Dear Chancellor Bishop,

As you requested in our meeting over a year ago, the Senate has consulted widely with its committees and the faculty councils, as well as the Coordinating Committee and the Senate’s Committee on Rules and Jurisdiction regarding the recommendations in the report of the Task Force on Faculty Recruitment, Retention and Promotion. I am pleased to report that there was broad support for the recommendations across the campus.

There are, however, two areas of concern that warrant monitoring as you implement the Task Force’s recommendations:

- There is some concern about possible financial impacts of the stronger institutional commitment to In Residence than to Adjunct and Clinical faculty. The Task Force investigated this question in great depth, including discussions with the relevant Vice Deans, and does not believe that this is a practical problem for the people that are identified as doing work consistent with In Residence or Professor of Clinical X appointments. Nevertheless, we believe that it would be prudent for the Associate Vice Chancellor for Academic Affairs to be attuned to the actual development of such problems. If they arise, we would welcome the opportunity to work with the Administration to mitigate them.

- There was some concern expressed over the recommendation that there be a one time blanket waiver of searches for people who are already here at UCSF and who were likely hired into an incorrect series to begin with, and merit a change in series because their dossiers reflect the profile of a faculty member who belongs in either the In Residence or Clinical X series. The Task Force believed that there is an issue of fundamental fairness to the relevant faculty who fall into this category and that the changes of series are a matter of restoring past inequities. There are also budgetary issues, since searches are expensive. As a follow up to the recommendation regarding a blanket waiver of searches, the Senate Chair asked the Committee on Rules and Jurisdiction to review the recommendation regarding a blanket waiver of searches for faculty who were either hired into the Adjunct or Clinical series and for whom a change in series to either In Residence or Clinical X would be recommended. The Committee on Rules and Jurisdiction concluded in its Communication
(attached) that the APM clearly allows waiver of searches for transfers of any faculty titles into other series that are not Ladder-Rank, and the Committee believes that the use of a waiver for searches under the conditions set forth in the Recommendations of the Academic Senate Task Force on Faculty Recruitment, Retention, and Promotion are not in conflict with the provisions set forth in the Academic Personnel Manual. If, however, the schools or departments argued that the specific conditions related to an individual faculty member warranted such a search, we believe that it would be reasonable for the Associate Vice Chancellor to make an exception to the Task Force Recommendations on a case-by-case basis.

It is important to emphasize that the process recommended by the Task Force involves individual review of potentially affected faculty members by both the departments and schools, as well as CAP, before any change of series would be made; the quality and performance standards of the APM would be applied. Indeed, all that the Task Force is recommending is that faculty should be appointed in series using the APM standards and definitions commensurate with their actual duties.

We look forward to working with you to implement the Task Force recommendations. We believe that this will lead to a substantial improvement in faculty morale and the quality of life for many deserving UCSF faculty.

Sincerely,

Leonard S. Zegans, MD
Chair, Academic Senate

Deborah Greenspan, BDS, DSc
Vice Chair, Academic Senate

/enclosures: Communication from Committee on Rules and Jurisdiction dated 5/23/05
COMMUNICATION FROM THE COMMITTEE ON RULES & JURISDICTION
Joe Wiemels, PhD, Chair

May 23, 2005

Leonard S. Zegans, M.D.
Professor and Chair
UCSF Academic Senate

RE: Ruling on the Possible Conflict of the Recommendations of the Academic Senate Task Force on Faculty Recruitment, Retention, and Promotion (December 2003) with the Academic Personnel Manual (Specifically Concerning the Waiver of Searches)

Dear Len,

As requested in your letter dated May 10, 2005, the Committee on Rules & Jurisdiction reviewed the Recommendations of the Academic Senate Task Force on Faculty Recruitment, Retention, and Promotion and specific sections of the Academic Personnel Manual (APM) on May 17, 2005 to determine if any inconsistencies or conflicts exist between the two related to a waiver of searches.

In the way of context, we offer the following:

From the Recommendations of the Academic Senate Task Force on Faculty Recruitment, Retention, and Promotion:

C. Systematic Review of Existing Faculty in the Adjunct or Clinical Series
Since a significant percentage (estimated by the TFRRP to be approximately 40%) of existing junior faculty in the Clinical and Adjunct series appear to be doing the types of work expected of those in the In-Residence or Clinical X series, the TFRRP recommends that a systematic review be conducted to identify people who might be in an inappropriate series. An attempt should be made to move people into the series that best fits their actual duties and records of academic achievement. This will take time, perhaps as long as three years. Responsibility for these reviews should rest with the associate/vice deans for academic affairs in the four schools, with oversight by the Academic Senate through CAP.

Section C, Point 4
There should be a blanket waiver of national searches of all series changes of those individuals who are UCSF faculty as of the date that these recommendations are implemented through the time it takes to review all eligible faculty. This waiver should not apply to new appointments.
The recommendation of a blanket waiver for national searches is clearly limited only to current faculty in
the Adjunct or Clinical series, and then only for those who are already doing work appropriate to another
series. After careful consideration of Section II of the APM, the Committee noted that the sections of the
APM which do mention searches for new appointments do so in terms of appointments into a specific
series, not out of a specific series as is addressed by the Recommendations from the Task Force (i.e. out
of Adjunct or Clinical into another series). The language could be changed to specify that the transfers
are limited to those moving into Academic Senate series other than ladder rank. This specification could
be stated in section C.4.

The APM clearly allows waiver of searches for transfers of any University of California title into certain
non-ladder-rank titles, such as In-Residence and Clinical X, and the Committee believes that the use of a
waiver for searches under the conditions set forth in the Recommendations of the Academic Senate Task
Force on Faculty Recruitment, Retention, and Promotion are not in conflict with the provisions set forth
in the Academic Personnel Manual. In addition, the change to the Task Force recommendations
suggested by the Faculty Council of the School of Pharmacy (letter by Lisa Kroon, dated 10/7/04, which
recommends a search waiver only for those faculty who were searched nationally for their initial
appointment) is also not in conflict with the APM.

It should be noted, however, that while appointments of Adjunct and Clinical series to other series do not
specifically require a search per the APM, APM Section 270-16-e (1) specifically states that a change in
series/appointment from the In Residence series to the Professor (Ladder Rank) series requires a
competitive search. The waiver recommended by the Task Force applies only to current Adjunct or
Clinical faculty and does not present a conflict. The APM is clear however that transfers of any sort
require “regular academic review.”

While the Committee discussed various issues surrounding the implementation of such a waiver—
concerns such as affirmative action, financial feasibility, and potential disparity in applying such a waiver
unequally—these were ultimately considered beyond the purview of this Committee and outside the
scope of the question before the Committee. The Committee is concerned, however, that the
ramifications of such a waiver be considered by the Academic Senate or Senate committee before
implementation. As part of this consideration, the Committee believes that the term “blanket waiver”
needs to be more specifically defined, in particular whether this term renders the waiver compulsory in all
transfers or whether departments could reserve the right to perform searches in specific cases.

Sincerely,

Committee on Rules and Jurisdiction

Joe Wiemels, PhD, Chair, School of Medicine
Jean Ann Seago, RN, PhD, Vice-Chair, School of Nursing
Joe Guydish, PhD, MPH, Adjunct Representative, School of Medicine
Ken Hauer, MD, School of Medicine
Richard Jordan, DDS, PhD, School of Dentistry
Theodora Mauro, MD, School of Medicine
Lynn Ponton, MD, School of Medicine
Dan Ramos, DDS, PhD, School of Dentistry
Brian Shoichet, PhD, School of Pharmacy