

April 20, 2012

ASSOCIATE DEAN JAN HOPMAN

College of Agricultural and Environmental Sciences

Re: Davis Division Review of Proposed LBNL Joint FTE and MOU

As agreed, the Davis Division of the Academic Senate expedited review of the subject MOU to assure Academic Senate consultation prior to the Chancellor's participation in a signing ceremony scheduled in late April 2012. On March 29, 2012, the proposal was forwarded to all divisional standing committees as well as Faculty Executive Committees within each college/professional school. Comments were received from the Committees on Academic Personnel-Oversight (CAP) and Planning and Budget (CPB).

As stated by CPB; "The opportunity for joint appointments between campus and LBNL is an exciting opportunity. This will allow UC Davis faculty and students to have better access to the wealth of resources at LBNL many of which are not available on campus. In addition, this will improve collaboration and allow the knowledge and expertise of LBNL scientists to be used as part of the teaching mission at UC Davis. These joint positions should allow both the campus and LBNL to attract high-quality applicants."

However, concerns were raised regarding the MOU we believe must be addressed prior to formal implementation. Specifically:

Committee on Planning and Budget:

There is not only a geographic, but a cultural difference between LBNL and UC Davis. The research at LBNL is more directed and programmatic while a UC faculty member is judged on research, teaching and service. This would place a huge burden on a new, junior, faculty member seeking to gain tenure at UC. For more senior appointments, who will be hired at the associate level or beyond, there may be no evidence of teaching or service activities, yet UC Davis is asked to hire these people with tenure, assuming they will be able to perform at the required level. In addition, if the joint appointee fails to develop funding, the campus must fund the full cost of the position if the appointee is not in an appropriate academic series. In this case, the tenured FTE would take up a campus slot but not be able to (due to distance or competing expectations) fulfill the requirements for a faculty position at the required level in research, service and teaching. CPB recommends that the original appointment be done not in the 'professor series' but rather in an academic series that matches the expectations for the appointee at both our campus and LBNL and allows for an option to fund the position by non-State sources, should the regular professorial duties not be accommodated, such as the In-Residence series. After it is clear the joint appointee is capable in all three areas the position can be shifted to the regular 'professor series'.

Due to the geographic differences, care must be taken to ensure that the joint appointee is willing and able to contribute to their academic department at Davis, not just appearing on campus only to teach their classes. Not only would the latter be bad for the department, but the joint appointee will be at a disadvantage in merits and promotions unless they are felt to be a strong contributor to their department. It will be necessary that an understanding of the teaching and service activities needed by the joint appointee for merit and promotion be clearly communicated not only to them, but also to their department, the Faculty personnel committee of their college and CAP and their supervisors at LBNL.

Committee on Academic Personnel

In the draft MOU, page 4, Clause 5, end of first paragraph and entire second paragraph has the following sentences:

"At LBNL, Joint Appointees will receive annual performance reviews pursuant to the process for all LBNL employees described in RPM 2.03. LBNL and UCD shall conduct separate merit and promotion reviews of Joint Appointees pursuant to their own performance review processes; however, these reviews should be coordinated where possible. The UCD department chair and LBNL division director should consult annually about the review process."

The Chair of CAP noticed some differences in these proposed review procedures for merits and promotions from those currently applying to the appointment of Distinguished Professor Charles Fadley of the Department of Physics, who has held a 50% UC Davis, 50% LBNL appointment as an Advanced Light Source (ALS) Professor since 1990. Upon consulting with Professor Fadley, he explained the following, "My appointment from the beginning involved all merit and promotion reviews being done solely at UCD, with no communication of the dossiers to LBNL. Only final results as related to salary have been communicated to them. This annual review is not done for faculty at present and would be a nuisance, in fact, for anyone in the professorial track. For professorial recruits, I think this annual evaluation could also be an unattractive feature as far as recruiting goes. I would ask if the UCB joint professors are actually put through this additional gauntlet. What the current procedure for joint appointments with UCB, as my opinion is that any UCD agreement should be the same as that."

Has the Vice Provost of Academic Personnel at UC Davis consulted with her counterpart at UC Berkeley to find out what are the current procedures there for similar joint appointments?

Considering the procedures which currently apply to Professor Fadley's joint appointment, CAP suggests that the MOU not combine procedures for performance reviews or recommend joint reviews between UC Davis and LBNL, as this makes the paperwork more difficult on both sides. The paperwork for merits and promotions on the academic side at UC Davis is cumbersome enough on its own without adding additional complications by having joint performance reviews. Thus, CAP further recommends that annual reviews not be required for joint faculty, and that professorial appointments should only be subject to reviews at UC Davis. Of course, reviews for research funding at LBNL should still occur on their normal schedule there.

Sincerely,



Linda F. Bisson, Chair
Davis Division of the Academic Senate
Professor: Viticulture and Enology

c: CAP-Oversight Chair Chiang
CPB Chair Orel
Vice Provost Academic Affairs Stanton