

SIO Department Faculty Meeting
Thursday, November 8, 2018
12:30-2:00pm

AGENDA

- General Announcements
 - Postdoc hiring
 - Bylaw 55 - Initial remarks from Chair
- Open discussion until 1 PM*
- 2019 Academic review files** (<https://sioapps.ucsd.edu/secure/vote/department>)
 - Sarah Giddings - Appraisal
 - Ian Eisenman - Career Equity Review

*Emeriti faculty will be excused following the Bylaw 55 discussion

**All professorial ranks (Assistant, Associate, and Full) are welcome to participate in the discussion regarding the academic review files; only tenured faculty will participate in the vote.

Announcements

Dept Meetings Dates

- Next meeting is **Thursday, December 6th** due to AGU
- January 10th, February 14th, March 14th

Open Enrollment

- UC Care will increase in cost
- Open enrollment ends Tuesday, 11/20

Faculty Recruitment updates

- Low Temp Geochemistry & Marine Biochemistry complete with Aarons & Diaz starting 7/1/19
- Results for Gilbert, Nayak, and Begin – all received majority of “yes”
- 2018/2019: 4 upcoming searches – Committees listed
 - O&A Ocean Acoustics
 - O&A Hydrological Cycles in Climate
 - Earth Computational/Theoretical geophysicist
 - Biology: Biochemical/Organismal Physiologist or Zooplankton Ecologist/Curator
 - Pending applicant pool
 - Any input should be communicated to committees
- Pending searches – Proposals submitted for Chancellor’s joint hires
 - Chemical Biology (SSPPS)
 - Signal Processing/Data Science (ECE)
 - Air Sea Interactions (MAE)

Bridge support for students

- Continuing to grow in number. Concerning that numbers have almost doubled and close to \$1 million
- 2018/2019 – 43 students needed bridge funding
- Faculty without funding for their students should be strongly encouraged to develop funding options and avoid long-term department bridge support.
- Data only include those students required to TA due to current bridge funding status
- Data is being shared since many may not be aware of the extent of the issue

SIO Postdoc updates

- About the same number of applicants as last year – evenly distributed across sections.
- Selection should be finalized before AGU

Researcher recruitments will be posted/opening in next few weeks.

Bylaw 55

Background provided by Chair (see attached materials)

Current status – Emeriti/ae are not allowed to participate or vote on personnel discussions/actions.

Noted that if right to vote is granted all RTAD emiriti/ae numbers will contribute to absent votes unless they actively participate.

Discussion/Q&A:

- RW: Provided history & 7 reasons to support “privilege of the floor” – see handout.
- BP: RW efforts commendable. Agrees RTAD should participate in discussion but not vote
- JS: If there is such an issue in getting faculty to vote, department should penalize them in some manner
 - *Response:* Getting the votes continue to be a challenge. For last 2 years, participation records have been maintained
- RW: Participation in discussion/being part of the dialogue is what matters and contributes overall
- BM: Do not see a negative to having RTAD participate
- CC: It has been conveyed that significant group of individuals, possibly the more junior faculty, see emeriti/ae carrying enormous amount of weight in department discussions
- DN: In past, strong opinions have been floated around; can guide the discussion; has a squashing effect
- LA: Allowing RTAD to participate gives them forum to air their views, they may be less likely to “corner” others.
- RW: Securing the number of votes is challenging given the voting period. Voting period should be considered
 - *Response:* Voting period is factored; recently it has consistently been extended in order to ensure the total number of votes meet the quorum

Q: Per RW comments, salary from RTAD comes back to SIO?

A: Salary is no longer paid to them. Generally, up to 43% RTAD is paid through extramural support.

Q: Does salary come back or FTE

A: FTE comes back to VC as does funding

Q: Do faculty have ability to opt out of voting?

A: Voting is considered part of university service, it is institutional bylaw

2019 Academic review files

Merits (and any shortcomings, if applicable) of both files were discussed by the respective ad hoc committees.

Files are available for review online: <https://sioapps.ucsd.edu/secure/vote/department>.

Voting is open through Sunday, November 11th.

