

UNIVERSITY OF CALIFORNIA, ACADEMIC SENATE

BERKELEY • DAVIS • IRVINE • LOS ANGELES • MERCED • RIVERSIDE • SAN DIEGO • SAN FRANCISCO



SANTA BARBARA • SANTA CRUZ

*Robert L. Powell*  
Telephone: (510) 987-0711  
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Email: [Robert.Powell@ucop.edu](mailto:Robert.Powell@ucop.edu)

*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*

March 22, 2013

**SUSAN CARLSON  
VICE PROVOST  
ACADEMIC PERSONNEL**

Dear Susan:

As you requested, I distributed the proposed revisions to APM 700 for final review. Six divisions (UCI, UCLA, UCM, UCR, UCSF, UCSB) and two committees (UCAP, UCFW) submitted comments, which I have enclosed. Comments were divided. UCFW and some campus committees questioned the need for the policy and reiterated their concerns that “absence from duty” is not adequately defined, insufficient time is allowed for the faculty member to respond, and the policy does not fully address issues surrounding reinstatement. In addition, I would like to call your attention to UCR’s and UCAP’s letters, which each identified an issue that had not been raised previously. I highlight all of these as areas for potential future policy revisions.

Thank you for the opportunity to review the final version.

Sincerely,

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, 12<sup>th</sup> Floor  
Oakland, CA 94607-5200

**RE: Systemwide Review of Proposed Revisions to APM 700: Leaves of Absence**

The Irvine Division Academic Senate reviewed the proposed revision to APM 700, leaves of absence. This policy is proposed to address circumstances under which an academic appointee chooses not to return to his/her University appointment following the expiration of a leave of absence, or chooses to be absent from that appointment without obtaining prior approval for a leave. The presumptive resignation policy is designed to prompt an appointee in such circumstances to take affirmative steps to counter the University's presumption that the appointee's intention is to resign the University appointment.

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

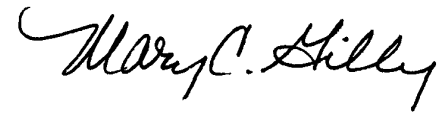
A few small yet important changes were suggested by the various campuses, most of which were ignored while at the same time it was stated that they had been incorporated. Examples of these include increasing the time from 30 days to 60 or 90, adding language explicitly stating that the policy should not apply in cases where the University knew, or should have known the faculty member was unable to communicate, and explicitly stating that the faculty member who could prove that s/he was unable to communicate would be reinstated.

The Council does not feel they can support this policy as written and question the motivation for its design and implementation without these important changes and additions.

**Council on Academic Personnel (CAP)**

The Council on Academic Personnel reviewed and endorsed the proposed revisions to APM-700 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, flowing style.

Mary C. Gilly, Senate Chair

C: Martha Kendall Winnacker, Executive Director, Academic Senate

March 22, 2013

Robert Powell  
Chair, Academic Council

**Re: Review of APM 700 Proposed Revisions**

Dear Bob,

Thank you for the opportunity to review the proposed changes to APM 700. Because we recently reviewed the earlier version of the proposed changes, I did not re-send it for review. The Executive Board did review the new language and is pleased to see that most of our concerns have been addressed. The UCLA division raises no further objections at this time.

Sincerely,



Linda Sarna  
Chair, UCLA Academic Senate

Cc: Martha Kendall Winnacker, Academic Senate Executive Director  
Jaime R. Balboa, UCLA Academic Senate CAO

# UNIVERSITY OF CALIFORNIA, MERCED

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SANTA BARBARA • SANTA CRUZ

OFFICE OF THE ACADEMIC SENATE  
PEGGY O'DAY, CHAIR  
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**March 12, 2013**

## **ACADEMIC COUNCIL CHAIR POWELL**

### **RE: Final Review of Revised APM – 700 Leaves of Absence/General, Presumptive Resignation**

The proposed revisions to [APM-700-Leaves of Absence](#) were circulated to the standing committees of the Merced Division and there were no additional comments.

