

COUNCIL ON FACULTY ISSUES & AWARDS
Annual Report 2007-2008
Executive Summary

Purpose of the Council: To study and make recommendations on any matter of interest and welfare of the campus community, and to reward excellence in research and teaching.

- The primary concerns of the Council on Faculty Issues and Awards during the 2007-2008 academic year were the on-going issues of Academic Freedom, Faculty Awards, and Faculty Welfare, as well as the 14 specific issues organized alphabetically and listed below.
 1. Americans with Disabilities Act Issues at UCSB
 2. Academic Personnel Manual (APM) 710, 711, and 080 Issues
 3. Back Up Care Issues at UCSB
 4. Diversity Task Force Reports
 5. Evaluation System for Course and Instruction (ESCI) Review
 6. Health Care Vendor Relations Policy
 7. Hellman Fellowships Proposal
 8. Health Insurance and Portability and Accountability Act of 1996 (HIPPA) Implementation Guidelines
 9. Instructional Workload Policies
 10. Regulations Governing Conduct of Non-Affiliates
 11. Privatization of the UC Retirement Plans (UCRP)
 12. Salary Equity Analysis/ Faculty Salary Report
 13. Transfer, Consolidation, Discontinuance, and Disestablishment of Academic Programs and Units (TCDD)
 14. Zero Tolerance for Violence Policy
- The Committee of Distinguished Teaching Awards and the Committee on Faculty Research Lecturer awarded faculty for excellence in teaching and research.

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Submitted to: the Faculty Legislature, Santa Barbara Division

OVERVIEW

The Council on Faculty Issues and Awards convened for eight regularly scheduled meetings during the 2007-08 academic year (three in fall, three in winter, and two in spring).

Primary concerns of the Council on Faculty Issues and Awards during the 2007-08 term can be categorized into the following main areas:

1) Proposal on Americans with Disabilities Act (ADA) Issues at UCSB

The Council on Faculty Issues & Awards discussed the *Proposal on ADA Issues at UCSB* and applauded the initiative of the faculty ADA Committee and supported the recommendations made by the Committee. Council voiced one concern regarding the recommendation to install stoplights for bikes at high-traffic pedestrian crossings. Council noted that while significant changes should be made to improve access and manage traffic flow, these changes should be handled such that they do not significantly discourage the use of alternative means of transport, such as bicycles, that help to reduce automobile impacts on the campus.

2) Review of APM 710, 711, and 080

CFIA reviewed the *Proposed Amendments to Academic Personnel Manual (APM) 710, and the proposal for new APMs 711 and 080*. For the most part, the Council found the proposed revisions to be sound and well thought out. Council expressed concern regarding the accrual rate for sick time of academic-year appointees and questioned the overall criteria for the determination of how return to service from personal illness, injury, or disability is to be determined. In addition, CFIA felt that the document needed a greater clarification and definition of how the determination of an employee's return to service is to be made. The Council felt strongly that decisions regarding sick leave and disability and return to service should be made to avoid any conflicts of interest, either real or perceived, and by those who are not be impacted by such decisions (e.g. by those who have control of Campus or Departmental budgets).

3) Back-Up Care Issues at UCSB

Council was asked to comment on the issue of "back-up care" by Art Gossard, Associate Vice Chancellor for Academic Personnel. This refers to institutional support for "employees to work when they otherwise would not be able to do so due to breakdowns in their dependent care arrangements." In response to a proposal put forth by Professor Sheldon Zeldnik at UC Berkeley, CFIA agreed that UCSB is disorganized in the area of back-up care for faculty, staff and students and felt strongly that the University needs to put a real mechanism in place to support faculty, staff and students in need of this service. Council supported the availability of a vetted and certified support system and believed that such a system is much better than the ad-hoc approach that most faculty, staff and students are forced to use currently. However, Council questioned whether or not this particular proposal is over-kill and a wise use of funds.

