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August 28, 2023

To: Sang-Hee Lee, Chair of Riverside Division

From: Elizabeth Watkins
Provost and Executive Vice Chancellor

Daniel Jeske
Vice Provost of Academic Personnel

Via: Cherysa Cortez, Executive Director of Riverside Division

RE: Senate Faculty Retention Processes

Dear Sang-Hee,

Please find enclosed our response to the Senate review of proposed changes to the retention processes at UCR. In this revision a narrative accompanies revised flowcharts of the processes. An itemized response to each committee report is also included.

One of the main takeaways from the committee reports was a desire to see discussion around the concept of how retention rates at UCR can be improved. While improving retention rates is an important and ongoing goal of both the faculty and the administration, the focus of this particular proposal is to revise the retention processes by improving the clarity, transparency, and consistency of the processes that are used when handling retention cases that do arise.

Thank you for the comprehensive review. We hope that our response incorporates the many good suggestions received and clarifies the process for implementation in AY23-24.

Thank you.

Faculty Retention Processes at UCR

August 2023

1. Preemptive Retention

Figure 1 is a flowchart that shows the proposed revision of the UCR preemptive retention process. The proposed revision is motivated by questions around the clarity, transparency, and implementation of the [existing documentation](#) available to guide the preemptive retention process. The primary objective of the proposed revision is to clarify details of the existing documentation so that the preemptive retention process that is used on the campus is done so in a consistent manner. A second objective is to add additional checkpoints into the process that distribute the decision-making authority to multiple stakeholders. What follows is a narrative around the process depicted in Figure 1.

1.1 Initiating Event

A preemptive retention initiates when there is concrete evidence that a faculty member is being pursued by another institution. A threshold too low will lead to preemptive retention cases that are not well founded, while a threshold that is too high will delay and potentially hamper retention efforts. For example, an invitation to apply for a job opening is too low of a threshold since all faculty searches are intent on vigorously encouraging as many applications as possible. On the other hand, requiring a completed job talk is too high since that occurs at a late stage and shortens the window for retention efforts at UCR. The proposal to be shortlisted for an interview, meaning an invitation to give a job talk, is early enough in the process that UCR can react while at the same time credible enough that retention is an issue.

1.2 Candidate Liaison

The function of the candidate's liaison is to present the candidate's interest to the department and the Dean. The liaison also has the opportunity to present their own view of the situation to the Dean, independent of the overall department view. Historically the department chair has served as the liaison given their leadership role. The proposal extends the possibility that the liaison could be an alternative person in the college, such as a senior colleague, an associate/divisional dean, or the equity advisor. The alternative choices aim to remove cases

where the candidate is uncomfortable about the department chair handling the role, possibly due to past disagreements and/or conflict.

1.3 Department Vote and Letter

The proposal advocates for a department voice in retention process. Department members coexist, and excluding their voice does not reflect shared governance. A vote from the ladder rank faculty on whether retention effort is warranted provides all review bodies a broader understanding of department priorities and desires. Recognizing that the vote might be a sensitive issue, it should be obtained by the liaison in an anonymous way, reported to all review bodies, but not shared with the candidate.

The department letter summarizes the circumstances of the retention case, including a consensus view the department has about the credibility of the potential departure and the impact the departure would have on the department. The department letter will provide the Dean the department's view of the "pull factor" associated with the opportunity the candidate is considering and what the loss would be to the department, college, and campus if the candidate were to leave. The department letter is shared with the candidate. At any stage during the preemptive retention process, and in particular at this stage, the candidate may choose to withdraw the request for a retention review.

1.4 Joint Letter

The purpose of the joint letter (co-authored by the Dean and the Liaison) is to consolidate independent perspectives of the department, the liaison, and the Dean on whether, and why, a retention effort is warranted. Differing perspectives should be presented as such. The joint letter is shared with the candidate, and here again, the candidate has the option to withdraw the request for a retention review.

