

November 30, 2020

TO: Jason E. Stajich, Chair
Riverside Division Academic Senate

FROM: Lucille Chia, Chair *Lucille Chia*
CHASS Executive Committee

RE: Review of the Second-round of the proposal for the Transition of VPAR Role at UCR

The CHASS EC welcomes this second opportunity to review the role of the transition of the VPAR role at UCR. The EC finds the proposal problematic for several reasons.

1. Sec. 2 of the Oct. 9 letter from the Interim Provost and the Vice Provost of Academic Personnel cum Acting Vice Provost of Administrative Resolution points out that many recent issues need greater consideration in the merit and promotion (M/P) review process—issues such as “problematic behavior, such as hostile and abusive conduct.”

It is not clear, however, why greater consideration of these issues requires the creation of an AVPAR position in place of a VPAR. The detailed responses in the Oct. 9 letter to the concerns of various Senate committees do not address this question satisfactorily. That none of the other UC campuses have a VPAR is not enough reason to create an AVPAR position in place of a VPAR.

The established institutional location of the VPAR provides the occupant with insulation from direct administrative oversight and control in order to ensure neutrality in the assessment of charges and thus to maintain confidence of those interacting with the office. The proposed change creating a direct reporting line to senior administration eliminates this insulation and the perception of the VPAR’s autonomy without any discernible likely improvement of the functioning of the office. Indeed, interposing an administrator with less formal autonomy from the rest of the administration in a quasi-adjudicatory role in the faculty discipline process may raise issues of shared governance and consistency with the Divisional Bylaws.

Furthermore, the letter describes briefly how other UC’s process allegations of violations of the faculty code of conduct (pp. 3-4), but these differences suggest each UC is sufficiently different that the letter’s proposal would not necessarily bring UCR closer to other UC’s processing of such charges.

2. One issue of great concern is the “firewall” between the VPAP and the (A)VPAR. The letter notes that “The models at other UC campuses, summarized above, suggest that even in the complete absence of a firewall between allegations of faculty code of conduct and the M/P process the risk for grievances is manageable.”

We do not see in the description of other UC's procedure an absence of a firewall, complete or otherwise. And in any case, is this something UCR should emulate?

As for Fig. 1 (letter, p. 6), presumably the "Non-identifiable consultation [of the AVPAR] with VPAP" is part of the firewall at the earlier stages of the administrative resolution procedure. Members of the CHASS EC, however, agree with the concern voiced by many of the Senate committees that the removal of the firewall at later stages may threaten the integrity of the M/P process since the VPAP would have knowledge of issues in a given case.

3. Making the AVPAR position as an 0.5 FTE appointment (p. 5 of the Oct. 9 letter) seems unjustified. It not only leads to the appearance of a demotion in status (especially when combined with the proposed reporting structure), it also effectively and materially reduces the incentives for the VPAR to commit adequate time to review what are often complex, difficult, and highly contentious issues and disputes. The inescapable conclusion is that the proposal seeks to secure the same arduous, time-consuming labor for much less cost.

Given all the issues noted in Sec. 2 of the letter and the growth of UCR, we cannot be certain that "*increased* [emphasis added] use of early resolution efforts within colleges and schools will offload some of the work in administrative resolution." Indeed, the work for a(n) (A)VPAR may increase significantly in the foreseeable future and thus UCR should retain a 1.0 FTE appointment for this position.

4. The reasonably foreseeable consequence of this proposed change, if adopted, is that the job of the original VPAR will be done less diligently, less thoroughly, and more slowly. It is also possible that faculty with the requisite skills for this difficult and demanding position will be much less likely to serve once they conclude that the modified position is no longer worth the time, opportunity costs of reduced research, and stress associated with being in the middle of some of the most sensitive and conflictual situations that arise on the UCR campus. If the administration does not think the VPAR does not add sufficient value to the charges process, it should eliminate the position entirely before it modifies it in ways that will likely undermine the performance and perceptions of the office.

The proposal compromises the efficacy of and confidence in the VPAR and the process of faculty discipline. It should be abandoned.