

# UCI Academic Personnel Procedures

## APP 3-40, Types of Actions

Describes normal, accelerated, and decelerated actions. A list of possible actions and their definitions may be found in APP 3-30, Appendix II, Annual Progress Report.

### ACADEMIC SENATE TITLES

#### 3-40. Types of Actions

##### Scope of Reviews

Cases for normal merit increases and accelerations through the level of Professor, Step V are judged on the basis of accomplishments since the last action. Cases for promotion (to Associate Professor, Professor, Professor VI through VIII, or Above Scale) are judged on the basis both of accomplishments since the last action and of cumulative accomplishments.

After the required consultation with members of the faculty, a department may recommend one of the following actions:

#### A. NORMAL MERIT INCREASE OR NORMAL PROMOTION

While serving in the final year of the normal years at rank or step, a candidate is eligible to be considered for a promotion or merit increase which would be effective the following July 1. Normal years at rank and step are specified in the Notes in [Appendix I](#), "Normal Time at Step."

"Normal" time refers to the standard rate at which the majority of faculty will progress through the ranks and steps. Progress at a faster rate (acceleration) is discussed below in [Section B](#). Progress at a slower rate (No Action or deferral) is discussed below in [Section C](#).

**NOTE:** Normal merit increases within Assistant Professor, Associate Professor, and Professor I-V ranks, although less critical than promotions, are not automatic and do require demonstrated merit. For normal merits, the Short Form may be used. (See [APP 3-60](#)).

#### Highlights:

- [Normal Actions](#)
- [Accelerations](#)
- [No Action](#)
- [APP 3-30, Appendix II](#)

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## APPENDIX I

### NORMAL TIME AT STEP (With Overlapping Steps)

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## Professor Series or Equivalent Titles

In the following summary, Assistant Professor, Steps V and VI, are shown to "overlap" with Associate Professor, Steps I and II, and Associate Professor, Steps IV and V, are shown to "overlap" with Professor, Steps I and II. The associated salaries of these overlapping steps are approximately the same, and time served in the lower rank may count in lieu of service in the overlapping step at the higher rank (see the Notes below).

|  |   |                      |                      |  |   |
|--|---|----------------------|----------------------|--|---|
| Asst Prof I<br>Asst Prof II<br>Asst Prof III<br>Asst Prof IV |   | 2 years at each step |                      |  |   |
| *Asst Prof V   | } | Assoc Prof I         | 2 years at each step |  |   |
| *Asst Prof VI  | } | Assoc Prof II        |                      |  |   |
| *(see Note 1 below)  |   | Assoc Prof III       |                      |  |   |
|  |   | # Assoc Prof IV      | }                    | Prof I                                     | 3 years at each step<br>(see Note 3 below)                        |
|  |   | # Assoc Prof V       | }                    | Prof II                                    |   |
|  |   | # (see Note 2 below) |                      | Prof III<br>Prof IV                        |   |
|  |   |                      |                      | Prof V<br>Prof VI<br>Prof VII<br>Prof VIII | 3 years normal <u>minimum</u>                                     |
|  |   |                      |                      | Prof IX                                    | 4 years normal <u>minimum</u>                                     |
|  |   |                      |                      | Prof A/S                                   | 4 years normal <u>minimum</u> at each level<br>(see Note 4 below) |

### Note 1: Assistant Professor Rank

On this campus, the normal period of service at the rank of Assistant Professor is six years. (The **maximum** allowable period of service may not exceed eight years under the Eight-Year Rule. See APM 133.) The normal period of service at a given step is two years.

The first four steps in rank and corresponding salary levels are for normal use. **Step I** may be considered entry level for a recently completed Ph.D. (in which case, a recommendation for promotion would be normal after two years at Step III). **Step II or III** might be considered entry level for an appointee with postdoctoral training (in which case, a

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recommendation for promotion would be normal after two years at Step IV or V).

