

UNIVERSITY OF CALIFORNIA

ACADEMIC SENATE

UNIVERSITY COMMITTEE ON ACADEMIC PERSONNEL

MINUTES OF MEETING

TUESDAY, MARCH 10, 2009

**Attending:** Steven Plaxe, Chair (UCSD), Allison Butler, Vice Chair (UCSB), David Lieberman (UCB), Robert Feenstra (UCD), Mary Gilly (UCI), Roland Winston (UCM), Carol Aneshensel (UCLA), Harry Green (UCR), Maureen Callanan (UCSC), Katja Lindenberg (UCSD), Peggy Walsh (UCSF), Janet Lockwood (Associate Director, Academic Personnel), James Litrownik (Coordinator, Data Management, Academic Advancement), Patricia Price (Interim Director, Academic Advancement), Lawrence Pitts (Interim Provost and Vice President), Brenda Abrams (Policy Analyst)

**I. Announcements**

- *Steven Plaxe, UCAP Chair*
- *Janet Lockwood, Associate Director, Academic Personnel*

Chair Plaxe reported that UCOP is hiring more staff to provide analytic support so Senate committees will have access to important information. In January, Council discussed capital funding strategies, responses to the Accountability Framework, and laboratory science courses to meet admissions a-g course requirements. Regent Island attended the meeting to discuss his priorities, including accessibility to UC and diversity. The state was to provide \$20 million for employer contributions to the retirement plan but this was eliminated from the budget. The Blue and Gold plan will provide families with financial support. The proposed School of Nursing at Davis was endorsed. The Committee on Faculty Welfare has stated that there should be no decrease in total remuneration when contributions to UCRP restart, but they recognize that re-starting contributions is more important and therefore are willing to compromise on total remuneration if necessary.

Multicampus Research Units (MRUs) and Research Programs and Initiatives (MRPIs) were discussed at Council in February. There have been multiple versions of the RFP reviewed by the Senate. The aim is to free up some funding and allow the programs to compete. The issue with MRUs and MRPIs will continue to be discussed. With respect to the budget, there is concern and strategizing about how UC should handle the budget cuts. The total budget cut is 7% over two years and the total economic impact is \$450 million for the system. Some money may come from the federal economic stimulus package. Research programs and sciences will benefit from the stimulus package. President Yudof is disappointed with the elimination of the \$20 million for UCRP. There are multiple proposals for addressing the budget situation and ideas are being collected from a number of sources. Solutions will probably be specific to each campus or school. Hiring freezes are in place. There is a lot of misinformation at the campuses. For example rumors exist with regard to faculty lay-offs, but no tenured faculty are being laid-off. Monthly townhall meetings coordinated by the executive vice chancellors will be held at the campuses to provide accurate information.

Associate Director Lockwood provided more information about the efforts to find solutions to the budget situation. Various groups at UCOP are looking at the situation from different perspectives and Provost Pitts asked Senate Chair Croughan to chair a task force with representatives from UCAP, UCFW, UCPB, and the Office of Academic Advancement. This task force will consolidate the ideas put forth by the different groups, and determine a methodical

approach to decision-making and what principles should underlie any decisions made. The first step is to put a standing order in place allowing the president and Regents to enact furloughs and salary cuts in a financial emergency or natural disaster and OGC is working on this. The second step is to determine how the Senate should be involved in deciding that a financial emergency is taking place and how the Senate should be consulted. Many ideas are being considered.. Historical information is being collected and will be given to Chair Croughan for the task force's consideration. AAUP has guidelines for managing budget crises that are long-standing. Principles include demonstrating that a financial crisis is occurring, an understanding of the rights and benefits for faculty and academic appointees that might be affected, and the incorporation of due process to rights ensuring that all constituents have a voice in the process and rights concerning written notification. Plans involving reduction of salary and benefits should include consideration of restoration of the salary and benefits. Another consideration is that any plan will have to go through a collective bargaining process with all 20 units for represented employees. The current focus is on addressing the budget situation as a temporary crisis.