Bylaw 55 discussion

November 8, 2018

Emeritae viewing and voting on academic personnel matters

What is Bylaw 55?

<https://senate.universityofcalifornia.edu/bylaws-regulations/bylaws/index.html>

- Determines voting rights in UC Departments
- Composed of four sections that define who should vote on what

Section A

- General Provisions: Departments have a lot of freedom to decide who votes on what.
- BUT: all voting members of the Academic Senate* 'have the right to vote on substantial departmental questions, excepting only certain personnel actions as detailed in Section B'.

*see next slide

Standing Order 105.1(a)

The Academic Senate shall consist of the President, Vice Presidents, Chancellors, Vice Chancellors, Deans, Provosts, Directors of academic programs, the chief admissions officer on each campus and in the Office of the President, registrars, the University Librarian on each campus of the University, and each person giving instruction in any curriculum under the control of the Academic Senate whose academic title is Instructor, Instructor in Residence; **Assistant Professor**, Assistant Professor in Residence, Assistant Professor of Clinical (e.g., Medicine); **Associate Professor**, Associate Professor in Residence, Associate Professor of Clinical (e.g., Medicine), **Acting Associate Professor**, **Professor**, **Professor in Residence**, Professor of Clinical (e.g., Medicine), or **Acting Professor**, **full-time Lecturer with Potential for Security of Employment**, full-time Senior Lecturer with Potential for Security of Employment, **full-time Lecturer with Security of Employment** or **full-time Senior Lecturer with Security of Employment**; however, Instructors and Instructors in Residence of less than two years' service shall not be entitled to vote. Members of the faculties of professional schools offering courses at the graduate level only shall be members also of the Academic Senate, but, in the discretion of the Academic Senate, may be excluded from participation in activities of the Senate that relate to curricula of other schools and colleges of the University. Membership in the Senate shall not lapse because of leave of absence or by virtue of transference to emeritus status.

“ Section B members in our department ”

NB: Adjuncts and Prof of Practice are not Academic Senate Members

Section B

- All tenured members of the Academic Senate should vote on all new departmental appointments that confer Senate membership. All non-emeritae/i members have the right to talk about them at meetings.
- Members should vote on appointments and on advancement to their own rank or below.
- Tenured members should establish the method by which other matters are determined.

Section C

- Voting privileges on personnel matters may be extended to other non-Emeritae/i and to non AS members (e.g., Researchers) by 2/3 majority on secret ballot by those covered in Section B. After 12 months, the matter should be reconsidered if requested by any Section B member.

Section D

- When a Section B member becomes Emeritus, they remain members of the Academic Senate, but don't vote on personnel matters unless authorized as laid out in Section D. RTAD Emeriti/ae are a special class with the right to vote on non-personnel matters.
- Additional privileges may be extended by vote of the Section B members.

Section D.4

RTAD Involvement in Department Meetings

Non-Personnel		Personnel	
Participate	Vote	Participate	Vote
Always	Always	66%	66%

All can be revoted after one year if requested (by non-emeriti only)

Numbers

Prof Emeriti (total):	43
Res Professors (= Emeriti/RTAD):	12
'Section B' members:	107
Total (Emeriti +Section B)	150

Two Questions on the ballot

- Should RTAD Emeriti/ae participate in meetings on personnel matters?
Current question
Requires 67% yes votes from eligible voters
- Should RTAD Emeriti/ae vote on personnel matters?
Requires 67% yes votes

