

**Council on Academic Personnel
Annual Report
AY 2013-14**

To the Irvine Divisional Assembly:

The UC Irvine Council on Academic Personnel (CAP) is pleased to provide the following summary of its activities for academic year 2013-14.

I. Membership

The faculty members serving this year on CAP were, as continuing members, Professors David Brownstone (Social Sciences), Brook Thomas (Humanities), Frederic Wan (Physical Sciences), and Ping Wang (Medicine, Clinical Sciences), H. Uli Bernard (At Large member, Public Health), Jean Luc Gaudiot (Engineering), and Richard Robertson (Medicine, Basic Sciences). New members were Professor Charles Glabe (Biological Sciences), David Redmiles (Information & Computer Sciences), Miles Coolidge (Art), Bryant Garth (Law), and Jone Pearce (Business). Professor Henry Pontell served Fall as a substitute for a member on leave for the year and Professor Ray Novaco served Winter, Spring and Summer. Professor Brownstone served as CAP chair, and Professor Gaudiot served as Vice Chair and representative to the University-wide Committee on Academic Personnel (UCAP). Mia Larson was CAP analyst and Rachel Mangold provided additional staff support. Cecilia Gonzalez joined as CAP analyst in June.

II. General Procedures

CAP's responsibilities. CAP is responsible for providing a campus-wide perspective on proposals for appointments, promotions, and merit increases originating from academic units. CAP reviews the files of academic personnel for all Senate series and for some non-Senate series (e.g., Professional Research and Continuing Lecturers) and forwards its recommendations to the Chancellor and Executive Vice Chancellor and Provost. While CAP does not review proposed actions for all series (e.g., Project Scientists), on occasion it recommends a “change of series” to certain titles based on its interpretation of criteria for these titles in the Academic Personnel Manual (APM). CAP procedures and review criteria are available for consultation through the Frequently Asked Questions document on the Academic Senate website, <http://senate.uci.edu/files/2014/02/Current-Members-Schedule-of-Meetings-CAP-Frequently-Asked-Questions-FAQs-Notes-on-Evaluation-Procedures-Reserve-CAP-CAP-Recusal-Policy-.pdf>

CAP plays a crucial role in implementing the shared governance principle adopted by the University of California by reviewing standards of academic excellence and the reward system for faculty performance. It makes recommendations as a panel after careful deliberation. All final decisions on personnel actions are made by the Chancellor or, when delegated, by the Executive Vice Chancellor and Provost (EVCP), the Vice Provost, or an academic Dean.

CAP's review protocol. CAP had 34 scheduled meetings in academic year 2013-14 (from September 26, 2013 to July 24, 2014), with biweekly meetings in Fall Quarter and weekly meetings thereafter. Confidentiality, fairness and consistency are central tenets of CAP deliberations, and all members rigorously uphold those principles. CAP established a quorum of a minimum of 8 members for all cases. Each member present, including the chair, votes on all cases; abstentions are not allowed; recusals are permitted if there is evidence or the appearance of a conflict of interest on a given case. The full council reviews all major actions (non-delegated appointments, promotions to Associate and Full Professor, advancements to Professor Step VI and Above Scale) and all Mid-Career Appraisals and accelerations. Primary, secondary and tertiary readers are assigned for in-depth review of each file, but all Council members are expected to read each file. At the meeting, discussion is led by these readers, followed by the chair, who reviews all cases. During open discussion by all council members, the goal is to consider all relevant aspects of the case; discussion continues until all members are satisfied that all relevant aspects have been considered. A vote is then taken on the proposed action, with the majority reported as the decision of the council. Tie votes are recorded as not supporting the proposed action. After the meeting, the CAP analyst prepares a draft report on each case that is reviewed and revised by the CAP members. The vote is reported in the letter; in cases where the vote is split, both the majority and minority opinions are presented. The CAP chair is responsible for the final version of the report transmitted to the Office of Academic Personnel.

“Consentable/Subcommittee” cases are read by two members and the chair. Eligible cases are normal merit increases, first No Actions, and Fifth Year reviews, where all levels of review prior to CAP are in agreement. If the subcommittee agrees with the proposed action, the case is put on the consent agenda for approval. If one or more subcommittee members judge that the case requires more in-depth consideration, the case is reassigned for full council discussion at the next meeting. Post-audits of Dean-delegated appointments at Assistant Professor, Steps I – III, were also reviewed by Subcommittees after January 1 and put on the consent agenda unless a fuller discussion was needed.