**Discussed:** There has been consultation between the executive vice chancellor and the Senate at UCB about stop gap measures to manage the budget. A small task force at UCB includes the current and previous CAP chairs as point persons for the Senate. UCB has gone to the president with proposals like a faculty furlough, but has been told to hold off on taking action. A hiring freeze and voluntary reduction of staff salaries have already been announced. UCB's differential fees idea was not met with enthusiasm outside of UCB. The Academic Advancement office has begun working on questions related to furloughs and how they would work. The UCI Planning and Budget chair sent a letter to the UCI Senate chair advocating that faculty salaries remain intact. Due to confusion about the purpose of the letter, the CAP chair is revising the letter.

Systematic discussions are not happening in CAPs at other campuses. The department chairs at UCSF are examining what is occurring in teaching. Cuts have been made such as stopping evening clinics and the non-tenured faculty teaching in these clinics have been let go. The UCD CAP is not discussing the budget situation and modest hiring is proceeding there as well as at UCSB, UCB and UCLA. UCB is discussing 25 new searches that will ultimately be authorized by the Chancellor for next fall. This campus will be losing at least 25 faculty.

The question is whether money from UCOP to the campuses will be for FTEs or for discretionary funding. It will be up to the deans to decide how to use the funds. Decisions at UCB are based on a framework of what a unit's optimal size will be. Merit reviews must be funded, and UC has been sued in the past for attempting to deny merits. There were retroactive and prospective suits in 1992. Effects of a multiple year restriction on merits should be discussed by UCAP. Every faculty would be denied a merit although this is not the most equitable approach. A formula would be needed to avoid a subgroup of faculty to bear the burden. Merits would be granted but the salary would not be provided until UC is able to restore it. The academic advancement process goes forward but the money that funds it lags behind.

Some discussion of use of furloughs was held. UCOP is trying to determine if there are approaches that can be used wherein the reduction of time due to furloughs would not affect the formula used to determine benefits. Any discussion has to include factors such as retirement and health benefits. There has not been a systemwide program for staff furloughs. Staff would have benefits while on voluntary furlough. A faculty furlough would not involve faculty schedules during teaching time. Faculty who have grants may have to save or move money between

categories. Clinical coverage issues mean that medical centers cannot be closed down for a furlough day. State institutions that are implementing furloughs for their faculty are being monitored. The University of Maryland and Arizona State have worked out programs that allow faculty to select the furlough day. These issues require an in-depth analysis and UCOP compiled a list of pros and cons in the early 1990s.

Associate Director Lockwood will share materials from AAUP and from the 1990s with UCAP. The process for declaring a financial emergency was explained. There will be an assessment of whether campuses have implemented strategies to avoid the crisis. The presumption is that there is time to conduct analyses and carry out strategies to avoid any drastic steps. Issues the campuses need to consider include reappointment rights. One committee member noted that past discussions have touched on the closure of schools or even entire campuses. The short-term focus will be on furloughs and salary cuts, but it will be important to start thinking about the disestablishment of programs or units. Some campuses have protocols for disestablishment in the event of natural disasters and their faculty have been let go from institutions after a natural disaster. Nothing in the APMs directly addresses the budget and Academic Advancement and OGC will assess the APMs and codify policies. There will be a problem for CAPs if furloughs are implemented, with promotion decisions for example. Since UC's system is fairly standardized it may be easier to figure out how to manage these issues.

Few discussions about generating revenue are occurring. One campus is discussing increasing fees for specialty programs, and all campuses previously implemented differential fees at professional schools. UCB's business school has implemented multiple programs that charge high fees. These fees go back into that program, and it was noted that it is very expensive to set up these particular programs. Given the budget, students are probably unable to pay higher fees.

The standing order will give the president and/or the Regents authority to take actions only with regard to furloughs and salary reductions. The president has delegated all academic actions to the provost. The standing order could be along the lines of the AAUP guidelines that cover how emergency actions can be taken. OGC has stated that the current standing orders are inadequate for dealing with the crisis. Termination of a tenured faculty member is not allowed by the APMs and the president is not considering this action. Faculty would be given opportunities to place themselves elsewhere at the campus and departments need to help. UCAP discussed what the CAPs can do about the budget situation. There are concerns that sharing this information with the CAPs is going to increase anxiety. Chair Plaxe reinforced that having these discussions with CAP is where shared governance takes place. Chair Croughan will be considering how communication with faculty will occur.