1.5 Dean's Letter

If the candidate opts to continue with the retention review process and the Dean is supportive of the effort, the Dean enters into the negotiation of the retention terms. The negotiation is guided by the joint letter, possibly involves the Liaison for communication with the candidate about possible and desired terms, and possibly involves the VPAP for salary matters. A standard term that will normally be included in all negotiated retention packages at UCR is that if they are accepted there will be a 5-year moratorium on subsequent retention reviews for the candidate. The candidate may meet directly with the Dean to facilitate efficiency in the negotiation of terms, though this meeting is not required. Ultimately the Dean writes a letter that outlines the terms they are able to offer.

The Dean's letter is added to the joint letter and the candidate's CV to comprise a retention review packet. The retention review packet is reviewed by CAP and the VPAP, who each add a

vote on if the retention is warranted. The review packet, along with the CAP and VPAP votes, are sent to the Provost for the final decision on the retention offer.

1.6 Escalated Review

If the candidate opts to continue with the retention review process but the Dean is not supportive, an escalated review outside the college occurs. The escalated review is a new part of the proposed revision of the process to bring an additional layer of shared governance into the process. Escalated review begins by sending the joint letter and then candidate's CV to CAP. CAP adds a vote on if retention is warranted and sends the case to the VPAP for an additional vote on if retention is warranted, and finally the case is sent the Provost for a final decision on if retention is warranted.

If the Provost's decision on the escalated review is that retention is warranted, the Dean's decision is overruled and the process returns to the junction where the Dean opens negotiation with the candidate on retention terms.

1.7 Timing

Due to the outside pressure to review and possibly address preemptive retention cases locally at UCR, all parties to the process are requested to work toward completing the entire review and decision process, beginning to end, within two weeks. If the candidate receives an offer letter before the preemptive retention process completes, the steps in the retention review process continue with the offer letter added to the retention review packet, and the need for an expedited review process becomes even more important.

1.8 Declined Retentions

If the candidate declines a retention offer to accept an outside opportunity, there will be no expectation that the UCR position will be held open for a period of time that would allow the candidate to decide if they want to come back to it. Whether or not such an option is available to the candidate is at the discretion of the Dean. In any case, if it is offered to the candidate it will be understood that normally the retention offer that was made is rescinded and the return to UCR will be at the same rank, step, and salary they were at before they left.

2. Non-Preemptive Retention

Figure 2 is a flowchart that documents the UCR non-preemptive retention process. Unlike the preemptive retention process, there is no current documentation that explains how non-preemptive retentions work. The effort here does not introduce any change to how the non-preemptive retention process works at UCR. Instead it simply documents this process to help to ensure it is transparently and consistently used across the campus.

What follows is a narrative around the non-preemptive retention process depicted in Figure 2. While some of the sections below mirror what was described for the preemptive retention process (section 1) there are some differences and it can be seen one of the major differences is that the non-preemptive retention process takes place primarily within the college. The (historical) reason that reviews outside the college do not take place is the relative time sensitivity to these cases.

2.1 Initiating Event

A non-preemptive retention initiates when the candidate has an outside offer letter in-hand.

2.2 Candidate Liaison

This section is identical to section 1.2.

2.3 Department Vote and Letter

This section is identical to section 1.3.

2.4 Dean's Decision

If the Dean is supportive of the retention effort they will enter into the negotiation of terms with the candidate, possibly through the Liaison, and possibly in consultation with the VPAP for salary matters. The negotiation is guided by the department letter and involving the Liaison who would be in communication with the candidate about possible and desired terms. A standard term that will normally be included in all negotiated retention packages at UCR is that if they are accepted there will be a 5-year moratorium on subsequent retention reviews for the candidate. The candidate may meet directly with the Dean to facilitate efficiency in the negotiation of terms, though this meeting is not required. Ultimately the Dean writes a letter that outlines the terms they are able to offer that the Liaison shares with the candidate, which the candidate either accepts or decline.

If the Dean is not supportive of the retention effort the Liaison carries that message back to the candidate and the process ends.

