

January 24, 2025

LORI KLETZER
Campus Provost and Executive Vice Chancellor

Re: Formal Review of Establishment of New CAPM 810.672: Negotiated Salary Program Guidelines

Dear Lori,

The Academic Senate has reviewed the proposed campus Negotiated Salary Program (NSP) Implementation Guidelines (CAPM 810.672). Our committees on Academic Personnel (CAP), Faculty Welfare (CFW), and Planning and Budget (CPB) have responded.

The Academic Senate is pleased to see that some of the questions and concerns that were raised about the Negotiated Salary Trial Program from both our campus and the systemwide Senate to the trial program have been addressed, including a requirement to fund existing graduate students and postdocs before participating, and documentation of the effectiveness of the program for each campus. However, committees also raised several additional concerns and recommendations for improvements to the NSP implementation policy, in particular as it relates to implementation on our campus.

Briefly, main areas of concern in the committee responses included:

- 1) *Management of the reserve fund* – both CPB and CFW felt that more clarity was needed on several aspects of reserve fund management, including handling minimum balances, role of deans, contingencies for shortfalls, and how surplus funds would be managed.
- 2) *Timing and CAP role* – CAP noted its central role in guard against inequity in the program, as well as ensuring that requirements regarding students and postdocs are followed. However, they raised some concerns regarding process and timing to ensure adequate engagement. CFW also raised some concerns about process timing as it may influence program equity.
- 3) *Support for students and postdocs* – while as noted above the Senate was gratified to see requirements for support of students and postdocs, CPB felt that in view of often flexible multi-year funding streams this requirement should be expanded in implementation, with a more robust assessment and tracking of mentoring support.

The full responses which detail these issues for consideration are attached.

Sincerely,



Matthew McCarthy, Chair
Academic Senate, Santa Cruz Division

Enclosed: Senate Committee Responses (Bundled)

cc: Herbert Lee, Vice Provost, Academic Affairs
Grace McClintock, Assistant Vice Provost, Academic Affairs
Gregory Gilbert, Co-Chair, Committee on Academic Personnel
Susan Gillman, Co-Chair, Committee on Academic Personnel
Yat Li, Chair, Committee on Faculty Welfare
Kimberley Lau, Chair, Committee on Diversity, Equity, and Inclusion
Raphael Kudela, Chair, Committee on Planning and Budget
Matthew Mednick, Executive Director, Academic Senate

January 21, 2025

MATTHEW MCCARTHY
Chair, Academic Senate

Re: Divisional Review – Establishment of New CAPM 810.672: Negotiated Salary Program Implementation Guidelines

Dear Matthew,

During its meeting of December 12, 2024, the Committee on Academic Personnel (CAP) discussed the proposed establishment of new CAPM 810.672 – Negotiated Salary Program (NSP) Implementation Guidelines. CAP understands that the proposed campus policy is intended to be the local implementation of APM 672, that the NSP will be effective July 1, 2025, and that it will subsume the Negotiated Salary Trial Program (NSTP) which ends on June 30, 2025. In general, CAP approves of the proposed campus implementation of the NSP and the associated policy, but has concerns about the proposed timeline.

CAP has played an active role in the annual awarding of the NSTP on our campus since its implementation. As stated in CAP's January 2019 response to the proposed UCSC NSTP Implementing Procedures,¹ and included in the Academic Senate formal response to former CP/EVC Tromp², CAP views its role in reviewing NSTP applications as assisting in the monitoring of potential inequities across campus, and ensuring that the program participants continue to meet their teaching, research, and service obligations. CAP continues to hold this view and recognizes the importance of having a diverse reviewing body of peers participate in the review of NSP applications.

We note that the new policy removes much of the administrative review of applications that was previously CAP's responsibility. While this is a welcome streamlining of the process, the implementation policy does not include sufficient detail of the information that will be made available to CAP in the summary report. Will the report include only a list of applicant names, without the application detail that has previously been provided to CAP for review and feedback on the NSTP? CAP requires adequate information to be able to maintain its current role in monitoring potential inequities and to ensure that participants' teaching, research, service, and student/personnel support obligations are being adequately met. Further, if CAP has concerns after receiving the report, what is the process to raise and remedy any concerns that may arise? We request that all of these details and processes should be clearly laid out in the policy to ensure that a standard practice is followed each year.

