



Robert L. Powell
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*Chair of the Assembly and the Academic Council
Faculty Representative to the Board of Regents
University of California
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200*

May 8, 2013

**SUSAN CARLSON, VICE PROVOST
ACADEMIC PERSONNEL**

Dear Susan:

As you requested, I distributed the proposed new APM section 430 and received comments from six divisions (UCI, UCLA, UCM, UCR, UCSB, UCSD) and two committees (UCAF, UCFW). While some respondents approved of the proposed addition and recognized a need to accommodate domestic and international students and academics employed at other institutions who are visiting the University of California for short-term academic or cultural exchanges (UCI, UCM, UCAF), Council questions whether this need requires a change to the APM. Specifically, the APM is a collection of policies that govern academic personnel, and should not be expanded to include non-UC academic visitors or visiting graduate or undergraduate students (UCI, UCSB).

In addition to this skepticism about the value of the proposed addition, respondents made several suggestions for revision. These included: (1) Ensuring the integrity of appointments by requiring an academic unit to be the sponsor, rather than a single faculty member (UCSB, UCFW); (2) Adding experience as a criterion for appointment (UCR); (3) Adding an additional category, Visitors for Professionals (UCLA); (4) Providing more flexibility in the appointment terms for Visiting Graduate Students (UCSB, UCSD); (5) Providing greater specificity in the language of the APM in order to ensure that visitors have bona fide scholarly credentials (UCFW).

In general, Council questions the need to amend policy or craft new policies that apply to a small number of people. A great deal of effort is being expended on all of the campuses reviewing proposals that address issues that could be handled through existing mechanisms.

Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink that reads 'R.L. Powell'.

Robert L. Powell, Chair
Academic Council

Cc: Academic Council
Martha Winnacker, Senate Executive Director



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

March 18, 2013

Robert Powell, Chair, Academic Council
1111 Franklin Street, 12th Floor
Oakland, CA 94607-5200

RE: Systemwide Review of Proposed APM 430: Draft Policy on Visiting Scholars

The Irvine Division Academic Senate reviewed the proposed new policy, APM 430: Visiting Scholars. The following Councils commented on the proposal.

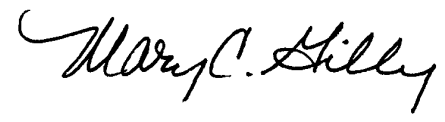
Council on Faculty Welfare, Diversity, and Academic Freedom (CFW)

The Council continues to support the proposal. However, as one of the systemwide reviews have pointed out, this issue deals with non-UC employees especially when it specifies 0% pay for those in this title, while the purpose of the APM is to list the rules and regulations that govern employees. This brings in the question of why it requires a change in APM. The Council believes that if these visitors are added to the payroll system (with 0% salary), and thus treated as employees, there will be several benefits that follow including library privileges, a university/campus email id, and liability insurance. In the absence of such clear intention of adding the visitors under this new title to the payroll system, it is difficult to evaluate the advantage of this new title. Consequently the Council suggests this intention be made clear in the redrafting of APM-430.

Council on Academic Personnel (CAP)

The Council on Academic personnel reviewed and endorsed the proposed revisions to APM-430 without further comment.

The Irvine Division appreciates the opportunity to comment.

A handwritten signature in black ink that reads "Mary C. Gilly". The signature is written in a cursive style with a large initial 'M' and a decorative flourish at the end.

Mary C. Gilly, Senate Chair

C: Martha Kendall Winnacker, Executive Director, Academic Senate

April 4, 2013

Robert Powell
Chair, Academic Council
University of California Academic Senate

Re: Review of Proposed Changes to APM 430, Visiting Scholars and Other Visitors

Dear Bob,

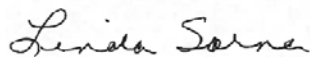
Thank you for the opportunity to review the proposed changes to APM 430. We appreciate the changes made to the draft based upon Senate input. However, our endorsement of the revision is contingent upon the inclusion of language describing an additional category of Visitors that is not included in the current proposal. Please allow me to elaborate.