3. Summary

The proposed revisions to the retention processes at UCR are squarely aimed to improve the campus documentation around the processes. In the case of non-preemptive retentions, the existing documentation leaves some important questions unanswered. For preemptive retentions there is no existing documentation. The flowcharts described here for each case, along with the detailed narratives of each, will improve the consistency, transparency, and implementation of retention efforts on our campus.

Figure 1. UCR Preemptive Retention Process

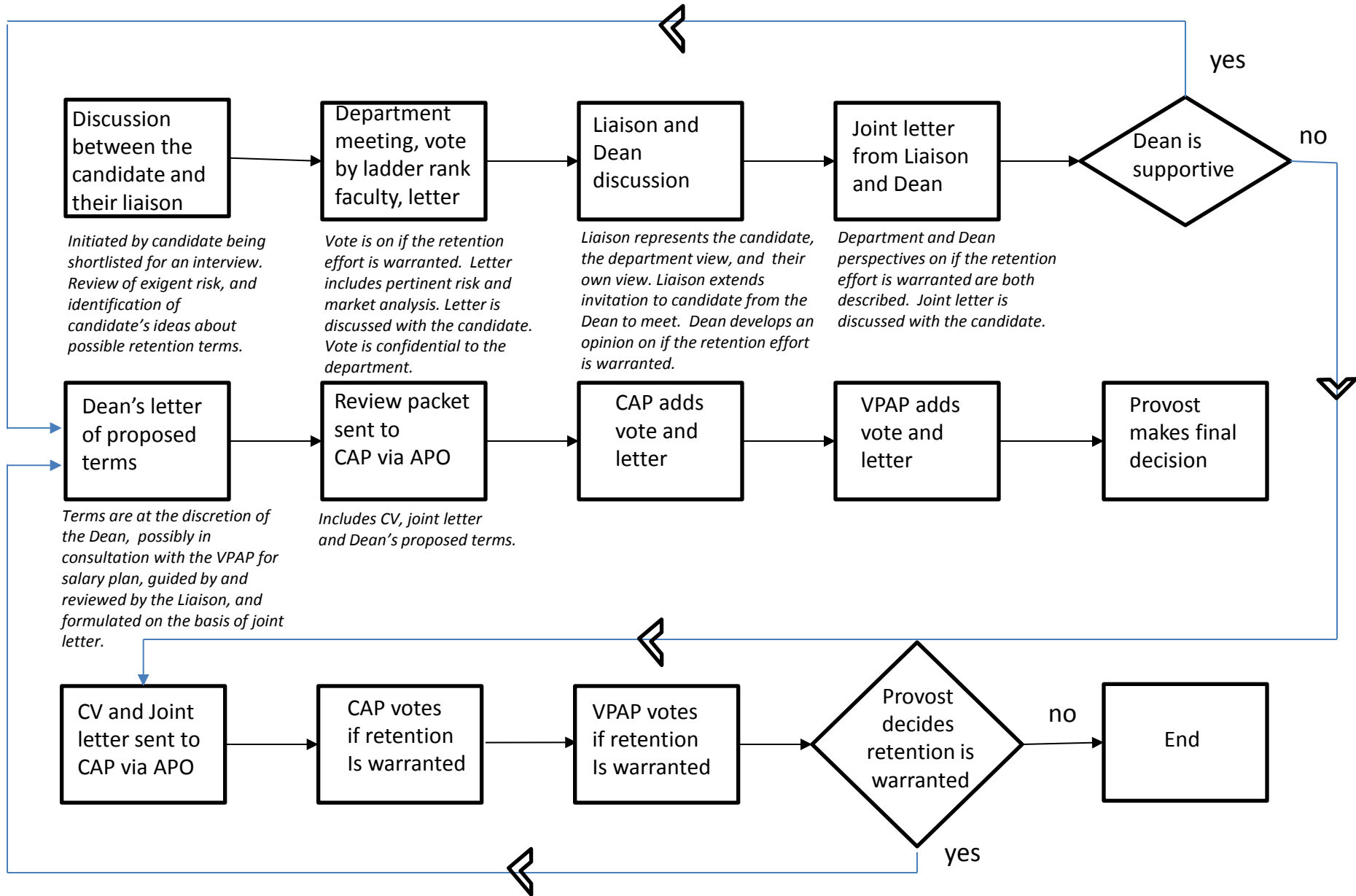
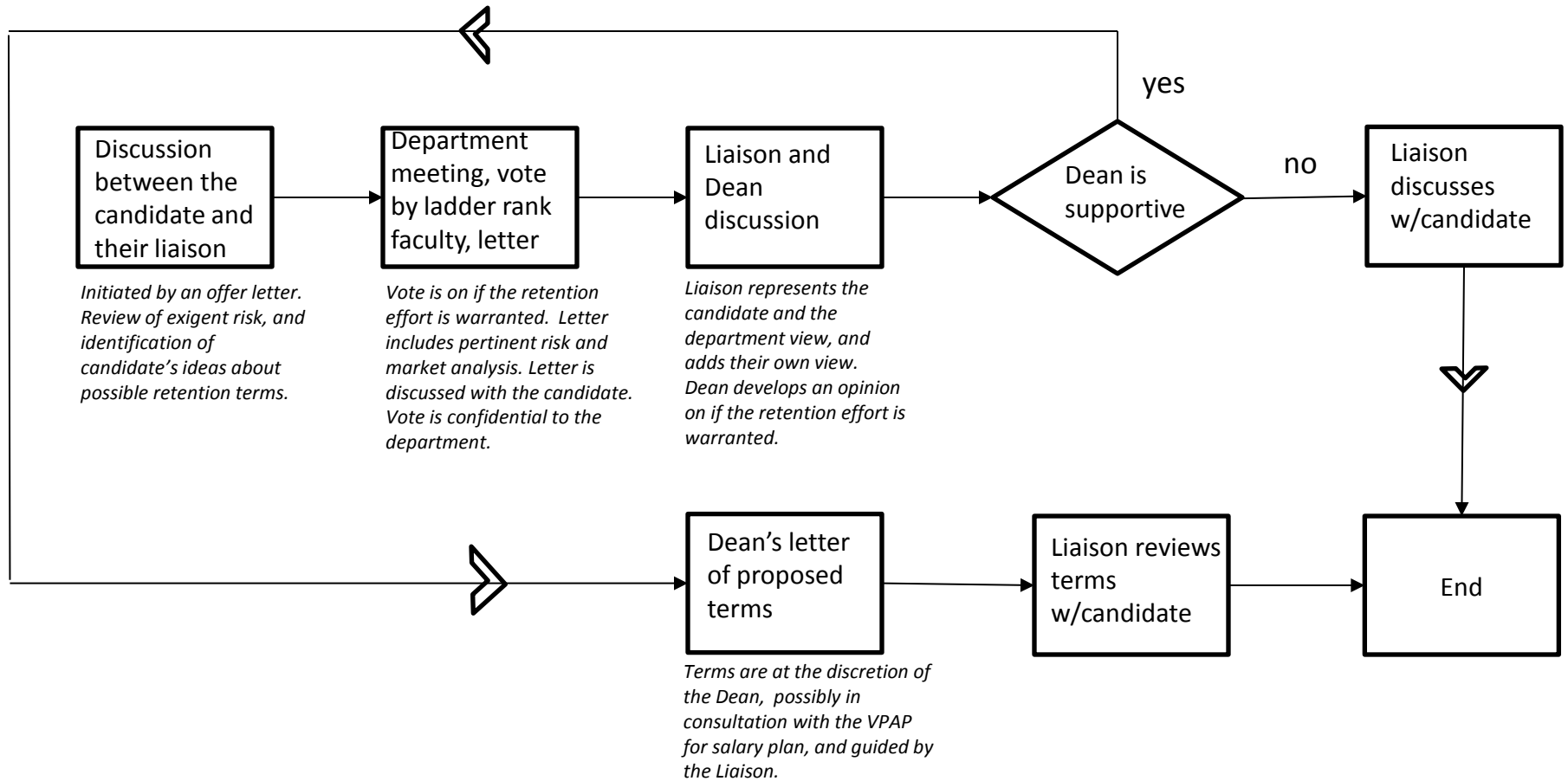