In terms of timeline, any review of applications and/or a summary report requires significant committee time for both out-of-meeting review and in-meeting discussion. The proposed timeline indicates this review is to take place between May 1-31. May is the busiest month of the year for

¹ CAP Chair Westerkamp to Senate Chair Lau, 1/17/19, Re: Faculty Negotiated Salary Trial Program (NSTP) – UC Santa Cruz Implementing Procedures

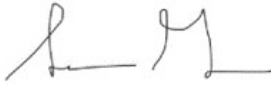
² Senate Chair Lau to CP/EVC Tromp, 1/24/19, Re: Faculty Negotiated Salary Trial Program (NSTP) – UC Santa Cruz Implementing Procedures

CAP personnel reviews as well as for reviews of campus endowed-chair nominations. CAP understands the structural reasons for the timing of the process (allows all the review levels to complete their work prior to CAP and allows PIs to assess the availability of funds close to the time of implementation). Nevertheless, CAP requests receipt of the report for review as early in May as possible.

Additionally, in order to provide clarity for diverse readership, we note that the first time “CAP” appears in the document, it should be identified as “the Committee on Academic Personnel (CAP)”.

Thank you for the opportunity to opine.

Sincerely,



Susan Gillman
Co-Chair, Committee on Academic Personnel



Gregory Gilbert
Co-Chair, Committee on Academic Personnel

cc: Kimberley Lau, Chair, Committee on Diversity, Equity, and Inclusion
Yat Li, Chair, Committee on Faculty Welfare
Raphael Kudela, Chair, Committee on Planning and Budget
Senate Executive Committee

January 21, 2025

MATTHEW MCCARTHY
Chair, Academic Senate

Re: Divisional Review – Formal Establishment of New CAPM 810.672: Negotiated Salary Program Implementation Guidelines

Dear Matt,

During its meeting of January 9, 2025, the Committee on Faculty Welfare (CFW) reviewed the CP/EVC request for feedback on proposed new CAPM 810.672 – Negotiated Salary Program (NSP) implementation guidelines, which will subsume the current Negotiated Salary Trial Program (NSTP) on June 30, 2025. CFW continues to have concerns about the inequity of eligibility for the program. That said, the review of this implementation policy raised concerns about the lack of details in the policy regarding the Contingency Reserve Fund, and questions as to whether there was flexibility to allow quarterly participation to increase eligibility.

CFW members agree that the proposed implementation policy appears to be lacking in detail with regard to the Contingency Reserve Fund. Given the current budget climate, CFW is concerned that insufficient information about the fund could prove highly problematic and ultimately detrimental to participant departments and divisions. As stated in the review cover letter, the participant contribution to the Contingency Reserve Fund will be reduced from 10% (NSTP) to 5%. CFW questioned whether deans will be required to accommodate for this reduction. The proposed implementation policy clearly states that the dean is responsible for covering the negotiated salary amount even if a participating faculty member loses funding during the annual negotiated year period (CAPM 810.672.II.H.1.), and that deans are responsible for creating a “sufficient” fund (CAPM 810.672.II.H.2.) However, what may be considered “sufficient” is not noted, and no minimum contribution amount from deans is specified. More details regarding the minimum balance of contingency fund and the possible use of reserve fund surplus are needed in order to increase equity among the departments and divisions utilizing the program, and to prevent further injury during the current campus budget climate.

Members continue to raise concerns about the inequity of access to this program. But, even for those in applicable disciplines, members noted that it may be difficult to meet eligibility requirements by the program application deadline if the timeline is not in alignment with that of funding resources. As such, some members of CFW questioned whether there could be flexibility built into the program so that it may be used on a quarterly basis for those whose funding sources do not make it possible to meet eligibility requirements in may. Including a complete walkthrough example in the policy would also be helpful for guiding faculty on eligibility, application procedures, and the required calculations.

