

UNIVERSITY OF CALIFORNIA

ACADEMIC SENATE

UNIVERSITY COMMITTEE ON ACADEMIC PERSONNEL

MINUTES OF MEETING

TUESDAY, October 16, 2009

Attending: Alison Butler, Chair (UCSB), Ahmet Palazoglu, Vice Chair (UCD), John Lindow (UCB), Steven White (UCI) (telephone), Joseph Cerny (UCM), Julia Bailey Serres (UCR) (telephone), Maureen Callanan (UCSC), Katja Lindenberg (UCSD) (telephone), Russell Pieper (UCSF), Janet Lockwood (Associate Director, Academic Personnel), Patricia Price (Interim Director, Academic Advancement), Kathleen Dettman (Director, Institutional Research), Shelley Dommer (Content Manager, Institutional Research), Harry Powell (Academic Senate Chair), Dan Simmons (Academic Senate Vice Chair), Martha Winnacker (Executive Director, Academic Senate), Brenda Abrams (Policy Analyst)

I. Welcome

The Chair welcomed the welcomed new and returning UCAP members and consultants.

II. Consultation with the Office of the President

- *Janet Lockwood, Associate Director, Academic Personnel*
- *Patricia Price, Interim Executive Director, Academic Advancement, Academic Personnel*

Associate Director Lockwood indicated that there is significant interest in recruitment and retention in the face of the furlough program, and UCAP will discuss how to collect the data needed to examine the effects of the program. Academic Personnel has in the past conducted comprehensive retention studies, the last one being in 2005-2006. Since July, when several administrators departed UCOP, there has been interest in monitoring retention. This is a complex topic for a number of reasons including some that are operational. Given the decentralized recruitment policies it is difficult to quantify a successful recruitment. Information needs to be memorialized at the department level and transmitted to Academic Personnel. For retention, there is an attempt to collect data on successful, unsuccessful, and preemptive retentions. The information is sent to the academic personnel offices at the campuses then to Academic Personnel. The plan is to report quarterly beginning in December and reports will be provided to UCAP. There is an effort to avoid burdening administrative staff by asking them to collect data in light of the layoffs of administrators at the campuses. It is too early to look at data now. There is some data collected on an ongoing basis such as basic separation by headcount.

Interim Executive Director Price reported that there are several personnel policy issues this year. New sections of the APM include faculty administrator titles, a revised department chair policy, and a revision on the administrator stipends policy. There was no policy in the APM concerning most of these titles such as associate deans or vice provosts. Another item is a revision of the Health Sciences Compensation Plan, APM 670. Faculty Welfare has a subcommittee with Academic Personnel working on these revisions which should go out for review this fall. A project that the Provost wants to implement will respond to requests from campuses to develop a plan similar to the HSCP for disciplines such as the biological sciences or veterinary medicine. There are arrangement like the compensation plan with business schools and public health at UCLA. UCOC has been asked to nominate Senate members and executive vice chancellors (EVCs) have been asked to nominate administrators to form a task force to explore the

possibilities. The nominations should be submitted by the end of November and the task force will begin its work in January. Different workgroups will refine the plan for their discipline. This effort is in the very early stages and the project will probably be completed by the end of this academic year. Discussions about streamlining the academic personnel processes are taking place. When there have been financial difficulties, discussions about streamlining labor intensive processes tend to occur. This effort is underway at some campuses. There are questions about making changes to the APMs that would lessen the administrative burden of the review. A second task will be to determine how much of the online processes currently used by a few campuses can be shared.

Discussion: There has never been an accepted or clear definition of successful retention. Since information about recruitments may not be documented it could be difficult to study this. Each case is very different and an interview with the department chair might be the methodology to use to collect data. At one campus the CAP has information about recruitments, but would not know if a faculty member simply decided to leave. At two campuses the CAPs have indicated that salary increases will not be approved if the furlough program is the only reason, but this issue has not come up at other campuses. If the furloughs end after one year it would not be worth changing how CAPs approach cases. Preemptive retentions packages at one campus are usually very small and it is added to the market off scale, however there is no longer any money for this program. There is a question about whether the furlough program would reduce expectations in terms of how faculty are evaluated. Measuring if people reduce the amount of contributions in each area would be difficult. One CAP has talked about the committee not being as active as in the past. Unit 18 lecturers are being cut at one campus creating a burden on faculty to teach more. Another CAP has asked for department chairs and deans to detail the impact of furloughs in the files. Graduate student instructors have been taken away and this will have an effect. The faculty at only one campus have been asked to document when their furlough days are taken. Faculty are unhappy with the decision to prohibit faculty from taking furlough on days of instruction, especially since Academic Council recommended using furlough days on days of instruction.