Figure 2. UCR Non-Preemptive Retention Process



Itemized Responses to Senate Committee Reviews

CHASS Executive Committee

While we appreciate the attempt to improve transparency and communication, the CHASS EC has the following concerns concerning the preemptive and non-preemptive processes as laid out in the flowcharts and FAQs:

1. There remains a lack of sufficient engagement with DEI. The proposal does not include any mechanisms to address DEI concerns and thus reproduces the same DEI retention issues that have been raised by faculty;

Response: The proposed document aims to address concerns raised by faculty that pertain to transparency and consistency of retention processes. It addresses DEI concerns by ensuring that all faculty members receive the same treatment during the process.

2. The report adopts militaristic metaphors such as “strategic” and “threat.” While it is appropriate that retention decisions be informed by broader UCR needs and goals, we suggest that other ways of framing the criteria would be better;

Response: We have deleted those terms and instead use the term “warranted.”

3. Other common situations are not addressed in the documents, such as when faculty are approached to be considered as a target of excellence hire at another institution;

Response: The scope of both preemptive and non-preemptive retention procedures is not limited to a specific set of situations that precipitate the retention case.

4. The current document refers to the flowcharts as “retention process” when in fact they are just diagrams that show a selected number of formal review steps and the order in which they shall occur as part of a retention action. We suggest that a broader conceptualization of “retention,” as a process that begins when somebody is hired and throughout the person’s career, will facilitate engagement with the larger institutional issues that lead away faculty – especially faculty of color – who in a better workplace environment could and would continue to do excellent work at UCR.

RESPONSE: The broader conceptualization is important, but the purpose of the retention policy is not to holistically cover the entire experience of a faculty member's time at UCR, but instead to cover the junctions that might arise when they are being potentially recruited away from UCR.

5. Though the flowcharts are helpful in understanding the overall retention process, we feel strongly that each step in the flowchart requires a narrative explanation with normative expectations governing each step.

RESPONSE: A narrative summary is now included.

6. In relation to Points 1 and 5 (above), the overall retention process would benefit tremendously from the inclusion of an ethical principle guiding it, such as, "A good-faith effort shall be made at each step in the process to retain the faculty member in question, especially with regard to DEI concerns."

RESPONSE: To avoid an unintended perception that all retention cases should be pursued, the good-faith effort should be that each step in the process unfolds consistently and in a timely fashion.

SOE Executive Committee

The Executive Committee overall thought the document was fine. The flowchart is very helpful and should be shared with all faculty because at present, most faculty are probably not aware there is a formal process, let alone the steps involved. Here are a few more specific comments:

- *On the third page, the UCR Non-Preemptive Retention Process diagram doesn't include the "joint letter" step, but says, "Terms are at the...formulated on the basis of joint letter." The next point also discusses, "includes CV, joint letter, and Dean's..." If a joint letter won't be developed for non-preemptive retention, it should be removed from the notes under the steps "Dean's letter of proposed terms" and "Liaison reviews terms w/ candidate."*

RESPONSE: Thank you for catching this error. The confusing text has been removed.

- *On the first page, adding a comma after "in the preemptive retention process" would improve the readability of the following sentence: "It will be seen that in the preemptive retention process[,] a check-and-balance feature that extends campus input on the strategic value of a retention effort has been introduced."*

RESPONSE: Acknowledged.