Within a week of the CAP meeting, CAP forwards its recommendation in a report to the Office of Academic Personnel. If CAP's decision is in agreement with all lower levels of review and the Chancellor and/or EVCP determine that no further discussion is needed, the Office of Academic Personnel transmits the final decision to the academic unit. If any level of review disagreed with the proposed action, an opportunity is provided for additional information or rebuttal. While standard practice at UCI, this is unique in the UC system for cases other than tenure. CAP reviews the additional information received for these cases and when deemed substantively meaningful, a second vote is taken. Sometimes the additional information changes the outcome of CAP's recommendation.

The APM requires that an *ad hoc* committee review all promotion cases. CAP acts as its own *ad hoc* committee in most cases; however, *ad hoc* committees are convened when at least one level of review recommends against tenure/promotion or if CAP judges that additional expertise would be necessary for a proper assessment of a file under review. Reports of outside *ad hoc* committees are considered by CAP before a final vote and recommendation. In 2013-14, eight outside *ad hoc* committees were convened, including two that were convened before CAP's initial review of the file.

CAP's deliberations result in recommendations to higher levels, which make the final decisions. The EVCP and/or Vice Provost meet with CAP prior to the final decision to discuss cases in which they intend to overrule CAP's recommendation, or where they wish further clarification of CAP's reasoning.

While service on CAP is time-consuming, members felt that it was some of the most rewarding service in which they have participated. During the busy season of February through July, members typically spent 10-20 hours per week reviewing files, participating in the CAP meetings, and writing reports.

III. CAP's Specific Activities

Communications with the faculty. CAP considers communication with faculty, departments and Deans about the academic review process to be an important part of its mission. The Vice Provost and the CAP Chair held a workshop for department chairs and personnel administrators in September and a breakfast meeting for junior faculty in May.

CAP had a School Visit with the School of Medicine department chairs and administrators in March, and with the School of Humanities in November.

Case load and outcome of personnel actions (Tables 1-3). CAP reviewed 488 in 2013-14 compared to 461 in 2012-13, 483 in 2011-12 and 473 cases in 2010-11. Table 1 provides data on decisions by the type of action; Table 2 gives aggregate decisions by academic unit; and Table 3 compares CAP's decisions this year with those of the past five years.

The overall rates of agreement between CAP and the original departmental recommendations (see Table 2) ranged from 71-100% in 2013-14 compared to 78-100% in 2012-13, and 82-100% in 2011-12. When modify-up and modify-down are included, the rates of agreement increase to 84-100%. Seventeen files are still pending review (as of August 31, 2013). As stated above, decisions by CAP are advisory to the Chancellor and EVCP, who make the final decisions. Three of these final decisions differed from CAP's recommendations; the CAP vote was close in all of these cases. In addition, CAP sent comments on four Dean Delegated Appointments. Before making a final decision, the EVCP and/or the Vice Provost met in person with CAP to discuss cases in which there was potential disagreement with CAP.

In 2013-14, CAP reviewed and agreed with eight requests for postponement of the tenure review from the 6th to the 7th year (Table 1D). Some requests were decided by the Vice Provost without advice from CAP. A key criterion for postponement was that an additional year would substantially improve chances for a successful tenure review. The current policy is that Assistant Professors are generally not eligible for postponement if they have had a negative Mid-Career Appraisal or the last review resulted in No Action.

Mid-Career Appraisals (MCAs) of assistant professors during their 4th year are key evaluations by units. These appraisals provide candid guidance and recommendations to the candidate pertaining to future tenure review, identifying tenure prospects as "positive," "cautionary," or

“negative.” Of the 13 MCAs reviewed in 2013-14, CAP agreed with the department 4 times and disagreed 9 times (69% of the time). This compares to CAP coming to a different conclusion from a department MCA 69% of the time in 2012-13, 46% of the time in 2011-12 and 35% of the time in 2010-11. CAP’s evaluations of a candidate’s tenure prospects tend to be more cautious than the department’s especially as it pertains to work that is yet-to-be created.