During our review of the newly revised language, the Executive Board also reviewed the recommendations on the proposal forwarded to Susan Carlson by the UCLA Vice Chancellor for Academic Personnel Carole Goldberg and the UCLA Vice Provost and Dean of the Graduate Division Robin Garrell ([dated March 27, 2013, attached](#)). This communication details the need for a new status of Visitors for Professionals who might not be covered by the current revised APM430 and provides a definition and criteria for appointment. The Academic Senate is in full concurrence with those proposed revisions. Specifically, the Board stresses the importance of aligning any such UC policy on visitors with what is already generally understood in the UC and in other top-tier research universities. With this in mind, we unanimously recommend that a new status—Visitor (Professional)—be added.

VCAP Goldberg and Vice Provost and Dean Garrell also submitted an edited draft of the policy with the track changes on ([attached](#)). The Board likewise strongly recommends consideration of those modifications, which would further clarify the policy and reduce redundancies.

Please do not hesitate to contact me should you have any questions.

Sincerely,



Linda Sarna
Chair, UCLA Academic Senate

Cc: Martha Kendall Winnacker, Academic Senate Executive Director

Jaime R. Balboa, Chief Administrative Officer, UCLA Academic Senate
Robin Garrell, Vice Provost and Dean of the Graduate Division
Carole Goldberg, Vice Chancellor for Academic Personnel



OFFICE OF THE ACADEMIC SENATE
PEGGY O'DAY, CHAIR
senatechair@ucmerced.edu

UNIVERSITY OF CALIFORNIA, MERCED
5200 NORTH LAKE ROAD
MERCED, CA 95343
(209) 228-7930; fax (209) 228-7955

April 19, 2013

Academic Council Chair Powell

Re: Final Review of Proposed New Policy APM-430, Visiting Scholars and Other Visitors

The Merced Division reviewed the final proposed changes to the Academic Personnel Manual (APM) Section 430, Visiting Scholars and Other Visitors. The changes are responsive to the need for a personnel title to accommodate domestic and international students and academics employed at other institutions who are visiting the University of California for short-term academic or cultural exchanges.

Division standing committees and Schools had no further comments. The Division Council reviewed the final changes at its April 10 meeting and has no additional comments.

Sincerely,

A handwritten signature in cursive script that reads "Peggy O'Day". The signature is written in black ink on a light-colored background.

Peggy O'Day, Chair
Division Council

cc:

Senate Director Winnecker
Division Council
Senate Office



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

March 12, 2013

Robert Powell, Chair, Academic Council
1111 Franklin Street, 12th Floor
Oakland, CA 94607-5200

Dear Bob:

RE: Systemwide Final Review of Proposed New Policy – APM 430, Visiting Scholars

The latest version of APM430 was reviewed by the UCR committees on Research, Academic Personnel and International Education, and by the Graduate Council. With the exception of the Committee on Research (CoR), the reviewers declined to opine or did not have additional comments. CoR noticed that desirable candidates for the Visiting Scholar title may not have an appropriate terminal degree and suggest the following modification to 430-10 (added text in italics):

430-10 Criteria for Appointment.

Visitors must possess a terminal degree *or have experience* appropriate to their status, or may be an undergraduate student. Their appointment must serve an academic purpose for the unit in which they are visiting.

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



OFFICE OF THE ACADEMIC SENATE

9500 GILMAN DRIVE
LA JOLLA, CALIFORNIA 92093-0002
TELEPHONE: (858) 534-3640
FAX: (858) 534-4528

April 22, 2013

Professor Robert Powell
Chair, Academic Council
University of California
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200

Subject: Proposed New Policy, APM 430, Visiting Scholars – Final Review

Dear Bob,

The revised policy APM 430, Visiting Scholars was sent to the appropriate Divisional committees for final review and comment.

The Graduate Council raised two concerns relative to the classification “Visiting Graduate Students”. First, limiting Visitor appointments to one year could prove problematic for graduate students who receive scholarships from international agencies for longer periods of time, e.g., two years. For some fields, significant research progress is difficult to make in six to twelve months and the one year limitation may make UC less attractive to international students with two-year awards. Second, visiting graduate students must show evidence of a minimum level of support for J-1 visa issuance and, if the student’s home institution support falls short, the sponsoring faculty member is required to provide supplemental support. This provision could also be problematic for new faculty recruits who would like to support their graduate students who join the faculty member at UCSD, but remain enrolled at their former institution. The suggested alternative, appointing the graduate students as Junior Specialists has significant limitations and might preclude the faculty member from providing support.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Guy Masters", written over a light blue horizontal line.

