

**UNIVERSITY OF CALIFORNIA ACADEMIC SENATE  
UNIVERSITY COMMITTEE ON ACADEMIC PERSONNEL  
MINUTES OF MEETING  
WEDNESDAY, OCTOBER 30, 2013**

Attending: Harry Green, Chair (UCR), Alan Terricciano, Vice Chair, (UCI), Daniel Gusfield (UCD), Jean-Luc Gaudiot (UCI), Jean Olsen (UCSF), Shannon Jackson (UCB), Michael Stenstrom (UCLA), Jang-Ting Guo (UCR), Mary Hancock (UCSB) (telephone), Christina Ravelo (UCSC), Myrl Hendershott (UCSD) (telephone), David Kelley (UCM), Susan Carlson (Vice Provost, Academic Personnel), Janet Lockwood (Manager-Academic Policy and Compensation, Academic Personnel), Bill Jacob (Academic Senate Chair), Martha Winnacker (Executive Director, Academic Senate), Brenda Abrams (Principal Policy Analyst)

**I. Welcome, Announcements, and Updates**

Chair Green welcomed the members to the first UCAP meeting of the year. At Council's last meeting, the Moreno Report was discussed with the new president. President Napolitano announced that she would like a small committee to follow up on the issues raised in the report. The committee will be comprised of four administrators and four members of the Senate. This committee will look at UCLA's procedures. Council is currently discussing how to respond to the president's request, especially given her short timeline. The Senate is concerned that the three Senate members who will be on this committee will not be representative of the Senate.

The president has accepted Chair Green's invitation to attend UCAP's January meeting. UC has been pushing the state to allow the University to take control over its debt and is arguing that UC can do a better job of managing it. The administration is discussing strategies to restructure UC's debt. The state has agreed to UC's request and the refinancing has been done and the anticipated savings will be \$100M annually for at least the next ten years.

Chair Green hopes that the committee members had the opportunity to review the Moreno Report for today's meeting. The argument is that there are so many ways to report discrimination on the UCLA campus and the report claims that things go nowhere or are handled by placating the victim. However, there are no consequences for the perpetrators. The report will be discussed at the next Council of Chancellors meeting. Later in today's meeting, the committee will discuss how to adjust the structure of UC in such a way as to eliminate biases in the system.

**Discussion:** Some of the solutions that may be used to punish the perpetrators might help create a new culture at the campuses. It was noted that the structure in place to address sexual harassment is effective. The report states that at UCLA the structure in place to deal with sexual harassment issues is much easier to understand than is the structure for dealing with discrimination.

**II. Systemwide Review of Proposed Amendments to Senate Bylaw 55**

Last year UCAP looked at a proposal from UCSD to allow departments to give the vote to

certain groups of non-Senate faculty so they may vote equally with Senate faculty on merits, promotions, and hiring. Members of UCAP last year were strongly opposed to the proposal but the UCLA and UCSF representatives voted in favor of the proposal. This proposal is not asking for these faculty to be given Senate membership. There are some units where non-Senate faculty are 70% of the faculty, which is one of the arguments against revising the bylaw. An argument in support of the proposal is that the non-Senate faculty are being treated like a second class. This proposal is now out for a systemwide review.

**Discussion:** The UCSF representative indicated that a great deal of faculty at the campus are non-Senate faculty but perform the same type of work as Senate faculty and play a very important role in educating other clinical faculty. UCSF attempts to involve the non-Senate faculty in Senate activities to the extent allowed by the bylaws. Faculty who meet the criteria for Clinical X are able to move to this title so they can become Senate members but expanding this to more faculty is difficult. At UCLA, no more than 1/6 of the clinical faculty can be in the Clinical X title and that maximum limit has not been met yet. The Clinical X faculty are considered leaders. The UCLA CAP sees two to three change in series requests a month for transfers from Clinical to Clinical X. There are faculty who are not interested in moving to the Clinical X title in part because of the increased expectations that go with Senate service or because they have no interest in publishing.

