

UNIVERSITY COMMITTEE ON PRIVILEGE & TENURE

Minutes of Meeting

February 16, 2018

I. Chair's Comments/Updates, Nancy Lane, UCPT Chair

Chair Nance Lane welcomed the members to the meeting.

Analyst Jocelyn Banaria went over logistics of the *Zoom* videoconferencing use and features.

II. Consent Calendar

A. November 14, 2017 minutes

B. Approval of today's agenda. Executive Director Hilary Baxter explained that UC Title IX Officer Kathleen Salvaty can provide an update at 11:45am, and that Cynthia Vroom from the Office of the General Counsel can provide an update at 11:00am. Executive Director Baxter's agenda items can be then shifted on the agenda.

Action: UCPT approved the November 14, 2017 minutes and today's agenda with the changes of timeslots.

III. Campus/divisional hearings – best practices

Hilary Baxter, Executive Director – Systemwide Academic Senate

Executive Director Baxter described that the divisional Academic Senate Executive Directors met at January 2018. One of the issues that were related to P&T was the degree to which attorneys are taking over during hearings. Chair Lane asks the UCPT members if they find this to be a challenge when the hearing is occurring and the attorney is taking over.

At Santa Cruz, it's not a problem. At San Diego and Riverside, there were no hearings this year. At Riverside, the attorney contact would Cindy Vroom. At Irvine, there was one hearing, and it was not a big problem. It requires a strong hearing panel chair to control by imposing and enforcing strict time limits on the attorneys. At UCLA, few lawyers want to be in control. At Berkeley, some lawyers have tried to take control.

Action: UCPT members will share thoughts and comments.

IV. Update from Senate Leadership, Shane White, Academic Senate Chair & Robert May, Academic Senate Vice Chair

- Governance of the University. In November 2017, the Academic Council requested the following, and efforts have been made.
 - 1) A Senior advisor to the UC President. The President selected former Academic Senate Chair Daniel Hare (UCR). He is schedule to meet with the President every two weeks.
 - 2) The Office of the Provost to be restored in the President's governance structure.
 - 3) Chair of the Academic Senate to be included in the President's Cabinet.

- Budget. The UC Budget was not presented at the November 2017 UC Regents meeting, but at the January 2018 meeting after the Governor sent out his budget. Governor promised 4%, but offered 2.7%. He made it clear to not have tuition increases, and he wrote to the Board of Regents about this. The Regents' vote on the tuition increase has been postponed to the May 2018 meeting; the non-resident tuition increase may be presented at the March 2018 Regents meeting. The following was included in the Governor's budget:
 - Tuition buyout – about \$70million.
 - One-time deferred maintenance – \$35 million.
 - \$26 million ask – for overcrowded (used to use “overenrollment”).
 - \$50 million – Governor was going to hold onto those funds, and requested UC to have the 2:1 ratio (one transfer student enrolled for every two freshmen).
- Huron Report. The executive report of the consulting firm that reviewed the operations of the UCOP was a 46-page slide deck. The recommendations are presented as the blue option, and the gold option. Most bullet points are “stripping” Academic Affairs. Chair White thinks that the recommendations are not going to save money. There may be reorganizations. For example, one recommendation is recommended that UC Health should be its own entity, and it comprises 43% of the UC budget so this recommendation should be taken seriously.
- Transfer students. Provost has called a task force.
- Campus climate. Students feel disenfranchised.
- Retiree Health. Senate Vice Chair Robert May explained that issues were brought up Spring 2017. Senate requested, and the President responded with a Retiree Working Group. There have been two meetings so far.
- Salary Gap. Senate Vice Chair May described that the difference between where we're supposed to be vs. the Comparison-8 universities vs. where we actually are. UC falls 8.5% below. The Senate committees of the University Committee on Faculty Welfare (UCFW), The University Committee on Affirmative Action, Diversity, and Equity (UCAADE), and the University Committee on Planning and Budget (UCPB) worked on developing on critique. UCFW had a good meeting with the President, and there have been conversations with the Chancellors. The Senate view is that the bulk of increase should go into the scale. The issue should remain to correct the overall shortfall. The initial budget proposal is for a 3% increase (i.e., 1.5% across the board; 1.5% discretion of the chancellors). There is a plan being developed to go to the chancellors.

