March 8, 2011

Daniel Simmons, JD
Chair, Academic Council
Academic Senate, University of California
1111 Franklin St., 12th Floor
Oakland, CA  94607-5200

Re:  Division Response to the Report of the Task Force on Senate Membership, dated April 15, 2010

Dear Chair Simmons:

The San Francisco Division has carefully and thoroughly reviewed the Report of the Task Force on Senate Membership, dated April 15, 2010. This letter summarizes our responses.

**UCSF REVIEW PROCESS**

Eight committees were asked to review and provide formal responses. They included:

- Clinical Affairs Committee (CAC)
- Committee on Academic Personnel (CAP)
- Committee on Committees (COC)
- Committee on Faculty Welfare (CFW)
- School of Dentistry Faculty Council (SOD FC)
- School of Medicine Faculty Council (SOM FC)
- School of Nursing Faculty Council (SON FC)
- School of Pharmacy Faculty Council (SOP FC)

Their responses were compiled and debated at the January 10, 2011 meeting of the Coordinating Committee, when all committee chairs were present. Following that meeting, some committees further revised their responses, and these revised responses are attached to this letter. This letter captures the major points which were raised by our committees, as well as the essence of the discussion at the January 10, 2011 Coordinating Committee meeting.

During the January 10, 2011 Coordinating Committee meeting, it became clear that this issue has been considered several times in the past and continues to represent a major challenge for UCSF faculty. To review and discuss these issues in greater detail, we have created a Division task force to further examine Academic Senate membership for UCSF faculty. This task force expects to finalize its recommendations by June 2011.
UCSF RESPONSE TO THE UC SYSTEMWIDE TASK FORCE REPORT AND RECOMMENDATIONS

Although each committee reviewed the entire Report, not all committees responded to each recommendation. Please find a summary of their responses to each recommendation below.

Recommendation #1: The Task Force recommends against extending the list of titles according membership in the Senate to existing non-Senate titles.

Members of the School of Nursing Faculty Council conditionally agreed with the recommendation.

However, the majority of UCSF faculty who reviewed and responded to this recommendation did not agree with recommendation #1 and made the following points:

- All full-time faculty who support the education, research and service missions of the University of California should be members of the Academic Senate (CAP, COC, CFW, SOD FC, SOM FC, SON FC)
  - At UCSF, faculty in the Adjunct and Health Sciences Clinical (HS Clinical) series assume responsibilities which are consistent with Academic Senate participation, including educating students, conducting research and participating in academic service, including governance. (CAP, COC, CFW, SOD FC, SOM FC)
  - The School of Dentistry Faculty Council noted: “Our School would not function appropriately nor achieve our mission to train dental care providers and residents without our HS Clinical or Adjunct series faculty.”

- The UCSF faculty includes 1,225 Academic Senate members and 1,160 non-Academic Senate members. The dichotomization of UCSF faculty into Senate and non-Senate categories, according to series, per Standing Order of the Regents 105.1, excludes 48.6% of full-time UCSF faculty from shared governance via the Academic Senate, resulting in effective disenfranchisement. (COC, SOD FC, SOM FC, SOP FC)
  - Without a voice in shared governance, non-Senate faculty were not able to participate in important discussions and debates, such as the recent deliberations about furloughs and the UC Retirement System. At UCSF, HS Clinical series faculty help generate the revenue that make up the largest component (50%) of campus resources. In 2009-10, HS Clinical faculty shouldered the same salary furloughs as Academic Senate colleagues, yet the HS Clinical faculty had limited opportunities to officially express their opinions on this topic via the Academic Senate. (COC)
  - One School of Medicine Faculty member stated: “The purpose of the Academic Senate is to include the voices of the faculty about the academic programs at the University. Dividing the faculty into Senate and non-Senate weakens the faculty voice in shared governance because not all teaching faculty can participate in the decisions regarding curriculum. It doesn’t make sense in terms of the way we work together; it doesn’t facilitate our collaborative work as a faculty and is not transparent.” (SOM FC)

- The recommendation, which would perpetuate the exclusion of some faculty from the Academic Senate, maintains the status quo, ignores the historical precedent of inclusiveness for faculty engaged in the broadest range of university activities, and does not appear to address the growth and diversity of today’s University of California (CAP, CFW).

- The UCSF Committee on Committees is committed to including the broadest faculty representation possible in Academic Senate activities. However it is constrained to only include a
fraction of our non-Senate colleagues in active committee service. Furthermore, non-Senate colleagues must be told that while their voices are important and valued on our campus, their votes cannot be counted when we report our actions to the UC Systemwide Academic Senate. This imposes an artificial divide among colleagues who work side-by-side to educate, conduct research and treat patients. (COC)

- The School of Medicine Faculty Council noted that non-Senate faculty are excluded from the Mortgage Origination Program (MOP) home loan program. Although the MOP program can only offer a limited number of loans, being excluded outright from the program impacts UCSF’s ability to recruit new faculty and contributes to the non-Senate faculty perception that they are second-class citizens among their colleagues. (SOM FC, SOP FC)

Recommendation #2: The Task Force recommends local review of existing individuals in non-Senate titles and reclassification of those that are clearly in the wrong series based upon duties and responsibilities consistent with membership in the Academic Senate.

