



*Bill Jacob*  
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*Chair of the Assembly of the Academic Senate  
Faculty Representative to the Regents  
University of California  
1111 Franklin Street, 12th Floor  
Oakland, California 94607-5200*

February 27, 2014

**SUSAN CARLSON, VICE PROVOST  
ACADEMIC PERSONNEL**

**Re: Proposed revisions to APM 025 and APM 670 and Proposed new APM 671**

Dear Susan,

Academic Senate divisions and committees have reviewed the [proposed revisions to APM 025 and APM 670 and the proposed new APM 671](#), which are intended to clarify the purpose, scope, and compliance requirements related to conflict of commitment policy for general campus faculty and Health Sciences Compensation Plan (HSCP) faculty. Nine Senate divisions (UCB, UCD, UCI, UCLA, UCM, UCR, UCSB, UCSC and UCSD) and two systemwide committees (UCFW and CCGA) submitted comments. Their comments are enclosed.

First, I want to express my appreciation to you for your responsiveness to the comments and concerns Senate reviewers expressed during the management review. The new proposal addresses those concerns in a very substantive way and is a significant improvement over the original version.

Most Senate reviewers supported the revisions as written, noting that they add clarity to and help unify confusing and divergent sections of the APM, and reduce the reporting requirements of HSCP members. Reviewers also noted support for the intent of the revisions, as stated in the Rationale, to create mutually exclusive policies such that HSCP participants would be subject to APM 671, and all other faculty, including Health Sciences faculty who are not HSCP participants, subject to APM 025. There was also general support for the intent to reduce the emphasis on the amount of compensation as a determining factor for outside activities, and to increase the emphasis on of the likelihood that outside activities would interfere with University duties. Overall, the only serious concerns raised during this review came from the Faculty of Medicine at Davis.

Reviewers did, however, identify a few specific issues that require clarification. I will summarize those for you here, but also encourage you to refer to the attached review documents for more details.

APM 025

- Clarify the definition of “outside consulting” as it applies to faculty with formal associations with UC’s national laboratories or who serve on standing or ad hoc laboratory committees. Consider such service as a form of systemwide service rather than outside consulting
- Clarify how APM 025 affects employees in the Professional Research series.

- Clarify how APM 025 affects students working under SBIR (small business innovation research) and STTR (small business technology transfer) grants.
- In 025-4b, remove the word “full-time” or, alternatively, add a sentence to provide guidance under APM 025-2 for part-time employees.
- In 025-8b, add a sentence to the discussion of student participation in outside activities to indicate that faculty members are responsible for ensuring that a student’s participation does not interfere with his/her academic obligations
- In 025-04 and 025-14, clarify whether consulting performed on weekends counts toward the definition of a “day” for disclosure or time limit purposes. And further clarify the definition of “a day” beyond “using common sense and customary practice.”
- In 025, in the discussion of professional activities that create a “conflict of commitment,” include examples of how conflicts of commitment can emerge (such as when a full-time faculty member becomes regularly unavailable to serve on committees or complete teaching assignments that involve heavy workload or year-long mandates)
- On page 2, restate the sentence that includes “the same expectation exists for part-time faculty to the extent of their faculty appointment” as “part time at 51% or greater.”
- On page 4, section “a,” clarify consultation process between faculty member, chair, and dean for determining whether an activity is a non-professional activity.
- On page 28, section “b” “Time Limits,” clause 3, clarify the phrase “averaging of days,” and whether a leave of absence for one quarter is counted as part of the 39 days. Consider substituting “averaging” with “an even distribution of days is encouraged.”
- The words “appointee” and “faculty” are used interchangeably and inconsistently throughout the text. We suggest using one or the other, or adding a sentence clarifying that faculty are sometimes referred to as “appointees.”
- In 025-10, clarify which category the term “higher category” refers to.
- Category 3 activities would benefit from additional specific examples, such as honoraria for grant panel service.
- The lack of university liability coverage for a graduate student who is recruited to work for an outside entity in connection with a faculty supervisor's outside activities is implicit rather than explicit in 025-8-d (and 671-d-g), but it may be helpful to make this point explicit in connection with students (in 025- 8-b and 671-d-e).
- In the Annual Reporting Form instructions, clarify that the “effective” appointment excludes vacation and summer months (when not receiving additional summer compensation).

#### APM 671

- Clarify the discussion surrounding the \$40,000 earning threshold. On page 4, the fourth bullet point refers to the “first” \$40,000 earned, and it is unclear whether this refers also to the \$40,000 in bullet point 2, or to subsequent earnings.
- Clarify the “pre-approval requirement” referenced in the Rationale document.
- Clarify why emeriti faculty who are recalled at 43% time or less should be subject to the Conflict of Commitment policy, given the part-time nature of their appointments.

- in 671-8a clarify that the clause (“may not be less than 18 days...”) is not intended to mandate faculty do at least 18 days of outside consulting.

Thank you for the opportunity to review and comment. Please do not hesitate to contact me if you have further questions.

Sincerely,

A handwritten signature in black ink that reads "Bill Jacob". The signature is written in a cursive, slightly slanted style.