In response to CFIA's concerns, Council Chair, Vickie Scott, had a follow-up meeting Deborah Kuchnir Fygenon, Sumita Pennathur, and Maria Herrera-Sobek. Professor Fygenon supplied the Council with a proposal from the Work Options Group specific to the UCSB Campus. Members of the Council found the prices quoted in the proposal to be much more reasonable and felt that it could fully support a 2-year pilot program on the UCSB Campus.

4) Diversity Task Force Reports

CFIA reviewed the ***Regents' Study Group on University Diversity – Campus Climate Report and UC Faculty Diversity Report***. Council applauded the initiative of the Regents in undertaking this study and was somewhat alarmed by its findings. Council felt strongly that the University needs more transparency of processes and procedures system-wide with regard to all issues of diversity. CFIA noted that the *Faculty Diversity Report* did not contain any national statistics to be used for comparison, but nonetheless endorsed the three recommendations of the report.

With regard to the **Study Group on University Diversity Campus Climate Report**, Council questioned whether it was realistic to “promote and reflect the inclusion of all cultures and perspectives in the research, curriculum, and pedagogy across *all* disciplines” and suggested adding the word “appropriate” after “all”. For example, Council noted that in the hard sciences, one would not expect curriculum or research to change to reflect diversity issues.

5) Recommended Methods and Practices for Distributing and Collecting ESCI Forms

CFIA reviewed the ***Recommended Methods and Practices for Distributing and Collecting ESCI (Evaluation System for Course and Instruction) Forms*** and fully supported the objectives behind the use of the ESCI system, “...to make the process of gathering and summarizing student course ratings both as flexible and as uncomplicated as possible... [and] to help instructors and departments tailor their questionnaires to suit their unique needs while at the same time relieving them of most of the overhead of processing such individualized instruments.” To insure anonymity and confidentiality of raters, Council suggested that ESCI reporting follow a rule similar to that of the US Census Bureau where no statistics or confidential information are reported for extremely small populations (classes or respondent pools of 5 persons or under). Council also suggested that the current document be edited and greatly condensed, with brief instructions and guidelines.

6) Proposed Healthcare Vendor Relations Policy

Council reviewed the proposed ***Healthcare Vendor Relations Policy*** in November (a draft of which was originally reviewed in winter 2007). CFIA agreed that the principles of the policy are clear and appreciated the issues that the proposed policy attempted to address, recognizing the need to provide a “bottom line” for conflict-of-interest between the University of California community and healthcare vendors. Council felt that the policy was highly restrictive, with little room for flexibility, and that individual campuses, particularly those with medical schools, should be encouraged to clarify how best to implement the policy without jeopardizing health care provision or information. Council opinion was split on some aspects of the document, with some members supporting the draft outright, and others expressing discomfort with some of the language and disappointment in the responses to the previous Academic Senate review. Specific re-wording was suggested for part V of the document. Overall, there was concern with the far-reaching impact and potential for unintended consequences with the implementation of the proposed policy.

7) Hellman Fellows Proposal

CFIA discussed the ***Hellman Fellows Proposal***, and offered some suggested criteria for the selection of the fellowships. Council agreed that the main criterion for selection should be to provide financial support for the research of promising assistant professors who, “show capacity for great distinction in their research” and that they be “restricted to Assistant Professors who have served two or more years as assistant professor but do not yet have tenure.” Council suggested that the following criteria be considered for selection: the potential of the proposed research for publishing, the potential of the proposed research for supporting graduate students, and the potential for integrating the proposed research with teaching. In addition, Council recommended that the reviewing committee for this Fellowship be made up of a representation from all Colleges and/or Divisions and that a diversity of fields, especially those fields that are traditionally under-funded by research grants, be included to ensure diversity in the awarding of the Fellowship(s). Subsequent discussions were held with the chairs of CFIA

and the Council on Research and Institutional Resources (Phil Walker) to hone the overall suggestions of the Senate.