At the end of the year, UCAP will see Academic Personnel's standard reports so trends can be identified. UCAP can ask Academic Personnel to focus on any specific aspects of recruitment and retention. It has always been difficult to identify the ultimate reason for a faculty member's separation, therefore Academic Personnel plans to collect anecdotal information. Academic Personnel has historical data which will be compared to the data collected this year to at least see if there is a significant increase in faculty departures. Whether the furlough has a role in departure may be available at the department level. The campus academic personnel office and Executive Vice Chancellors have discussed how to collect reasons for departures and this data should be available in December. The Provost is having continued discussions with the EVCs. The questions have to be asked correctly to ensure that the right information is collected. Teasing out whether the separation is because of the general budget situation or because of the furlough is important. Academic Personnel will also examine the increase in the number of retention cases. It was noted that individual CAPs are adhering to standard policies for handling tenure cases but there may be changes at the department level. There is a question about whether, on a termination case at the assistant professor level, the FTE still will revert back to the department automatically.

UCAP will have the opportunity to weigh in on the streamlining of the academic personnel review. A Vice Provost has suggested looking at the APM to determine if there should be changes to the review process. One CAP has already begun discussing the streamlining and identified a few procedural changes and the division chair is interested in delegating merit cases back to the departments. Although there have been discussions about campuses collaborating, they address issues like streamlining processes in different ways. There has not been an effort out of OP or the Senate to deal with academic personnel processes on a collaborative basis. One difficulty is that the campuses all use different technical platforms making it difficult to share products. There is a question about the overall benefit of putting products online. Reducing the number of files that need to be reviewed and ensuring that the files are complete and contain only the necessary information can cut down on the workload. One campus had a workgroup last spring that looked at how to streamline the review and the ideas from this group will be shared with UCAP. The committee discussed whether the divisional CAPs look at merit files. Normal merits are not reviewed by one CAP but there are audits on a periodic basis to look at the decisions. Another CAP sees all routine cases and one CAP audits dean-delegated merits.

III. Consultation with the Academic Senate Office

- *Harry Powell, Chair, Academic Senate*
- *Dan Simmons, Vice Chair, Academic Senate*
- *Martha Winnacker, Executive Director, Academic Senate*

Chair Powell commented that this is the beginning of a difficult year. The UC Commission on the Future is in the very early stages of its work which is to be completed by spring. The Commission includes the Regents and people both inside and outside of UC, and five working groups will include significant faculty membership including Senate members. The Commission's first meeting on September 8 focused on the activities that would take place, and the working groups' co-chairs will have their first meeting on October 20th. Workgroups will look at the size and shape of UC, delivery of education, research, access and affordability and the fiscal underpinnings of UC. Faculty expressed concerns about the initial list of commission members and the president agreed to two new members including an economist and a literature professor. Vice Chair Dan Simmons and a second student were added to the commission. The funding of higher education at a national level was discussed at the September meeting. The activities of the Commission were seen as potentially impinging on the Senate's authority. The Senate will have the opportunity to comment on the Commission's recommendations and will have a key role in how things move forward.

This year, UC is chairing the Intersegmental Committee of Academic Senates. The focus for ICAS is on providing a unified voice on higher education issues. The second issue is the 50th anniversary of the Master Plan. A third issue is coordinating advocacy activities directed at the public and state legislature to be more effective. Higher education competes against very important constituencies in California making advocacy much harder. The message is that investing in higher education is an investment in the state.

