

November 7, 2023

DOUGLAS HAYNES  
VICE PROVOST, ACADEMIC PERSONNEL AND PROGRAMS

FRANCIS DUNN  
CHAIR, UNIVERSITY COMMITTEE ON ACADEMIC PERSONNEL, ACADEMIC SENATE

Dear Doug and Francis,

On behalf of the Working Group on Achievement Relative to Opportunity (ARO) Principles, we are submitting our final report. In the context of the pandemic, Senate and University leadership collectively appreciated the imperative to recognize the impact of external circumstances on research, teaching, and service opportunities for faculty. A report submitted to President Drake by the Mitigating COVID-19 Impacts on Faculty Working Group (MCIF-WG) in 2022 reviewed recommendations from the Academic Council and adopted a set of recommendations to meaningfully mitigate negative pandemic impacts on faculty. At the core of the MCIF-WG recommendations was the infusion of equitable considerations in the review process through incorporation of ARO principles, which, in a December 2020 letter to the Academic Council, the University Committee on Faculty Welfare and the University Committee on Affirmative Action, Diversity, and Equity described as principles that “enable merit and promotion reviews to evaluate candidates fairly based on their individual review-period professional accomplishments by taking into account unexpected or disruptive circumstances during that period that may have curtailed the candidate’s normal ability to achieve expected outcomes.”<sup>i</sup>

On July 28, 2022, President Drake charged then-Provost Michael Brown to appoint a Senate-Administration Working Group to develop systemwide guidelines on how to equitably assess acceptable levels of performance and apply ARO principles while taking into consideration exceptional situations and maintaining flexibility for local implementation and needs. In your charge letter dated April 28, 2023, you asked the Joint Senate-Administration Working Group on ARO Principles to consider the following issues:

- How to provide for strategic and transparent communication to ensure that messaging regarding timely file submission reaches all faculty members.
- How to set clear standards of expectation, including for review committees.

The ARO Principles Working Group met five times beginning in May 2023 and concluding in October 2023. The MCIF-WG Report provided a point of departure for the deliberations of the ARO Principles Working Group. We engaged in extensive discussion regarding whether the application of ARO principles entails exercising flexibility in the review process versus adjusting or relaxing review standards in recognition of external circumstances. The Working Group also gave careful consideration to how best to balance the goal of developing consistent, systemwide guidelines with the need to maintain flexibility at the departmental level. Members of the Working Group agreed on the following four recommendations for your consideration:

### Recommendation 1 – Raise Awareness that Reasonable Adjustments are Possible:

The Working Group had several robust discussions around the issue of adjusting review expectations in recognition of unexpected and disruptive circumstances beyond an individual faculty member's control. Achievement relative to opportunity suggests a ratio between achievement and opportunity. One way to apply this principle is to reduce achievement expectations when opportunity has decreased due to external circumstances. Another way to apply this principle is to hold achievement expectations constant and increase opportunity to offset the way it's been reduced by external circumstances. The Working Group did not reach a consensus about either way as a general rule, but did make use of both when itemizing tools under Recommendation 2. The Working Group reached a consensus that ARO principles may be appropriately applied during advancement and, to a more limited extent, during career reviews, subject to the expectations of the department and/or field. Members of the Working Group noted that current policy (APM - 210-1.d) already provides for flexibility in assessing a faculty member's academic achievements during the review period. At issue is the degree to which ARO principles build upon current policy by allowing advancement when opportunities for achievement have been limited. The MCIF-WG Report advised campuses to "quantify the acceptable deviation from normal levels of performance" assuming that faculty have put forward a good faith effort. Yet members of the Working Group struggled themselves to quantify "acceptable deviation." Likewise, there was a consensus that ARO principles would in some cases allow advancement under unexpected and disruptive circumstances, when the same record would otherwise not allow advancement. Yet members of the Working Group were unable to be more specific in identifying such cases. One suggestion was to think about the review process in terms of a faculty member's professional trajectory. Due to unexpected and disruptive circumstances beyond their control, someone could fall below normal expectations for the review period, but still be on the right trajectory. Reviewers might be able to discern this on the basis of the faculty member's existing work.

The Working Group notes that standards for merits and promotions are up to departments to articulate to reviewing bodies, and that it is not for the Working Group to carve out the different standards that would apply in different situations. When ARO principles are applied, departments and reviewers must determine how to customize the principles to unique situations. There was a consensus of the Working Group that campuses should develop training materials and workshops to educate faculty and reviewers on the availability of reasonable adjustments when evaluating a candidate's accomplishments during the academic review process. Each campus should develop a communication plan in partnership with the Divisional Senate. The communication plan should encourage peer-to-peer interactions (*e.g.*, faculty engagement with one another) and integrate information about ARO principles in orientation and annual briefing sessions for faculty administrators and reviewing bodies. There was general consensus among group members that lengthy electronic communications are not likely to be effective in facilitating awareness and adoption of ARO principles by faculty and reviewers.

