

February 26, 2013

MAUREEN STANTON

Vice Provost-Academic Affairs

RE: Revised School of Medicine Compensation Plan

The proposal was forwarded to all Davis Division of the Academic Senate standing committees and Faculty Executive Committees within the schools and colleges for comment. The Academic Senate Office also made an effort to reach out specifically to the School of Medicine Faculty Executive Committee assuring an opportunity to contribute to the Divisional response. Responses were received from Committee on Academic Personnel – Oversight (CAP), Planning & Budget, and Faculty Welfare.

The Revised Compensation Plan from the School of Medicine includes a significant improvement by permitting more faculty input for determining the membership of the Compensation Advisory Committee. The initial plan allowed the Dean to choose most of the members of the committee, while the revised plan provides that six members will be chosen by faculty ballot across three subfields of the School of Medicine and four members will be selected by the Dean. We strongly support this aspect of the Revised Compensation Plan.

We would like to point out several issues with section “h) Good Standing Criteria” on page 17. We find this section unacceptable as written as it outlines no due process or appeal process for faculty found in violation of the criteria. This bypasses academic freedom, due process, and the presumption of innocence. Some specific issues from the revisions on pages 17-20 include:

- “Plan Participants should meet Department/unit guidelines regarding productivity in research, teaching, patient care, mentoring, and University service as defined by their series, rank and step.” Mentoring and university service are not compulsory for faculty. The merit and promotion system already addresses adequacy of service for all faculty.
- “Meet the Faculty Code of Conduct and other UC rules and regulations. Examples to be considered include reports of inappropriate conduct or complaints filed with the Chair, Associate Dean for Academic Personnel, Vice Provost, or other School, Health System, or campus administrator from colleagues, staff, students, patients, or members of the community,....” As written, the right to due process is absent. The evaluation is described as being based on reports, not on whether or not the complaint has been reviewed to assure validity through existing specific campus policy, procedure and practice.
- “5. Must work collegially with others.” What is the criteria by which collegiality will be judged? Who will be judging this criterion?

- “6. Attend at least 50% of department/health system meetings involving compliance issues.” If someone is a Ph.D. in a clinical department with no patient care responsibility, why should they have to meet this criterion? The term “faculty member” seems to be equated with “clinician” here.
- “7. Satisfy other requirements as determined by the department and described in the department’s compensation plan.” This requirement is too vague. Who will make this decision and how will it be made?

In addition to the list above, an unsatisfactory performance rating during a five-year review, an action on which CAP provides recommendations, would lead to loss of “good standing” that will impact a faculty member’s access to the Compensation Plan. We would like to emphasize that CAP’s evaluation and recommendation for five-year reviews is based on parameters specific to research, teaching and service, and does not include additional factors related to the dollar value of any faculty member to the department, school or university.

We strongly recommend the draft plan be rewritten to conform to the normal UC range of permissible faculty behavior, and to the right to academic freedom and freedom of expression. Furthermore, the criteria should be limited to things that can be measured objectively.

Finally, the Davis Division of the Academic Senate appreciates the opportunity to comment, however, reviewers do not appreciate the short turnaround time provided for response. It appears that the draft plan was held up in the School of Medicine for quite some time and then was suddenly sent to the Academic Senate for consultation accompanied by a request for an expedited review.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bruno Nachtergaele".

Bruno Nachtergaele, Chair
Davis Division of the Academic Senate
Professor: Mathematics