The Academic Assembly will meet tomorrow. Although there is minimal legislative business, the meeting was convened in response to concerns that shared governance is not working. The president and OP's chief financial officer will attend and a report on the retirement program will also be provided. A task force has convened to look at the pension system and Chair Powell and Vice Chair Simmons are on the steering committee. Last year Council adopted a position that calls for contributions that are greater than what the Regents propose which is 4% from the

employer and 2% from employees. The Governor's January budget is to include \$96 million but several revisions to the budget are anticipated. There is a push to reduce the cost of the plan which will not impact existing employees but will change service credits for future employees. The question is should it be a defined benefit plan or defined contribution plan. Vice Chair Simmons described the various issues related to the different types of plans. Shifting risk of loss is an issue and with the current plan the market risk is with the employer. Liabilities will still accrue with the defined contribution plan and a solid cost analysis of these issues has not been conducted yet. The contribution levels for the retiree health care plan may be increased so that it is more aligned with the level for current employees. The plan is for retirees to contribute more to their health care costs. This is a discretionary benefit so there are not legal constraints to increasing the employee contribution. Vice Chair Simmons noted that 43% of UC employees have been with UC four years or less and are not vested, and 80% have never made a contribution to UCRP. The liabilities associated with the UC medical centers were described. An important factor that needs to be taken into account is that the medical centers are shifting their operational costs onto UCRP. The portion of the revenue from external contracts and grants is another factor.

Executive Director Winnacker provided an overview of the Senate travel procedures. Members should contact the director for approval of any unusual travel arrangements. Reimbursement requests should be submitted by members within 21 days of the meeting.

Discussion: It is expected that the workgroup on education will have the largest number of Senate members. The Senate and standing committees of the Senate need to provide input to the Commission, especially on issues that are most important to the Senate. One example is online instruction which is being promoted by some to be a good solution but costs associated with this can be considerable. The administration has been encouraged to find out the pros and cons from the campuses that utilize online instruction. A Senate task force on online instruction will have a final report soon. Online instruction will rely heavily on outside funding. In the absence of these funds, UC will focus on continuing current activities with an emphasis on sharing. A pilot project has been outlined by Vice Provost Dan Greenstein that would rely on outside funding. There has been feedback about some of the language in the Commission charge that raised concerns about campuses being pitted against one another. Executive Director Winnacker pointed out that there is no workgroup examining academic personnel issues and encouraged UCAP to visit the Commission's website to look for potential issues of interest to UCAP. UCAP may want to work with other committees such as Planning and Budget to monitor the impact of the furlough program. UC will have problems in the future due to increased health care and retirement costs. In 2013 with the Regents' plan, the funding level will be at 60%. This is a problem that needs to be solved for the long-term health of UC.

A member asked if there is a plan for the Senate to challenge the president on making a case for public education and the role of shared governance. Chair Powell indicated that the president recognizes the importance of the media and has been to Sacramento to meet with legislators more than twenty times in the past year. With respect to shared governance the president attends Council and engages members in a productive way. Many people feel that shared governance did not work on the furlough issue but Chair Powell remarked that faculty in the California State University system were not consulted at all. The Chair and Vice Chair are planning meetings with the senate and representative assemblies at each campus. According to Vice Chair Simmons the President told Council that Council's recommendation about furloughs on instructional days

would be followed. The need to end the furlough program is the reason for the 30% fee increase for students. Consultation with the Senate was robust even though Council's recommendation about instructional days was not followed. The Senate will be discussing what constitutes an instructional day. Chair Powell indicated that there is a commitment to end the furlough program after one year. The Governor's budget is being developed over the next several weeks and UCAP members are encouraged to write letters advocating for funding for UC. The prison budget has eclipsed the budget for education.

IV. Faculty Salary Scales and Cross-Campus Comparison of Off-Scale Amounts and Advancement Rates

The data on salary scales or the cross campus comparisons reviewed by UCAP last year is included in the agenda for the benefit of the new committee members. Academic Personnel is starting to contact the comparison eight institutions for the data to analyze the faculty salary lag. Chair Butler remarked that the CAPs work very differently. Even though they are governed by the same APM the campuses have disparate interpretations of the policies.