Electronic routing and review of files. This year, CAP reviewed 103 files were prepared using AP Review, a significant increase from 35 files in 2012-13 and from 5 files in 2011-12. Developed by the UCI offices of Academic Personnel and Information Technology in partnership with UCSD, *AP Review* provides online routing and review of personnel files, with systems built in to help ensure compliance with UC personnel policies.

Post-audits and streamlining the review process. CAP continues to post-audit Dean Delegated Appointments; Dean Delegated Merits of full Professors prior to Step IV; and major actions in the Adjunct Professor series. In conducting post-audits, CAP strives for consistency across schools and provides feedback when CAP disagrees with the appointment level or the action.

Reserve CAP. To avoid potential conflicts of interest, a “Reserve CAP” consisting of former CAP members, evaluates dossiers of current and up to two-years-past CAP members. The RCAP reviewed two cases this year.

Diversity in the academic personnel review process. The Addendum to the Biography (AP-10 form) and the Review Profile generated by the MyData database contain sections in which candidates can report their activities in research, teaching, and/or service that promote diversity. This information is reviewed by CAP members in their assessment of the proposed action.

Reviews of chairs, deans, and proposals for new departments and schools. CAP provided input to the 5-year reviews of one Dean and five department Chairs/program Directors.

IV. Major Discussion Issues

Procedures in the UCI School of Law. CAP continued to work with the Law School administration and faculty on voting procedures for new appointments and other personnel actions, particularly career reviews post-tenure, consistent with Senate Bylaws, the APM, and UCI Academic Personnel Policies and Procedures.

The Council on Academic Personnel requested that the Academic Senate appoint a task force to review the proposed Law School bylaws as they pertain to the academic personnel appointment and review process. The task force should meet with CAP and the Law School Faculty to gather information, and should recommend changes to the Law School bylaws and/or the UCI Academic Personnel Procedures (APP) so that the Law School’s Faculty Bylaws may be approved and their files will have sufficient information for CAP’s review. The task force should present its recommendations no later than the end of Spring Quarter 2014. While the task force carry out their work CAP would continue to review Law School academic personnel files.

Senate Requests for Comment. CAP discussed and returned comments to the Senate regarding: (1) several proposed revisions to the Academic Personnel Manual, including the systemwide reviews of proposed revisions to APM - 133-17-g-j: limitation on total period of service with certain academic titles; APM - 210-1-c & -d: b regarding proposed revisions of language on evaluating contributions to diversity; APM - 220-18-b regarding normal periods of service with stop the clocks; and APM - 760-30-a Family Accommodations for Childbearing and Childrearing.

(2) Final revisions to APM – 290, Regents’ Professors and Regents’ Lecturers; APM – 510, Intercampus Transfers; and the APM-600 Series.

(3) The Council on Academic Personnel reviewed the proposed revisions to Senate Bylaw 55 and agreed with the proposed revisions. Later CAP also reviewed a 2nd version of proposed revisions to Senate Bylaw 55. CAP recommended that “Version 2” was premature and that it should first be seen how the revised Bylaw 55 works in the Health Sciences.

APM 210 - Review and Appraisal Committees. CAP suggested that the text, “They should be given the same weight in the evaluation of the candidate’s qualifications during Academic Personnel actions as any other contributions in these areas,” be further refined so it is not presented as a mandate for how each campus is to weigh candidate’s contributions when evaluating Academic Personnel actions.

Negotiated Salary Plan (Proposed APM 668). CAP continued to review the proposed refinements of the Negotiated Salary Trial Program (NSTP). CAP recommended that the Senate assign the review of applications to an *ad hoc* committee consisting of former members of CAP, CFW, and CORCL. It was also suggested that it might be more effective to report the data after four years instead of annually. This will allow patterns and possible declines in support for graduate students and/or faculty service to be more apparent.

Regulation 450, Persons in Charge of Courses. The Council on Academic Personnel reviewed the proposal from administrators in the School of Medicine and the School of Biological Sciences to revise Regulation 450. The Council concluded that the Biological Sciences Undergraduate Dean could provide appropriate oversight. The addition of the two series to Regulation 450 could help address the needs of Bio majors to find suitable research mentors.

