

# **COUNCIL ON FACULTY WELFARE**

## **ANNUAL REPORT**

### **2007-2008**

**To the Irvine Divisional Senate Assembly:**

#### **INTRODUCTION**

The Council on Faculty Welfare (CFW) considers issues relevant to faculty welfare, academic freedom, affirmative action and diversity, and emeriti affairs. Its membership and duties are described in Irvine Bylaw 99. Professor Emeritus Robert Newsom chaired the Council from September to February and Professor Alan Terricciano chaired the Council from February through August. The Council's Chair served as the Council's representative to the Senate Cabinet and the Irvine Divisional Senate Assembly. The Council sent representatives to three UC committees and two UCI committees: University Committee on Faculty Welfare, University Committee on Academic Freedom, University Committee on Affirmative Action and Diversity, Chancellor's Advisory Committee on Child Care, and the Special Senate Committee on Diversity. The Council's standing subcommittee for Emeriti Affairs consisted of three emeriti members of the Council, a non-emeriti member of the Council, and the Chair of the UCI Emeriti Association (UCIEA). Each Council member also served on one of three subcommittees: Faculty Welfare, Academic Freedom and Affirmative Action & Diversity.

CFW had ten monthly meetings scheduled for the academic year of 2007-08. Additional discussions were conducted electronically. The Council reviewed and discussed the following issues, proposals, policies, and reports. When appropriate, it responded to the Chair of the Academic Senate, UCI administrators, or UC Senate committees:

#### **SUMMARY OF COUNCIL'S DISCUSSIONS AND ACTIONS**

##### **Council on Faculty Welfare's Issues**

##### **1. Gender Pay Equity and Career Equity Reviews – (1/22/08, 3/18/08, 4/15/08)**

The EVC/Provost provided the data on faculty salaries requested by the Council when he met with the Council on May 13, 2008. The data will be organized using the following variables: year of degree, starting year at UCI, Department, School, an indicator if administrative responsibilities were provided (for each year), rank indicator, and gender. The Council will review on the data during the upcoming academic year. (*Memo dated 1/8/08*)

##### **2. University Hills and ICHA Management – (5/13/08)**

To follow up on an issue from 2006-07 (and the Council's memo to the Senate Chair, dated August 2007), the EVC/Provost was invited to a Council meeting to discuss the Council's concerns regarding: transparency in managing the priority lists for the sale of new homes, plans for future construction, the need to match appropriate sized homes with faculty member's income and family size, alternative housing for retired faculty, the benefits of an administrative review of the housing office, and the timely updating of online information.

3. Emeriti Rights and Responsibilities - (10/30/07, 11/27/07)

The Council asked the Senate Chair to forward a request to the Chancellor asking him to remind the Academic Deans and Department Chairs about the rights of emeriti as continuing members of the Academic Senate, the desirability of having an emeriti policy in each school/department, and to consider to needs of emeriti who remain active by providing office space and services whenever possible. The Chancellor responded to the Senate request with a memo RE: Emeriti Support (dated 3/10/08) and Deans received a copy. (*Memo dated 1/11/08*)

4. UCIEA's Proposal for a UC Senate Committee on Emeriti - (10/30/07)

CFW's Emeriti Subcommittee endorsed UCIEA's proposal for a UC Senate Committee on Emeriti and forwarded the proposal to the Senate Cabinet. Questions about the need for another UC Senate committee were raised and the proposal was not endorsed.

5. Underutilization of Women and Minorities - (10/30/07, 2/19/08)

The Office of Equal Opportunity and Diversity (OEOD) provided the updated five-year summaries for the Council's review. Additional information will be requested on over utilization.

6. 2006 UCLA Faculty Welfare Survey - (10/2/07)

The survey was discussed and forwarded to the Senate Cabinet as an information item. (*Memo dated 10/3/08*)

7. Bren Law School Grant Agreement with Donald Bren - (11/13/07)

The Council was concerned about the wording of the Bren Law School Grant Agreement which indicated that a Foundation representative would be consulted regarding the status of the dean search for the new law school. This wording appears to violate academic freedom. The wording from the Master Agreement dealing with appointments to endowed chairs was preferred by the Council. The Council asked the Senate Chair to pass on its concerns to the Administration in the hopes that the Bren Law School Grant Agreement may be revised. (*Memo dated 11/30/08*)

8. Planning for On Campus Housing for Seniors and Retirees - (1/22/08)

Two reports, the 2001 Margulies Report and the 2007 Watson Report, were forwarded to the Senate Chair with a request that the issue be brought to the attention of the Chancellor. The Council recommends that a study be conducted by the central administration on the feasibility of developing additional on campus housing for UCI's senior and retired faculty. (*Memo dated 2/1/08*)

9. Proposal for an Academic Senate Ethics Committee - (5/13/08, 6/20/08)

UCIEA and CFW's Subcommittee on Emeriti Affairs has endorsed the proposal to create an Academic Senate Ethics Committee and has asked the Council for its endorsement. The draft proposal will undergo another revision in response to the Council's discussion in June. The revised draft will be discussed again at the Council's September 30, 2008 meeting.

