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March 19, 2009

Mary Croughan
Chair of the Academic Council
University of California

In Re: Proposed Changes to APM 240

Dear Mary,

Thank you for the opportunity to opine on the proposed revisions to APM 240. Upon receipt of the proposal, I specifically requested that the Faculty Welfare Committee (FWC), the Council on Academic Personnel (CAP), and the Council on Planning and Budget (CPB) opine. Although CAP had no comment, I'm attaching the responses from CBP and FWC. The Executive Board, which speaks for the Division on such matters, endorsed the responses from CPB and FWC. In summary, the UCLA Academic Senate cannot support the proposal as written, for the following reasons:

- The proposal would benefit by reassessing the balance that deans must strike between scholarly and professional activities as members of the faculty, and their administrative duties. Of great concern to the Council on Planning and Budget, and echoed by the Executive Board, is that the proposed changes would serve to undermine the dean's ability to effectively administer decanal duties by overemphasizing scholarship.
- Concerns were raised regarding the deletion of clauses that stipulate that deans and provosts serve at the pleasure of the Chancellor. Before endorsing or opposing such a change, we request information justifying and explaining the rationale for such a change.

Please do not hesitate to contact me, should you have any questions. We look forward to future drafts of the proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael S. Goldstein".

Michael S. Goldstein
UCLA Academic Senate Chair

Cc: Martha Kendall Winnacker, Executive Director, UC Academic Senate
Jaime Balboa, CAO UCLA Academic Senate

March 13, 2009

Michael Goldstein
Chair, Academic Senate

RE: Proposed Revision of APM 240 (Deans)

Dear Professor Goldstein:

The Proposed Revision of APM 240 was discussed at the Council on Planning and Budget meetings on February 23 and March 9, 2009.

CPB recognizes that the proposed revision aims to clarify the role of dean “as a high level academic administrator” and appreciates why the wording of the document places such a strong emphasis on the appointment of deans on the basis of “scholarly or, where appropriate, professional, accomplishment.” Evidently, the proposal aims to separate some deans from the Senior Management Group (SMG) and treat them as faculty members who are subject to all Academic Personnel policies. In principle, CPB welcomes the idea that deans should be appointed, like faculty, on the basis of their track record in the scholarly or professional world. Yet it is also clear to CPB that the proposal indicates that deans will not be treated on the same terms as faculty in relation to compensation, allocation of time, and sabbatical leave. As a consequence, the proposal appears somewhat contradictory, if not incoherent. On the one hand, the document suggests that deans should “continue to engage in scholarly and professional activities” through an appropriate amount of time “allotted to them to engage in these activities.” On the other hand, the proposal aims to provide deans with compensation, merit increases, and outside compensation opportunities in a framework that differs markedly from that available to faculty.

Salary and Merit Increases

Even though the proposal aims to treat deans as distinguished faculty members, it states that there will be a separate “salary range for Deans” (APM 240 18a(1)). It would make greater sense to appoint deans to a base academic salary that reflects their scholarly seniority. Further compensation, in recognition of a dean’s prior administrative experience and administrative service, could be added to this base salary in the form of additional stipends or off-scale. This model would also assist in determining salary in relation to market conditions.

The proposed system of annual merit increases, especially in a time of budgetary crisis, looks ill-advised. The idea that deans might receive increases in compensation every twelve months when faculty largely follow a cycle of tri-annual reviews looks unfair. Surely deans should receive an academic base salary that is subject to range adjustments (when available) like every other faculty member. The suggested annual merit increases appear unnecessary when the suggested revisions state that deans will have their compensation reassessed at the end of a five-year review (see APM 240 18a(2)).

Support for Professional and Scholarly Activities

The proposal provides noticeably large amounts of time for deans who wish to engage in professional and scholarly activities. APM 240-20(c)3 indicates that deans can undertake up to forty-eight days of compensated outside professional activities. Similarly, in APM 240-60(a)3, deans are granted no more than thirty days for attending international conferences and related scholarly activities. In 240-20(a)1, deans may serve on no more than three for-profit boards that are not part of the UC system. Further, in APM 240-20(c)4, deans may engage in compensated professional activity up to twelve University workdays per fiscal year without deducting from vacation leave balances. Taken together, these are large portions of time that permit deans to pursue non-administrative activities, some of which provide additional compensation.

While CPB respects the idea that such provisions aim to uphold deans' scholarly and professional standing, the Council believes that UCOP should reconsider these revisions because they suggest that deans could (in theory) spend in total up to *ninety* days in activities that are not related to their administrative duties. Deans' administrative compensation, after all, is based on a twelve-month, not nine-month, model. To be sure, APM 240-20(c)4 recognizes that any compensated outside activity in excess of twelve University workdays will involve drawing on accrued vacation leave. Likewise, APM 240-60(a)3 states that deans who devote additional time beyond thirty days devoted to scholarly activities must draw on accrued vacation. But it is hard to imagine how it might be possible to accrue any vacation at all if deans maximize the opportunity to devote *ninety* days to both compensated professional activities and scholarly research and related academic pursuits.