- *On the second page: ○ A period is missing at the end of the sentence "Letter is discussed with the candidate[.]" ○ The first letter of "effort" is in lowercase in one place and in uppercase in another. I would suggest writing it in lowercase to be consistent. ○ Remove "and" before the second item in the following sentence: "Terms are at the discretion of..., [and] guided by and reviewed by the Liaison, and formulated on the basis of joint letter." ○ A period is missing at the end of the first "notes" item (Also on the third page).*

RESPONSE: Acknowledged.

- *The sizing and spacing of the text and figures should be improved before distribution.*

RESPONSE: Along with the summary narrative that has been added to supplement the figures, which we think satisfactorily improves the readability of the figures, we have tweaked the one-page flowcharts for greater legibility.

SOM Executive Committee

The committee discussed the Preemptive Retention Process and agreed the proposed process is long and cumbersome. Some members also expressed serious concerns about the effectiveness of the proposed procedure and the ability to retain faculty.

RESPONSE: There is a trade-off between having a quick process and having a process that is used consistently, is transparent, and involves shared governance. The proposed revision of the process does not extend the time compared to the existing process, but instead adds layers of transparency and resolves questions and ambiguities that have plagued consistency of the process across the campus.

The committee welcomed the idea of formalizing the ability to discuss and come to terms on a faculty's retention when they are a finalist for another position. However, the committee would like to see a process that prioritizes communication between Department Chairs and Deans with a decision made in a timely manner between those entities, while maintaining confidentiality and flexibility during the negotiating process.

RESPONSE: This is the aim of the proposed process and explains why the detail in the flowcharts and narrative is essential.

The committee feels that including unit-wide voting during the process would lead to delays and negative impact moral as well as unintentionally jeopardize retention in the near and far term. An alternative that may mitigate these potential impacts, while also allowing a degree of transparency, would be a requirement for the unit Chair to inform and consult with a unit's space & finance committees, executive committee, or similar unit entity. This would make the policy more nimble and be in step with peer institutions with whom we are competing with for talented faculty.

RESPONSE: Having the faculty vote reflects the shared governance culture of UC and helps to mitigate the potential for lack of transparency. However, to guard against potential sensitivity around unit voting, the proposal has been modified to show that the vote is confidential to the review bodies and not shared with the candidate.

CAP

CAP discussed the proposed revisions to Senate Retention Processes. The committee supports their improved clarity and appreciates their spirit of transparency. Below are our comments and suggestions:

- *“Strategic value” is a new criterion that drives every step in the preemptive retention process, but it is neither discussed nor defined, nor does it appear in the current “UCR Guidelines for Preemptive Retention Procedures for Senate Faculty.” We urge attention to it - “strategic” according to whom? Does this word indirectly signal university-wide strategic plan priorities? Could a faculty member be valued by their department in ways that do not align with strategic planning? Could this criterion be a place where any misalignment between departmental and College or campus priorities results in stopping the retention process? In sum, the introduction of this key criterion is unexplained and it raises numerous questions that need to be rectified.*

RESPONSE: We have replaced the word by “warranted,” and have detailed in the expanded narrative more about what warranted would mean.

- *We note that CAP review is not part of non-preemptive retention processes (and presumably never has been). We suggest this should either be acknowledged explicitly or reconsidered.*

RESPONSE: The historical reasoning for not having CAP in the loop (it never has been) for non-preemptive retention processes is the time sensitivity. This is now pointed out in the narrative.

- *CAP views the 5-year moratorium between retention requests as unnecessarily long and inflexible. After all, effective retention processes should prevent the loss of faculty members, and our best faculty will undoubtedly be courted by other institutions. We suggest 3 years rather than 5. For FAQ point #3, we urge the inclusion (and flexibility) of the word “normally,” i.e., “If a retention offer is made and accepted, the period of time during which the faculty member is ineligible for consideration of another retention offer is normally 3 years.”*

RESPONSE: Adding in the term “normally” is a good idea, and by doing that we acknowledge the possibility for exceptions to the 5 year rule, though we would expect them to be extremely rare.