10: Invited Guests:

Tim Bradley, Senate Chair – October 2 and June 10  
Senate Orientation  
Faculty and the First Amendment Right to Free Speech

Michael Gottfredson, Executive Vice Chancellor and Provost – May 13  
Faculty Salaries and Budget Update  
Gender Pay Equity and the use of Career Equity Reviews  
Faculty Housing/University Hills/ICHA

Stacey Murren, Director of Parking and Transportation Services – June 10  
Annual Update on Parking and Transportation Issues at UCI

### **Irvine Divisional Senate/UCI Administration Issues for the Council's Review**

#### **1. A Request from the Committee on Committees (COC) - (1/16/08)**

COC asked the Council to consider having fewer members, but the Council decided to continue with “at least 14 members” since its members serve on so many other UC and UCI committees.

#### **2. Backup Care Proposal – (5/13/08, 6/10/08)**

Vice Provost Killackey asked the Council to review and comment upon the Backup Care Proposal that is being considered at the UC level. The Council did not support the proposal because of its concerns about the quality of care and the related liability issues. The proposal, although well-meaning, did not seem reasonable even with modifications. The Council suggested that a better use of additional funding would be to provide additional space for infant/toddler care and extended day care for school age children. The Council's comments were forwarded to Vice Provost Killackey. (*Memo dated 7/2/08*)

### **UC Senate Issues for the Council's Review**

#### **1. Review of Relationships of Pharmaceutical Vendors and Clinicians – (10/30/07)**

The Council noted that most of concerns voiced by the campuses have been incorporated into the final version, or when suggestions were declined, it appears that the concerns had been carefully considered. Some members were doubtful that the patients will be completely protected, and other members felt that the proposal may be too restrictive. But the final consensus of the Council was that the latest revision is vastly improved and merits the Council's approval. (*Memo dated 10/31/07*)

#### **2. Systemwide Review of the Proposed Revisions to APM 710, and Proposed New APM 711, and Proposed New APM 080 – (11/27/07)**

The process of revising these APMs has been underway since 2004. The Council endorsed the latest revisions because they have taken into account all of the significant concerns voiced by the Senate in its previous discussions. (*Memo dated 11/30/07*)

#### **3. Systemwide Review of Proposed Regulations Governing Conduct of Non-Affiliates – (11/27/07)**

The Council did not find that the proposed regulations would affect faculty welfare in very direct ways. Members wondered if the proposed regulations would hold up to constitutional challenges related to free speech. Other members were concerned about the potential for abuse by inadequately-trained and/or overly zealous police officers and the resulting damage to the University's reputation. Questions were raised about whether the regulations would apply to

University Hills. The Council's comments were forwarded to the Senate Chair for further discussion by the Senate Cabinet. (*Memo 11/30/07*)

4. Systemwide Review of the Proposed State Bill on Animal Researcher Protection – (1/22/08)

Members strongly supported the University for attempting to do all it can to protect the welfare of faculty involved with animal research. On the other hand, members also saw dangers in singling out a small subset of researchers for special legal protections as there are many faculty engaged in highly controversial areas of research who could be targeted by extremists. Members were also concerned about the Council's lack of legal expertise and knowledge about what the University is currently doing to protect faculty. The Council's comments and concerns were forwarded to the Senate Chair for further discussion by the Senate Cabinet. (*Memo 1/25/08*)

5. Systemwide Review of the Regents Task Force on Diversity Reports – (1/22/08, 2/19/08)

Of the four reports, the Council focused its lively and somewhat contentious discussion on the Faculty Diversity Report and the Campus Climate Report. Many concerns were forwarded to the Senate Chair along with the general sentiment that the trends in hiring women and underrepresented minorities at UC are very disappointing. The reports did not adequately assess the underlying problems and did not propose satisfactory measures to resolve the inequities. (*Memo 3/3/08*)