## **II. Consent Calendar**

**Action:** The minutes were approved.

## **III. Proposed Revisions to APM 240, Deans**

A brief UCAP response to the proposed revisions was drafted. The UCB representative has shared the divisional CAP's questions and concerns about the revisions.

**Discussion:** The committee agreed that the UCB feedback on the proposed revisions is detailed and raises important issues. The index compensation level, established annually at UCOP, is meant to be a threshold and establishes who has authority to approve salaries above the threshold. It is established and reviewed annually. The index factors in the comparison eight

institutions and the consumer price index. Local CAP comments are collated with comments from other CAPs and Academic Advancement will consider all responses. The thinking of the UCB CAP may be incorporated into UCAP's response. It was clarified that this policy only addresses deans, and policies for associate deans will be revised later.

**Action:** The chair will incorporate elements of UCB's response into its memo.

#### **IV. Cross-Campus Comparison of Off-Scale Amounts and Advancement Rates**

Chair Plaxe explained that this issue is on the agenda again since it has not been resolved.

**Discussion:** UCD utilized the same data used by UCSC to produce a report on cross-campus comparisons. In light of the budget situation, there is no significant work on this issue. UCD's report suggests that it is lagging behind in salaries as well. Interesting patterns by discipline and average by rank were noted. Above scale faculty are not included. The deans are supposed to look at the differing salaries of individual faculty at the same step, but CAPs do not. One CAP looks at the issues of equity and the problem of faculty within the same rank having widely varying levels of salary. In retention practices this is difficult. Another CAP no longer looks across divisions. No campus has a database with faculty salaries that allow the CAP to compare salaries and there is no formal mechanism to look at the spread of salaries. One committee member examined differences by gender and found insignificant differences.

#### **V. Publications/Creative Work in Review Packages**

This issue came up at UCD. The FPC in engineering reviewed a packet last year for a one year acceleration, which was denied. The faculty submitted the same packet again this year and indicated that no new articles had been written. The FPC looked for missing articles on the internet and found one that was five years old, one with an author at another school, and one forgotten about by the faculty member. The merit was turned down because the FPC felt the articles should have been included. The dean advised that the merit was deserved and the department chair submitted a letter apologizing for the publications being excluded from the packet. There are concerns about documenting what needs to be in the packet and it is not clear that the APM provides guidance on a complete packet.

**Discussion:** UCAP members indicated that their CAPs are not allowed to go online for additional information. If the curriculum vitae and the biobibliography match, the CAP would not know that anything is missing. There are several questions about defining what is published. The committee discussed the need for a policy that states all work must be in the packet. If external letter writers mention work in progress or working papers that are not submitted, these materials could be in the packet. Work in progress is a gray area however. At one CAP, if the date of the publication is during the last review period it is not considered. UCAP members agree that the CAPs look at productivity in the period following the last review. At one campus, after the file has gone to CAP, faculty have the opportunity to submit additional materials and the department does not receive this information. This material is taken into account during the current review. The status of the publication during the last CAP review is noted. If a paper is in press at time of the review, it is considered published at the next review. In career reviews, work is counted if it is not on file during the period of the last review. The FPC is governed by the same regulations that govern the campus CAPs.

UCAP discussed situations where there are no publications but there is other evidence of outstanding productivity, such as a substantial grant. The effort required to compile certain grants and the competitive nature of the process are not taken into consideration by local CAPs. UCAP has previously discussed how grants reflect productivity. CAPs vote in favor of merits in cases where a person has to submit a packet after a short time on the job and has no publications. For untenured faculty, CAPs are more flexible in terms of the evidence of productivity that is considered. One member asked about acceleration from Associate IV to Associate V and members agreed that if faculty is good enough to accelerate, the faculty should accelerate to professor. Several campuses use the Associate V and at least one is told not to use it. One campus does not accelerate to any special step and the dean wants to provide more flexibility.