Bill Jacob

Encl (1)

Cc: Academic Council  
Executive Director Winnacker  
Policy Manager Lockwood  
Senate Executive Directors



320 STEPHENS HALL  
UNIVERSITY OF CALIFORNIA

December 11, 2013

WILLIAM JACOB  
Chair, Academic Council

*Subject: Proposed revisions to APM 025 (Conflict of Commitment), and APM 670 (Health Sciences Compensation Plan); and proposed new APM 671 (Conflict of Commitment and Outside Professional Activities of Health Sciences Compensation Plan Participants)*

Dear Bill,

On December 2, 2013, the Divisional Council of the Berkeley Division considered the proposals cited in the subject line, informed by reports of our divisional committees on Budget and Interdepartmental Relations, and Faculty Welfare.

In principle, we do not object to the proposals. We did, however, identify a few specific issues that we believe merit clarification. The key points of concern are expressed well in the BIR report, which is appended in its entirety.

Sincerely,

A handwritten signature in cursive script that reads 'Elizabeth Deakin'.

Elizabeth Deakin  
Chair, Berkeley Division of the Academic Senate  
Professor of City and Regional Planning

Encl.

Cc: Eric Talley, Chair, Committee on Budget and Interdepartmental Relations  
Calvin Moore, Chair, Committee on Faculty Welfare  
Martha Winnacker, Executive Director, Academic Senate  
Aimee Larsen, Manager, Committee on Budget and Interdepartmental Relations

November 14, 2013

CHAIR ELIZABETH DEAKIN  
BERKELEY DIVISION OF THE ACADEMIC SENATE

RE: Proposed Revisions to APM-025 & APM-670, and New APM-671

Thank you for giving us the opportunity to comment on proposed revisions to APM-025 and APM-670, and on new APM-671, which concern outside activities of faculty members. Overall, we find these revisions to be well motivated. We have a few minor suggestions for the text and wording, detailed as follows:

Draft APM-025

- 025-4b: We suggest that the word “full-time” should be removed or, alternatively, that a sentence be added to provide guidance under APM 025-2 for part-time employees. (The text in track-changes comment box AP6, as shown in the Draft APM-025 Annotated Redline document, would solve this problem.)
- 025-8b: In the discussion of student participation in outside activities, it would be useful to add a sentence that says that the faculty member has a responsibility to ensure that a student’s participation does not interfere with his/her academic obligations.
- 025-10: The discussion of Category II service item f should include a clear definition of the term “outside consulting” as it applies to University of California (UC)-managed national laboratories. Many members of the faculty have formal associations with the laboratories and routinely serve on standing or ad hoc laboratory committees. Perhaps such service should be viewed as a form of system-wide service rather than outside consulting.
- 025-04 and 025-14: The definition and eligibility sections remain opaque as to what constitutes a “day”—e.g., does consulting performed on weekends count towards the limits of APM-025 disclosure or time limits? Admittedly, the former definition of “day” in 025-04 was itself unclear, but the new definition potentially invites greater disparities of opinion.
- 025 (multiple sections): We concur with and applaud the suggested revisions clarifying professional activities that create a “conflict of commitment” (i.e., those activities that interfere with a faculty member’s full-time professional obligations to the University). We propose that this discussion might include examples in which conflicts of commitment can emerge (such as when a full-time faculty member becomes regularly unavailable to serve on committees or complete teaching assignments that involve heavy workload or year-long mandates).

Draft APM-670

It appears to us that APM-670 remains essentially the same, with the exception of the fact that some of its language has been moved to APM-025 and APM-671.

New Draft APM-671

The suggestions provided above for draft APM-025 are applicable here as well. In particular, we believe further clarification as to constraints on student participation and on consulting for UC-managed national laboratories would be useful.

A handwritten signature in black ink that reads "Eric L. Talley". The signature is written in a cursive style with a large, sweeping initial "E".

Eric Talley  
Chair

ET/al



OFFICE OF THE ACADEMIC SENATE  
ONE SHIELDS AVENUE  
DAVIS, CALIFORNIA 95616-8502  
TELEPHONE: (530) 752-2231

February 24, 2014

**WILLIAM JACOB, CHAIR**

UC Academic Council  
1111 Franklin Street, 12th Floor  
Oakland, California 94607-5200

**RE: APM Review – Conflict of Commitment with Outside Activities & Health Science Compensation Plan**

The proposed revised Academic Personnel Manual (APM) sections 025, 670, and 671 were forwarded to all Davis Division of the Academic Senate standing committees and Faculty Executive Committees from the Schools and Colleges. Responses were received from Graduate Council, the Committees on Academic Freedom and Responsibility, the Committee on Academic Personnel, and Faculty Welfare, as well as from the Faculty Executive Committees of the College of Letters and Science and the School of Medicine.

With the exception of the Faculty Executive Committee of the School of Medicine, all committees that responded are in support of the proposed revision overall and have only a couple of requests for clarification. The School of Medicine, however, objects strongly to the different treatment given to faculty participating in the Health Sciences Compensation Plan compared to all other faculty.

The following summarizes responses received:

The Committee on Academic Personnel (CAP Oversight) believes that, in view of the different fiscal realities of the main campus and the Medical School and Center, it is appropriate to differentiate between HSCP and other compensation in the Conflict of Commitment policies of the university. Hence, CAP supports the revisions and addition of section 671 to the APM, with one caveat: page 4 of the letter from October 25, 2013, describing the language of the proposed section 671, mandates "a pre-approval requirement after either the time or dollar threshold has been reached." The meaning of this statement was not clear to the Committee, and a search of the letter did not reveal additional information that clarified this pre-approval requirement. CAP recommends clarification of this item.