Discussion: The role of CAPs with respect to off scale salary amounts vary significantly. One issue is the extent to which administrators have unfettered discretion with respect to off scale salaries at both the appointment process and retention. Market driven salary decisions conflict with UC's uniform personnel policies and standards even though these may be applied differently. The degree to which faculty lose the ability for peer review of faculty compensation because discretion has been shifted to the deans is a concern. A question is to what extent has UC moved away through the use of off scale salaries from the peer review of compensation. Several campuses make the salary recommendation to the dean, including the off scale supplement. At one campus, the CAP does not know if the money is available and the assumption is that the Chancellor has discretionary state funds for the off scale amount. The state funds do not come to the UC with line items. The committee discussed the different ways CAPs handle accelerations in time. One CAP does not agree to accelerations in time but there is a mechanism for rewarding faculty who are performing well. This campus also has two kinds of off scales, a market off scale and the bonus off scale which is the reward. The bonus off scale tapers to half of the amount and then to zero over a certain number of years.

The UCLA, UCD, UCM, and UCI CAPs should look at whether the CAPs want the authority to review the off scale salaries and bring it back to UCAP to draft a resolution mandating this authority. The resolution would go to Council and if approved this would go back to those divisional CAPs to insist that the CAPs review the off scale salaries. The comment was made that it is not logical for the deans to determine whether a faculty member merits an off scale amount and CAPs need to be involved in these decisions. This should not significantly increase the workload for the CAP members. The off scale amounts are not large sums. One department gave up an FTE in order to fund the off scale. There are questions about whether the CAPs do not want to see the salary information or if the CAPs have ceded this authority to the administration. The medical centers should be treated separately in the discussion about the peer reviews of compensation. Based on the Standing Order of the Regents, the Senate has authority to advise on salary. CAPs could regulate what titles are used and leave it up to the department chair to decide the salary. However, there is a question about equity across departments. Inequity within disciplines based on the timing of the reviews can be controlled based on not allowing the mid-year reviews. CAP serves an important role in ensuring that requests for increases of several steps are not approved. Uniformity in how the CAPs look at recommendations for off scale

amounts may help reduce the salary lag, although the fact that campuses function differently and the different pressures in different departments should be considered before UCAP imposes rules. The intention of the salary plan was to restore the integrity of the salary scales which provide a framework. Members will discuss the idea of getting the authority to look at off scales with the divisional committees.

V. University Professor

UCAP should review the list of proposed ad hoc members for the University Professor and determine if anyone should be removed or added.

Discussion: The committee discussed the proposed ad hoc members and recommended additional faculty from UCSB and UCSD.

Action: The committee recommended additional faculty for the ad hoc committee.

VI. Requests for Early Accelerated Advancement or Promotion

Discussion: One CAP voted to not make recommendations about early accelerations and there has been no formal change in policy. At another campus the EVC and Associate Vice Chancellor want to suspend accelerations in time and this is currently being discussed by the CAP. The basis for suspending them is a monetary decision to prevent faculty from trying to reverse the salary reduction caused by the furlough. Two CAPs do not look at files requesting accelerations in time. Another campus is still doing early accelerations. The EVC at one campus has instructed the CAP to treat merits and accelerations as they have been in the past. The factors driving the varied approaches at the campuses are different therefore a standard approach may be unnecessary. The biggest impact with respect to promotions will be on new hires.

VII. Organized Research Unit Policy

At one campus ORUs are being sunsetted and there are no efforts to define what happens to researchers appointed directly to ORUs.

Discussion: Not all of the CAPs look at ORU researchers. There is a conflict of interest related to the fact that the Vice Chancellor for Research at the campus closing its ORUs is putting together the files. The process is leaving the fate of the researchers in uncertainty. It is not clear how ORUs are being disestablished. The ORU researchers are interdisciplinary and do not have appointments in any departments. Several members commented that it is not a good idea to have career people appointed to ORUs. There is a similar situation with the MRUs at the campus with the sunsetting ORUs. The CAP sees the ORU researchers' files except for routine merits. UCAP could ask for policies for researchers in ORUs and what UC's responsibility toward the researchers is in the event that the ORU sunsets.