Endowed Chair Appointments. The Council discussed its role in this process and noted that Section 402-10 is not consistent with current practice (although apparently in the distant past CAP did review Endowed Chairs). Currently, CAP reviews the appointment file of a new faculty member who is being considered for an Endowed Chair regarding the level of the appointment, but not his/her suitability to hold the Endowed Chair. Nor is CAP involved at present in the vetting of internal candidates for Endowed Chairs, or in the nomination of search committee members. CAP recommended to call upon the Administration to follow existing Administrative Policies and Procedures 402-10 whereby CAP reviews candidates for endowed chairs to ensure transparency and equity across campus.

CAP Review of Distinguished Professor and Chancellor's Professor Appointments. CAP noted that present policy does not include review by CAP prior to the appointment or renewal of these titles. After discussion of the potential benefits to the campus in the application of consistent standards, as well as concerns about workload, CAP decided to forward a proposal that requests that campus policies and procedures add review by CAP.

Review of Proposed Revisions of APP 3-40, Appendix III, No Action/Deferral. The Council reviewed the proposed revisions of APP 3-40, Appendix III, on No Action/Deferral and made suggestions to clarify language and add text about receipt of two (or more) consecutive *unsatisfactory* Five Year Reviews.

VI. Conclusion

The Bylaws of the Irvine Division describe CAP's membership and responsibilities. The Academic Personnel Manual (APM) is a foundational resource for all faculty members and heads of academic units. CAP members frequently consult the APM to gain insight into the differences across appointment series and expectations of performance warranting advancement in each series. CAP urges every faculty member to consult the APM frequently, as well as the UCI campus Academic Personnel Procedures (APP), to become familiar with relevant policies and procedures. CAP strives for transparency in its criteria and procedures, and welcomes feedback from faculty and staff on the content of the published Frequently Asked Questions (CAP FAQs). Although the answers published for the FAQs have no formal status, they provide important guidance for framing more specific questions, which should be directed to the Office of Academic Personnel. For reasons of confidentiality and fairness, CAP members should not be approached directly for questions on specific cases.

This year's CAP members once again expressed the view that service on CAP was one of their most rewarding service experiences in academia. Despite the long hours and gravity of the task, the importance of the mission shaped the membership into a dedicated group during the weekly meetings and the shared late hours in the CAP room. The Chair thanks all of the members for their hard work, mutual support and warm collegiality. The Chair and all CAP members would especially like to thank analyst Mia Larson for skillfully taking notes, drafting the CAP letters, researching the issues that come before CAP, and for providing organizational memory for the Council. Rachel Mangold's efforts to organize the agendas and assignments for each meeting are also appreciated.

Respectfully submitted,

David Brownstone, School of Social Sciences, Chair

Jean Luc Gaudiot, Henry Samueli School of Engineering, Vice Chair

Richard Robertson, School of Medicine-Basic Sciences

Brook Thomas, School of Humanities, Vice Chair

Frederic Wan, School of Physical Sciences

Ping Wang, School of Medicine-Clinical Sciences

Hans Ulrich Bernard, Program in Public Health
Miles Coolidge, Claire Trevor School of the Arts
Charles Glabe, School of Biological Sciences
David Redmiles, Bren School of Information & Computer Sciences
Bryant Garth, School of Law
Jone Pearce, Paul Merage School of Business
Ray Novaco, School of Social Ecology