### **Steps V and VI may be used in exceptional situations and with proper justification.**

Service at Assistant Professor, Step V, may be in lieu of service at Associate Professor, Step I, for which the published salary is slightly higher; service at Assistant Professor, Step VI, may be in lieu of service at Associate Professor, Step II. Whether or not the time at these steps should count in lieu of service at the higher level should be addressed at the time of the promotion review. Promotion to the rank of Associate Professor is such an important advancement in the UC system that promotion to Associate Professor I should be considered appropriate and normal in any advancement, and promotion to a higher step requires additional justification for the proposed step. The record should reflect performance commensurate with the step proposed: if the proposal is for Associate Professor II, for example, the candidate should have performance equivalent to others at that step. It would be helpful to include letters from UC faculty who can address the level proposed.

### **Note 2: Associate Professor Rank**

The normal period of service at the rank of Associate Professor is six years. The normal period of service at any one of the first three steps is two years.

### **Steps IV and V may be used in exceptional situations and with proper justification.**

Service at Associate Professor, Step IV, may be partly or entirely in lieu of service at Professor, Step I, for which the published salary is slightly higher; service at Associate Professor, Step V, may be partly or entirely in lieu of service at Professor, Step II. Whether or not the time at these steps should count as time at the higher level should be addressed at the time of the promotion review. Promotion to the rank of Professor is such an important advancement in the UC system that promotion to Professor I should be considered appropriate and normal in any advancement, and promotion to a higher step requires additional justification for the proposed step. The record should reflect performance commensurate with the step proposed: if the proposal is for Professor III, for example, the candidate should have performance equivalent to others at that step. It would be helpful to include letters from UC faculty who can address the level proposed.

### **Note 3: Professor Rank**

The normal period of service at any of the first four steps is three years. Service at **Step V** may be of indefinite duration.

Advancement to **Step VI** normally will not occur after less than three years of service at Step V. For review purposes, this advancement will be treated like a promotion and will be granted on evidence of great scholarly distinction and national or international recognition, highly meritorious service, and evidence of excellent University teaching. (The Council on Academic Personnel defines teaching activities broadly to include supervision and mentorship of graduate students and postdoctoral scholars.) Service at Step VI may be of indefinite duration.

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Advancement from Professor, Step VI to Step VII, from Step VII to Step VIII, and from Step VIII to Step IX, usually will not occur after less than three years of service at the lower step and will be granted only on evidence of continuing great distinction, national or international recognition, highly meritorious service and excellent teaching performance.

## **Note 4: Professor, Above Scale**

Advancement to an **Above Scale** salary is reserved for scholars and teachers of the highest distinction whose work has been internationally recognized and acclaimed and whose teaching performance is excellent. Except in rare and compelling cases, advancement will not occur after less than four years at Step IX. Moreover, mere length of service and continued good performance at Step VIII is not a justification for further salary advancement. **There must be demonstration of additional merit and distinction beyond the performance on which advancement to Step IX was based.**

A further merit increase in salary for a person already serving at an Above Scale salary level must be justified by new evidence of merit and distinction. Continued good service is not an adequate justification. Intervals between such salary increases may be indefinite, and only in the most superior cases where there is strong and compelling evidence will advancement at intervals shorter than four years be approved.

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## **B. ACCELERATED MERIT INCREASE OR PROMOTION**

**Accelerated Merit Increase:** An accelerated merit increase occurs when an individual is awarded a merit increase after serving fewer years at a given step than is normal for that salary step, or when an entire step (or more) is skipped.

**Accelerated Promotion:** A promotion may be considered accelerated if an individual is promoted after serving fewer years at a given rank than normal. There are, however, some special situations, explained below:

### **1. Assistant Professor - Initial Appointment Higher than "Entry Level" Step I**

Promotion from assistant professor to associate professor is normal after six years at rank. However, an assistant professor who is appointed to a level higher than Step I on the basis of comparable service at another institution might serve fewer than six years in rank on this campus before being proposed for promotion, and this would not necessarily be considered an acceleration. Thus, promotion to Associate Professor, Step I, after two years at either Assistant Professor, Step III, or Assistant Professor, Step IV, would be considered normal, depending on the context of the action.