The Faculty Welfare Committee agreed that the new version is much improved and substantially clearer, in particular due to the separation of those on the Health Sciences Compensation Plan from the rest of the faculty. The Committee had one point of clarification on the Annual Reporting Form. There was some confusion concerning the meaning of "...for the time your academic-year or fiscal-year appointment was effective during the identified fiscal year." It would be useful to clarify that the "effective" appointment excludes Vacation and Summer Months (when not receiving additional University summer compensation).

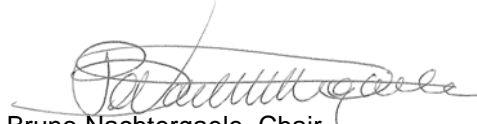
The Faculty Executive Committee (FEC) of the School of Medicine reviewed the request for consultation and has expressed many serious concerns with the proposed changes to the APM. In addition, the FEC polled the faculty of the School of Medicine and found that concerns about these proposed changes are widespread. I reproduce these concerns here for further consideration:

- 1) Many School of Medicine faculty members are disconcerted that different standards will be applied to those who participate in the Health Sciences Compensation Plan than to other UC Davis faculty. Faculty members believe that the same rule should be applied to all faculty.
- 2) School of Medicine faculty members also feel that the proposed changes may have a chilling effect on outside activities that are part of faculty development, and thus have a net negative impact on fulfilling the mission of the school and university.
- 3) There is concern about the definition of fulltime employment and the concept of outside activities conflicting with UCD duties. What is the definition of fulltime employment? Faculty members have been told that one concern is any outside activity "taking away" from their ability to devote time and effort to UCD. However, many faculty are on professional committees, editorial boards, etc., which take time and

- do not provide compensation. Tying the idea of conflict to money makes it appear as if this entire issue is really about money and not the time and effort. Having a definition of what fulltime is would be helpful.
- 4) There was a widespread tone of skepticism and distrust reported in the poll, with many feeling that the proposed changes were little more than an attempt by the main campus to control funds that will lead to increased alienation of the Sacramento Campus faculty, as well as decreased morale and productivity.
  - 5) There is also a concern regarding the current mechanism for paying excess funds back to UC Davis Medical Center (UCDMC), and potential IRS tax concerns for double income reporting. Currently, the UCDMC pay plan language requires paying the entire amount to the UC Regents and then the school deducts department and dean taxes and gives the remaining funds back to the faculty member as taxable income, which they are taxed on for a second time. We do not understand why we are not simply required to give the School the amount owed, rather than the entire amount.

The Davis Division of the Academic Senate appreciates the opportunity to respond to the proposed revisions to the three APM sections 025, 670, and 671.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bruno Nachtergaele', written over a horizontal line.

Bruno Nachtergaele, Chair  
Davis Division of the Academic Senate  
Professor: Mathematics





Office of the Academic Senate  
307 Aldrich Hall  
Irvine, CA 92697-1325  
(949) 824-2215 FAX

February 7, 2014

William Jacob, Chair, Academic Council  
1111 Franklin Street, 12<sup>th</sup> Floor  
Oakland, CA 94607-5200

**RE: Systemwide Review of Proposed Revisions to APM - 025, conflict of Commitment and Outside Activities of Faculty Members, APM - 670, Health Sciences Compensation Plan, and Proposed New Policy, APM - 671, Conflict of Commitment and Outside Professional Activities of Health Sciences Compensation Plan**

At its meeting of January 22, 2014, the Irvine Divisional Academic Senate reviewed the proposed revisions to APM-025, APM 670, and the proposed new APM 671. The proposal is responsive to administrative and faculty requests to clarify purpose, scope, and compliance requirements concerning conflict of commitment policy for general campus faculty and for Health Sciences Compensation Plan faculty. The following Councils commented and suggested modifications:

**Council on Faculty Welfare, Diversity, and Academic Freedom (CFW)**

The Council on Faculty Welfare, Diversity, and Academic Freedom (CFW) reviewed the proposed revisions and saw no general campus issues with APM-671. Members felt the Council lacked the appropriate knowledge and experience to judge the impact of APM-025 on the Medical School but felt it was reasonable to address conflict of commitment for faculty participating in the Health Sciences Compensation Plan in a separate section of the APM.

**Council on Planning and Budget**

The Council on Planning and Budget (CPB) reviewed the proposed revisions to APM - 025, proposed revisions to APM - 670, and proposed new APM - 671. CPB finds the proposed changes to be appropriate and supports the following:

- Eligibility for governance under APM - 025 or APM - 671 will be mutually exclusive, with Health Sciences Compensation Plan participants subject to APM - 671 and all other faculty, including Health Sciences faculty who are not participants in the Plan, subject to APM - 025. This change seems much clearer than previous guidelines.
- The new guidelines reduce emphasis on compensation as a determining factor, and increase emphasis on the likely level of interference with University duties.

The Irvine Division appreciates the opportunity to comment.

A handwritten signature in cursive script that reads "Peter Krapp".