- *In a similar vein, we urge the inclusion of the words “normally” and “salary” for FAQ point #4, specifically “... the faculty member normally returns to UCR at the same rank, step, and salary they were at when they left.”*

RESPONSE: Acknowledged.

- *For the preemptive retention process, we note that a candidate’s review packet proceeds to CAP for assessment, regardless of whether the Department and/or the Dean support(s) retention or not. We suggest the retention process be stopped when both the Department and the Dean are not supportive.*

RESPONSE: Currently there is no Dean's Final delegation for merit and promotion (m/p) files. For consistency, we think the non-preemptive retention cases should be reviewed the same way m/p files are.

CoDEI

The Committee on Diversity, Equity and Inclusion (CoDEI) met on October 27th, 2022, to discuss the document describing the faculty retention process in cases where faculty are shortlisted for interview elsewhere ('preemptive retention') or have a offer of employment elsewhere ('nonpreemptive retention'). CoDEI appreciates the intent to provide greater clarity and transparency in the process, but committee members identified several concerns:

- There is a significant difference in the process between preemptive and non-pre-emptive retentions, and the reasons for that difference are not well explained or justified and may lead to inequitable outcomes. In non-preemptive cases, the process seems to have many fewer checks and balances – there is no involvement of CAP, the VPAP or the Provost in such cases, and the decision making power rests only with the Dean. CoDEI members raised concerns that having only a single individual making decisions in such cases, with no possibility for review, could increase the subjectivity of retention decisions with potentially detrimental outcomes for diversity, equity and inclusion.*

RESPONSE: The narrative now discusses that it has always been the case that non-preemptive retentions have not had review beyond the Dean. The historical reason for this is the time factor. Non-preemptive retentions are cases where offer letters are in-hand and decisions need to be made quickly. The primary aim of the proposed revision of retention guidelines was to work on the transparency and consistency of the non-preemptive retentions. It was not the aim to bring non-preemptive retention process in-line with the preemptive retention process.

- A second point of concern surrounding non-preemptive retention cases is that there is no review of the appropriateness of any retention offer made by the Dean. It is possible to imagine hypothetical cases where a retention is supported by a faculty member's home department, but the offer made by the Dean is not commensurate with that support and not reviewed by any other entity on campus.*

RESPONSE: Modifying the Dean's Final authority of non-preemptive retention cases is beyond the scope of what we wanted to address with the proposed modifications and clarifications.

- The primary criterion under which retention decisions are made is whether retention is considered 'strategic' by the Dean, or other campus entities (CAP, the VPAP, the Provost). Yet there is no guidance on what constitutes a 'strategic' retention, which makes the decision making process intrinsically subjective. CoDEI members recommend that DEI issues be explicitly considered in this process, and that more detail be provided on what criteria are used to assess if a retention is strategic.*

RESPONSE: We have changed the word to “warranted,” and have added detail in the narrative summary about what warranted could mean.

- CoDEI notes that there are no recommendations surrounding spousal hiring codified in the policy. Spousal hires are often a motivation for faculty members to seek other positions and may be a means of increasing diversity in a department or campus.*

RESPONSE: The document did not aim to elaborate on terms that might be part of a retention offer. That said, it is not inconceivable that the pursuit of a spousal hire could be a term in a retention offer.

CFW

Faculty Welfare reviewed the Senate Faculty Retention Processes at their November 8, 2022 meeting. We appreciate the administration's efforts to clarify the retention processes at UCR, as even committee members noted discrepancies between departments. With respect to the department vote, some members expressed concern: if the department faculty voted not to pursue retention, and the outside offer later fell through, the potential for an awkward situation exists. Will the faculty vote be confidential and not shared with the candidate?

RESPONSE: Having the faculty vote reflects the shared governance culture of UC and helps to mitigate the potential for lack of transparency. However, to guard against potential sensitivity around unit voting, the proposal has been modified to show that the vote is confidential to the review bodies and not shared with the candidate.