UCSF faculty who reviewed this recommendation agreed with the principle that all faculty should be appointed to the series which is appropriate for their duties and responsibilities. In the course of discussing this recommendation, the following issues were raised:

- The UCSF Committee on Academic Personnel already includes a consideration of the appropriate series for the review of each advancement and promotion packet. Consistent with the 2003 report issued by the UCSF Task Force on Faculty Recruitment, Retention and Promotion (TFFRRP), the UCSF Committee on Academic Personnel “been conscious of reviewing faculty for appropriateness of series”. Furthermore, per the TFFRRP recommendations, “the Vice Provost Academic Affairs granted a two-year waiver of searches to transfer faculty into their most appropriate series, which was often to In Residence or Clinical X. CAP in particular reviews each and every file submitted for review for appropriateness of series. On this campus push for inclusion of Adjunct and Health Sciences Clinical Professor in the Academic Senate is not because these faculty are in the wrong series, but rather there are faculty fully committed to the University and contributing the same effort to the same goals as Senate members without the benefit of Senate membership. These faculty are also contributing to the University and conducting their careers in a manner consistent with criteria for their appointments in either the Adjunct or Health Sciences Clinical as stated in the APM.” (CAP, CAC, CFW, SOM FC)

- CAP, CFW, SON FC and SOP FC called for the re-evaluation of the 1:6 ratio applied to the number of Clinical X series faculty at each campus. APM 275-16 (f) 2 states, “If the number of appointees in the series exceeds 1/6 of all local Senate members in all the clinical departments on the campus, a Senate committee will review the appropriateness of adding new members to the Professor of Clinical (e.g., Medicine) series.” (CAC, CAP, CFW, SON FC, SOP FC)

- CAP, COC and SOM FC took issue with the requirement that a department initiate a search when moving a faculty member from a non-Senate to a Senate series, noting that this process prevents some departments from shifting faculty into Senate series. (CAP, COC, SOM FC)

- The School of Medicine Faculty Council noted that the perceived requirement of one year of financial support for faculty in Senate series (should their own funding lapse) also precludes some departments from appointing faculty to Senate series, even when warranted. (SOM FC)

- The School of Pharmacy Faculty Council highlighted a disparity among the Senate series, stating that faculty in the “Professor of Clinical X series are presently treated like second-class citizens. For example, they are not eligible for certain awards, sabbaticals, etc. Faculty Council members strongly believe that equality of benefits should be brought to all faculty series.” (SOP FC)

- For faculty who would remain in the HS Clinical series even after review, the School of Pharmacy Faculty Council argued “Health Sciences (Clinical) faculty have suffered within a system built for
academic units that include only ladder rank faculty. When Health Sciences (Clinical) faculty review the Academic Personnel Manual (APM) for advancement policy, we find language written for ladder rank faculty. Consequently, Health Sciences (Clinical) faculty at the campus level must interpret how the APM applies for their series." (SOP FC)

- The Clinical Affairs Committee recommended the creation of a committee of faculty from the five UC Health Sciences complexes to evaluate the use of these and related title codes on their campuses and identify the extent to which inappropriate titles have been used at the point of hire, and to develop a consistent practice with respect to the use of title codes. (CAC)

**Recommendation #3: The Task Force recommends retention of the historical practice of separating curricular authority for undergraduate and professional school education.**

CAC and COC agreed with this recommendation, while CFW, SOM FC, SON FC and SOP FC sought clearer language and more detail.

- CAC's support for the recommendation was conditional on the creation of a UC Systemwide clinical committee which would draw members from the five UC health sciences campuses. (CAC)

- COC argued that the separation of undergraduate from professional education could pave the way for greater local autonomy for UCSF to determine Academic Senate membership for its faculty. (COC)

- CFW posited that clarity could be increased by use of the term *academic* to include undergraduate and graduate program instruction. The report separates *undergraduate instruction* from *professional instruction* in some instances, and at other times use the terms *undergraduate* and *graduate instruction* as distinct from *professional curricular instruction*. (CFW)

- Without undergraduates at UCSF, SOM FC noted that this recommendation translates to a separation between curricula for professional degrees (DDS, MD and PharmD) and curricula for graduate degrees (MS and PhD). (SOM FC)