APPENDICES

Tables 1A - 1D: Final Recommendations by Action Type

Table 2: Final CAP Recommendations on Departmental Proposals

Table 3: CAP's Agreement with Departmental Recommendations, 2008-2013

2013-14 CAP ANNUAL REPORT

TABLES 1A-1D: FINAL RECOMMENDATIONS BY ACTION TYPE

| | CAP Recommendation | | | | | |
|--|--------------------|----------|--------|---------|-------|-------------|
| | Agree | Disagree | Modify | Pending | Total | Accelerated |
| TOTAL PERSONNEL CASES | 379 | 45 | 41 | 17 | 488 | 85 |
| | CAP Recommendation | | | | | |
| | Agree | Disagree | Modify | Pending | Total | Accelerated |
| TABLE 1A. APPOINTMENTS | | | | | | |
| Dean Delegated Appts. (Asst. Prof. I, II, and III; inc. In Residence and Acting Prof. of Law) Post-Audit | 47 | 3 | 2 | 0 | 52 | |
| Assistant Professor (Steps IV, V, VI) | 4 | 0 | 1 | 0 | 5 | |
| Associate Professor (inc. Clin X & In Res series) | 4 | 1 | 3 | 1 | 9 | |
| Professor (inc. Prof. of Law, Clin X & In Res series) | 15 | 6 | 1 | 1 | 23 | |
| Lecturer/Sr. Lecturer PSOE & SOE | 5 | 0 | 2 | 0 | 7 | |
| Change of Series (0 paired w/ merit or promotion) | 0 | 0 | 1 | 0 | 1 | |
| Non-Senate Appointment (inc. 2 Dean Deleg Appts) | 4 | 0 | 0 | 1 | 5 | |
| Total | 79 | 10 | 10 | 3 | 102 | |
| % CAP Agreed with Proposal | | | | | 80% | |
| % CAP Agreed or Modified Proposal | | | | | 90% | |
| | CAP Recommendation | | | | | |
| | Agree | Disagree | Modify | Pending | Total | Accelerated |
| TABLE 1B. PROMOTIONS | | | | | | |
| Associate Professor (includes 2 Clin X & In Res) | 22 | 4 | 9 | 1 | 35 | 10 |
| Professor (inc. Prof. of Law and 6 Clin X & In Res) | 23 | 2 | 11 | 2 | 38 | 13 |
| Advancement to Professor VI | 25 | 4 | 1 | 1 | 31 | 8 |
| Advancement to Professor Above Scale | 4 | 4 | 0 | 1 | 9 | 2 |
| Lecturer/Sr. Lecturer SOE | 4 | 1 | 0 | 1 | 5 | 0 |
| Non-Senate Promotion | 4 | 0 | 0 | 2 | 6 | 0 |
| Excellence Review w/ Merit Increase | 11 | 0 | 0 | 0 | 11 | n/a |
| Total | 93 | 15 | 21 | 8 | 137 | 33 |
| % CAP Agreed with Proposal | | | | | 72% | |
| % CAP Agreed or Modified Proposal | | | | | 88% | |

| | Agree | Disagree | Modify | Pending | Total | Accelerated |
|--|-------|----------|--------|---------|-------|-------------|
| TABLE 1C. MERIT INCREASES* | | | | | | |
| Assistant Professor (includes Merits with MCA, Clin X & In Res) (7 MCA=Disagree) | 33 | 1 | 1 | 0 | 35 | 5 |
| Associate Professor (inc. Clin X & In Res) | 32 | 4 | 2 | 4 | 42 | 4 |
| Professor (inc. Prof. of Law, Clin X & In Res) | 60 | 8 | 6 | 1 | 75 | 40 |
| Professor Above Scale | 19 | 0 | 0 | 0 | 19 | 3 |
| Dean Delegated Merits - Post-Audit* | 0 | 0 | 1 | 0 | 1 | 0 |
| Lecturer/Sr. Lecturer PSOE & SOE | 3 | 1 | 0 | 0 | 4 | 0 |
| Non-Senate Merit Increases | 2 | 0 | 0 | 0 | 2 | 0 |
| Lecturer, Continuing | 30 | 2 | 0 | 0 | 38 | 0 |
| Total | 179 | 16 | 10 | 5 | 216 | 52 |
| % CAP Agreed with Proposal | | | | | 85% | |
| % CAP Agreed or Modified Proposal | | | | | 90% | |
| TABLE 1D. OTHER ACTIONS | Agree | Disagree | Modify | Pending | Total | Accelerated |
| Non-Reappointment | 0 | 0 | 0 | 0 | 0 | n/a |
| Reappointment (inc. Clin X & In Res) | 0 | 0 | 0 | 0 | 0 | n/a |
| MCA (not paired w/ reappt or merit file) | 0 | 2 | 0 | 0 | 2 | n/a |
| No Action (Assoc. Professor & Professor) | 13 | 1 | 0 | 1 | 15 | n/a |
| Fifth-Year Review | 7 | 1 | 0 | 0 | 8 | n/a |
| Career Equity Review | 0 | 0 | 0 | 0 | 0 | n/a |
| Postponement of Tenure Review | 8 | 0 | 0 | 0 | 8 | n/a |
| Total | 28 | 4 | 0 | 1 | 33 | 0 |
| % CAP Agreed with Proposal | | | | | 88% | |
| % CAP Agreed or Modified Proposal | | | | | 88% | |
| *CAP no longer post-audits Dean Delegated Merits, except those in Professor rank prior to Step IV. | | | | | | |