Also, there is some concern about the potential to abuse the system, i.e., candidates who have negotiated a better salary through the retention process, stayed on at UCR another year or two, and then used their new salary in renegotiations with the outside universities. We feel that the policy could afford more discussions including, for example, case studies.

RESPONSE: There is a limit to what can be done to curb leaving the door open for scheming faculty members. Our goal is to have an open and consistent process for those faculty we want to keep. Not to make light of the concern, but it is not within the scope of the proposed modifications to implement foolproof safeguards against faculty who want to abuse the process and pave their way out of UCR.

P&B

Planning & Budget reviewed the Faculty Retention Process at their October 25, 2022 meeting and applauds the VPAP's attention to this important campus-wide chronic issue. However, the committee has concerns which need to be addressed if the document is to provide more realistic guidance and assurance to faculty, chairs and college and campus administrators.

First, the flowcharts detail a process that still takes a considerable amount of time which can be delayed by inaction, for whatever reason, at any step. It is not a nimble process, yet our collective experience is one where time can be of the essence given that the recruiting campus often does not have the constraints facing our own. In this context, the committee is concerned that waiting until a faculty member is shortlisted for an interview is too late to begin a pre-emptive retention process. Could this flowchart begin upon a personal invitation to apply for a position?

RESPONSE: There is a trade-off between having a quick process and having a process that is used consistently, is transparent, and involves shared governance. The proposed revision of the process does not extend the time compared to the existing process, but instead adds layers of transparency and resolves questions and ambiguities that have plagued consistency of the process across the campus. There are also multiple points of view on our campus to consider regarding nimbleness of the policies. For example, there are faculty who want layers of review in the non-preemptive process that go beyond the Dean.

In terms initiating the preemptive process with a personal invitation to apply for a position, it seems like a very low bar. All searches strive for as big a pool as possible. It will not be difficult for a faculty member to get a personal invitation to apply for an open position.

Second, can some steps be removed? For example, does CAP need to be involved in every case? What formal course of action can be taken if the process is being delayed at any step?

RESPONSE: It would be difficult to define cases where CAP would be circumvented, and it works against the transparency and shared governance that many faculty members want. Enforcing prompt handling could only be done if the consequence for a review layer missing a deadline was to skip them in the process. It is unlikely the campus as a whole would yield to that type of process.

Third, the flowcharts appear to be focused on compensation, rank and step. Indeed, these are important items for any retention and must be addressed, however faculty dissatisfaction can be rooted in other areas, such as a lack of respect, lack of support staff, poor facilities, and lack of community and campus culture. We recognize that none of these are amenable to "quick fixes" and doing so on a case-by-case basis may result in disparities between faculty, even within the same department. Nonetheless these issues cannot be ignored and need to be the focus of a collective effort by leadership to address and communicate them, now, with a transparency and sincerity that will provide faculty reassurance that their futures are at UCR and not elsewhere. Some non-salary issues like lab and office space can be decided by the Department chair, but others need to be handled at the campus level. These include housing (via the mortgage assistance program?), childcare (e.g., slots in the UCR Child Development

Center), partner employment especially when more than one college is involved (a Faculty Liaison Office (?) was started a couple of years ago but needs to have more resources to be effective), and parking. Having an established process whereby a chair knows exactly who to contact for each of these resources and the respective units have pre-established procedures for how to handle retention issues would be useful.

RESPONSE: The broader view of improving retention by preventing separations is important, and some of the points made require a collaborative effort between the administration and the faculty, but the purpose of this particular retention procedures document is to document clear, transparent, and consistent procedures for handling retention cases when they arise.

Finally, a smaller but important point in the flowcharts: who is the liaison? Can it be any faculty member (for example a colleague of the faculty member being courted by another campus) or is this a faculty member with a defined administrative appointment?

RESPONSE: The new narrative describes the liaison as normally the department chair, but allows for the faculty member to choose an alternative liaison with equity advisor, associate/divisional dean, and department/college colleague as options.