The UCD CAP discussed the proposal last week and a member reported that the majority of faculty in her department are not Senate members, which has a negative impact on the administration of that department. It was noted that some adjunct faculty are not invested in UC so including them in this proposal is problematic. The Davis CAP suggested that the net should be widened to include Extension and Cooperative faculty. The point was made that there are differences across the campuses in terms of faculty interest in Senate membership. It was reported that UCI's clinical faculty are not located at the campus. Non-Senate faculty at UCSF participate on various Senate committees. The UCLA representative suggested that before approving this bylaw change, more faculty should be moved to the Clinical X title. It is estimated that about 50% of the health sciences clinical faculty are not involved in publishing. Depending on the department, some faculty members are allowed to vote on cases at their level or below. If the bylaw were to change, there is the potential for faculty in the same title to be treated differently. Changing the bylaw for one group of faculty may lead to the demand for a vote from other non-Senate faculty members.

A member suggested considering who contributes to the department in a meaningful way and bringing these individuals into the Senate. The Clinical X title was created to solve this problem. One idea is to give voting rights to a faculty member in their own title. At UCI, the vote by title is recorded and the information in how the votes break down is reviewed. Changing the vote to vote by rank may be more complicated than necessary and it could lead to more problems. The number of Clinical X faculty has increased over the past several years and UCSF's CAP reportedly sees two to three requests to move into this title each month. UCAP members were asked to vote on the proposal and seven members voted in favor of it and five members opposed the proposal.

**Action:** The committee voted in favor of the proposal by a small majority.

### III. Consultation with the Academic Senate Office

- *Bill Jacob, Chair, Academic Senate*
- *Martha Winnacker, Executive Director, Academic Senate*

Chair Jacob thanked the committee members for their Senate service. The new president has been at UCOP since September 30<sup>th</sup> and has been visiting the campuses. President Napolitano has requested a thorough review of UCOP's finances. Open enrollment has just started for the new health care plans and there have been some major changes. Academic Council will be commenting on the composite benefits rate matter. A request for proposals has been issued for the Innovative Learning Technology Initiative and in the near future, CAPs may be looking at issues related to online education such as workload implications. Enrollment planning is beginning to happen with each campus developing its own plan. Campuses want an increase in non-resident students, but the question still to be answered is whether UC should grow the numbers of graduate students which will have an impact on workload.

The total remuneration study is moving forward. In 2010, the 2009 salaries were compared to the comparison eight institutions. It is not clear how the value of retirement benefits will be calculated. The governor has stated that although faculty salaries are low, the benefits make up the difference and Chair Jacob challenged this since it is no longer the case. The goal is to repeat this study using the same methodology every year. Originally the Senate proposed including staff in the remuneration study but the administration only agreed to conduct the study after it was limited to faculty. Chair Jacob and Provost Dorr will report to the Regents on graduate education at the next Regents meeting. Issues with graduate education include that UC is not competitive. The Senate passed an open access policy to be implemented at UCSF, UCLA and UCI this year. The Academic Planning Council discussed this policy and agreed that more information needs to be disseminated to faculty soon.

In response to the Moreno Report about UCLA, President Napolitano has asked for an eight person committee to be established to look into how complaints are handled at each campus. This committee's recommendations are to go to the president at the beginning of the New Year. Surveying how these types of complaints are handled will be viable but the Council does not think that the president's time line will allow the committee to make recommendations about systemic changes. Chair Jacob is tasked with selecting three people but ideally a representative from each division would be appointed to the committee. An advisory body might be established so that there is representation from the divisions.