8) Proposed HIPAA Implementing Guidelines

Council reviewed the proposed ***UCSB Implementing Guidelines for the Health Insurance Portability and Accountability Act of 1996 (HIPAA)*** and expressed ambivalence, noting some potentially good and some potentially bad outcomes for both patients and health system workers. Concern was raised regarding the “Confidentiality Agreement” and the “Student Health Service Confidentiality and Security Agreement”, which some saw as a type of “loyalty oath” sworn to the University. Others saw the agreements as blanket protection for the patient. Council also raised questions regarding Section III (D), and asked for clarity in what would happen to an employee who failed to report a co-worker’s breach of the HIPAA policy.

In response to the concerns of Council, Meta Clow, HIPAA Policy Coordinator, responded by memo to answer and clarify Council’s questions.

9) Proposed Departmental Guidelines for Instructional Workload

The Council on Faculty Issues and Awards discussed the ***Recommended Guidelines for Departmental Instructional Workload Policies Draft***. Council applauded the impetus to create guidelines to clarify instructional expectations across the UCSB Campus and within each Department and felt that this was a particularly timely document and welcome innovation. Council felt strongly that written guidelines are important to faculty in terms of clarifying instructional expectations within each Department. However, Council’s discussion raised many unanswered questions and many concerns regarding the current draft.

Council specifically questioned the move toward standardization and felt that more clarification of the overall intent of the document was needed before any such policy goes forward. Council also raised the question of, “to whom will this document apply?” Is the policy intended to cover only ladder faculty as defined in the University of California, Academic Personnel Manual: AMP 110-21? Or, is the actual intent of the document that the policy cover all faculty who are members of the Academic Senate as defined in the University of California, Academic Personnel Manual: AMP 110-04?

10) Systemwide Review of Proposed Regulations Governing Conduct of Non-Affiliates

Council reviewed the ***Proposed Regulations Governing Conduct of Non-Affiliates*** and felt that the University should exercise due diligence in communication and information to prevent such behaviors from occurring; all efforts should be made by the University to prevent disruption by resolving conflict-generating issues through open discussion, rather than regulation. Council noted the broad scope of the policy, and questioned whether or not the proposed regulations described therein are equally applicable in all examples of “University property” (which by definition includes not only the various campuses, but also University reserves, laboratory and research facilities, vehicles and vessels, etc). Council felt the proposed regulations were too restrictive and over-regulatory, and it questioned the definition of “non-affiliate”. It was not clear if emeriti, docents, volunteers, independent contractors and invited guests were included in this definition. The Council also questioned how non-affiliates are expected to be aware of these regulations.

In response to CFIA’s concerns, Council received the following message from the UCSB Policy & Records Management Coordinator:

[A]fter some discussion among the attorneys, we plan to re-phrase the rule regarding non-affiliate demonstrations on campus to read as follows: “No non-affiliate shall hold or conduct any demonstration or gathering without prior approval from the Designated University Official as to the time, place, and manner of the demonstration or gathering.” This makes clearer that the official does not have unbridled discretion to control such demonstrations, but that we can enforce our time, place and manner rules.

11) Proposal for the Outsourcing of UCRP Administration

CFIA discussed the ***UCOP Proposal for Outsourcing the Administration of UC Retirement Plans*** and decided to endorse the UCFW letter of February 19, 2008 regarding this proposal. Council was concerned that the Academic Senate had not been more involved in this process and expressed its concern that the proposed outsourcing of transactional funds may be a move toward the eventual privatization of the UC Retirement Plan. Council hoped for more thorough Senate involvement and participation in the evaluation of the proposals.

12) Salary Equity Analysis

CFIA discussed the ***2007 Salary Equity Analysis*** released by the Office of the Executive Vice Chancellor and questioned the purpose of this document. Council felt that the intended use of this document and the collected information was unclear and failed to strongly advocate a policy for fair salaries at UCSB. CFIA felt the document lacked a specific long- and medium-term plan, as well as a tactical plan on how these data could be used to meet its objectives. The Council was also critical of the lack of analysis and interpretation accompanying the data, stating that the report offered numbers without an explanation. The report failed to account for salary discrepancy across many factors (beyond race and gender) such as the number of years of experience, grant income, courses taught, department, etc. Council posed several questions that it felt should be addressed by such an analysis (but were not):

- To what extent are we experiencing a polarization of salaries?
- How does UCSB compare to other UC campuses?
- How does UCSB compare to the Comparison-8 institutions?
- Why are the data reported by division, but not department?
- Why do the data and analysis not account for other quantifiable factors, such as start-up packages, relocation expenses, merit bonuses, etc?