T. Guy Masters, Chair
Academic Senate, San Diego Division

cc: Divisional Vice Chair Pogliano
Executive Director Winnacker



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

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

Kum-Kum Bhavnani, Chair
Deborah Karoff, Executive Director

April 16, 2013

Robert Powell, Chair
Academic Senate

RE: APM 430-Visiting Scholars and Other Visitors, Final Review

Dear Bob,

The UCSB Division provided several groups the opportunity to opine on the final revisions to APM 430-Visiting Scholars and Other Visitors. The following groups had no further comment or declined to opine: Council on Planning and Budget, Committee on International Education, Council on Research and Instructional Resources, and the Faculty Executive Committees from the Bren School and the College of Letters and Science. The Committee on Academic Personnel concurred with the final revisions. The Council on Faculty Issues and Awards (CFIA) and Graduate Council (GC) reiterated earlier concerns.

The Council on Faculty Issues & Awards (CFIA) continues to have concerns and reservations about the proposal. Council notes the revision did incorporate a recommendation from their earlier memo which was to include a distinction between visiting students and visiting scholars. Nonetheless, CFIA remains skeptical about the need to include undergraduate students in this classification. Also, Council continues to take issue with the language in the "Authority to Appoint" section, and we reiterate our suggestion that an academic unit should be necessary as a campus sponsor for the appointment of a "Visiting Scholar" or "Visitor."

Graduate Council (GC) discussed the revisions to APM 430 on Visiting Scholars and continue to have concerns as expressed in the last review. Specifically they wrote, "The Council found the proposal to be poorly conceived and incomplete. There are already mechanisms in place for bringing visiting scholars to campus, and the proposal fails to provide a cogent rationale for the new title and its terms. The Council voiced concern about the restrictions associated with the proposed policy and their potential implications for graduate students, particularly regarding remuneration. In addition, the Council voiced strong concerns that that the implementation of APM 430 would cause the definition of the term "Visiting Scholar" to be unreasonably narrowed. The Council voted unanimously not to offer its endorsement at this time."

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in cursive script that reads "Kum-Kum Bhavnani".

Kum-Kum Bhavnani, Chair
UCSB Division

From: Martha Winnacker
Sent: Thursday, March 14, 2013 5:30 PM
To: Clare Sheridan
Subject: FW: Draft New APM - 430, Visiting Scholars and Other Visitors for FINAL REVIEW

Martha Kendall Winnacker, J.D.
Executive Director, Academic Senate
(510) 987-9458

From: Gundersen, Cameron [<mailto:CGundersen@mednet.ucla.edu>]
Sent: Thursday, March 14, 2013 3:57 PM
To: Martha Winnacker
Subject: RE: Draft New APM - 430, Visiting Scholars and Other Visitors for FINAL REVIEW

Dear Martha,
After reviewing this material, I see no academic freedom concerns and hope that this change can be implemented.
Best regards,
Cameron Gundersen (on behalf of UCAF)

From: Martha Winnacker [<mailto:Martha.Winnacker@ucop.edu>]
Sent: Monday, March 04, 2013 11:17 AM
To: UCACOUN-L@LISTSERV.UCOP.EDU; Bob Hillman, Chair, UCP&T; Gundersen, Cameron; Chris Kelty, Chair, UCOLASC; George Matthey, Chair, UCR&J; Jim Chalfant, Chair, UCCC; Jon Alexander, Chair, UCOPE; Lissa Caldwell, Chair, Editorial; Mitch Sutter, Chair, UCOC; Richard Kern, Chair, UCIE
Cc: UCSUPS-L@LISTSERV.UCOP.EDU; Brenda Abrams; Clare Sheridan; Eric Zarate; Kenneth Feer; Michael LaBriola; Todd Giedt
Subject: FW: Draft New APM - 430, Visiting Scholars and Other Visitors for FINAL REVIEW

Dear Chairs of Senate Committees and Divisions:

I am forwarding for Final Review the proposed new APM 430. You reviewed this proposed policy in the fall, Council discussed comments from Senate committees and divisions in December, and formal comments were forwarded to Vice Provost Carlson on December 20 (Bob Powell's letter and comments attached as a single pdf file). All divisions and the committees on Academic Personnel, Faculty Welfare, and Planning & Budget commented