Peter Krapp, Senate Chair

C: Martha Kendall Winnacker, Executive Director, Academic Senate

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SANTA BARBARA • SANTA CRUZ

OFFICE OF THE ACADEMIC SENATE  
IGNACIO LÓPEZ-CALVO, CHAIR  
[senatechair@ucmerced.edu](mailto:senatechair@ucmerced.edu)

UNIVERSITY OF CALIFORNIA, MERCED  
5200 NORTH LAKE ROAD  
MERCED, CA 95343  
(209) 228-7954; fax (209) 228-7955

**February 14, 2014**

**William Jacob, Chair, Academic Council**

**Re: Systemwide Review of Proposed Changes to APM 025, 670 and Proposed New Policy APM 671**

Thank you for the opportunity to review the proposed policy changes that will affect APM 025, Conflict of Commitment and Outside Activities of Faculty Members, APM 670, Health Sciences Compensation Plan, and proposed new policy APM 671, Conflict of Commitment and Outside Professional Activities of Health Sciences Compensation Plan Members. The Merced Division Council, Standing Senate Committees and School Executive Committees reviewed the proposed revisions and had no objections or comments.

We appreciate the opportunity to opine.

Sincerely,

A handwritten signature in black ink that reads "Ignacio López-Calvo". The signature is written in a cursive style.

Ignacio López-Calvo, Chair  
Division Council

CC: Division Council  
Senate Office

# UNIVERSITY OF CALIFORNIA, MERCED

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ACADEMIC SENATE, MERCED DIVISION  
COMMITTEE ON ACADEMIC PERSONNEL (CAP)  
RAYMOND GIBBS, CHAIR  
gibbs@ucsc.edu

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5200 NORTH LAKE ROAD  
MERCED, CA 95344  
(209) 228-4369; fax (209) 228-7955

**November 15, 2013**

**To:** Ignacio López-Calvo, Chair, Division Council

**From:** Raymond Gibbs, Chair, Committee on Academic Personnel (CAP) *Raymond Gibbs*

**Re:** Request for Review of Proposed Changes to APM 25, 670, and 671

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At Division Council's request on October 28, CAP reviewed the proposed revisions to APM 25, 670, and 671. CAP appreciates the opportunity to opine on this item but has no comments.

cc: CAP Members  
DivCo Members  
Senate Office

# UNIVERSITY OF CALIFORNIA, MERCED

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ACADEMIC SENATE, MERCED DIVISION  
COMMITTEE ON ACADEMIC PLANNING AND RESOURCE ALLOCATION  
ANNE KELLEY, CHAIR  
amkelley@ucmerced.edu

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5200 NORTH LAKE ROAD  
MERCED, CA 95344  
(209) 228-4369; fax (209) 228-7955

**October 31, 2013**

**To:** Ignacio López-Calvo, Chair, Division Council

**From:** Anne Kelley, Chair, Committee on Academic Planning and Resource Allocation *Anne Kelley*  
(CAPRA)

**Re:** Systemwide Request to Review APM 025, 670, and 671

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CAPRA appreciates the opportunity to opine on the proposed changes to APM 025, 670, and 671 but has no comments.

cc: CAPRA Members  
DivCo Members  
Senate Office

# UNIVERSITY OF CALIFORNIA, MERCED

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SANTA BARBARA • SANTA CRUZ

ACADEMIC SENATE, MERCED DIVISION  
COMMITTEE ON RESEARCH  
RUTH MOSTERN, CHAIR  
rmostern@ucmerced.edu

UNIVERSITY OF CALIFORNIA, MERCED  
5200 NORTH LAKE ROAD  
MERCED, CA 95344  
(209) 228-4369; fax (209) 228-7955

**November 6, 2013**

**To:** Ignacio López-Calvo, Chair, Division Council

**From:** Ruth Mostern, Chair, Committee on Research (COR)

A handwritten signature in black ink, appearing to read "Ruth Mostern", is written over the "From:" line.

**Re:** Systemwide Request to Review APM 025, 670, and 671

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COR appreciates the opportunity to opine on the proposed changes to APM 025, 670, and 671 but has no comments.

cc: COR Members  
DivCo Members  
Senate Office

# UNIVERSITY OF CALIFORNIA, MERCED

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SANTA BARBARA • SANTA CRUZ

ACADEMIC SENATE, MERCED DIVISION  
COMMITTEE ON FACULTY WELFARE, DIVERSITY & ACADEMIC FREEDOM  
RUDY ORTIZ, CHAIR  
rortiz@ucmerced.edu

UNIVERSITY OF CALIFORNIA, MERCED  
5200 NORTH LAKE ROAD  
MERCED, CA 95344  
(209) 228-4369; fax (209) 228-7955

**January 30, 2014**

**To:** Ignacio López-Calvo, Chair, Division Council

**From:** Rudy Ortiz, Chair, Committee on Faculty Welfare, Diversity, and Academic Freedom (FWDAF)

A handwritten signature in black ink, appearing to read "R. Ortiz", is placed below the "From:" line.

**Re:** Systemwide Request to Review APM 25, 670, 671

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FWDAF appreciates the opportunity to opine on the revisions to APM 25, 670, and 671 but has no comments.

cc: FWDAF members  
DivCo members  
Senate office

# UNIVERSITY OF CALIFORNIA, MERCED

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ACADEMIC SENATE, MERCED DIVISION  
GRADUATE COUNCIL (GC)  
VALERIE LEPPERT, CHAIR

UNIVERSITY OF CALIFORNIA, MERCED  
5200 NORTH LAKE ROAD  
MERCED, CA 95343  
(209) 228-6312

**January 22, 2014**

**To: Ignacio López-Calvo, Senate Chair**

**From: Valerie Leppert, Chair, Graduate Council (GC)**

**Re: GC response on the proposed revisions of APM 025, APM 670 and proposed new APM 671**

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In response to DivCo's request, Graduate Council reviewed the documents related to the proposed revisions of APM 025- Conflict of Commitment and Outside Activities of Faculty, APM 670- Health Sciences Compensation Plan, and proposed new APM 671- Conflict of Commitment and Outside Professional Activities of Health Sciences Compensation Plan Participants. Members had no objections or comments.