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## **2. Associate Professor - Initial Appointment Higher than Step I**

Promotion from Associate Professor to Professor is normal after six years at rank. However, an Associate Professor who is appointed to a level higher than Step I and who has comparable service at another institution might serve fewer than six years in rank before being proposed for promotion, and this would not necessarily be considered an acceleration.

Service in overlapping steps requires special consideration. For example, a promotion to Professor, Step II, after three years at Associate Professor, Step IV, is not an acceleration if the performance during time at Associate Professor, Step IV, is demonstrated to be equivalent to the performance expected during the same time at Professor, Step I. Promotion to Professor I should be considered appropriate and normal in any advancement, and promotion to a higher step should require additional justification for the proposed step.

## **3. "Cumulative" Acceleration**

Circumstances inevitably arise which make it debatable whether or not a proposed promotion is "accelerated." For example, if someone was accelerated in the past from Associate Professor, Step I, to Associate Professor, Step III, promotion after two years at Step III could be considered either to be normal (in terms of usual promotion patterns) or accelerated, in that the individual is moving through the rank at an accelerated pace.

In all cases for promotion, it is necessary first to address the question of whether the candidate has attained the expected performance level and record of the proposed rank. If the case also involves an element of acceleration, that should be addressed as a secondary issue.

A recommendation for acceleration will be considered by the voting members of the department if a request is made by the candidate, the chair, or any other faculty member of the department eligible to vote on the recommendation. After departmental review, it may be determined that the case does not support acceleration. If the candidate insists on pursuing the acceleration, the department should forward a file, with its recommendation, for further review.

A dossier proposing an acceleration should always include a discussion of the reasons for the accelerated advancement. In what ways does the candidate's record justify accelerated advancement? The case made should be commensurate with the degree of acceleration proposed.

Major accelerations will come under particular scrutiny by CAP. In general, one of the

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following criteria must be met:

- a. Extraordinary scholarship and excellent teaching or service during the review period; or
- b. Extensive, persuasive documentation that the candidate should be at the proposed rank vis-a-vis others in the same academic unit, i.e., is under rank.

**NOTE:** Units are discouraged from attempting to "fine-tune" the step system by recommending accelerated step-and-a-half merits (off-scales) and are asked to reserve off-scale recommendations for situations, such as response to outside offers and other market issues, where salary is a separate issue.

## C. NO ADVANCEMENT

### 1. No Review

If a candidate is not due for normal review (is not serving in the final year of the normal years at step) and, after informal review, the department decides that no formal action is warranted, no file need be prepared for the individual.

### 2. Deferral

If an associate professor or professor who is due for normal review requests that a merit or promotion review be **deferred for one year**, a brief memorandum to that effect from the faculty member should be forwarded, with endorsement by the department chair, to the appropriate dean for approval. If the deferral is approved, review **must** take place the following year.

In those units organized **with** formal departments, the dean has the authority to approve or deny the proposed deferral. If the dean approves a one-year deferral of review, Academic Personnel should be informed in writing of the decision.

In those units organized **without** formal departments, requests for deferral should be forwarded, with endorsement by the unit administrator, to the Executive Vice Chancellor for review and decision. Such requests should be sent via Academic Personnel.

Review may not be deferred for an assistant professor, who must be reviewed for reappointment. In addition, deferral cannot be approved for an associate professor or professor whose last action was "No Action" or "Deferral".

### 3. No Action

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If the candidate is due for normal review (and has not been granted a one-year deferral), a file must be prepared and submitted for review even though the individual is not recommended for advancement. In such cases, the action recommended is "No Action." CAP has noted that a "No Action" contemplated at a normal review period requires careful analysis, especially when it is a repeated no-action decision. (**NOTE:** "No Action" is not appropriate for Assistant Professors, who must, at a minimum, be reappointed.)

### **a. First Review After Normal Time at Step**

A number of circumstances can result in a "No Action" recommendation, and the type of documentation which is submitted can vary with the seriousness of the "No Action" recommendation. In cases where the unit and individual agree that "No Action" is appropriate, the Short Form may be used for an initial "No Action" review after normal time at step. If there is disagreement, or if there are other complexities with the case, a dossier should be prepared as if it were a normal merit or promotion file, as appropriate.