D. Rights and Privileges of Emeritae/i Faculty (En 4 May 95)

1. Emeritae/i members of the Academic Senate retain membership in the departments to which they belonged at the time of their retirement. They do not have the right to vote on departmental matters, except as provided in this Article D.
2. With the exception of personnel actions, Emeritae/i members of the department have the right to receive the same notice of meetings as other Academic Senate members. They have the right of access to materials relevant to those meetings, the privilege of the floor at those meetings, and the right to make their opinions known to the voting members.
3. Emeritae/i, while recalled to service in a department from which they have retired, regain voting rights on all departmental matters, except personnel matters, during the period of such service. They may be accorded voting privileges on personnel matters only as a class consisting of all recalled Emeritae/i and only as specified in paragraph 4.c of this Article D.
4. Additional privileges in a department from which they have retired may be extended, either to all Emeritae/i as a class of the whole, or to all Emeritae/i recalled to active service, during the period of such service, as follows.
 - a. Voting privileges on all non-personnel matters may be extended to all Emeritae/i upon a majority vote by secret ballot of the total non-Emeritae/i Academic Senate membership of that department.
 - b. The privilege of notice of meeting on personnel actions, access to materials, and/or privilege of the floor may be extended to Emeritae/i upon at least a two-thirds majority vote by secret ballot of those faculty entitled to vote on the cases in question under the provisions of paragraphs 1 to 6 of Article B of this Bylaw.
 - c. Voting privileges on personnel matters may be extended to Emeritae/i upon at least a two-thirds majority vote by secret ballot of those faculty entitled to vote on the cases in question under the provisions of paragraphs 1 to 6 of Article B of this Bylaw.
 - i. Any extensions of privilege to Emeritae/i under paragraph 4 of this Article D must remain in effect for at least one calendar year (twelve months); thereafter, any faculty member entitled to a vote on the question of an extension of privilege under the provisions of paragraph 4 of this Article D may request reconsideration. Following a request for reconsideration, and prior to any subsequent vote on the cases in question, the Chair or other appropriate departmental officer shall put the question of renewal of privileges to a vote. An extension of privilege will be renewed only under the procedures specified for the initial extension of voting privileges by paragraph 4 of this Article D.
- a. Other Units. In Divisions or schools or colleges where the term "department" is not used, this Bylaw refers to those units from which academic appointments and promotions are recommended to administrative officers. (Am 2 Dec 81)

Notes for November 8 Faculty Meeting Discussion of Bylaw 55.4.b

Ray Weiss

History

1. The SIO Department vote on “privilege of the floor” for RTAD Emeriti (Bylaw 55.4.b) on June 19-27, 2017 was 62 “yes”, 26 “no”. So, 69% of the 90 who voted supported the proposal. But only 62% of the 100 members who were “eligible” to vote supported the proposal. Two-thirds approval is required, so the support fell short by that measure.
2. The wording of Bylaw 55 with respect to counting members who chose not to vote was judged to be unclear or illogical by me and by several colleagues with whom I consulted. So in October 2017 I appealed to UCSD Privilege and Tenure, and indirectly to UCSD Rules and Jurisdiction, regarding this question. These committees were also uncomfortable interpreting the wording of a systemwide Bylaw, so the matter was referred to the systemwide University Committee on Rules and Jurisdiction.
3. In February 2018 I was informed of UCRJ’s interpretation, which I would characterize as “strict constructionist”. The denominator in the percentage vote is indeed all of the members who are eligible to vote. This means that all abstentions, as well as those who do not vote, are counted as “no” votes. This is indeed a very high bar, and there is no escaping the impact on our process of those who are too disengaged to cast an informed vote.

Reasons to Support “privilege of the floor” (Bylaw 55.4.b) for RTAD SIO Faculty

1. Demographics – encouraging the liberation of FTEs for new hires. Many who are willing to give back their FTEs while continuing to be active will not do so if they cannot retain some level of engagement in the institution where they have built their entire careers.
2. Money – the Institution always needs money, and by retiring our faculty give back not only their salaries, but also the costs of their benefits. For senior colleagues this can mean \$200K, \$300K or more per year returned to SIO.
3. Knowledge – retaining the engagement and the benefit-of-experience from some of our most knowledgeable and dedicated colleagues.
4. Collegiality – we should laud the people who choose to help the Institution by returning their FTEs. We should not ostracize them.
5. Access to RTAD status has been “tightened up” in recent years, so that for the most part RTADs continue to be active in research and in the academic life of the Institution. Some continue to mentor students and postdocs, and to teach classes.
6. RTADs also continue to serve on committees, including *ad hoc* and search committees. They will do a better job if they are engaged and informed participants in academic appointment and review discussions.
7. Importantly, the “privilege of the floor” does not dilute the voting pool or the discussion. RTADs who don’t care won’t show up.