Thank you for the opportunity to opine.

Sincerely,



Yat Li, Chair
Committee on Faculty Welfare

cc: Gregory Gilbert, Co-Chair, Committee on Academic Personnel
Susan Gillman, Co-Chair, Committee on Academic Personnel
Kimberley Lau, Chair, Committee on Diversity, Equity, and Inclusion
Raphael Kudela, Chair, Committee on Planning and Budget
Senate Executive Committee

January 15, 2025

MATTHEW McCARTHY
Chair, Academic Senate

Re: Divisional Review of New CAPM 810.672 (Negotiated Salary Program Implementation Guidelines)

Dear Matt,

At its meeting of January 9, 2025, the Committee on Planning and Budget (CPB) discussed the proposed new CAPM 810.672, Negotiated Salary Program (NSP) implementation guidelines. CAPM 810.672 (the “campus NSP policy”) is the local implementation of APM 672.

CPB notes that some of the objections from both our campus and the systemwide senate to the trial program have been addressed, including a requirement to fund existing graduate students and post-docs before participating, and documentation of the effectiveness of the program for each campus. That said, CPB would like to see more robust assessment of whether NSP is, intentionally or unintentionally, reducing graduate student support by (for example) reviewing support over a multi-year timeframe, and encourages CAP to track mentoring capacity carefully during personnel reviews for those faculty who choose to participate in the NSP. Other concerns were not directly addressed, however, such as concerns about the equity of the program (other than inclusion of rather vague language about “strategies for broadening program participation”). Here we specifically address the proposed implementation on our campus (CAPM 810.672), since such broader issues are no longer relevant given that APM 672 has been implemented.

CPB recommends three adjustments to the proposed CAPM 810.672. First, in section II. L. (Notification, Documentation and Reporting), it should be explicitly stated whether the campus is providing the minimum data required as per APM 672 Appendix A, or whether additional information will be collected by our campus.

Second, in section II. H. 3., it should be explicitly stated what sources of funds are to be used if the contingency reserve falls below the designated minimum level or if there is a default before the reserve reaches adequate levels. Presumably this would occur if a faculty member was not able to cover the full NSP component, and it would also presumably fall on that faculty member to identify alternative funds, but it is not clear whether there are expectations that any remaining shortfall would be passed on (for example) from the faculty member, to the department, and then the division, if non-state funds were needed to cover a faculty member’s total UC salary. CPB also notes that, fundamentally, any shortfalls should be covered by the faculty member and, as noted by multiple senate committees, it still makes more sense to terminate the program for an individual that defaults rather than continuing to pay the NSP increment.

Third, it is unclear how the surplus funds would be managed. CAPM 810.672 states that “[i]t is expected that the contingency fund will grow and reach a steady state over a period of time” (II. H. 2.) and authorizes the Dean to set a reserve minimum, but there is no guidance as to what the steady state balance should be, or when it should be allocated for other uses. As written, the

reserve fund could grow indefinitely since there is no clear cap or requirement to spend the reserve in a specified time and no definition of steady state. CPB recommends that some guidance be provided as to what “steady state” would be for these funds, and that a timeline for consultation with the faculty and senate about use of the funds be established. Since there is a requirement to report annually to the CP/EVC, CPB suggests that part of the reporting could include information on what fraction will be carried forward (increasing the reserve) or dispersed (to maintain steady state), and what consultation process will be employed for dispersal of funds.

Sincerely,



Raphael M. Kudela, Chair
Committee on Planning and Budget

cc: Greg Gilbert, Co-Chair, Committee on Academic Personnel
Susan Gillman, Co-Chair, Committee on Academic Personnel
Kim Lau, Interim Chair, Committee on Diversity, Equity, and Inclusion
Yat Li, Chair, Committee on Faculty Welfare
Melissa Caldwell, Vice Chair, Academic Senate
Matthew Mednick, Executive Director, Academic Senate