August 9, 2011

Carole Goldberg  
Vice Chancellor, Academic Personnel  
UCLA

Dear Carole:

The UCLA Senate is in receipt of your proposed revisions to the Sample Solicitation Letter for Outside Letters in Tenure cases, dated July 15, 2011, attached. We have been able to receive very quickly some helpful comments on this document from our Senate Committee on Diversity and Equal Opportunity (CODEO) and concurrence from our Faculty Welfare Committee (FWC) and Council on Academic Personnel (CAP). These responses are also attached.

The Executive Board, which speaks on behalf of the UCLA Senate, concurs with the comments from CODEO, that is, that it would be helpful to specify the number of years “off the clock” that were taken by the Tenure candidate, with the candidate’s approval.

We very much appreciate your soliciting the Senate’s opinion on this important issue. Please let me know if you have further questions.

Sincerely,

Ann Karagozian  
Chair, UCLA Academic Senate

Cc: Christine Littleton, Vice Provost for Faculty Diversity and Development  
Andrew Leuchter, Senate Vice Chair/Chair Elect  
Jaime R. Balboa, CAO, UCLA Academic Senate
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.
Dear Ann,

On behalf of David Sears the current CAP Chair I write to inform you that following a discussion both at a CAP meeting and as a CAP Lunch agenda item with Vice Chancellor Goldberg CAP is in agreement with the proposal to add a paragraph to the standard solicitation letter sent to reviewers for Assistant Professors.

Carolynne

Carolynne B. Hogg
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July 21, 2011

To: Ann Karagozian  
Academic Senate, Chair

From: Rebecca Jean Emigh  
Committee on Diversity and Equal Opportunity, Chair

Re: Review of Proposed Change in Sample Solicitation Letter for Outside Letters in Tenure cases

CODEO overall applauds the effort to change the Call to allow the solicitation letter, sent to outside reviewers for faculty candidates for tenure, to indicate that the candidate has had “time off of the clock.” This is a very welcome development, and we support it wholeheartedly.

However, we would suggest one small change. We understand from Vice Chancellor Carole Goldberg’s memo of July 15th that there has already been a discussion of specifying the amount of time off of the clock, and that this specification has been rejected. VCAP Goldberg writes 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.” However, CODEO suggests that without specific guidance from UCLA, outside reviewers may select comparison faculty using either time since degree or time since university employment as the initial selection criterion. As a result, UCLA candidates may be compared to others having one or two more years of experience. We believe that the risk of not providing the amount of time off is much greater than providing it.

Thus, we propose the following change:

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 ____ year(s)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.

CODEO feels very strongly about this change, and voted 6/0 in favor of this friendly amendment. Rebecca is happy to discuss this further in person to outline some justifications for the change and to understand better the previous objections to such a specification.

Cc:        Jaime Balboa, Chief Administrative Officer, Academic Senate  
Dottie Ayer, Assistant to Chief Administrative Officer, Academic Senate  
Brandie Henderson, Policy Analyst, Academic Senate
August 2, 2011

To: Ann Karagozian
Academic Senate, Chair

From: Shane White
Faculty Welfare Committee, Chair

Re: Proposal from VC Goldberg on solicitation letter wording

The UCLA Faculty Welfare Committee reviewed the proposal from Vice Chancellor Goldberg on solicitation letter wording. The Committee supports the additional paragraph to the standard solicitation letter for Assistant Professors who are up for tenure. This paragraph, which would be added to the letter only if the Assistant Professor agrees, describes the standard process of “time off the clock” in the UC system. The committee believes it is inappropriate to put the burden for communicating “time off the clock” on the faculty members themselves (and the effects are likely most burdensome and pernicious for female faculty members). The University should communicate this information through the chair's solicitation letter. The committee believes that the proposal is a positive change and will remove any unintended prejudice against people who have followed defined University policy to take “time off the clock”. One possible amendment would be to ensure that the chair's letter reports the number of years one had been “off the clock”.

We thank you for the opportunity to participate in this process.

Cc: Jaime Balboa, Chief Administrative Officer, Academic Senate
    Dottie Ayer, Assistant to Chief Administrative Officer, Academic Senate
    Brandie Henderson, Policy Analyst, Academic Senate