

Date of Hearing: April 17, 2012

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Marty Block, Chair

AB 2132 (Lara) – As Amended: April 9, 2012

SUBJECT: Public postsecondary education: tenure policy.

SUMMARY: Requires the California State University (CSU) Trustees and requests the University of California (UC) Regents to establish policies for faculty tenure. Specifically, this bill:

- 1) Makes various findings and declarations regarding the importance of high quality faculty and the attributes of greater community service.
- 2) Declares Legislative intent that the public higher education segments develop and adopt tenure policies aimed at encouraging the service both to the campus community and to the community outside the campus that is provided by faculty members.
- 3) Requires the CSU Trustees and requests the UC Regents accomplish all of the following during the 2013-14 academic year, for implementation commencing with the 2014-15 academic year:
 - a) Develop and distribute transparent criteria for tenure that include service, both to the campus community and the community outside of the campus, as a critical factor in the evaluation of a candidate for tenure.
 - b) Identify and notify tenure track faculty about opportunities for the types of service that fit the criteria developed.
 - c) Encourage and reward participation for service by giving favorable consideration to candidates for tenure that successfully participate in approved service activities and can substantiate how this participation informs and enriches their teaching.
- 4) Requires consultation with academic senates and student and community organizations and taking actions consistent with applicable collective bargaining agreements in fulfilling the provisions of this bill.

EXISTING LAW declares Legislative intent that the UC Regents, CSU Trustees and CCC BOG adopt and develop policies and procedures which ensure that quality teaching is an essential criterion, along with research, in the evaluation of faculty for appointment, retention, promotion, and tenure. Legislative intent further declares that teaching be given primacy in faculty evaluations and reviews.

FISCAL EFFECT: Unknown

COMMENTS: Purpose of this bill. According to the author, by requiring the segments to develop and distribute transparent criteria that include service, both to the campus community and to the community outside of the campus, as a critical factor in the evaluation of a candidate

for tenure, this bill "will ensure service is carried out and that faculty members who engage in service are adequately rewarded." The author argues that this bill "will set a positive environment for the diversification of faculty by requiring the segments to give favorable consideration to candidates for tenure that successfully participate in service activities and can substantiate how participating informs and enriches their teaching."

UC tenure policy. According to information provided by the UC Office of the President (UCOP), the UC review procedure is designed to ensure that individuals are judged by colleagues in accordance with fair procedures solely on the basis of professional qualifications in matters of appointment, promotion, and salary increases. Candidates in the regular Professor series are evaluated for promotion and tenure on performance in the following categories:

- 1) Teaching
- 2) Research and creative work
- 3) Professional competence and activity
- 4) University and public service

An explanation of the process and the criteria for faculty appointment, promotion and appraisal is published in the Academic Personnel Manual (APM), which is available on the UCOP internet website. Faculty are regularly reviewed by their professional and academic peers in order to assure quality and the highest standards for the faculty at the UC. APM assigns the responsibility for this assessment of a faculty member's merit for tenure and/or promotion to the campus's Committee on Academic Personnel (CAP), which is composed of Academic Senate faculty members. Tenure review is a holistic review of the full scope of faculty activities across the UC mission of teaching, research, and service. The campus CAP reviews service each time a faculty member is evaluated.

Specifically, the criteria for university and public service states that "services by members of the faculty to the community, State, and nation, both in their special capacities as scholars and in areas beyond those special capacities when the work done is at a sufficiently high level and of sufficiently high quality, should likewise be recognized as evidence for promotion. Faculty service activities related to the improvement of elementary and secondary education represent one example of this kind of service. Similarly, contributions to student welfare through service on student-faculty committees and as advisers to student organizations should be recognized as evidence, as should contributions furthering diversity and equal opportunity within the University through participation in such activities as recruitment, retention, and mentoring of scholars and students."

CSU tenure policy. Through regulation the CSU Trustees authorize CSU campus presidents or their designees to award or deny tenure to probationary academic employees, using a consultative process that includes tenured faculty, department chairmen and academic administrators. The CSU collective bargaining agreement with the California Faculty Association (CFA) further establishes the responsibilities of faculty members and the process for performance review for retaining and promoting faculty. The CSU/CFA collective bargaining agreement identifies the following primary professional responsibilities of faculty:

- 1) Teaching;
- 2) Research, scholarship and creative activity; and,
- 3) Service to the University, profession and to the community.

Each CSU campus is required to establish and distribute an academic personnel manual that identifies the process for evaluating faculty and awarding tenure. As previously indicated, service is currently one of the three major categories for which faculty members are evaluated. While the process of evaluating faculty for tenure may differ somewhat among campuses, generally it begins with the tenured/academic department faculty providing information to department chairs. Department chairs then advise the campus personnel committees, which report to college deans. Campus presidents are empowered to make the final decisions regarding the awarding of tenure.

Unidentified problem. In reviewing the tenure process at UC and CSU, it appears that the goals of this Legislation are already being met. Systemwide policies regarding tenure are in place, all campuses appear to have created personnel manuals that provide transparent criteria for tenure review, and service appears to be an established criterion in the faculty review process.

Legislative involvement and academic freedom. The process for awarding faculty tenure has traditionally been left to the public higher education segments. The segments have developed processes that rely heavily on the involvement of existing tenured faculty and the academic senates. As previously noted, the Legislature has generally had very little involvement in the faculty tenure process. Statutory involvement appears limited to intent language directing the systems to establish tenure policies that encourage high-quality teaching and research. This bill would establish specific requirements and processes related to faculty service activities. *The Committee may wish to consider if this bill is an infringement on academic freedom. Further, the Committee may wish to consider if it is appropriate to require the establishment of policies specific to service when existing law is silent on policies related to teaching and research.*

REGISTERED SUPPORT / OPPOSITION:

Support

None on File

Opposition

None on File

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