In a Final Review of proposed changes to the APM, the administration releases its proposed final version of the policy along with an explanation of what changes have been incorporated as a result of comments received during Systemwide Review. The administration does not anticipate making further changes as a result of Final Review, but this phase of the policy process provides an opportunity to make a record of any remaining concerns that may prompt further review now or in the future. Many Senate agencies elect not to opine in a Final Review, and there is no requirement to do so. . For this Final Review, I anticipate that UCFW and UCAP will be most likely to wish to opine again; perhaps some divisions will wish to do so as well.

Please note that the attached pdf file titled "Final Review Proposed New APM – 430" is Vice Provost Carlson's letter summarizing changes since the last version of the policy was reviewed and explaining the Final Review process. The policy itself is available online at the link provided in Vice Provost Carlson's email message below.

Vice Provost Carlson has asked for comments to be submitted to her by March 27. I have asked for additional time to ensure that all bodies that may wish to comment will have met, but I do not know at this time whether it will be granted. Unless I notify you otherwise, please submit your comments, if any, by March 26; Council will discuss any comments received on March 27.

Thank you for your participation in the policy review process.

Sincerely,
Martha

Martha Kendall Winnacker, J.D.
Executive Director, Academic Senate
(510) 987-9458

From: Vice Provost Carlson

Sent: Tuesday, February 26, 2013 8:39 AM

To: Robert Powell; William Jacob; Barbara Allen-Diaz; Executive Vice Chancellor and Provost Dallas Rabenstein; Executive Vice Chancellor and Provost George Breslauer; Executive Vice Chancellor and Provost Jeffrey Bluestone; Executive Vice Chancellor and Provost Scott R. Waugh; Executive Vice Chancellor and Provost Thomas Peterson; Executive Vice Chancellor Gene Lucas; Executive Vice Chancellor Suresh Sabramani; Interim Executive Vice Chancellor and Provost Susan Bryant; Lawrence Berkeley National Laboratory Director A. Paul Alivisatos; Provost & Executive Vice Chancellor Ralph J. Hexter; Provost and Executive Vice Chancellor Alison Galloway

Cc: Analyst Kelly Anders; Assistant Vice Chancellor Joan Tenma; Assistant Vice Chancellor Kristi Larsen; Assistant Vice Chancellor Pamela Peterson; Assistant Vice Provost Cynthia Lynch Leathers; Assistant Vice Provost Katina Napper; Associate Director Becky Gubser; Associate Director Esther Hamil; Associate Vice Chancellor John Talbott; Associate Vice Chancellor William Hodgkiss; David Birnbaum; Director Binnie Singh; Director Cindy Doherty; Director Heather Archer; Director Lynn Field-Karsh; Director Nancy Ochsner; Peter Chester; Executive Director Kimberly Rodrigues; Executive Director Marsha Fractor; Martha Winnacker; Nancy Tanaka; John Fox; LBL HR Analyst Madelyn Bello; Leslie Van Houten; Janet Lockwood; Nathan Brostrom; President; Aimee Dorr; Records Management; Senior Administrative Analyst Vivian Rupert; Sheryl Vacca; Nancy J. Capell; Vice Chancellor Carole Goldberg; Steven Beckwith; Dwaine Duckett; Vice Provost David Bocian; Vice Provost David Ojcius; Vice Provost Herb Killackey; Vice Provost Herbie Lee; Vice Provost Janet Broughton; Vice Provost Maureen Stanton; Vice Provost Sally Marshall; Susan Carlson; Pamela D. Jennings

Subject: Draft New APM - 430, Visiting Scholars and Other Visitors for FINAL REVIEW

To: ACADEMIC COUNCIL CHAIR POWELL
COUNCIL OF VICE CHANCELLORS
LABORATORY DIRECTOR ALIVISATOS
ANR VICE PRESIDENT ALLEN-DIAZ

From: VICE PROVOST CARLSON

Re: Final Review of Proposed New APM - 430, Visiting Scholars and Other Visitors

Attached is a letter which forwards for Final Review proposed new APM - 430, Visiting Scholars and Other Visitors.