Sabbatical Leave

CPB appreciates the principle that deans should accrue sabbatical leave during their period of office. Yet, given the generous provisions for outside professional compensation and the pursuit of scholarly activities, it is not clear why deans should take sabbatical leave on an administrative salary. During sabbatical deans should surely be compensated with their academic base salary only.

APM-60(e)3 should clarify the basis on which deans who return to a regular faculty appointment should be compensated during transition leave through their administrative salary rate. Surely compensation for transition leave should be restricted

to the base academic salary, since the deans will be entering a period that does not involve administrative responsibilities.

Conclusion

Although the proposed revisions to APM 240 aim to respect the fact that deans should be supported so that they can maintain their professional and/or scholarly standing, the suggested changes to the manual could result in undermining the demanding administrative responsibilities that come with decanal positions. The authors of the proposed revisions need to reassess the balance that deans should strike between scholarly and professional activities, on the one hand, and administrative responsibilities, on the other hand.

In sum, the suggested changes seem to favor deans undertaking professional and scholarly pursuits in a manner that might seriously distract attention from their decanal role. At the same time, the changes make generous provisions for deans to strengthen their professional and scholarly identity in a framework that differs noticeably from the review process to which all other faculty members are subject. In other words, the authors of the proposal need to reevaluate whether the provisions in APM 240 acknowledge that deans are *either* primarily faculty members who have been appointed to undertake high-level administrative duties *or* academic administrators who need to maintain their scholarly and/or professional standing. The proposed revisions satisfy neither of these definitions of the academic and administrative duties that a dean should be expected to perform during a five-year period of office.

Please feel free to contact me if you have any questions.



Joseph Bristow
Chair, Council on Planning and Budget

cc: Jaime Balboa, Chief Administrative Officer, Academic Senate
Robin Garrell, Vice Chair, Academic Senate
Linda Mohr, Assistant Chief Administrative Officer, Academic Senate
CPB Members



MEMORANDUM

Academic Senate Executive Office
Los Angeles Division
3125 Murphy Hall
140801

March 13, 2009

To: Michael Goldstein
Academic Senate, Chair

From: Mitchell Wong
Faculty Welfare Committee, Chair

Re: Senate Item for Review: Proposed Revisions to APM 240

The Faculty Welfare Committee reviewed and discussed the proposed revisions to APM 240 at their meeting on March 10, 2009. The Committee endorsed the proposed revisions in APM 240, but has the following questions and concerns:

- (1) 240-16a indicates that the Dean shall hold a concurrent University appointment in an Academic Senate faculty title. This raises the following questions:
 - a. How are the step and rank and academic promotions determined for Deans? Are Deans subject to the rules and regulations as defined by The CALL. 240-14a says “Except as specifically modified or addressed in APM - 240, Deans are subject to all Academic Personnel policies (APM).” Does this sufficiently cover this question about academic appointment and promotions?
 - b. Are there any current Deans who do not currently hold an Academic Senate faculty title? If so, how does 240-16a affect these current Deans without an Academic Senate faculty title? Are they allowed keep their current title or are they required to switch titles?
- (2) 240-18a. Salary Determination
 - a. 240-18a indicates that the salary range of Deans as established and maintained by the Office of the President is to be used as the basis for determining appointment salary. Does this imply that a determined salary is required to be within the salary range of current Deans? If so, then this should be explicitly stated. If not, should there be additional procedure/oversight if the determined salary is “out-of-range”, e.g. approval by the Office of the President?
- (3) 240-18b. Merit Increases
 - a. No mention is made in this section of the Indexed Compensation Level in determining salary or merit increases. Section 240-24, which covers the issue of authority in choosing Deans and determining salary compensation, states that the Chancellor has “the authority to...approve Dean’s appointment salary and appropriate salary increases

up to the established Indexed Compensation Level in accordance with campus procedures.”

- b. Are merit increases also restricted by salary range of Deans?

(4) 240-80b. Five-Year Review and Reappointment

- a. Just as with the initial appointment of Deans (240-16c), we suggest similar language in reappointment, specifically that the Academic Senate and faculty of the Division, College, School or other similar academic unit shall be consulted on Dean reappointments.
- b. 240-80b is unclear about who shall participate in the advisory committee that reviews the Dean’s performance and accomplishments. It should clarify that the committee is to include faculty of the Division, College, School or other similar academic unit.
- c. Review should be concurrent with re-appointment for Deans who have been appointed for fewer than 5 years.

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

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