We appreciate the opportunity to opine.

Cc: Graduate Council  
Division Council  
Academic Senate Office

25 February 2014

William Jacob, Chair, Academic Council  
1111 Franklin Street, 12<sup>th</sup> Floor  
Oakland, CA 94607-5200

Re: Proposed Revision APM – 025, APM – 670 and new APM - 671

Dear Bill,

Thank you for the opportunity to review the above proposals. We solicited input from the Faculty Welfare Committee, the Council on Research, Privilege & Tenure, Charges and the Faculty Executive Committees of the College and the Schools.

The committees that responded found the simplification, clarification, and separation between the general campus faculty and health science compensation plan faculty to be improvements and were supportive of the changes. Two responses wished for some greater clarification of, especially, Category 3 activities, perhaps through the use of examples. The Committee on Research also suggested that clarification regarding certain types of contract-funded activity would also be helpful for HSCP faculty in the future.

The track-changes versions of the document were greatly appreciated.

Sincerely,



Jan Reiff  
Chair, UCLA Academic Senate, 2013-2014

Chair, UCLA Academic Senate

cc: Martha Kendall Winnacker, Executive Director, Academic Senate  
Michael LaBriola, Principal Policy Analyst, Academic Senate  
Linda Mohr, Interim CAO, UCLA Academic Senate  
Serge Chenkerian, MSO, UCLA Academic Senate





CHAIR, ACADEMIC SENATE  
RIVERSIDE DIVISION  
UNIVERSITY OFFICE BUILDING, RM 225

JOSE WUDKA  
PROFESSOR OF PHYSICS AND ASTRONOMY  
RIVERSIDE, CA 92521-0217  
TEL: (951) 827-5538  
E-MAIL: JOSE.WUDKA@UCR.EDU

February 14, 2014

William Jacob, Chair, Academic Council  
1111 Franklin Street, 12th Floor  
Oakland, CA 94607-5200

**RE: Systemwide Review of Proposed Revised Academic Personnel Manual (APM)  
Section 025, 670 and 671**

Dear Bill,

During its February 10 meeting the UCR Executive Committee discussed the proposed revisions to APM025, APM670 and APM671. Most of the reviewers support the proposals without comments. There were however, a few suggestions.

The School of Medicine suggested that the discussion surrounding the \$40,000 earning threshold be clarified. On pg. 4 of the introductory material the fourth bullet point refers the 'first' \$40,000 earned, and it is unclear whether this refers also to the \$40,000 on bullet point 2, or to subsequent earnings.

In addition, the Committee on Research suggests that further details be provided on how APM025 affect employees in the Professional Research series. Similar clarifications are needed for students working under an SBIR (small business innovation research) and STTR (small business technology transfer) grants.

We appreciate the opportunity to comment.

Sincerely yours,

Jose Wudka

Professor of Physics & Astronomy and Chair of the Riverside Division

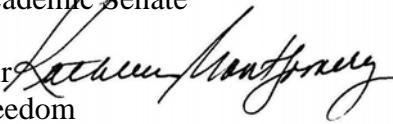
CC: Martha Kendall Winnacker, Executive Director of the Academic Senate  
Cynthia Palmer, Director of UCR Academic Senate office

**UC RIVERSIDE** UNIVERSITY OF CALIFORNIA | **Academic Senate**  
**COMMITTEE ON ACADEMIC FREEDOM**

January 21, 2014

To: Jose Wudka, Chair  
Riverside Division of the Academic Senate

From: Kathleen Montgomery, Chair  
Committee on Academic Freedom



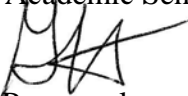
**Re: Systemwide Review of Proposed Revisions to APM 025, 670, 671**

The Committee on Academic Freedom has considered but has no comments to offer on the numerous editorial and organizational changes found in the proposed revisions to APM 025 – Conflict of Commitment and Outside Activities of Faculty Members; APM 670 – Health Sciences Compensation Plan; and APM 671 – Conflict of Commitment and Outside Professional Activities of Health Sciences Compensation Plan Participants.

**UC RIVERSIDE** UNIVERSITY OF CALIFORNIA | **Academic Senate**  
**COMMITTEE ON ACADEMIC PERSONNEL**

November 27, 2013

To: Jose Wudka, Chair  
Riverside Division of the Academic Senate

From: George Haggerty, Chair   
Committee on Academic Personnel

**Re: Systemwide Review of Proposed Revisions to APM 025, 670 and 671**

On November 25, 2013, CAP voted unanimously to approve the proposed changes to APM 025, 670, 671 and has no further recommendations (+10-0-0).



January 14, 2014

To: Jose Wudka  
Chair, Riverside Division Academic Senate

Fr: Kenneth Barish  
Chair, Committee on Planning and Budget

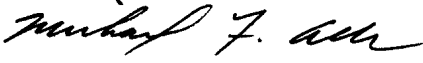
**Re: Review of the Proposed Changes to APM 025, 670 & 671**

P&B reviewed the proposed changes, and had no corrections, questions, or comments.



