

**DEPARTMENT
RECOMMENDATION LETTER
BEST PRACTICES**

**DEPARTMENT CHAIR'S WORKSHOP
SPRING 2019**

Goals

- Clarify your responsibilities as chair in managing the academic review process and preparing the departmental recommendation letter
- Provide you with best practices in key areas of the departmental recommendation letter:
 - Recruitment effort
 - Family accommodations
 - Diverging views/disagreement among voting faculty
 - Faculty conduct/collegiality issues in the review period
 - Compensation issues

Role of the Department Chair

- The chair must ensure that:
 - o The departmental review is fair to the candidate, and conducted in accordance with University policy and established departmental practices
 - o Procedural safeguards are met
 - o The recommendation set forth is based upon proper review criteria

Role of the Department Chair

P&T will only accept two types of grievances from appointees related to the academic review:

- o procedural irregularities in processing the file
- o application of improper review criteria

Role of the Department Chair

As chair, you and you alone
are responsible for drafting the
departmental recommendation letter

It is inappropriate to delegate this important task to staff

Role of the Department Chair

- You are responsible for ensuring that the departmental recommendation letter
 - o accurately presents the department discussion and recommendation; and
 - o reflects both the majority and minority views discussed during the department meeting.

Role of the Department Chair

- Ensure the accuracy and appropriateness of letter content before the recommendation is shared with the candidate or subsequent reviewers
 - o The department “owns” the departmental recommendation
 - o Only the department chair can modify the substance of the departmental recommendation
 - Dean’s office and APS will not alter the substance of the departmental recommendation – *even if inappropriate content is discovered*
 - If unsure, consult with Dean’s office or APS before recommendation letter is finalized

Starting with the Recruitment Process

Documenting the Recruitment in an Appointment Letter

Appropriate Language

- “letter writer bias” where gendered or racialized language is used.
Example: the writer shared gendered information that does not relate to their scholarship, such as, “She is very nurturing toward students?”
- “doubt raiser” language where praise of a woman or a URM is couched in criticism.
Example: Although his publications are not in mainstream journals, he is an excellent scholar.”
- assumptions about the academic’s ability to “feel comfortable” in your department.
Instead focus on how candidates fit your evaluation criteria.

Compliant Language

Documentation and letters associated with hiring, advancement and compensation must be compliant.

Do not mention:

- Race, color
- Ancestry, national origin
- Religion, creed
- Age
- Disability, mental and physical
- Sex, gender (including pregnancy, childbirth, breastfeeding or related medical conditions)
- Sexual orientation
- Gender identity, gender expression
- Genetic information
- Marital status
- Military and veteran status

Compensation

Salary Information

Review Letters

1. Note the correct rank, step, and total salary requested, including any off-scale components as noted below.
2. State the amount of market off-scale that is included in the total salary
 - Existing market off-scales do not require re-justification
 - New or increased market off-scales require justification
3. Note the amount of any proposed bonus off-scale
 - Bonus off-scales are issued in ½ step increments

Salary Information

Appointment Letters

1. Note the correct rank, step, and total salary requested based on the salary scale in effect during the recruitment year. The total salary should include any proposed market off-scale component.
2. Include a justification for any market off-scale component
 - Note if it is based on your department's Entry Level Salary Agreement
 - Note what external market factors it is based on
 - Discuss impact of the new hire's salary compared to existing faculty salaries; will it cause salary inversion
3. New hire salaries will be range adjusted automatically unless the offer letter specifically states otherwise; that may be a factor in the amount you propose.

Salary Information

Retentions/Pre-Emptive Retentions

1. Note the correct rank, step, and total salary requested, including off-scale components
2. Include a justification for any market off-scale increase
 - Explain external market factors considered
 - Consider caliber of the competing institution as well as special UCSD incentives (GCCP, CMSI) when determining if a straight salary match is necessary
 - Is the competing offer equivalent to the UC salary (fiscal vs. academic year); document the foreign exchange rate, if applicable.
3. Note internal equity considerations
 - Review the department's salary distribution
 - Does the faculty member's profile warrant the increase compared to others in the department?

Salary Information

Spot Compressions

Spot compression increases are generally awarded during the biennial Faculty Equity Study process. The next study is planned for Winter/Spring 2020, with salary increases effective 7/1/2020.

Recommendations must include justification for the market off-scale increase based on a variety of factors, including but not limited to:

- Academic performance and degree of salary compression compared with faculty at a similar rank and step
- Analysis of department salary trends including compression caused by new hire and retention decisions

FMLA AND FAMILY ACCOMMODATIONS



How to address family accommodations

DO:

- Briefly address in the first paragraph of the department recommendation letter if an extension of the probationary period has been received if relevant (E.g. decoupled merits).
- Keep the academic review file focused on the academic review.
- Avoid adding any medical detail or detail about FMLA or family accommodations received.
- Feel free to ask questions. APS can't request revisions to your letters as the file moves along, but we can give advice as letters are drafted. H. Zion is campus contact at ext. 40500.

DON'T:

- Detail specific family accommodations / leaves taken on which quarters (e.g. CBL, PBL, etc.) since an inventory will vary from case to case-- and detailing the scope of these may seem to have negative repercussions
- Treat family accommodations as negative events or make comments, even complimentary ones, about a faculty member's accomplishments despite them. i.e. While co-parenting triplets, it's amazing that Professor Jones still finished two books.
- Reveal personal information about the candidate's home life, illness/es, or the illnesses of family members.
- Speculate on the effects of any of personal events.