**Discussion:** The UCI representative shared that the same person handles the sexual harassment complaints and complaints about discrimination, and this arrangement works effectively. A member suggested that the individuals at each campus who are deeply involved with issues of discrimination should be included in the president's committee. Any recommendations will have to go out for systemwide review. The president has asked the chancellors to report on the structures and activities in place at the campuses. One of the first steps is to determine what information is available to a faculty member with a complaint. The committee discussed the short timeline proposed by the president and how the Senate should respond. Chair Jacob noted that it is not clear whether the president actually read the briefing document about shared

governance prepared by the Senate prior to her arrival.

#### **IV. Proposed Revisions to APM 600**

The proposed revisions to APM 600 are under systemwide review this year. Chair Green has worked with Vice Chair Terricciano to identify the revisions that UCAP should examine closely. Chair Green commented that there are a number of wording changes.

**Discussion:** APM 510 was discussed and the committee determined there were no concerns. The vice chair reviewed APM 661-18. The proposed change to this section of the APM is to eliminate the formula. Members agreed that there are differences at the campuses and the proposed APM accurately describes what is already occurring. The committee agreed that APM 661-18.b should be revised to read that summer teaching salaries should be calculated. APM 662-2 should also include the statement that summer teaching salaries should be calculated. APM 662-17 should be revised so it does not penalize faculty and this policy should state that it only applies if a faculty member is being compensated for additional teaching. The section should be revised to state “compensated time for additional teaching.” Vice Provost Carlson reported that some of the proposed revisions came about as a result of the feedback received in the first review of APM 600. The committee discussed the question of who determines what extra teaching will be damaging to the departments.

#### **V. Consultation with the Office of the President**

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

Vice Provost Carlson reported that Chair Green and the UCSC representative attended the ADVANCE PAID roundtable in San Diego on Friday. This meeting was focused on contributions to diversity. Discussions focused on the message that is sent during recruitment and about how contributions to diversity are factored in. Another roundtable is scheduled for April 23<sup>rd</sup> in Davis and everyone is welcome to attend. Academic Personnel is focusing on the total remuneration study of ladder rank faculty. Bids from two consultants are being reviewed. The study will help determine how competitive the benefits are for UC faculty given the changes to UC's retirement contributions.

**Discussion:** Chair Green reported that the Friday roundtable was very good and the discussions were very relevant to CAPs. A member pointed out that there are concerns about P&T related to when grievances come forward that there can be gender or racial bias and confidentiality makes it impossible to compare cases. Vice Provost Carlson suggested that CAPs might benefit from training on implicit bias. Academic Personnel has compiled data on the personnel review process but the data are limited. One CAP keeps track of the word count in descriptions of contributions to diversity. UCD has the most complicated set of data under development which will include rate of merits and differences by gender race and ethnicity. Davis has an institutionalized equity review process and faculty can request a review if they have not had a CAP action in five years. UCAP does not need to do anything regarding the salary equity studies. Vice Provost Carlson reported that the campuses are reporting their progress to Academic Personnel every few months. These responses will come to UCAP for review in January.

Academic Personnel is managing year one of the negotiated salary program trial. An initial report about who is participating and the salary increments is being put together and will be shared with UCAP in as early as November. An annual report will be collected after July 2014. There will also be surveys from program participants as well as from administrators who manage the program. Vice Provost Carlson explained the trial program for the benefit of new UCAP members. A report on review procedures for the faculty will be ready to share with UCAP in January. The committee discussed the new president's meetings with faculty at the campuses.

## **VI. Proposed Draft APM 133-17**

Vice Provost Carlson reported that the review of APM 133-17 is informal at this stage. It has been suggested that the policy should describe “extending” the tenure clock, instead of “stopping” the clock. There is new language about illness. There are different requirements for documentation about a serious health condition or significant circumstances or events.