13) Revised Policies on Transfer Consolidation Discontinuation and Disestablishment (TCDD)

Council reviewed the document on ***Policies Concerning the Transfer, Consolidation, Disestablishment, and Discontinuation of Academic Programs and Units***, as a follow-up to its review of an earlier version of this document (April 2006). While Council felt the revised version of the document addressed many of Council's earlier concerns, it found that some issues persisted. CFIA identified specific concerns around the disposition of faculty and staff who are affected by the transfer, consolidation, disestablishment, or discontinuation of an academic program or academic unit as well as the apparent lack of an appeals process. In addition, Council questioned how the procedures on transfer, consolidation, disestablishment, or discontinuation of an academic program or academic unit compare to the procedures for the creation of a new academic program or academic unit, and recommended that it be more difficult to eliminate a program than to create a new one.

In response to CFIA's concerns, Deborah Karoff, Executive Director Academic Senate met with members of Council to answer questions and provide clarification of current processes and procedures.

14) Proposed Zero Tolerance for Violence Policy

The Council on Faculty Issues & Awards reviewed the ***Proposed Zero Tolerance for Violence Policy***. Council felt that, as written, the document contained sweepingly general definitions that are problematic in that they attempted to define the un-definable: subjective perceptions; and herein lies the danger of actually curtailing the free exchange of ideas and a supportive environment. Words and actions are open to interpretation. Council was concerned that the "cure" of the proposed policy was perhaps worse than what it attempted to correct. Council posed the following question:

"What does this policy do that other policies and police services do not already do?"

Committee on Distinguished Teaching Awards

Chaired by CFIA's Vice Chair, this committee is otherwise comprised of former recipients of the Distinguished Teaching Award. The committee was given four weeks to review the files of each of the award nominees. The committee met the last week of April to make its final decisions on this year's recipients:

- Elizabeth D. Digeser (History)
- Thomas J. Even (Ecology, Evolution, & Marine Biology)
- Dawn E. Holmes (Statistics & Applied Probability)
- Robert Rauchhaus (Political Science)
- Leila J. Rupp (Women's Studies)
- Dorothy I. Mullin (Communication) – *Non-Senate recipient*

The recipients were honored at the June 5th meeting of the Faculty Legislature.

Important Issues for 2008-09

Issues that the Council identified as likely to be important for the following academic year included:

- **Faculty Salaries.** UC faculty salaries continue to lag behind counterparts at other Universities. In addition, there are growing inequities campus-wide, and increasing challenges to the step system. As a first step, the Council would be willing to research this problem, quantifying how pay varies across campus and compares to other Universities and the extent to which disparities have grown in recent years.

Benefits. While faculty benefits did not seriously erode in 2007-08, continued escalating health costs, renewal of contributions to the University pension and continuing discussion of a transition to a Defined Contribution plan are issues that are likely to be significant in 2008-09. The continued discussions of Outsourcing of UCRP Administration are of particular concern. Council hopes more thorough Senate involvement and participation in the evaluation of the proposals and more transparency of process on the part of UCOP.

- **Workload.** This issue is critical, yet has been largely neglected over the past three years. The Council has been asked to nominate a member to this working group for two years, yet the work group has yet to meet.

- **Housing.** The Council will remain heavily engaged with the housing issue and anticipates a greater role in helping formulate policies on pricing and prioritization.

Council Committees

Committee on Distinguished Teaching (K. Goulias, Chair)

Committee on Emeriti(ae) and Retirement (D. Sprecher, Chair)

Committee on Faculty Welfare and Academic Freedom (V. Scott, Chair)

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Respectfully submitted,

Vickie Scott, Chair
Kostas Goulias, Vice Chair & UCFW rep
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