January 17, 2013

To: Jose Wudka, Chair  
Riverside Division

From: Michael Allen, Chair   
Committee on Research

Re: **Systemwide Review of Proposed Revisions to APM 025, 670 and 671**

The Committee on Research discussed the proposed revisions to APM 025, 670 and 671 at its meeting on January 13, 2014. There were some items that were unclear to the committee. We write now for clarification on the following points:

- How extensive does the faculty list of outside professional activities need to be? For example, are small non-profits or being on the board of a Homeowners Association considered conflicts of commitment?
- Los Alamos and Lawrence Livermore are part of the UC system and managed by the UC, why are they being treated like an outside activity?
- Where do the Professional Researcher title series fit in for faculty titles subject to APM 025?
- Student involvement in outside activities - if the student is working on an SBIR or STTR grant, how is that considered within this context? These grants are all collaborative with industry and the point is to make outside interactions. How will these subcontracts be handled with this approval process?

January 9, 2014

TO: Jose Wudka, Chair  
Riverside Division

FR: Akula Venkatram, Chair  
Executive Committee, Bourns College of Engineering

RE: Response to the Review of Changes to APM-025, 670, and 671

APM-025 has been revised in terms of language and structure to clarify the purpose, scope, and compliance requirements concerning conflict of commitment policy for general campus faculty and for Health Science Compensation Plan (HSCP) faculty. APM-025, which applies to all faculty, places restrictions on the time spent on outside professional activities but places no restrictions on the compensation resulting from these activities. HSCP faculty are also governed by APM-670, which places restrictions on the amount of compensation as well as time spent on outside professional activities. APM-671 was formulated to avoid the need to refer to two different policies. It also revises the compensation restrictions in APM-670. Parts of APM-025 that apply to HSCP faculty are now included in APM-671, which is intended to be the single policy that governs conflict of interest requirements of the HSPC faculty. The status of APM-670 is not clear.

The revised APM-025 does not include new guidance that would affect the policies that guide outside professional activities of the BCOE faculty. The new language and structure of APM-025 clarifies the previous policy and reduces the possibility of misinterpretation by the faculty and the administration. The BCOE endorses the revisions to APM-025 and the formulation of the new APM-671.

# UNIVERSITY OF CALIFORNIA, RIVERSIDE



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EXECUTIVE COMMITTEE:  
COLLEGE OF HUMANITIES, ARTS, AND SOCIAL SCIENCES

RIVERSIDE, CALIFORNIA 92521-0132

January 8, 2014

TO: José Wudka, Chair  
Academic Senate

FROM: Erica Edwards, Chair  
CHASS Executive Committee

RE: Response to the System-wide Review of Proposed Revisions to APM 025, 670, and 671

The CHASS Executive Committee discussed the proposed revisions to APM 025, 670, and 671 at the regular meeting on January 8, 2014. The committee approves the revisions without comments.

Erica Edwards, Chair

UCR CHASS Executive Committee

TO: Jose Wudka, Chair,  
Riverside Division

FROM: Gillian Wilson, Chair, Executive Committee  
College of Natural and Agricultural Sciences

DATE: Jan 8<sup>th</sup> 2014

RE: Systemwide Review of Proposed Revisions to APM 025, 670 and 671

Dear Jose,

The CNAS Executive Committee discussed the proposed revisions to APM 025 at its meeting on January 7<sup>th</sup> 2014. The committee did not discuss the proposed revisions to APM 670 and 671, believing those to be outside its purview. The CNAS Executive Committee has no objections to the proposed revisions to APM 025.

Yours sincerely,

*Gillian Wilson*

Gillian Wilson  
Chair, Executive Committee  
College of Natural and Agricultural Sciences



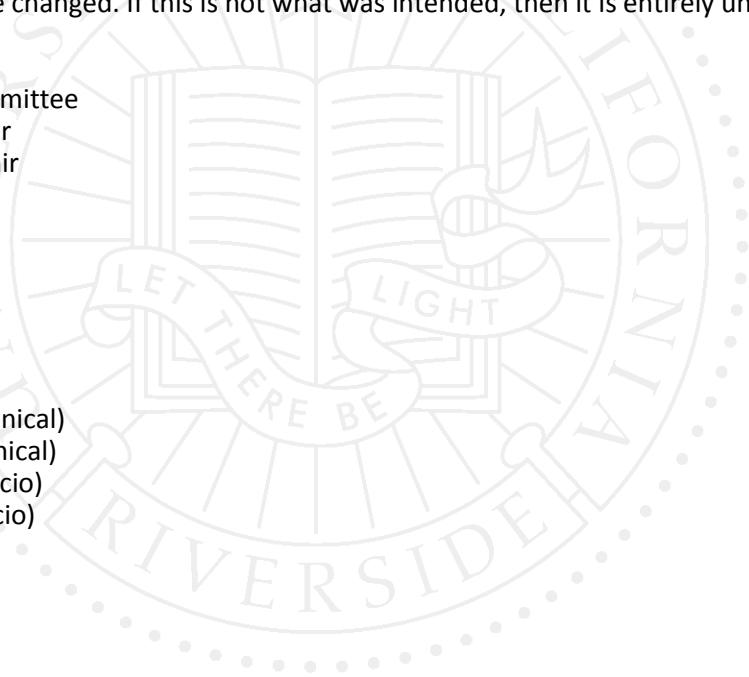
Division of Biomedical  
Sciences  
School of Medicine  
Riverside, CA 92521  
Tel (951) 827-5942

To: Jose Wudka, Chair of the Senate  
From: Ameae Walker, Chair of the Faculty Executive Committee, SOM  
Re: APM-025,670 & 671

At its meeting 12/10/13, the SOM FEC discussed the proposed revision to APM-025 and the New Policy APM - 671 regarding conflict of commitment and outside professional activities of faculty.