The draft policy may be accessed online on the under the "Final Review" tab at <http://www.ucop.edu/academic-personnel/academic-personnel-policy/policies-under-review/index.html>

This is a limited review; please submit comments by **Wednesday, March 27, 2013** to ADV-VPCARLSON-SA@ucop.edu.

Questions may be directed to Janet Lockwood at Janet.Lockwood@ucop.edu or (510) 987-9499.

IMPORTANT WARNING: This email (and any attachments) is only intended for the use of the person or entity to which it is addressed, and may contain information that is privileged and confidential. You, the recipient, are obligated to maintain it in a safe, secure and confidential manner. Unauthorized redisclosure or failure to maintain confidentiality may subject you to federal and state penalties. If you are not the intended recipient, please immediately notify us by return email, and delete this message from your computer.



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

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

March 14, 2013

**ROBERT POWELL, CHAIR
ACADEMIC COUNCIL**

RE: Proposed APM 430 (Visiting Scholars)

Dear Bob,

The University Committee on Faculty Welfare (UCFW) has discussed the proposed new APM 430 (Visiting Scholars), and while we appreciate the changes made in response to our previous feedback, we still do not agree that a new APM is necessary. The problem being solved has still not yet been clearly defined.

Indeed, we would like to take this opportunity to express our concerns regarding the lack of change in APM 430 following UCFW's careful evaluation during management consultation and full Senate comment during formal systemwide review. We worry this unresponsiveness is becoming standard, as a similar pattern can be observed on several issues over the recent past.

For your reference, we enclose the committee's previous responses.

Please let us know if you have any questions or concerns.

Sincerely,

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

J. Daniel Hare, UCFW Chair

Copy: UCFW
Robert Powell, Chair, Academic Council
William Jacob, Vice Chair, Academic Council
Martha Winnacker, Executive Director, Academic Senate



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

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1111 Franklin Street, 12th Floor
Oakland, CA 94607-5200
Phone: (510) 987-9466
Fax: (510) 763-0309

December 4, 2012

**ROBERT POWELL, CHAIR
ACADEMIC COUNCIL**

RE: Proposed New APM 430 (Visiting Scholars)

Dear Bob,

The University Committee on Faculty Welfare (UCFW) has discussed the proposed new APM 430 (Visiting Scholars), but we cannot endorse it. As the previous UCFW noted, the problem being solved by the proposal is unclear especially as other means of redress currently exist. For example, Berkeley offers the title of “student researcher” already. The committee also finds that the proposed language is too vague: an “outside institution or agency” reflects no scholarly requirements, while a clearer description of foreign scholars and visa circumstances that require extension of a title would be well received; members noted that overseas entities often use “academic” in different contexts to convey different meanings. Furthermore, the proposal omits broad faculty oversight, empowering a single PI to convey the title; the committee finds this omission unacceptable.

For your reference, we include the committee’s previous response, submitted during management review last year.

Please let us know if you have any questions or concerns.

Sincerely,

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

J. Daniel Hare, UCFW Chair

Copy: UCFW
Robert Powell, Chair, Academic Council
William Jacob, Vice Chair, Academic Council
Martha Winnacker, Executive Director, Academic Senate



UNIVERSITY COMMITTEE ON FACULTY WELFARE (UCFW)
William Parker, Chair
william.parker@uci.edu

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Phone: (510) 987-9466
Fax: (510) 763-0309

March 23, 2012

**SUSAN CARLSON, VICE PROVOST
ACADEMIC PERSONNEL**

RE: Proposed APM 430 (Visiting Scholars)

Dear Susan,

Thank you for providing the University Committee on Faculty Welfare (UCFW) the opportunity to participate in the management review of proposed APM 430 (Visiting Scholars). The committee has two observations at this time: 1) some campuses already have mechanisms in place to accommodate visiting students or scholars, and it is unclear what problem the new APM would solve; and 2) the committee is concerned about combining students from other universities with individuals from basically anywhere, and the possibility the policy could be used in inappropriate ways—for example, rewarding campus donors with an honorary title.

Please contact us if you have any question or concerns.

Sincerely,

A handwritten signature in blue ink that reads "William Parker".

William Parker, UCFW Chair

Copy: UCFW
Robert Anderson, Chair, Academic Council
Martha Winnacker, Executive Director, Academic Senate