## **VI. Faculty Salary Lag**

- *Jim Litrownik, Coordinator, Data Management and Analysis*

Additional data analysis on faculty salaries was conducted in response to UCAP's request and it includes data on comparison institutions. This data includes everyone except health sciences. A phone survey was just completed by Academic Advancement of comparison institutions. Most institutions are not planning on salary increases. The Accountability Framework will include a new graph that uses institutional data that can be provided on request. The data reviewed by UCAP cannot be included in the Framework.

**Discussion:** It is difficult to demonstrate if UC is competitive. Specific data on successful recruitments and retention is not available centrally. In the past, deans were surveyed about unsuccessful recruitments and resignations. It was noted that UC start up packages are not competitive. Discipline based associations in certain fields may have data on starting salaries. There is no central tracking of offers made to candidates for UC positions. UCSF's CAP approves all faculty search committees but other campuses do not. When the search is closed after an offer is made, there is a report but it is not clear where this report is sent.

A UCAP member commented that deans have asked the divisional CAP to do preemptive retentions. The CAP developed a list of the information it wants when requests for preemptive retentions are made which was submitted to the Vice Provost for Academic Affairs. One CAP is making certain assumptions about the delay of year two of the salary plan. One assumption is that retirements will be delayed in order to get the maximum pension benefit. A second assumption is there will be a reduction in the number of retention cases, but there have been many retention cases at the high end of the market, from institutions that have announced hiring freezes. Another CAP is seeing fewer retention cases because the funds are no longer available. The APM indicates that retention is one reason for acceleration. The CAP at another campus is discussing if it should consider what the departure of a faculty person would mean to a department, not just the accomplishments of the individual faculty.

## **VII. Campus Reports/Additional Member Items**

**Merced:** The campus is in the WASC accreditation process and the CAP is requesting new evidence about teaching to supplement the student reports. The committee requested two independent sets of evidence on teaching. It was noted that negative peer reports are rarely seen. Various approaches to the student evaluations were discussed by UCAP members. Graduate students are creating a teaching dossier in addition to their research dossier.

**Santa Barbara:** The representative asked if CAPs use advancement within step IX.

**Santa Cruz:** The CAP is being asked to consider the diversity of activities in reviews. One member noted that the diversity of contributions are considered, but the CAP has not specifically indicated how it will be handled. Another member indicated that this consideration resulted in an off-scale supplement that was approximately one quarter of a step.

**San Francisco:** A 2001-2005 chancellor task force on recruitment and promotion issues found that lots of faculty are being hired in adjunct series. A recommendation was made to hire faculty in the appropriate series which was accepted by the chancellor. A follow up task force is looking at these issues again and there is CAP representation. The CAP feels that having an R01 or equivalent grant should not be required and that publications should be used instead. The CAP is trying to bring department chairs in line with idea that no grant is needed to get promoted. One department is refusing and requiring a R01 or equivalent, stating that it is setting a higher bar. The CAP is trying to override this decision. There are many issues to be sorted through and one committee member indicated that this situation may be resolved in Privilege and Tenure.

**Action:** The analyst will add a question to the CAP survey about how APM 210 is being treated.

**Action:** The committee agreed to write a letter regarding the use of grants in reviews.

### **VIII. New Business**

- *Lawrence Pitts, Interim Provost and Executive Vice President*

Provost Pitts indicated that salary data will be included in a report on the Accountability Framework to the Regents. Hewitt Associates are working on total compensation. The favorable parts of total compensation are the retirement system and retiree health for which there is a very small contribution, which is rare in the retiree health field. This is valuable but both will soon take a hit. UC's liability for retiree health is being changed. Health sciences faculty salary is complicated and the medical schools do not report data in the same way. It is not clear that everything required is being reported therefore it is difficult to tell how UC faculty compare to the competition.

Meeting adjourned at 2:50

Minutes prepared by Brenda Abrams

Attest: Steve Plaxe