There was unanimous support for the proposal since it reduces the reporting requirements of HSCP members to one per year instead of two, as well as clarifying and hopefully unifying application of policy. The only concern raised was over the somewhat confusing language on page 4 bullet points about the \$40,000: bullet 2 says that \$40,000 is the amount that can be earned without the money being "due the plan". In bullet point 4, it talks about taxation of the first \$40,000 earned. Presumably, bullet point 4 means the first \$40,000 earned over and above the actual first \$40,000 earned, which would not be subject to taxation. The wording needs to be changed. If this is not what was intended, then it is entirely unclear what was intended.

SOM Executive Committee  
Ameae Walker, Chair  
Paul Lyons, Vice Chair  
Monica Carson  
Iryna Ethell  
David Lo  
Christian Lytle  
Ilhem Messaoudi  
Neal Schiller  
Emma Wilson  
Mahendr Kochar (clinical)  
Emma Simmons (clinical)  
Richard Olds (ex officio)  
Phyllis Guze (ex officio)





ACADEMIC SENATE  
Santa Barbara Division  
1233 Girvetz Hall  
Santa Barbara, CA 93106-3050

(805) 893-2885  
<http://www.senate.ucsb.edu>

Kum-Kum Bhavnani, Chair  
Deborah Karoff, Executive Director

February 18, 2014

Bill Jacob, Chair  
Academic Senate

RE: APM 025 and APM 670 Proposed Revisions and Proposed New APM 671

Dear Bill,

The Santa Barbara Division requested comment from the following groups: Committee on Academic Personnel (CAP), Council on Planning and Budget (CPB), Council on Faculty Issues and Awards (CFIA), Council on Research and Instructional Resources (CRIR), and the Faculty Executive Committees from Engineering and Letters and Science. All groups either endorsed the proposed revisions to APM 025 or chose not to opine. All groups chose not to opine on the proposed revisions to APM 670 and the proposed new version of APM 671 given that there are no Health Sciences faculty on the UCSB campus. Several groups noted that the revised versions have more clarity overall.

One group, CRIR, suggest some editorial revisions in APM 025 that might provide greater clarity:

- In the annotated redline version on page 2 the sentence that includes “the same expectation exists for part-time faculty to the extent of their faculty appointment. This sentence would be more clearly stated as “part time at 51% or greater”.
- Under section “a” on page 4 of the annotated redline version of the document there is a sentence that reads “The Department Chair, in consultation with the faculty member and the Dean, shall resolve any questions related to whether an activity constitutes outside non-professional activity or is within the course and scope of employment.” This paragraph could be better communicated given that this is the first mention of consultation in the document.
- On page 28 of the annotated redline version, section B “Time Limits”, clause 3, is the first mention of a leave of absence and some clarification seems to be necessary. The document refers to “averaging of days”, which we understand is intended to prevent a concentration of these days in one quarter or other condensed period. However, it is not clear whether or not a leave of absence for one quarter is time counted as part of the 39 days. We also note that the use of the word “averaging” is inappropriate in this context and it may be more accurate to state that “even distribution of days is encouraged” (replacing “permissible”). It does not seem that point 3 adds to point 1 in this section.

- On page 16 of the annotated redline version of the policy is the first use of the word “appointee” instead of faculty (“Outside activities must not conflict with the appointee’s obligations to students, colleagues, or to the University as a whole.”). This seems inconsistent, particularly since the word “appointee” is used in the document title. We suggest using one or the other of “faculty” or “appointee”, or adding a sentence in the document to clarify that faculty are at times referred to as “appointee”.

The Santa Barbara Division endorses the revisions to APM 025 and chooses not to opine on the proposed revisions to APM 670 and the proposed new APM 671.

Thank you for the opportunity to comment.

Sincerely,



Kum-Kum Bhavnani, Chair  
UCSB Division



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SANTA CRUZ DIVISION  
125 CLARK KERR HALL  
(831) 459 - 2086

January 30, 2014

William Jacob, Chair  
Academic Council

**Re: Systemwide Review of Proposed Revised APM 025, 670, and Proposed New APM 671**

Dear Bill,

The UC Santa Cruz Division has reviewed and discussed the proposed revised Academic Personnel Manual (APM) Section 025, Conflict of Commitment and Outside Activities of Faculty Members, proposed revised APM Section 670, Health Sciences Compensation Plan, and Proposed new APM Section 671, Conflict of Commitment and Outside Professional Activities of Health Sciences compensation Plan Participants. Our committees on Academic Personnel (CAP), Academic Freedom (CAF), and Privilege and Tenure (P&T) provided comments. As UC Santa Cruz does not have faculty under the Health Sciences Compensation Plan, the committee responses focused mainly on the proposed revisions to APM 025. The Santa Cruz Division is in general support of the policy revisions, but notes the following concerns and recommendations.