2013-14 CAP ANNUAL REPORT

TABLE 2: FINAL CAP RECOMMENDATIONS ON DEPARTMENTAL PROPOSALS

| School | Number proposed | CAP Recommendation | | | | | % CAP agreed w/ dept. or modified | % CAP agreed with dept. w/o | Accelerations | |
|---------------------|-----------------|--------------------|-----------|-----------|-------------|-----------|-----------------------------------|-----------------------------|---------------|------------|
| | | Agree | Disagree | Modify-up | Modify-down | Pending | | | Number | % proposed |
| Arts | 24 | 17 | 1 | 2 | 3 | 0 | 92% | 71% | 5 | 21% |
| Biological Sciences | 42 | 30 | 2 | 0 | 4 | 4 | 89% | 79% | 13 | 31% |
| Business | 15 | 12 | 2 | 1 | 0 | 0 | 87% | 80% | 2 | 13% |
| Education | 13 | 13 | 0 | 0 | 0 | 0 | 100% | 100% | 0 | 0% |
| Engineering | 37 | 33 | 1 | 1 | 1 | 1 | 97% | 92% | 3 | 8% |
| Health Sciences | 15 | 10 | 1 | 0 | 0 | 4 | 91% | 91% | 1 | 7% |
| Humanities | 86 | 72 | 7 | 1 | 3 | 3 | 92% | 87% | 13 | 15% |
| ICS | 22 | 20 | 1 | 1 | 0 | 0 | 95% | 91% | 5 | 23% |
| Law | 18 | 16 | 0 | 0 | 2 | 0 | 100% | 89% | 0 | 0% |
| Medicine | 81 | 58 | 13 | 3 | 5 | 2 | 84% | 73% | 12 | 15% |
| Physical Sciences | 51 | 39 | 4 | 1 | 5 | 2 | 92% | 80% | 17 | 33% |
| Research, Office of | 2 | 2 | 0 | 0 | 0 | 0 | 100% | 100% | 0 | 0% |
| Social Ecology | 30 | 23 | 2 | 2 | 2 | 1 | 93% | 79% | 7 | 23% |
| Social Sciences | 52 | 40 | 7 | 1 | 3 | 0 | 85% | 77% | 10 | 19% |
| Totals* | 488 | 385 | 41 | 13 | 28 | 17 | 91% | 82% | 88 | 18% |

* Totals in Table 2 will differ from totals in Tables 1 and 3 due to actions involving split appointments across schools.

TABLE 3: CAP'S AGREEMENT WITH DEPARTMENTAL RECOMMENDATIONS 2008-2014

| | 2008-09 | 2009-10* | 2010-11 | 2011-12 | 2012-13 | 2013-14 | 5 yr mean | Difference |
|--------------------|---------|----------|---------|---------|---------|---------|-----------|------------|
| | | | | | | | 2009-2014 | 2013-14 |
| Total cases | 489 | 393 | 473 | 483 | 461 | 488 | 460 | 27 |

| Agree | | | | | | | | |
|------------------------------|-----|-----|-----|-----|-----|-----|-----|-------|
| Appointments | 75% | 81% | 84% | 90% | 80% | 80% | 83% | 0 |
| Promotions | 72% | 73% | 82% | 81% | 83% | 72% | 78% | -0.11 |
| Merits | 86% | 87% | 89% | 92% | 92% | 84% | 89% | -0.08 |
| Other Actions | 89% | 83% | 80% | 85% | 74% | 84% | 81% | 0.10 |
| Agree or Modification | | | | | | | | |
| Appts. +/- | 97% | 93% | 98% | 98% | 96% | 90% | 95% | -0.06 |
| Promotions +/- | 91% | 94% | 92% | 93% | 92% | 88% | 92% | -0.04 |
| Merits +/- | 90% | 94% | 91% | 92% | 94% | 89% | 92% | -0.05 |
| Other Actions +/- | 94% | 87% | 83% | 91% | 81% | 94% | 87% | 0.13 |

*Hiring freeze and other budgetary conditions contributed to a decrease in cases in 2009-10.