Memo

To: Ann Karagozian, Chair, UCLA Academic Senate  
Re: Review of Proposed Change in Sample Solicitation Letter for Outside Letters in Tenure cases  
From: Carole Goldberg, Vice Chancellor Academic Personnel  
Date: July 15, 2011

I am seeking a review by the Academic Senate of the proposed modification of the Sample Solicitation letter for promotion in THE CALL, Procedures, #12 (http://www.apo.ucla.edu/call/summary12.htm). Because departments are already preparing to solicit outside letters in upcoming tenure cases, I hope that you will be able to review this proposal as expeditiously as full consideration permits.

**Background:**

The Academic Personnel Manual recognizes that time off the tenure clock for a year and a total maximum of two years, as calculated under APM-133 (http://www.ucop.edu/acadpersonnel/apm/apm-133.pdf), may be granted in special circumstances that are consistent with University policies when an individual has spent substantial time (at least two quarters in one academic year) on non-academic matters, pursuant to a leave in the APM 700 series. Such leaves include: childbearing or child rearing related to the birth of an infant or new adoption under APM-760 (one year per eligible event); medical leave for oneself under APM-710; sick leave for care of oneself or others under APM-710 and APM-715 (Family Medical Leave); and leave without pay for purposes unrelated to one’s scholarly pursuits under APM-759 and, for government service, under APM-750.

A faculty member has the right to time off the clock simply by giving notice to the Academic Personnel Office of the birth or adoption of a child (one year per child), or may request the Vice Chancellor Academic Personnel for time off the clock for other types of leave identified above, as well as in other special circumstances.

Such time off the clock should be taken into consideration in evaluating progress to tenure with respect to overall productivity and the rate of productivity. The practice has been for the appointee, if he or she wishes, to inform reviewers of such time off the clock through a self statement or CV. This practice permits those who do not wish to identify an illness, disability, or child rearing to choose not to do so. Some faculty feel that this practice imposes an unfair burden, putting them in the position of appearing to make excuses for a lack of productivity during a one or two year period or a reduced productivity over an eight or nine year period since appointment.

Christine Littleton, Vice Provost for Diversity and Faculty Development, has proposed that the campus shift the burden by taking responsibility for identifying the fact that a candidate has had time off the clock when it solicits outside letters in a tenure case, but only if a faculty member so requests. The rationale for including such language at the candidate’s request is that the risk of adverse stereotyping of those who take parental leave or have an illness or disability is less than the risk of the extended time to tenure being unwittingly counted against an appointee by uninformed outside referees. Campus and General Counsel do not believe that the risk of adverse stereotyping prevents the campus from bringing such time off the clock to the attention of outside referees. Allowing the candidate to choose whether to include language in the outside letters regarding time off the clock will afford flexibility in weighing the risks, which may vary depending on discipline and department.
Some faculty have proposed specifically identifying the length and dates of such time off the clock, but I believe that such detailed information will introduce unnecessary risks of error and may lead to unnecessary speculation by outside reviewers about the timing of publications, etc.

Proposal

Therefore, I propose that the CALL’s sample solicitation letter (Procedure #12) be modified to add the following paragraph, in those cases where an appointee asks for the paragraph’s inclusion:

In assessing progress to tenure, the University excludes from consideration periods in which it has, consistent with a variety of important University policies, permitted the appointee to be “off the clock” and not engaged in scholarship. Assistant Professor ___ has received such time off the clock. Accordingly, in assessing this candidate’s progress to tenure, please recognize that the candidate has produced the work under consideration within the University’s normal evaluation period for tenure.

I further propose that at the beginning of the tenure review, prior to the solicitation of letters, the candidate be given a copy of the department’s Sample Solicitation Letter and optional paragraph above, with a signature line and a place to initial next to the optional paragraph to verify the choice to have the paragraph included in the solicitation.