There is difficulty in calculating and defining time for faculty. In APM 025-4-e, for example, a day is “defined using common sense and customary practice.” To avoid confusion among faculty as to policies with respect to absences from campus, outside professional activities, and approvals required, the policy (or other APM language) should clarify the faculty relationship to time.

We also make one small note. Under APM 025-10, the reference to the “higher category is confusing. It appears to refer to the category with the strongest reporting requirement, but this could be clarified, especially given that Category III activities are the ones that do not require reporting.

The reporting and approval process for outside professional activities should not be so onerous that it would constitute a barrier to faculty members pursuing consultancies and research partnerships. Rather, it is our hope that the proposed revisions to APM 025 will make the policy more clear and enable faculty to continue the outside professional activities that further add to the esteemed reputation of the University of California.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, reading "Joseph P. Konopelski". The signature is written in a cursive style with a large initial "J" and a long horizontal stroke extending to the right.

Joseph P. Konopelski, Chair  
Academic Senate  
Santa Cruz Division

cc: Ron Glass, Chair, Committee on Academic Freedom  
Christina Ravelo, Chair, Committee on Academic Personnel  
Gina Dent, Chair, Committee on Privilege and Tenure



OFFICE OF THE ACADEMIC SENATE

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FAX: (858) 534-4528

February 14, 2014

Professor William Jacob  
Chair, Academic Council  
University of California  
1111 Franklin Street, 12<sup>th</sup> Floor  
Oakland, California 94607-5200

Subject: Proposed Revisions to Academic Personnel Manual (APM) 025, 670, and 671

Dear Professor Jacob,

The proposed revisions to APM 025: Conflict of Commitment and Outside Activities of Faculty members, APM 670: Health Sciences Compensation Plan, and APM 671: Conflict of Commitment and Outside Professional Activities of Health Sciences Compensation Plan Participants were sent to the appropriate Divisional committees for review and comment and were discussed at the January 6, 2014 Senate Council meeting. In general, the San Diego Division welcomed the changes as a clarification of the University's policies regarding conflict of commitment. Some reviewers have the following comments related to the proposed policies.

- Some reviewers felt that the clause in 671-8a ("may not be less than 18 days...") may cause confusion about the intention of that section of the policy by seemingly mandating faculty to do at least 18 days of outside consulting. The language in that section should be revised for clarity.
- Some reviewers wondered why emeriti faculty who are recalled at 43% time or less should be subject to the Conflict of Commitment policy (APM 671). Faculty who are recalled at less than 100% could still have conflicts of interest that should be reported, but it is less clear that they would have a conflict of commitment, given the part-time nature of their appointments.

Thank you for the opportunity to provide comments.

Sincerely,

Kit Pogliano, Chair  
Academic Senate, San Diego Divisioncc: Divisional Vice Chair Boss  
Executive Director Winnacker



UNIVERSITY COMMITTEE ON FACULTY WELFARE (UCFW)  
J. Daniel Hare, Chair  
[daniel.hare@ucr.edu](mailto:daniel.hare@ucr.edu)

Assembly of the Academic Senate  
1111 Franklin Street, 12<sup>th</sup> Floor  
Oakland, CA 94607-5200  
Phone: (510) 987-9466  
Fax: (510) 763-0309

February 20, 2014

**WILLIAM JACOB, CHAIR  
ACADEMIC COUNCIL**

**RE: APM 670, 671, and 025 (HSCP Conflict of Commitment Policies)**

Dear Bill,

The University Committee on Faculty Welfare (UCFW) has discussed the proposed revisions to APM sections 670, 671, and 025 (HSCP Conflict of Commitment Policies). On the whole, the committee finds the revisions improve the clarity of the sections, especially the distinctions between Category 1 and Category 2 activities. We suggest an additional clarification: Category 3 activities would benefit from additional specific examples, such as honoraria for grant panel service.

Thank you for consideration.

Sincerely,

A handwritten signature in blue ink that reads "J. Daniel Hare".

J. Daniel Hare, UCFW Chair

Copy: UCFW  
Mary Gilly, Vice Chair, Academic Council  
Martha Winnacker, Executive Director, Academic Senate



*Coordinating Committee on Graduate Affairs  
Donald Mastronarde, Chair*

February 24, 2014

**BILL JACOB, CHAIR  
ACADEMIC COUNCIL**

**Re: APM 025, 670, 671**

Dear Bill:

At its meeting December 4, 2013, CCGA discussed the proposed revisions to APM 025, 670, and 671. We did not find any serious issues and we appreciated the improvement in clarity and detail.

We believe that the language makes clear that the outside efforts should not diminish a faculty member's availability to fulfill her responsibilities in regards to supervision and mentoring of graduate students.

A few minor points were raised.

(1) Members noted that the different (non-UC) liability coverage that would apply to a graduate student who is recruited to work for an outside entity in connection with a faculty supervisor's outside activities is implicit rather than explicit. Lack of university coverage is implicit in 025-8-d (and 671-d-g), but it may be helpful to make this point explicit in connection with students (in 025-8-b, and 671-d-e).

(2) In 671-2-c, should the reference made to 671-80 be instead point to 670 - Appendix B?

Thank you for providing the opportunity to opine.

Sincerely,

/s/ Donald J. Mastronarde  
Chair, CCGA

Cc: CCGA  
Executive Director Winnacker