### Recommendation 2 – Provide Additional Support to Faculty Impacted by External Circumstances:

The Working Group identified several tools that campuses can implement to support faculty members who are concerned that unexpected and disruptive circumstances have had a negative impact on their performance during the review period. These tools include:

- The use of overlapping steps (known as lateral promotions on some campuses) for merits as an

alternative to promotion

- For untenured faculty, the provision of additional time through extension of the tenure clock, in accordance with APM - 133
- Increase in off-scale salary increment or the award of a bonus off-scale increment, consistent with campus policies
- Temporary relief from service or teaching (or Active Service-Modified Duties)
- Take into account the balance among the review areas of research, teaching, and service, as increased contributions in one area may compensate for reduction in another
- The use of impact statements in the self-assessment or as a separate document in the academic personnel file. Statements by the candidate and/or department on the impact of disruptive circumstances beyond their control are particularly valuable, as reviewers need to understand the context for assessing files

The Working Group recommends that each campus have the latitude to adopt the practices it believes are most appropriate to support its faculty. ARO principles must be applied fairly, so similar factors should lead to similar outcomes. Reviewers should be able to justify decisions that appear out of the norm.

#### Recommendation 3 – Outreach to External Referees Regarding Reasonable Adjustments in the Academic Personnel Review Process:

As an additional means of outreach to reviewers, the Working Group recommends that campus AP Offices, in collaboration with the Divisional Senate, develop template language for inclusion in letters to external referees, which will flag to referees that the campus applies ARO principles to the academic personnel review process.

We offer the following template language to be customized by each location for the department solicitation letter to external reviewers for all advancement actions that require external letters:

"In some cases, faculty may have opportunities for achievement limited by external circumstances beyond their control. Without compromising the high standards that are necessary for an evaluation of the candidate's overall record, reviewers are asked to apply criteria with reasonable flexibility."

#### Recommendation 4 – Outcome Assessment and Accountability:

The Working Group gathered data and information showing that some locations have done positive things surrounding ARO principles, and that the principles have allowed those campuses to surmount the deleterious effects of the pandemic. Campuses have been resilient and interventions involving ARO principles have had a positive impact to date. Looking forward, the Working Group considered whether Divisional Committees on Academic Personnel or departments would be best positioned to report on utilization and impact of ARO principles on the review process. While most group members agreed that departments have better access to the relevant data, the group did not reach consensus on exactly what departments should gather and analyze. The Working Group recommends that each campus should develop a process for assessing the application of ARO principles at the local level.

In closing, Working Group members express appreciation to one another for the opportunity to engage in open dialogue regarding these complex issues. While the group did not reach consensus regarding all of its recommendations, we have endeavored to forward those we deem most worthy of consideration. We hope that our recommendations raise awareness of the need to support UC faculty who experience disruptions in their research and clinical programs. We also hope that our recommendations result in ongoing dialogue and critical thought regarding how UC, as an institution, can continue to help its faculty thrive.

Thank you very much for your consideration.

*Working Group on ARO Principles*

Brian Alldredge, Vice Provost for Academic Affairs, UCSF  
Heather Archer, Assistant Vice Provost for Academic Personnel, UC Berkeley  
Robert Continetti, Senior Associate Vice Chancellor for Academic Affairs, UC San Diego  
David Jennings, Associate Teaching Professor, University Committee on Faculty Welfare, UC Merced  
Daniel Jeske, Vice Provost for Academic Personnel, UC Riverside  
Philip Kass, Vice Provost for Academic Affairs, UC Davis  
Herbert Lee, Vice Provost for Academic Affairs, UC Santa Cruz  
Michael Levine, Vice Chancellor for Academic Personnel, UCLA  
David Marshall, Executive Vice Chancellor, UC Santa Barbara  
Michael Ong, Professor, University Committee on Faculty Welfare, UCLA  
Stefano Profumo, Professor, University Committee on Academic Personnel, UC Santa Cruz  
Elizabeth Rogers, Professor, University Committee on Faculty Welfare, UCSF  
Benjamin Ruwe, Assistant Vice Provost for Academic Personnel, UC Merced  
Hal Stern, Provost and Executive Vice Chancellor, UC Irvine  
Jane Stoeber, Professor, University Committee on Affirmative Action, Diversity, and Equity, UC Irvine

*Working Group Staff*

Amy Lee, Associate Vice Provost, UC Office of the President  
Rebecca Woolston, Associate Director, UC Office of the President

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<sup>i</sup> [mg-md-mitigating-covid-impacts-on-faculty.pdf](https://mg-md.mitigating-covid-impacts-on-faculty.pdf) ([universityofcalifornia.edu](https://universityofcalifornia.edu))