



TO: Regent Laws & Policies Stakeholders  
FROM: Michael Lightner, Vice President for Academic Affairs  
Maureen Durkin, Director of Academic Program and Policy Analysis  
DATE: January 27, 2023  
RE: Recommended Changes to Regent Policy 11B

### History of Policy Revision and Review Process

As part of the larger effort to review all Regent laws and policies, the administration, in collaboration with the faculty, have undertaken a review of Regent Policy 11B – Faculty Salary. The regent laws and policies review project has been driven by the guiding principle that laws should capture only high-level statements on governance and policies should include the necessary elaborations of law. The goal is to focus on the powers and responsibilities of the Board of Regents while assigning operational procedures to APS or campus policy. This goal has been pursued while keeping in mind protections currently afforded to the faculty.

This memo outlines the changes to Regent Policy 11B recommended by the administration. It also indicates important statements that the administration suggests be retained or eliminated from regent policy. Work on Regent Policy 11B began early in 2019 – the administration’s proposed draft of the policy received two rounds of feedback from faculty and other stakeholders over an eight-month period. From that work, the Office of Academic Affairs prepared a final proposed draft of Regent Policy 11B in November, 2019. That version of 11B did not move forward for Regent approval because a separate review for compliance with the Equal Pay for Equal Work Act (EPEWA) became the priority. Regent Policy 11B was revised for compliance with the EPEWA in 2020-21, with Regent approval occurring in February of 2022.

Following approval of EPEWA updates, the Office of Academic Affairs returned to the extensive review and revision work from 2019. The current proposed revision of Policy 11B is based on that work with the subsequent EPEWA updates included. Because the revisions represent significant changes, the proposed draft of 11B is almost entirely redlined. This memo discusses the substantive changes being recommended, but please note that it does not capture all editorial changes.

The version of Policy 11B currently presented is a fourth draft (Version 1 and 2 were drafted in 2019, Version 3 was approved by Regents in 2022). This version will be presented to the Regent Governance committee on March 15, 2023, after which it will be posted for comment. The draft will be presented for first reading at the April 27, 2023 Board of Regents meeting. Based on a review of feedback, a final draft will be developed and posted. The final draft will be reviewed at the May 15, 2023 Regent Governance committee meeting and sent to the Board for second reading and approval at the June 22, 2023 Board of Regents meeting. If the changes ultimately adopted by the Board of Regents require changes to existing Administrative Policy Statements (APSs) or the

creation of a new APS, this work will be completed before the approved changes to regent policy will take effect.

## **Proposed Revisions to Regent Policy 11B**

Updates to Regent Policy 11B are intended to streamline language, eliminate redundant statements, remove details that are outdated, no longer accurate, or too detailed for regent policy, and bring precision where language was previously unclear. The draft document retains the key principles for awarding faculty salary adjustments, affirms the commitment to a peer review process for faculty as part of annual merit evaluation (consistent with Regent Policy 5.C, adopted by the Regents in September 2018), and clarifies the process by which salary adjustments are awarded.

Changes to Regent Policy 11B are summarized below in three broad categories: content that has been retained; content that has been clarified, revised, or is new; and content that is suggested for removal.

### **A. RETAINED**

- A statement affirming the importance of faculty to the mission of the institution. Section 11.B.1
- A statement affirming faculty compensation as a major factor in attracting, retaining, and rewarding faculty and maintaining high quality academic programs, and as such, it continues to be a priority in annual budgetary planning. Section 11.B.1
- Statement of the University's commitment to identify and remedy unlawful pay inequities. Section 11.B.1
- Requirement that campuses develop a plan for the allocation the annual salary pool with clarification that the pool is allocated to schools, colleges, and other units. Section 11.B.2(B)
  - Statement that the campus plan shall not include recommendations for individual faculty salary adjustments. Section 11.B.2(B)(1)
  - Statement that faculty shall have opportunity to review the campus plan. Section 11.B.2(B)(2)
- Statement of the dean's responsibility per Regent Policy 4.A to determine salary pool allocations to primary units within a school/college. Language is streamlined. Section 11.B.2(C)
- Statement affirming chancellor's authority to approve retirement incentive agreements for eligible faculty. Section 11.B.2(D)
- A statement affirming faculty access to a copy of their salary recommendations from all administrative levels. Section 11.B.3
- Stated commitment to a peer review process for faculty evaluation, using standards and criteria established by the primary unit. Section 11.B.3(A)
  - Some information about the peer review process for faculty evaluation is retained in Policy 11B. Additional details about the process can be found in related APS 5008 – Faculty Evaluation and APS 1009 – Multiple Means of Teaching Evaluations.
- Statement referencing that faculty are evaluated separately in each category of workload activity (e.g., teaching, scholarly/creative work, leadership and service, clinical activity, librarianship), and that the overall merit score is the weighted combination based on workload of the individual scores. Section 11.B.3(A)(2)(b)

- Statement that primary units may evaluate faculty for annual merit on parameters based on performance over multiple years (up to five years) to reflect activities that don't yield measurable results in a given year. Section 11.B.3(A)(2)(d)
- Commitment to approved alternative faculty salary plans with Anschutz-specific clarification.
  - Note that some of the ~~academic units~~ faculty at the CU Anschutz Medical campus have approved alternative faculty compensation plans. In current version of Policy 11B, alternative compensation plans are referenced generally without specific reference to Anschutz. The proposed updated language refers only to Anschutz and is included as an asterisk at the end of the policy.
- Information about non-base building salary adjustments. Section 11.B.3(E)

