

April 19, 2022

LORI KLETZER
Campus Provost and Executive Vice Chancellor

**RE: Proposed Revisions to Campus Academic Personnel Manual (CAPM) 101.000 –
Waivers of Open Recruitment for Senate Faculty Positions**

Dear Lori,

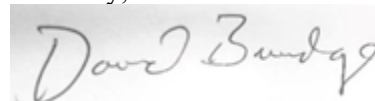
The Academic Senate has reviewed the Proposed Revisions to Campus Academic Personnel Manual (CAPM) 101.000 – Waivers of Open Recruitment for Senate Faculty Positions. Our Committees on Affirmative Action and Diversity (CAAD), Academic Personnel (CAP), and Planning and Budget (CPB) responded. Given that the proposed revisions originated from the 2020-21 collaborative work from CAAD, CAP and CPB, the Senate largely supports these proposed changes in helping to clarify the language and distinctive processes for Target of Excellence and Spousal/Partner Hire Waivers of Open Recruitment.

In your cover letter, you proposed additional processes for Spousal/Domestic Partner waivers for Assistant Professors in delegating authority to the deans to approve or deny a spousal/domestic partner waiver of recruitment, without Senate review for positions that have been budgetarily pre-approved for this purpose. The committees note this change in process would eclipse the critical institutional memory and perspective the Senate committees hold in the waiver request process. CAAD and CPB both strongly oppose this two fold change in delegating to deans and eliminating full Senate review. The committees have provided nuanced justifications (and modest recommendations) for maintaining the current practices (attached).

CAAD would like to further recommend that statements of contributions to diversity, equity and inclusion should be required (rather than strongly encouraged) for spousal/domestic partner hires. The committee noted that the current policy language “encouraging” candidates to “consider” submitting a DEI statement is “inconsistent with our University’s stated commitment to furthering DEI on our campus.” This change would further support greater consistency with all waivers of open recruitment for Senate faculty positions, since a DEI statement is a requirement for TOE appointment files.

We thank you for the opportunity to provide feedback on these proposed revisions. We look forward to continued dialogue and collaboration on this important issue to ensure the clarity of the waivers of open recruitment process.

Sincerely,



David Brundage, Chair
Academic Senate

Enc: Senate Committee Responses (Bundled)

cc: Herbie Lee, Vice Provost Academic Affairs
Grace McClintock, Assistant Vice Provost Academic Personnel
Kirsten Silva Gruesz, Chair, Committee on Affirmative Action and Diversity

Stefano Profumo, Chair, Committee on Academic Personnel
Dard Neuman, Chair, Committee on Planning and Budget
Matthew Mednick, Executive Director, Academic Senate

April 18, 2022

David Brundage, Chair
Academic Senate, Santa Cruz Division

**Re: Proposed Revisions to Campus Academic Personnel Manual (CAPM) 101.000 –
Waivers of Open Recruitment for Senate Faculty Positions**

Dear David,

The Committee on Affirmative Action and Diversity (CAAD) has reviewed the Proposed Revision to Campus Academic Personnel Manual (CAPM) 101.000 - Waivers of Open Recruitment for Senate Faculty Positions. CAAD has the following comments:

Re: Streamlined process for Spousal/ Domestic Partner waivers for Assistant Professors

The proposed revisions to CAPM 101.000 include a provision that waivers of open recruitment for spousal/domestic partner hire candidates may be granted directly by a Dean, without Senate consultation, provided that an FTE has been pre-approved for the purpose of a potential spousal/domestic partner hire.

CAAD is tasked with reviewing requests for waivers of open recruitment for spousal/partner hires in order to assess whether the potential gains to the campus from making both hires successfully might merit forgoing a national search—with its stringent requirements to ensure fair hiring practices. Each case is nuanced, and presents a different balance sheet (as it were) of potential long-term effects on our shared campus goals of equity, diversity, and inclusion. Although CAP would still perform a review of the proposed appointment, at least under certain circumstances, to ensure that the candidate meets campus standards for excellent potential research and teaching, this proposed revision bypasses CAAD consultation. It thus removes a crucial check that is currently in place to ensure that spousal/partner hires support those goals.

CAAD appreciates the concerns which motivate this proposed revision to CAPM: Senate review can be slow, and the ability to respond quickly regarding partner hires may be key to the recruitment of certain excellent candidates. Still, CAAD does not feel that these concerns are sufficient to motivate the removal of a consultation step that is specifically attuned to diversity issues.

CAAD recommends that one of the following practices be followed instead:

1. Retain current practices of Senate review by CAAD, along with CPB and/or CAP if those committees also favor continuing inclusion in reviews of partner hires at the Assistant level. We understand that CPB has already recommended this option in the strongest possible terms, and we concur.
2. Substitute Senate review with review by the Associate Dean for DEI and/or the Faculty Equity Advocates within the hiring Division where the spousal/domestic partner hire would be placed.

We favor option (1) given the long-term institutional memory of CAAD regarding policies, practices, and history concerning spousal/domestic partner hires. We also recognize that option

(2) may be preferable given the need to quickly make partner hire offers to excellent candidates under some circumstances.

However, CAAD also concurs with CPB that it has not been factually demonstrated that the time needed for Senate review of partner hire requests has negatively impacted actual, specific recruitment efforts. The lack of such evidence leads CAAD to reaffirm our preference for option (1).