**Discussion:** It was noted that the significant events are described in negative language when in fact there may be positive events that take a faculty member away from his or her work. There was agreement among some members that the policy should describe extending, not stopping, the clock. The committee agreed that an important issue is requesting the extension in a timely manner. It was noted that CAPs may not have information in the file that indicates that the clock had been stopped, and therefore CAPs will not penalize a faculty member who requested that the clock is stopped. Members talked about whether extending the clock implies that a faculty member was given extra time, and it was suggested that the policy refer to pausing the clock. CAPs look at the amount of work and consider how much time was taken to accomplish it. Vice Provost Carlson shared that “extension” is already used by the vice provosts at some campuses. The UCB representative suggested that the Vice Provost contact the UCB Vice Provost of Academic Personnel about the alternative language the CAPs might use. According to Vice Provost Carlson, most faculty do not stop their research during the period when the clock is stopped. It was reported there is an issue with maternity leave because sabbatical is not accrued since this is technically disability leave. When male faculty take the active service modified duties, sabbatical leave is accrued, and the differential impact of this should be explored. Vice Provost Carlson will review the sabbatical credit policy.

## **VII. Progress of Minority and Female Faculty Members**

Chair Green reported that before the Moreno Report about the problems at UCLA, two individuals from different UC campuses reported that the small number of individuals not being granted merit or promotion is mostly comprised of women and minorities. The chair does not have any documentation to support these reports. It should be noted that studies have found that people are not as objective as they believe they are, and individuals have inherent biases. UC is not hiring people to increase diversity and underrepresented minorities and women leave UC because they are denied tenure or have reasons related to how they have been treated. UCAP has an opportunity to try to make a difference on this issue. Chair Green would like to suggest that each UCAP member ask for the appropriate person on campus for the records for the past several years about the recommendations from CAPs and whether the recommendation was acted on. The chair would like for UCAP to collect this data for review this in January or March. The

members were invited to share their thoughts about this subject.

**Discussion:** A mistake is made when the issues impacting women are treated the same as those impacting minorities. Women are not promoted primarily as a result of their role in childbirth and disproportionate involvement in the raising of young children, which put additional restraints on female faculty members' time. In the competitive environment that exists when pursuing tenure at a research university, the additional constraints on women's time results in statistically significant different outcomes. This is coupled to the phenomenon of the pipeline of getting from graduate student to tenured professor. Many women may look at the demands of being an assistant professor and pursuing tenure and decide against this path. UCAP can consider how to fix the pipeline but it should be noted that it is often as a result of self-selection that women do not advance. The time constraints women face may be a very significant element in career choice and ultimate outcome of academic careers. The career paths of women who do and do not have children could be examined. A member noted that faculty in the sciences advance faster than faculty in the humanities, so the variable might be the field a faculty member is in instead of gender or race/ethnicity.

A member reported that there have been external letters that mention that the female faculty had been poorly mentored. It is good to have data, but UCAP has to consider how faculty can be helped to see themselves in the data. The strategy of what the data mean and how the data are delivered must be determined. Chair Green thinks that the focus could be on changing the thinking of deans and chairs. The Regents are not satisfied about the level of diversity at UC. UCAP could examine the data that are produced by the campus salary equity studies. The availability of child care services is a valuable resource for female faculty. Chair Green asked committee members to send him any information about this topic that they have. After this information is collected, UCAP could make a report to Council. It was suggested that UCAP devise a list of questions that might be included in the data collected for the salary equity survey. The committee could make a statement about mentoring. The chair's letter to CAP could be required to include a mentoring statement. Each UCSF faculty member has two to three junior faculty they mentor. The committee agreed that mentoring should be one on one. The salary equity surveys could include questions about mentoring. It was suggested that UCAP look into studies on mentoring. Mentors should be outside of the individual's department and different types of mentoring are needed. The committee could review spousal or partner hiring policies. Department chairs need a program on mentoring.

### **VIII. Encouraging Senate Service**

This item was not discussed.

### **IX. Campus Salary Equity Surveys: Next Steps**

This item was not discussed.

### **X. Campus Reports/Member Items**

This item was not discussed.

**XI. New Business**

There was no New Business.

Meeting adjourned at: 3:45 PM

Minutes prepared by: Brenda Abrams

Attest: Harry Green