6. Systemwide Review of the Proposed Transitional Leave Policy for Senior Management Group (SMG) - (2/19/08)

Members found shortcomings in all three of the options that were offered and agreed to endorse Option 2 with the suggested modification/addition of "The faculty rate of pay is used during the leave." (*Memo 3/3/08*)

7. Systemwide Review of UCAAD's Proposed Amendment to Senate Bylaw 140 – (3/18/08)

Members agreed that replacing the words "affirmative action" with the word "equity" in the bylaw title and in the section on duties was reasonable and voted unanimously to approve the proposed amendment. (*Memo 4/7/08*)

8. Systemwide Review of the BOARS "Proposal to Reform UC's Freshman Eligibility Policy" – (3/18/08)

Members concluded that the intentions of the proposed reforms were clearly in line with CFW's goals for promoting quality, equity, and diversity in the student body. Comments and concerns were forwarded to the Senate Chair along with its approval of the proposed reforms. (*Memo 4/7/08*)

9. Systemwide Review of the New Senior Management Group (SMB) Policy 505 – Performance Management Review Process – (3/18/08)

Due to the limited response time, members forwarded their comments to Chair Terricciano and he shared their comments with the Senate Cabinet on March 25.

10. Systemwide Review of the Proposal to Amend Senate Bylaw 337 for Privilege and Tenure: Divisional Committees – Early Termination Cases – (4/15/08)

The Council agreed that the proposed amendment was straightforward, reasonable and protects faculty welfare. Members voted to unanimously to support the amendments. (*Memo dated 4/30/08*)

11. Systemwide Review of Proposed Regulations Governing The Code of Conduct for Health Sciences. – *(email review and oral comments)*

Due to time limitations, the Council reviewed the proposed regulations with an electronic discussion and its comments were voiced at the Senate Cabinet meeting on April 22, 2008.

12. Systemwide Review of the Proposed Revisions to AP Policy 220-85-B, Professor Series, AP Policy 335-10-A, Cooperative Extension Advisor Series, AP Policy 740-11-C Leaves of Absences/Sabbatical Leave, and Proposed Rescission of AP Policy 350, Postgraduate Research (e.g. Physicist). – *(5/14/08)*

The Council supported the proposed revisions. *(Memo dated 5/19/08)*

**Status Reports**

The following subcommittees have the opportunity to provide status reports at each meeting on issues under review at the campus level and by the UC Senate committees: Faculty Welfare, Affirmative Action and Diversity, Academic Freedom, and Emeriti Affairs.

Consultants from the Offices of Human Resources and the Equal Opportunity and Diversity also have the opportunity to provide status reports at each Council meeting. The Council would like to thank Gwen Kuhns Black, Kimberly Kahn, and William Ryan for their important contributions.

**Issues for 2008-09**

A number of issues from 2007-08 will continue to be reviewed during the 2008-09 academic year: faculty salary data, faculty housing, campus child care, health care and retirement benefits for active and retired faculty, other emeriti issues including UCIEA's proposal for an Academic Senate Ethics Committee.

The minutes of the monthly meetings are on file in the Office of the Academic Senate.

On behalf of the Council on Faculty Welfare,  
Alan Terricciano, Chair

Faculty Members:

Robert Newsom, Chair, F&WQ  
Alan Terricciano, Chair, W&SQ  
Richard Brestoff  
Imran Currim, W&SQ  
Peter Ditto, W&SQ  
Aimee Edinger, F&SQ  
Dan Gillen  
Roland Giolli  
Susan Greenhalgh  
Martin Huang

Representatives:

Emeritus Representatives: (3)  
David Easton, Emeritus Rep  
Donald Fosket, Emeritus Rep  
Kivie Moldave, Emeritus Rep  
  
Representatives:  
Stephen Clancy, LAUC-I Rep  
Danielle Kirkwood, ASUCI Rep, FQ

Raju Metherate  
Carrie Noland  
Connie Pechmann  
Isaac Scherson  
A. J. Shaka

Consultants:  
Gwen Kuhns Black, OEOD  
Kimberly Kahn, Human Resources  
William Ryan, Human Resources

Attachments

## **REPORT BY THE SUBCOMMITTEE ON EMERITI AFFAIRS**

CFW's standing Subcommittee on Emeriti Affairs met prior to the Council meetings and considered the following issues in 2007-08 in addition to the issues previously mentioned in this report:

- Discussed and forwarded UCIEA's proposal for an Academic Senate Ethics Committee to CFW for review and comment. A revised proposal, incorporating comments from CFW's June 10 meeting, will be discussed at the CFW's September 30, 2008 meeting.
- At the request of the Subcommittee, a survey of Deans and Department Chairs regarding resources and services offered to Emeriti was conducted by CFW. To follow-up, UCIEA will be surveying emeriti regarding both current and desired benefits and will forward the results to the Subcommittee. Upon completion of the second survey, UCIEA and the Subcommittee will consider possible recommendations that will be forwarded to CFW for further action.
- Discussed and forwarded a recommendation from the Executive Committee of the UCIEA to CUCEA and to the CFW (which had approved the recommendation unanimously in 2007) that we strengthen the voice of emeriti through a systemwide standing committee on emeriti affairs, with the chair of the committee to be a member of the Academic Council to supplement the voice of CUCEA.
- Discussed and forwarded a recommendation from the Executive Committee of the UCIEA that the Subcommittee on Emeriti Affairs become a Council of the UCI Academic Senate.
- The Senior and Retiree Housing reports of Newton Margulies and Mary Watson were reviewed. At the Subcommittee's request, CFW forwarded the reports to Senate Chair Bradley, who in turn forwarded them to the EVC/Provost.

Subcommittee members:

Donald Fosket, Chair, F&WQ  
David Easton, Co-Chair W&SQ  
Kivie Moldave, Co-Chair W&SQ  
Martin Huang  
Ron Miller, President of UCIEA, *ex officio*

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## **REPORT BY THE SUBCOMMITTEE ON ACADEMIC FREEDOM (UCAF)**

CFW's Subcommittee on Academic Freedom advised members on academic freedom issues mentioned previously in this report. Alan Terricciano represented the Irvine Division at the meetings of University Committee on Academic Freedom (UCAF). UCAF issues for 2007-08 included:

- Student Freedom of Scholarly Inquiry Principles: Summary/Update
- 2006-07 Paper on Academic Freedom
- UC Education Abroad Program Travel Restrictions
- The Use of "Collegiality" in the Evaluation of Faculty for Merits and Promotions

- Reimbursement of Legal Fees for faculty accused of misconduct in research and subsequently found innocent

Subcommittee members:

Alan Terricciano, Chair and UCI Representative to UCAF

Dan Gillen

Isaac Scherson

Sanjoy Mazumdar

Carrie Noland

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### **REPORT BY THE SUBCOMMITTEE ON AFFIRMATIVE ACTION AND DIVERSITY (UCAAD)**

CFW's Subcommittee on Affirmative Action and Diversity advised CFW on affirmative action and diversity issues mentioned previously in this report. A member represented the Irvine Division at the quarterly meetings of the University Committee on Affirmative Action and Diversity (UCAAD). UCAAD issues for 2007-08 included:

- Incorporating Diversity Awareness into All Campus and UC Senate Committees
- Incorporating Data on Diversity and Equity into Strategic Planning and Reviews of Program and Departments
- Pay Equity and Underutilization Issues – Analysis and Distribution of Data to the Administration and Faculty
- Changing the Committee Name from “Affirmative Action and Diversity” to “Equity and Diversity”
- Faculty Diversity in Health Sciences – Draft Report

Subcommittee members:

Susan Greenhalgh, Chair and UCI Representative to UCAAD

Richard Brestoff

Peter Ditto

Raju Metherate

Connie Pechmann

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### **REPORT BY THE SUBCOMMITTEE ON FACULTY WELFARE (UCFW)**

CFW's Subcommittee on Faculty Welfare advised members on faculty welfare issues mentioned previously in this report. The Chair of the Council represented the Irvine Division at the monthly meetings of University Committee on Faculty Welfare (UCFW). UCFW issues and report reviews for 2007-08 included:

- Mercer Report on UC Total Remuneration
- UCFW Task Force on Investment and Retirement Report – monthly status reports
- UC Benefits – Analyzing and Prioritizing Changes to Benefit Programs
- UCFW Health Care Task Force Report
- Systemwide Reviews of APMs 710, 711, 080

- Systemwide Review of Proposed Regulations Governing Conduct of Non-affiliates
- Health Sciences Compensation Plan
- Chancellor's Salaries Plan, Faculty Salary Scales Plan
- Consideration of Roth 403(b) Plan for UC
- UC Budget Update, Budget Priorities, and regular status reports
- New Financial Programs Subcommittee of the UC Housing Task Force
- UCOP Restructuring Initiative

Subcommittee members:

Robert Newsom, Chair, F&WQ

Alan Terricciano, Chair, W&SQ

Imran Currim

Roland Giolli

Aimee Edinger

A. J. Shaka