V. Roundtable: Reports from the Divisions.

Members reported on P&T matters within their divisions. Below is a summary of the topics of the current and last year's hearings.

Berkeley: There are cases in various stages, and they are pending.

Davis: There are no cases.

Irvine: There are several small cases, plus one ongoing that involves an interim involuntary leave, barring the individual from represent himself as UCI faculty. That individual grieved, and was due an expedited hearing. An ad hoc expedited procedure required two months. There was discussion on what occurs at the other divisions regarding placing someone on involuntary leave, grievance process, and expedited hearings, and that there need to be some standards.

Action: UCPT members will share what is occurring on their divisions regarding placing someone on involuntary leave, grievance process, and expedited hearings.

UCLA: P&T is busy at UCLA; there are more cases this year than in the past. Two new cases going to hearing. Three are on-going, and not finished, but moving those along. One case involves a student filed grievance about a grade; there is too much time spent on it.

Merced: No update.

Riverside: There are three grievance cases pending, and UCPT member asked for advice. One case involved an abrupt and unjustified removal as Chair of Department. Another case involved a faculty member who filed a grievance regarding the Vice President for Administrative Resolution (VPAR). It was a challenging decision by VPAR regarding a student and how exams were administered and graded. The third case involved a faculty department filed grievance against VPAR and Charges Chair.

San Diego: Their division has a questions regarding emeritus faculty eligible to vote. What constitutes the number to vote? Official ruling from the University Committee on Rules and Jurisdiction (UCRJ) is being sought. There is a long ongoing case with additional grievances with P&T.

San Francisco: No update.

Santa Barbara: UCPT UCSB member explained how he recused himself from a case.

VI. Consultation with Academic Personnel

Susan Carlson, Vice Provost – Academic Personnel & Programs (APP)

Vice Provost for Academic Policy and Programs Susan Carlson provided information and updates on academic personnel issues.

- Negotiated Trial Program, which is an additional compensation program. It's at trial at Irvine, UCLA, and San Diego. There is a long review process, which starts with the task force with recommendations. Last month, Provost Brown determined that it should be continued for another pilot period. In addition the current three campuses, other campuses were asked to be part of this trial program; Riverside is asking to join. The new trial period starts in July 2018. Key documents of the program are being updated.
- Advancing Faculty Diversity Program. Currently, there is a second one-year funding from the state. The campuses that are participating are Berkeley, Irvine, San Francisco, and Santa Barbara. There is a systemwide advisory committee that has Senate members. Most monies are used to support faculty start-up packages.
- Proposed changes to the Lecturers with Security of Employment (LSOEs). This is out for its second systemwide review, and it's getting closer to consensus. Hopefully, by July 2018, a new policy will be issued. Discussion followed on the key changes, and there is no consensus on the title.
- Guidelines in response to Assembly Bill 168 – signed into law. This prohibits employers for asking applicants for salary information. The intent of the bill is to reduce discrimination. UC was not required to accept this bill, but the President feels that UC should also accept the bill, and guidelines have been issued. This has been communicated through the campuses Executive Vice Chancellors/Provosts and the Academic Personnel offices.

VII. Consultation with Attorney Advisor to UCPT

Cynthia Vroom, Office of General Counsel

Minutes are not taken during consultation with the Office of General Counsel.

VIII. Systemwide Review items

1. Proposed Revised APM Sections 285, 210-3, 133, 740, 135, 235 - Second Round "Teaching Professor" is crossed out. UCPT is asking the reason why it is crossed out.

Working titles. What are the limits of working titles? There was discussion that working titles may be used for the purposes of grant applications.

IX. Other topics

Executive Director Baxter reported that C Title IX Officer Kathleen Salvaty joined the videoconference meeting, but there was another discussion. She didn't have any urgent updates, and will provide an update at the next meeting.