- SON FC faculty “found the language in the document itself to be potentially divisive. Specifically, the separation of faculty into two distinct groups, "professional" vs. "academic," was viewed as problematic. Although this separation appears fixed in history, it seems rather artificial and may promote on-going feelings of separateness across the campuses in terms of roles and responsibilities. It was viewed as unfortunate that there is a belief that somehow graduate education is inherently different from and not equivalent to education at the undergraduate level. There are individuals who must teach across that divide and even at UCSF there are many levels of education, even though we are considered a fully "professional" campus in terms of the types of students that we educate and mentor. Although many would agree that the undergraduate faculty should have final say in their curricular decisions and that professional schools should have final say in their curricular decisions, dialogue across these levels would seem to be valuable because there is movement across these levels and, in many cases, faculty have experience at more than one level. Discussions at the department level included a call for ways to lessen the undergraduate-versus-professional faculty tensions across campuses in order to address real and basic issues facing shared governance and Senate membership.” (SON FC)

- SOP FC members found problematic “the complete absence of the Graduate Division and its programs in the report’s discussion. Many faculty involved in undergraduate and professional education are also involved in graduate programs, which have their own needs unaddressed by this report.” (SOP FC)
Recommendation #4: The Task Force recommends a revision of administrative titles automatically granting Senate membership.

UCSF committee and faculty council responses to this recommendation varied as follows:

- COC concurred with the exception of the position of University Librarian. At UCSF the University Librarian is a major advocate for student education. (COC)
- CFW had no comment.
- SOD FC concurred.
- SOM FC members did not reach a consensus. Some members thought it was important to continue to include the University Librarian and the Registrar in the Academic Senate, as they play important roles in the educational mission of the University. Other members agreed with the Report’s recommendation that as those positions have become professionalized, their membership in the Academic Senate could be revisited.

UCSF Division Recommendations

- The Academic Senate should return to historical precedent and philosophy of membership to include all full-time faculty with the responsibility to uphold the University's mission, and that it should not be determined by academic series. (CAP, COC, CFW, SOD FC, SOM FC, SON FC)
- Call for the amendment of the Standing Orders of the Regents to allow campuses to determine Academic Senate membership (COC)
- UC Systemwide Academic Senate bylaws should be rewritten to allow faculty granted Academic Senate membership at their own campus to participate in UC Systemwide Academic Senate committees and activities.
- Expressing concern that Senate Membership Task Force did not consult non-Senate faculty, any future consideration of Academic Senate membership must include participation by faculty currently not included in the Academic Senate. (COC, SOD FC, Coordinating Committee discussion)

UCSF Faculty Concurrence with the UCFW Minority Report

On January 31, 2011, UCSF Faculty Welfare Chair and UCFW Representative Grayson W. Marshall co-authored a minority report with UCFW Chair Joel Dimsdale. UCSF faculty members who reviewed this minority report agreed with the report, including these sentiments,

“There are increasing numbers of "provisional faculty" throughout the University of California—in engineering, in the national labs, and in our health sciences schools. We feel that these faculty members are not being treated respectfully by the system and that their demeaned status demoralizes them and weakens the Academic Senate's mission of shared governance. They have little recourse for grievances and as a result are subject to ever more powerful departmental chairs and administrators. As the University shrinks in the face of budgetary exigencies, it is likely that we will increasingly be relying on such contingent faculty. How the University treats them can become a template for how the University subsequently attempts to treat Academic Senate faculty members.”

Conclusions

School of Dentistry Faculty Council Chair Janice Lee expressed the sentiments of many colleagues when she concluded, “We realize that many iterations and discussions have occurred over the issue of Academic Senate membership in the past. We realize that compromises and small steps have been
made to improve the representative role of the UCSF Academic Senate while working within the by-laws of the Academic Senate. But we urge you to champion the comprehensive meaning of shared governance and faculty voice. If UCSF will not, it is unlikely that anyone else will. UC is undergoing tremendous change and careful deliberations over its future, therefore, now is the time for the Academic Senate and Council to question whether we fulfilling our role in representing our faculty and whether we can do it better.

Faculty suffrage is at the core of this issue on Senate membership. At UCSF, approximately 50% of our faculty cannot vote. Until 1920, 50% of the American population could not vote – women in the US. Significant changes have occurred since that moment in history and we are undoubtedly better because of it. We hope UC will learn from that historical period, not re-enact the lengthy period of discrimination but choose to expand the right to vote to all full-time faculty."

At UCSF, we believe that the existing system is unfair. The separation of Senate from non-Senate faculty creates a two-tiered system which excludes a large proportion of faculty from the unique and valuable process of shared governance. Regardless of the decisions made at the UC Systemwide level, the faculty at UCSF will continue to work diligently to mitigate the perpetuation of a two-tiered system. Based on the recommendation from the School of Medicine Faculty Council, UCSF has created a local task force to review the impact of the current system on UCSF faculty.

We appreciate the opportunity to review the Task Force’s recommendations and opine on the implications of these recommendations. We look forward to working with our colleagues across the UC System to develop a satisfactory and equitable resolution of our concerns.

Sincerely,

Elena Fuentes-Afflick, MD, MPH
Chair, UCSF Academic Senate

Attachments

CC: Martha Winnacker, JD, Executive Director, UC Systemwide Academic Senate