

**UNIVERSITY COMMITTEE
ON
ACADEMIC PERSONNEL**

2012-2013 ANNUAL REPORT

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The University Committee on Academic Personnel (UCAP) had four meetings during the Academic Year 2012-2013 to conduct business with respect to its duties as outlined in Senate Bylaw 135 to consider general policy on academic personnel, including salary scales, appointments and promotions, and related matters. The issues that UCAP considered this year are described briefly as follows:

APM 210

APM 210 continued to be a major topic for UCAP this year. The issue is that the existing wording of APM 210.1-d can be read to say that those whose research discipline involves diversity and equity should be given some sort of "extra credit" in the review process because the University has taken a position that involvement of the faculty in diversity and equity issues is something to be favored. Many campus CAPs have wrestled with this matter since the current version of APM 210 was approved in 2005 and from UCAP discussions in October, it appears that at least one campus (UCSF) has wrestled with such favoritism. In contrast, at least two other campuses (UCB and UCSB) have issued guidelines for how the paragraph of concern is to be interpreted, insisting that no discipline is to occupy a favored position. The reason that APM 210 was revised in 2004/5 was that researchers into diversity and equity had complained that their discipline was not taken seriously; they inferred that at least some CAPs considered such research as inferior and discriminated against them. The language in APM 210.1-d was supposed to relieve any possible discrimination but its wording suggested to some that the University took the opposite position -- that such research should be favored during merit review.

In trying to find the right wording for this paragraph, there is a tension between making clear that research into issues of diversity and equity is to be treated equally to other academic disciplines (not favored or disfavored) and at the same time stating that the University is in favor of all faculty members being active in advancing diversity and equity and therefore placing specific wording favoring such activities in the APM. At the end of last academic year, UCAP proposed some wording that might be considered for inclusion into APM 210.1-d and at the beginning of this academic year, Council Chair Powell requested that UCAP and the University Committee on Affirmative Action and Diversity (UCAAD) work together to resolve this problem. Over the course of the year, UCAP members deliberated over alternative wording and also considered revisions proposed by UCAAD.

In March, Chair Green reported to Council that the two committees had come to agreement on the first part of the paragraph of APM 210.1-d that makes clear that research into issues of diversity is to be given the same respect in the academic personnel process as any other academic discipline but that an agreement was not reached on the final section of the paragraph that deals with mentoring and advising. UCAP and UCAAD submitted two separate proposals to revise APM 210.1-d to Council. Council discussed the differences between the two proposals and voted to adopt a compromise between them. In April, Council forwarded its [recommendation to the Vice Provost for Academic Personnel](#) that the second paragraph of APM 210.1-d be amended as modified by Council. UCAP members look forward to the administration's response to the revisions proposed by Council, including whether the proposed revision will need to be sent out for systemwide review. UCAP was not satisfied with a draft "White Paper" on this subject sent by UCAAD in May and more consultation is necessary before proceeding with this subject.

Proposed Open Access Policy

Last year, UCAP provided informal feedback to the University Committee on Library and Scholarly Communication about the proposed open access policy for UC and expressed support for the policy in a July letter to Council. The proposed policy was sent out for systemwide review in August and discussed by UCAP again during its December meeting. In its letter to Council, the committee outlined a variety of concerns,

including the worry that the policy is going to have a differential impact/burden on faculty from different disciplines. UCAP recommended that compliance with the policy should not be a criterion for personnel reviews/evaluations and that a funding mechanism should be available to faculty who incur added costs of publication by agreeing to open access.

Negotiated Salary Plan (Proposed APM 668)

In the fall, UCAP participated in the systemwide review of the proposed [Negotiated Salary Plan Trial Program](#) to be offered to eligible faculty on the general campuses. The committee commented on the original proposal in October 2011 and offered additional critical feedback in November 2012. UCAP members noted that the trial of the plan, as described, failed to address the problems with proposed APM 668 delineated in UCAP's original memo and raised multiple objections in UCAP's November memo to Council.

UCAP expressed concern about UCOP's failure to collect data to determine if there is a pressing recruitment and retention issue, instead of relying on anecdotal information. Connected to this is the report's lack of clarity regarding how the success or failure of this program will be judged. UCAP suggested that there be a measure of productivity before participating faculty receive the extra funds as well as after. The committee was particularly concerned about the absence of a plan to collect data about the impact on teaching load. The committee continued to have concerns about the impact the negotiated salary plan would likely have on the CAPs' workloads. Some UCAP members expressed concern about use of funds that do not carry full overhead as a source for salary augmentation. UCAP recommended that the trial address all of the objections the committee has raised or it should not be implemented. UCAP will monitor the results of the trial program.

Salary Equity Surveys

UCAP reviewed the campus salary equity survey plans during the March and May meetings. Committee members agreed that, while many of the CAPs do not look at salaries, all CAPs should be concerned about merit equity. The members also agreed that even if CAPs do not look at salaries, the impact of the step advances should be taken into consideration and CAPs should know about any systematic biases. UCAP was critical of those campuses which did not provide comprehensive plans and suggested that the campuses that have developed metrics and conducted some analyses could provide consultation. UCAP asked that the campuses share the issues related to equity that they uncover as well as what the response will be if they do find a lack of equity. The committee also suggested that the campuses should be asked to look at both how fast faculty progress through the steps as well as how well they are paid as they advance. UCAP also requested that the campuses provide firm dates and deadlines for when this work will be conducted.

APM 075

The proposed revision of APM 700 resulted in UCAP's review of APM 75, the policy regarding termination for incompetent performance. APM 75 refers to finding that a faculty member has been incompetent for several years and the committee suggests that the phrase "several years" should be defined. Currently, there is no policy that indicates when CAPs can notify a faculty member that a serious lack of teaching or research needs to be addressed. UCAP members noted that there may be differences at the campuses that really do require flexibility so perhaps "several years" can be defined in each campus's published academic review procedures for each year. The committee also agreed that from a legal perspective it might be helpful for campuses to be able to point to guidelines and that for purposes of due process it is important to have a clear time table. In May, UCAP members agreed to discuss APM 075 next year.

Other Issues and Additional Business

In response to requests for formal comment from the Academic Council, UCAP submitted views on the following:

- Rebenching Budget Committee Report
- APM 600
- APM 430
- UC Online Education Copyright issues
- Proposed revisions to APM 700
- Proposed revisions to APMs 025 and 670
- Proposed new APM 671
- APM 241

- Senate Bylaw 55

Campus Reports

UCAP devoted part of each regular meeting to discussion of issues facing local committees and comparison of individual campus practices

UCAP Representation

UCAP Chair Harry Green represented the Committee at meetings of the Academic Council and the Assembly of the Academic Senate.

Committee Consultations and Acknowledgements

UCAP benefited from regular consultation and reports from Susan Carlson, Vice Provost, Academic Personnel and Janet Lockwood, Manager-Academic Policy and Compensation, Academic Personnel. UCAP occasionally consulted the Academic Senate chair Bob Powell and vice-chair Bill Jacob about issues facing the Senate and UC, and the Senate executive director Martha Winnacker about Senate office procedures and committee business.

Respectfully submitted,

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