VIII. UC Decision Support System

- *Kathleen Dettman, Director, Institutional Research*
- *Shelley Dommer, Content Manager, Institutional Research*

The Institutional Research unit was created during the reorganization of UCOP. IR works with the campuses to maintain the data. The unit monitors what is happening nationally and at the state level and pulls in external data like AAUP data or California workforce data. IR will analyze data that tracks people who start at UC as students, then become alumni, employees and retirees. IR has set up a website but it does not have significant data on it yet. IR's five content managers focus on specific areas. The unit is working closely with Academic Personnel to

identify the types of data that is needed. The first thing IR is working on is reports on payroll and personnel. A system for data management is being developed and a data warehouse will be set up that will allow data to be integrated in different ways. Individuals can be tracked as they move through the workforce. The decision support system will be integrated and data validation will be completed early on. A goal is to make this available to campus constituents, but the public will not have access to this. The system will be self-service so information can be accessed easily. Campus systems are highly individualized but IR will attempt to make the data more readily available. The payroll personnel system is the starting place. People on campuses were surveyed about other information they would like to get. Longitudinal information about personnel and a way of looking at the lifecycle of an individual will be available. A challenge is that different identification numbers are used. There will be a pilot with some campuses starting next year. The next phase will be looking at student and admissions data. OP is also looking at ways to identify the areas of research expertise that exists at the campuses. The data warehouse will provide information about the faculty. Data will probably only date back to 1995 because of the data quality.

Discussion: IR will be able to provide the kind of data that UCAP examines. The analysis conducted by Academic Personnel on faculty salaries has been provided to Content Manager Dommer. After a period of collecting the data and setting up the reports, the process to produce the reports takes very little time.

IX. Campus Reports/Additional Member Items

Davis: The CAP is anticipating a rush of requests for accelerations in time due to the furloughs and the decision was made to not change how the files are reviewed. The campus has been concerned about searches, the integrity of the searches and how deans may be circumventing the process and generating outcomes that are not aligned with the Senate process. A pending resolution is that the information documenting the search process as part of the EVCSs process needs to be in the packet and the CAP will not review the package if a competitive search has not been carried out. The campus does not anticipate any searches this year but this policy will address the historical situation. In one case an appointment was promised to a candidate even though there was nothing to merit the dean's recommendation. Several members indicated that they see a lot of search waivers and the CAP has to be overruled or agree to the waiver.

Santa Cruz: Based on the report on off scale salary a new strategy was implemented. Two different levels of off scale are being used. Other issues include discussion about best practices or changes in policy for retention and CAP, and the task force that produced the salary report are working on this.

San Francisco: The CAP is looking at how the furlough program impact staff. The committee is also reviewing the number of packages looked at and considering reducing the number of packages. If the furloughs turn out to be a multiple year program changing how things are done will be considered.

Berkeley: The CAP is looking at retention and how to develop a format for chairs and deans to assess the value across the campus and relative value of the person being retained. There is a perception that the processes need to be streamlined. The committee has been asked to comment on creative attempts to allocate FTE in which the start up costs would be borne by other entities.

Merced: Two-thirds of the faculty are assistant professors and are not getting off to a great start with their research. Deadlines for getting the cases in on time have been put in place.

San Diego: The CAP has had a light load so far. The committee was mindful of the continuity of the committee and this year three people have agreed to stay on a third year to reduce turnover. The committee has spent time meeting with chairs, deans, and vice chancellors for general policy discussions. The CAP chair has done most of the work meeting with faculty groups who want to know how the CAP works.

Irvine: The CAP has talked about early accelerations and off scale salaries. It is proposed that the dean-delegated merit process is expanded to all full professor merits below step six. The committee is also looking at its high workload.

Riverside: Due dates have been reinforced. The CAP is considering whether or not to relinquish viewing the routine merit files. At least four campuses review and make recommendations on merit cases. Every case goes through CAP and reports are written for each case.

Santa Barbara: The CAP leadership and the AP Administrators have been in discussion over whether to change the policy of accelerations in time by adopting the UCB system of full-time at step/rank. Discussion and consultation is ongoing at this time.

IX. New Business

The SMG policies will be reviewed following the meeting and the committee will submit comments via the listserv by Friday, October 16, 2009. If it does not involve the academic appointment UCAP will not comment.

X. Executive Session

UCAP did not have an Executive Session.

Meeting adjourned at: 3:00

Minutes prepared by: Brenda Abrams

Attest: Alison Butler