## **B. CLARIFIED, REVISED, OR NEW**

- New statement that each campus shall have a policy or mechanism for periodic review of salary structure for inequities. Section 11.B.1
- New footnote to clarify that salary adjustments may be an increase or a decrease. Section 11.B.2
- Language that makes clear that annual salary adjustments for faculty may result from annual merit-based adjustments, any additional base-building adjustments (for market, career merit inequities, salary equity, promotion, and institutional priorities), and non-base building adjustments. Section 11.B.2.(A) and Section 11.B.3.
- The section, "Determining Annual Salary Adjustments" brings together language about the annual merit evaluation process for faculty in the primary unit in reorganized, streamlined, clarified form. Section 11.B.3.
- Revised and clarified language related to each primary unit having a transparent process for making annual merit-based, base-building recommendations for salary adjustments. Section 11.B.3(B)
- The "Merit, Market, and Other Factors" section in current policy (Section 11.B.2(C)(3)) is revised, streamlined, and renamed "Additional Base-building Salary Adjustments" in proposed policy (Section 11.B.3(C)). The updated section applies to salary adjustments for market, career merit inequities, salary equity, promotion, and institutional priorities.
- Clarified, streamlined language establishing that faculty salary adjustments are recommended by the primary unit to the dean, who in turn recommends to the Provost and the chancellor for final approval. Section 11.B.3(D)(1)
- Language regarding "additional pay and/or non-base building adjustments" is streamlined to simply "non-base building adjustments." Additional pay is a form of non-base building adjustment and is discussed in Section 11.B.3(E).
- Current version of the policy includes language about salary grievance process. This content is retained and reorganized in a new section about appeals processes. Section 11.B.4
- The footnote related to the Anschutz Medical Campus is updated to include reference to the fact that salary pool allocations and annual faculty evaluation processes may vary at the Anschutz campus.

- The Glossary of Terms section at the end of the policy has been shortened and renamed “Explanation of Terms Used in Regent Policy 11B.” Specific changes include:
  - “Merit” definition includes an updated clause that “other activities relevant to an academic unit” are included as part of the peer evaluation process for assessment of faculty performance for merit purposes, in addition to teaching, scholarly/creative work, and leadership and service.
  - “Market Increments” definition is updated to “Market Adjustments” which is the term consistently used throughout the policy.
  - “Primary Unit” definition is updated **to align with the definition used in other CU policies.**
  - “Salary Pool” definition is updated to reflect both annual merit evaluation based salary adjustments and other adjustments covered by this policy (market, career merit inequities, salary equity, promotion, and institutional priorities).

## REMOVED

- Statement that salary pools must include base and non-base building adjustments. Non-base building funds are not required to come from the salary pool. Removed from Section 11.B.1(B)(2) of current policy.
- Language requiring a review committee on each campus composed of faculty and administrators to examine the salary process. This language is removed from Section 11.B.1(B)(3) of current policy. A broader statement was added to the Introduction (See Section 11.B.1 of proposed version) that each campus shall have a policy or mechanism to review salary structure for inequities. This gives campuses more flexibility in how they implement salary process reviews.
- Language about merit as the prevailing factor in all recommended salary increases. Removed from Section 11.B.1(B)(1)(a) of current policy.
- Statements about the resources that salary increases are dependent upon. Removed from Section 11.B.2(A) of current policy.
- Reference to development of a range for each campus’s salary pool increase/decrease being developed by the president and chancellors with Regent approval each spring in the budget process. Removed from Section 11.B.2(A) of current policy.
- Reference to the sources that funds for salaries and annual merit increases derive from (state appropriations, tuition, grants, contracts, etc.) and that awarding of merit increases depends on availability of these funds. Removed from Section 11.B.2(A) of current policy.
- Reference to chancellor or president being responsible for designated funds for increases for merit, salary equity, market, career merit inequities, promotional, title changes, and additional responsibilities. Removed from Section 11.B.2(A) of current policy.
- Section related to salary freezes and the implementation of salary decreases. Removed from Section 11.B.2(B) of current policy.
- Statements that campuses should set goals related to balancing evaluation of outstanding vs exceeding vs meeting expectations. Removed from Section 11.B.2(C)(2) of current policy.
- Section that discusses campus allocations to primary units. The campus plan should address this. Removed Section 11.B.2(C)(3)(a) of current policy.

- Sections related to implementation timing of annual salary adjustments and delays in implementation. Removed from Sections 11.B.2(D) and 11.B.2(E) of current policy.
- Section on setting the salary for an administrator returning to a faculty position. Removed from Section 11.B.2(G) of current policy. This information is already in Regent Policy 3.I.
- The section describing extra work outside of regular duties is removed from Section 11.B.2(H)(1) of current policy. Conceptually this content is covered in streamlined form by the section on additional pay in proposed version of Policy 11B, Section 11.B.3(E)(1).
- The following terms have been removed from the “Explanation of Terms Used in Regent Policy 11B” section.
  - Additional pay – not used as a term in proposed policy; content is covered in Section 11.B.3(E) of proposed policy about non-base-building adjustments.
  - Administrative stipend – not used as a term in proposed policy; content is covered in Section 11.B.3(E) of proposed policy about non-base-building adjustments.
  - Non-base building salary – Didn’t need a definition in the glossary because it’s explained in its own section in proposed policy. See Section 11.B.3(E) in proposed policy.
  - Structural adjustments – not used as a term in proposed policy