Statements of contributions to Diversity, Equity, and Inclusion in Partner Hire requests

The revised CAPM 101.000 text reads [with our bolded emphasis]:

“For spousal/domestic partner hire candidates, departments are **strongly encouraged to ask prospective spousal/domestic partner hire candidates to consider submitting a statement addressing their past contributions to diversity, equity, and inclusion** through research/creative work, teaching/mentoring, and/or service, and their potential plans for contributing to an inclusive environment at UC Santa Cruz.”

For some time, CAAD has been concerned that spousal/domestic partner hire candidates, and their sponsoring departments/divisions, have taken this policy language as an invitation to discuss contributions to DEI in a perfunctory and superficial way in candidate files. CAAD believes that this is inconsistent with our University’s stated commitment to furthering DEI on our campus, and in society at large. CAAD strongly recommends that CAPM 101.000 be amended so as to **require** a brief statement (1-2 pages) discussing and contextualizing a candidate’s contributions to DEI.

Along similar lines, CAAD is also struck that proposed spousal/domestic partner hire candidates are not required to submit even a brief research statement, or (when applicable) a brief teaching statement. Such statements are important to help contextualize a candidate’s achievements and teaching/research practice in their own terms, particularly for readers working outside the candidate’s area of expertise.

CAAD supports the other proposed revisions to CAPM 101.000.

Sincerely,



Kirsten Silva Gruesz, Chair
Committee on Affirmative Action and Diversity

cc: Stefano Profumo, Chair, Committee on Academic Personnel
Dard Neuman, Chair, Committee on Planning and Budget

March 31, 2022

David Brundage, Chair
Academic Senate

**Re: Formal Review of Proposed Revisions to Campus Academic Personnel Manual (CAPM) 101.000
– Waivers of Open Recruitment for Senate Faculty Positions**

Dear David,

During its meeting of March 17, 2022, the Committee on Academic Personnel (CAP) reviewed the proposed revisions to CAPM 101.000 – Waivers of Open Recruitment for Senate Faculty. Members noted that the proposed changes do not appear to be substantial, but essentially update language in order to clearly differentiate between Waivers of Open Recruitment for Target of Excellence and those for Partner/Spousal Hire. CAP supports the proposed revisions.

Thank you for the opportunity to opine.

Sincerely,

A handwritten signature in black ink, appearing to read "Stefano Profumo".

Stefano Profumo, Chair
Committee on Academic Personnel

cc: Kirsten Silva Gruesz, Chair, Committee on Affirmative Action and Diversity
Dard Neuman, Chair, Committee on Planning and Budget
Kenneth Pedrotti, Chair, Committee on Rules, Jurisdiction, and Elections
Senate Executive Committee

April 14, 2022

David Brundage, Chair
Academic Senate

RE: Proposed Revisions to CAPM 101.000: Waivers of Open Recruitment for Senate Faculty Positions

Dear David,

At its meeting of March 17, 2022, the Committee on Planning and Budget (CPB) reviewed the proposed revisions to CAPM 101.000 - Waivers of Open Recruitment for Senate Faculty Positions. The proposed revisions include two types of changes recommended by 2020-21 Academic Senate Committees¹ and two changes recommended by the administration.

The changes recommended by the Senate committees were wording changes and clarification on appealing denied waiver requests. **CPB supports these proposed revisions.**

Of the changes recommended by the Administration, **CPB supports:**

- Making changes in CAPM 101.000 to reflect the October 9, 2020 delegation of authority from the Chancellor to the CP/EVC to approve or deny waivers of open recruitment for Senate faculty;
- Inviting divisions to request a certain number of provisions to be set aside for potential spousal/domestic partner hires in the annual faculty FTE planning process, for CPB assessment.

However, **CPB strongly recommends against delegating authority to the deans** to approve or deny a spousal/domestic partner waiver of open recruitment **without Senate review of the waiver request.** The Senate provides a critical perspective in the review of such waivers of open recruitment. As spelled out in CPB's guidelines for Spousal/Partner waiver requests, CPB's review ensures that proposals address:

- How the hire fits within the scope of existing plans or clarifies what is de-emphasized with a shift in priorities;
- The opportunity cost, if any, of the current request relative to previously articulated priorities;
- The potential contributions to diversity of the requested Spousal/Partner hire.

Senate analysis of these proposed details is important for the CP/EVC to consider and may not always be forthcoming from Deans or Departments. The rationale for the proposed delegation of authority to the deans was that the campus lost several top candidates last year because of fast-moving partner hire situations.

CPB has two responses and a recommendation. First, CPB cautions against the need for hurried decisions to become a rationale for eliminating Senate review, especially during a year with globally unprecedented circumstances. Second, CPB is not convinced that the Senate review process or the timing of the Senate responses was a cause for these failed hires: such claims are frequently expressed but rarely backed up. CPB would of course welcome a conversation about the specific cases that led to this claim. Even if evidence were to support the assertion that Senate consultation led to losing candidates in one or more cases, CPB strongly recommends against eliminating Senate review. Instead, CPB recommends that the administration first review with the relevant Senate committees the case or cases that have led to this assertion, and then work with the Senate to identify how reviews complying with standards of shared governance could be expedited.

¹ The Committee on Affirmative Action and Diversity (CAAD), the Committee on Academic Personnel (CAP), and the Committee on Planning & Budget (CPB).

Thus, **in the strongest possible terms**, CPB recommends against changing policy by delegating authority to the deans.

CPB appreciates the opportunity to review these proposed revisions.

Sincerely,



Dard Neuman, Chair
Committee on Planning and Budget

cc: CAAD Chair Gruesz
CAP Chair Profumo
RJ&E Pedrotti