



TO: Regent Laws & Policies Stakeholders
FROM: Michael Lightner, Vice President for Academic Affairs
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DATE: April 11, 2019
RE: Recommended Changes to Regent Policy 11B
Recommended Rescission of Regent Policy 10E

Background

The regent laws and policies review project is driven by the guiding principle that laws should capture only high-level statements on governance and policies should include the necessary elaborations of law. The goal is to focus on the powers and responsibilities of the Board of Regents while assigning operational procedures to APS or campus policy. This goal will be pursued while keeping in mind protections currently afforded to the faculty.

Revision and Review Process

As part of a larger effort to review all Regent laws and policies, the administration, in collaboration with the faculty, is undertaking a review of Regent Policy 11B. This memo outlines the substantive changes recommended by the administration. It also indicates important statements that the administration suggests be retained in regent policy, and indicates statements that the administration recommends be eliminated from regent policy.

Because the proposed revisions represent significant changes, a redlined version is unreadable. This memo is intended to provide full transparency regarding the substantive changes being recommended, but it does not capture all editorial changes.

The revised version of Policy 11B currently presented is a first draft. Faculty and other interested parties are asked to provide **feedback by ~~September~~ **October 15, 2019** (deadline extended)**. Following a review of that feedback, a second draft will be developed and a 30-day review period will be given before a final draft is developed and submitted to the Board of Regents Governance Committee for consideration. If the Governance Committee endorses the recommendations presented at that time, the document will go to the full board for consideration.

Policy 10E is recommended for rescission, as the issue addressed by 10E is addressed in the draft revision of 11B.

If the changes ultimately adopted by the Board of Regents require changes to existing Administrative Policy Statements (APSs) or the creation of a new APS, this work will be completed before the approved changes to regent policy will take effect.

Policy 11B: Faculty Salary

Proposed revisions:

- Retain a statement affirming the importance of faculty compensation in attracting and retaining high quality faculty, but do so in a more streamlined manner.
- Retain commitment to a peer review process for faculty evaluation, using standards and criteria established by the primary unit.
- Clarify annual evaluation process and distinguish it from the annual merit-based salary adjustment process.
- Clearly establish who has responsibility for making recommendations and who has authority for making decisions related to the annual merit-based salary adjustments for individual faculty members. Current policy includes contradictory language.
- Clearly state the potential reasons for adjusting annual salary (market, career merit, salary equity, promotion, or institutional priorities; annual merit; additional pay).
- Retain statements related to additional pay and non-base building increases, but move details to APS.
- Retain commitment to approved alternative faculty salary plans.
- Retain chancellor's authority to negotiate faculty retirement incentive plans.
- Retain requirement that campuses develop a plan for the allocation the annual merit pool, but clarify that this plan specifies the method by which the pool will be allocated to units and does not include recommendations for individual salary adjustments.
 - Require opportunity for faculty review of the campus plan. Current regent policy requires a review committee composed of faculty and administrators to "examine the salary process."
 - Remove statements that provide reasons that merit pool allocations might differ across units. The campus plan should address this.
- Remove high-level statements about how the merit pool is determined (state appropriations, etc.).
- Remove statements related to salary freezes and the implementation of salary decreases.
- Remove statements related to delayed implementation of annual salary adjustments.
- Remove statement on setting the salary for an administrator returning to a faculty position. This will be moved to APS.
- State the right of faculty to appeal their annual merit score based on primary unit or school/college procedures. Reference the APS on faculty performance ratings, where procedures are currently outlined.
- State the right of faculty who are dissatisfied with their annual salary to appeal campus defined administrative processes. Current policy refers to this as a grievance process. Newly adopted Regent Policy 5G (not yet implemented) allows faculty to grieve violations of academic rights, including those arising from the annual evaluation process, but it does not specifically allow faculty to grieve their salary.

Justification: The proposed changes eliminate redundant statements, remove details that are outdated or inappropriate to regent policy, and clarify confusing and/or contradictory statements. The draft document retains the key principles for awarding faculty salary increases, affirms the commitment to a peer review process for faculty (consistent with Regent Policy 5.C, adopted by the Regents in September 2018), and clarifies the process by which increases are awarded.

Policy 10E: Salary Review to Determine Inequities

Recommend rescission.

Justification: Policy 10E authorizes units to make salary equity adjustments and establishes specific procedures by which units are to conduct salary equity reviews. Draft policy 11B affirms the ability of units to make equity adjustments and requires a process by which faculty can appeal their annual salary. The procedures in Policy 10E are an inappropriate level of detail for regent policy.