions.

Discussion: UCSD CAP members serve from one to three years, not one to two years. A member remarked that there is a high rate of agreement on files between CAP and the administration at most campuses. UCR's CAP meets monthly with Academic Personnel administrators to discuss differing opinions about cases, and the representative asked if other campuses have procedures to discuss disagreements. It would also be interesting to know the various ways CAPs interact with administrators. UCD's CAP chair meets every week with the vice provost of Academic Personnel and the administration provides a letter explaining areas of disagreement. In the past, UCD's CAP provided notes on all cases to the vice provost, not just those where there was disagreement, but this process had to be streamlined. It is helpful to have notes about certain decisions in the files for future reference.

At UCB and UCSB, the administrators have to meet with the CAP if they disagree with a decision, and the UCB CAP cannot be overruled unless the administration meets with the committee first. A member observed that the two campuses that report lower rates of agreement between CAP and the administration appear to not have regular meetings, so these CAPs might want to change their practices around meeting with Academic Personnel administrators. UCB and other CAPs have long standing practices of meeting with the administration to discuss personnel decisions which the APM indicates are under the purview of the Senate. In some cases, CAP consults with the administration if there are questions or before the committee makes its decision, and regular meetings also give a CAP the opportunity to share if it has a strong position.

UCB's CAP might be the only one that is responsible for making decisions about allocations of FTEs. Every year the committee finds out how many positions for new faculty will be available and makes recommendations about which departments will be able to fill these positions. The representative believes this is a valuable role to play in shared governance and suggests that other CAPs would benefit from being involved in decisions about FTEs. In addition to the FTE allocations, CAP makes decisions about salaries for new appointees and the committee spends a good deal of time figuring out what is fair. When UCM's CAP was first established, the committee wanted to have authority over FTEs but the administration refused to cede this control to the faculty. Another issue is that, while administrators may provide stipends for CAP chairs, a regular challenge is securing teaching releases from deans and department chairs, and members are asked to share how this is managed on their campuses. The analyst suggested that UCAP members might want to discuss the survey with their divisional CAP analysts especially regarding adding new questions or refining existing questions. Members were also

encouraged to let the divisional analysts know how valuable the survey data and how it is used so they will know their work compiling the information is appreciated.

VI. Systemwide Review Items

1. Revisions to APM - 710, Leaves of Absence/Sick Leave/Medical Leave

Chair Dunn invited members to comment on proposed revisions to APM 710.

Discussion: UCAP had no comments.

Action: The committee endorsed the proposed revisions.

2. Revisions to APM - 210, Review and Appraisal Committees: Mentoring

UCAP has the opportunity to opine on the proposed revision to APM 210.

Discussion: UCAP had no comments.

Action: Members endorsed the proposed revisions.

VII. Parameters for Faculty Searches

The Committee on Academic Freedom (UCAF) transmitted a memo to UCAP regarding a policy at UCB that restricts search committees' access to letters of recommendation (LORs) until after the initial selection of candidates has been made for the second round. The administration's reason for the policy is that different kinds of bias may be introduced in the ways the letters are written or due to the prestige of the person or institution from which the letters come. UCAF argues that without the LORs, other sorts of bias may be exaggerated and that the LORs provide important information that could actually benefit faculty from underrepresented groups or working in uncommon disciplinary areas. The policy, from UCAF's perspective, amounts to an infringement on academic freedom because faculty and search committees are the ones who should make these determinations, not the administration. Chair Dunn indicated that UCB's administration recently changed the policy to make it more flexible.

Discussion: UCSC's vice chancellor for academic personnel suggested that LORs could be optional for Senate faculty. CAP agreed that LORs might be optional for some searches, such as for post-doctoral appointments, the committee agreed with UCAF's perspective that LORs can help prevent possible bias. The important principle for UCAP is that administrators should not place restrictions on or decide the criteria for searches. UCB's CAP, Committee on Academic Freedom, and divisional Senate leadership are having ongoing discussions with the Office of Faculty, Equity, and Welfare on the campus about this matter. This issue has come up intermittently at UCM because the campus is still actively hiring faculty and search committees need flexibility in how they want to conduct the search and at what point LORs are provided, but there should be guidelines related to equity and equitable treatment of everyone in candidate pools. Based on the discussion, Chair Dunn believes there is consensus that local autonomy is desirable and that promoting diversity and equity in the hiring process can be insured and strengthened in a variety of ways unrelated to LORs. The chair will draft a memo to UCAF indicating that UCAP has discussed this matter and will monitor if administrators at other campuses attempt to impose restrictions on search committees.

VIII. Campus Reports/Member Items

UCI: The committee worked with the vice provost for Academic Personnel and the Committee on Equity and Inclusion to create guidelines for faculty about how to document mentoring activities especially when it goes beyond their own graduate students. Mentoring can be reported in either the teaching or service so it is visible and can be recognized. CAP is also developed guidance for the evaluation of files for deans or others with 100% administrative appointments when they are up for promotion. The expectations for research should be the same as for other faculty members but the expectations for teaching and service are not as clear.

UCSC: The campus is working on a salary equity review program which aims to address issues with faculty salaries. The administration has proposed that for major actions the salaries of faculty at the same rank and step within the UC system should be used for comparison and to identify if a salary is an outlier because only UC has the rank and step system. CAP thinks this is problematic because some disciplines are not uniformly represented across the UC campuses and the committee also feels that salary equity problems do not occur only at major actions.

UCR: CAP has met 41 times and reviewed 271 files which includes promotion and advancement files, and appointments, appraisals, and merits will be reviewed next. The committee agreed with the vice provost's request for CAP to review retention offers because it is an opportunity to gain a big picture perspective. CAP is also in the midst of revising the Call, UCR's standards for academic personnel policies and procedures for next year.

UCM: File reviews are moving forward and there is harmony between CAP and the administration.

UCD: CAP will see 600 cases this year and delays by the colleges have led the committee to set stricter due dates. One topic of discussion is additional .5 steps at high levels of the scale including above scale in terms of research. Another issue is that there are multiple cases, where because of additional steps, faculty will not be at Step 9 for the recommended four years.

UCSB: Files are being sent to CAP late. The vice chair's role has been restructured so they can become more familiar with the chair's responsibilities.

UCSD: CAP has a heavy caseload and there has been an adjustment to the evaluation of candidates that may have been impacted by the pandemic.

UCSF: CAP has been reviewing files and there are no significant issues to report.

IX. New Business/Executive Session

Members thanked Chair Dunn for his leadership this academic year.

Videoconference adjourned at: 1:15 PM

Minutes prepared by: Brenda Abrams

Attest: Francis Dunn