Remember that personal leave types are treated differently than research leave types with regards to privacy and levels of detail expected in files—

Academic Appointee Leaves by Leave Type, At a Glance



A few words about the difference between handling research and personal leave discussions

- **Research leave discussions, by nature, belong in academic review files**
 - o A good rule of thumb for research leaves is: Whatever is in the file is fine to discuss (i.e. sabbatical reports, biobib etc, supporting materials, etc).
 - o Research leaves taken within the review period don't change the expectations for advancement or the timing of review cycles.
- Personal or protected leave discussion (FMLA/family accommodations), by nature, should only be mentioned if necessary—but even then, only generically, in passing.
 - o You may make statements such as: “Professor Davies’ assigned teaching load for the review period was # courses”

Employee Relations

Managing the Faculty Meeting

- Creating an accurate, comprehensive, and appropriate departmental recommendation letter begins with focused discussion during the faculty meeting.
- The chair should guide the discussion to address:
 - The candidate's performance as it relates to review criteria
 - Documentary evidence in the academic review file
- Similarly, the chair should limit discussion of information not relevant to the review criteria or included in the file

The Departmental Recommendation Letter: Capturing Disagreement Among Voting Faculty

- Majority and Minority views expressed during the meeting should be **summarized** in the departmental recommendation letter
 - Refrain from quoting voting faculty directly
 - *Even if comments are anonymous*
- The faculty vote should be explained, including
 - Reasons for “no” votes, if known
 - Reasons for abstentions, if known – clarify abstentions due to relationship conflicts

The Departmental Recommendation Letter: Avoiding Pitfalls – Addressing Disruptive Behavior

- The department **may consider** disruptive behavior occurring during the review period, and address this in the departmental recommendation letter
 - o Discuss objective, observed behavior that
 - is documented in the file; and
 - has a nexus to the applicable performance criteria
 - o Discuss how the behavior has impacted performance
 - Refrain from discussion of unsubstantiated allegations of misconduct, rumors, and personal anecdotes
 - Avoid conclusory language regarding conduct
 - Describe behavior, but do not label it

The Departmental Recommendation Letter: Avoiding Pitfalls

- Protect the privacy rights of the candidate and avoid discussion of:
 - Health concerns not raised by the candidate in the file
 - Issues related to marital status, family responsibilities, etc.
- Avoid emphasis on activity unrelated to performance criteria for the series
- Refrain from language that may inadvertently create the appearance of bias (positive or negative)

The Departmental Recommendation Letter: Avoiding Pitfalls – Negative Student Comments

- Unaddressed student concerns about faculty behavior are a priority for the EVC
 - o For this discussion, we are focused on inappropriate behavior rather than skill as an instructor, or overall quality of courses. Examples include:
 - speaking to students in a demeaning fashion
 - using culturally insensitive language
 - sexual innuendo
 - o The EVC takes note of cases in which similar concerns are documented in multiple academic reviews
 - o The EVC will discuss these cases with deans and chairs

The Departmental Recommendation Letter: Avoiding Pitfalls – Negative Student Comments

- When a pattern of poor behavior is documented, but not addressed, it may inadvertently communicate that behavior is acceptable
 - It may become more difficult to address behavior if it escalates in the future
 - Inconsistently addressing the poor behavior of faculty may create the appearance of bias
- Ongoing poor behavior can negatively impact departmental climate and culture

The Departmental Recommendation Letter: Avoiding Pitfalls – Negative Student Comments

- Before we discuss treatment of this topic in the departmental recommendation letter, we need to discuss how to address identified concerns as they arise
 - Always address negative student comments when they become known
 - The more concerning the behavior, the greater the need for immediacy
 - **Do not wait for the academic review to address complaints of inappropriate behavior**

The Departmental Recommendation Letter: Avoiding Pitfalls – Negative Student Comments

- Always report student comments alleging harassment or discrimination to OPHD
 - o The University is on notice when behavior is reported
 - o If in doubt, report – OPHD will determine whether an investigation is warranted

The Departmental Recommendation Letter: Avoiding Pitfalls – Negative Student Comments

- Speak to the faculty member about complaints and develop improvement plan, as necessary
 - o In some cases, creating awareness is sufficient to address concerns
 - o Refer faculty to the Teaching and Learning Commons for additional training as necessary

The Departmental Recommendation Letter: Avoiding Pitfalls – Negative Student Comments

- Address negative student comments head-on in the departmental recommendation letter
 - Provide an explanation if known
 - Discuss any steps taken or current plans to remediate the identified issues
 - Clarify how the comments factored into the departmental recommendation
 - For example, if proposing merit advancement despite concerning comments from students, explain the department's rationale for doing so
 - e.g., on balance was the teaching record strong, or did other extraordinary accomplishments offset concerns about the teaching performance

The Departmental Recommendation Letter: Avoiding Pitfalls

- Prior to finalizing the departmental recommendation letter, review to make sure that:
 - o Privacy has been protected
 - o Procedures have been followed
 - o Performance is discussed in terms of proper review criteria
 - All areas of concern related to performance are addressed
 - Steps taken to remediate/plans for remediation are provided, as applicable
 - o The vote is adequately explained
 - o The faculty discussion is adequately and accurately captured

The Departmental Recommendation Letter: Avoiding Pitfalls

Remember:

Your dean's office academic personnel staff and Academic Personnel Services are available for consultation regarding policy and procedure at any time during the academic review process.

Q&A

Any questions?