Where review after normal time at step has resulted in a decision for "No Action," the department is expected to consider the individual each year thereafter in the review cycle to assess whether the record merits action. However, it is not necessary for the department to forward a formal review file every year. Rather, it must do so when:

- (1) the department (or the candidate) believes that the record now merits action, or at the latest,
- (2) the normal interval between steps has elapsed since the previous formal review (see below).

### **b. Subsequent "No Action" Recommendations**

The faculty member must be formally reviewed after serving the normal years at step subsequent to the first No Action. The file should be documented as if it were a merit or promotion, whichever is appropriate.

After more than one consecutive "No Action" request, an extended review should be provided. At the time of the extended review, CAP expects the unit to state what steps it and the candidate are taking to remedy the situation giving rise to the repeated "No Action" recommendations. See also the advisory "UCI Senate Statement on No Action" below.

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## APPENDIX III

### UCI SENATE STATEMENT ON NO ACTION/DEFERRAL

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The Council on Academic Personnel (CAP) will be notified whenever a faculty member receives two "no actions" over any two **normal** review periods. CAP will request the dean or director of the appropriate unit to obtain from the faculty member a written plan for resumption of a sound and productive program of scholarly work with a specified time frame for its execution. This plan will be submitted to CAP six months from its original request, and will become part of the personnel file. Deans and chairs are urged to aid in the formulation of such plans by suggesting sources of funding, redirection in research focus, and/or constructive steps to improve teaching.

**COMMENT:** CAP acknowledges that "monitoring" research and creative projects is odious and therefore we have rejected the UCAP suggestion that research plans be **approved** at any level. We have also rejected other specific proposals in the UCAP memorandum because each case varies in regard to the relationship of the faculty member to his department; this procedure is to encourage a resumption or completion of research and should not involve counterproductive confrontations.

#### More Than Two "No Actions"

More than two consecutive no actions in a six to nine year period usually is persuasive evidence of professional negligence or research "burn out." These two kinds of situations need different responses.

1. For those individuals whose teaching ability is **above average** or who have **unusual** administrative skill, CAP may recommend a formalized adjustment in the faculty member's obligations to the University in terms of:
  - a. an increased teaching load,
  - b. increased service responsibilities (without supplementary stipend),
  - c. reduction in percentage of appointment (to the teaching or service component), with corresponding reduction of salary.

Such adjustments should be by agreement, in writing, and subject to readjustment at the request of the faculty member at the normal review times. Faculty members under such agreements would retain rank, right to advance, and eligibility to request sabbatical leave.

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2. CAP is not willing at this time to consider demotion in step or rank as an appropriate response to cases of faculty members who do no research and teach poorly. Demotion does not free an FTE, would not insure a renewal of research activity or save students from poor teaching. We call attention, instead, to three forms of phased dismissal specified by UCAP as possible in the UC system. These are to be considered only in cases of flagrant and persistent refusal or inability to meet the teaching and research obligations of a University of California professor.

The following steps may be used in such cases. (Any unit considering these options should contact Academic Personnel **before** taking any action or entering into discussions with the faculty member.)

a. Encouragement of faculty member to reduce percentage of appointment, with corresponding reduction of salary; the negotiation of such reduction to be the province of the dean or director, voted upon by the department, and reviewed by CAP as with any personnel action.

b. Encouragement of early retirement, possibly with the negotiation of additional service credits. CAP would not be involved in such a solution.

c. Provision of a limited time transition period whereby the faculty member may start working elsewhere while the University continues his/her fringe benefits. At the end of such a period, the faculty member resigns. A modification of this is an outright "settlement" whereby a faculty member may receive compensation of some sort for a year or two, in exchange for a resignation. The cost effectiveness of such a move should be weighted against the principle of "buying out," which is being implemented now in limited cases of severe conflict or total dysfunction among tenured faculty. CAP would not be involved in such solutions.

d. **Dismissals.** In flagrant cases, academic units might recommend dismissal. Such cases must be sent by CAP for *ad hoc* review before any final recommendation is made.