Sincerely,

A handwritten signature in blue ink that reads "Peggy O'Day".

Peggy O'Day  
Chair, Merced Division of the Academic Senate

cc: Systemwide Academic Senate Executive Director Winnacker  
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 15, 2013

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

Dear Bob:

**RE: Final Systemwide Review of Proposed Revised APM-700, Leaves of Absence/General, Presumptive Resignation**

The Executive Council discussed the revisions to APM700 during its March 11 meeting; Council also reviewed the requested comments from our committees on Academic Freedom, Faculty Welfare, and Privilege and Tenure. With one exception all participants supported the proposed final version of the regulation. The Committee on Academic Freedom voiced its objections to several parts of the regulation including lack of sufficient time for faculty to take action, a lack of definition for "absence from duty" and lack of specificity on whether salary and service credit would be restored to reinstated faculty.

Though this was not discussed at the meeting I believe it is worth noting that this final version of APM700 couples academic duty to physical presence (700-30), a point that might become problematic in the future, should virtual interactions with students and faculty become more common.

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



March 5, 2013

TO: Jose Wudka, Chair  
Riverside Division Academic Senate

FR: Thomas Morton, Chair  
Committee on Academic Freedom

RE: Final revision of APM700

The majority of the faculty and graduate student members of UC Riverside's Committee on Academic Freedom wish to go on record as opposing the proposed modifications of APM 700 as currently worded. The stipulated time for "presumptive resignation" is too short, and the procedure for redress (700-30d) remains too onerous. Although the option of a chancellorial override (700-30e, added since CAF last reviewed the modification in November) does address some of the concerns voiced in CAF's memo of November 16, the question of restoring salary and service credit is left unanswered. Furthermore, at least one member of the committee takes issue with the definition of "absence from academic duty" in 700-30.

As UCR's committee chair pointed out in the spring, 2012, UCAF meeting, the new policy could serve to stifle scholarly efforts in important areas of research. At its meeting on November 14, 2012, UCR's CAF discussed APM 700 and transmitted a response. After reflecting on the revised wording (February, 2013), committee members offer the following critiques:

"I stand by the reservations we had last fall, perhaps writing again stating that we indeed find the limitation to 30 days to be 'draconian,' as we say, and that we urge Provost Carlson to take into consideration the work of faculty committed to field work in the humanities, social sciences and also in the sciences who could potentially be negatively affected by this stipulation. 90 days would give everyone more leeway and would still have the same overall effect on discouraging leaves without proper paperwork."

and

"I especially share the concerns expressed in Bob Powell's letter about how one defines 'absence from duty' and how that will be determined, without instituting an excessively bureaucratic monitoring system at the department level to see that faculty put in sufficient 'face time.' (Will there be time clocks to punch, or sign-in sheets, in the future?)

"Also, placing responsibility on department chairs for determining when someone's absence begins can potentially lead to great variations in interpretation. This, alone, introduces the prospect of differential treatment across faculty members.

"Overall, the entire policy seems to be an unnecessary solution to address some occasional (rare?) abuses, with a burdensome impact on all faculty. The suggested alternative in Bob Powell's letter for amending APM 075 is far more appropriate, in my view."

and

"I agree, noting the difficulties of communication in remote areas of the world... There are still places that are not consistently wired, and plenty of places where politics and language can be a time-consuming hindrance. If a faculty member were having a rough time in such a place, 30 days could pass very quickly. Example areas: Afghanistan, parts of Pakistan, the Yemen, Syria, etc."





March 6, 2013

To: Jose Wudka  
Chair, Riverside Division Academic Senate

From: Irving G. Hendrick  
Chair, Committee on Faculty Welfare

Re: Second Review of APM 700's "Presumptive Resignation Policy"

The Committee on Faculty Welfare has nothing substantive to add regarding the latest draft of the presumptive resignation policy. We do note with satisfaction that both of our earlier suggestions are now incorporated into the present draft by adding a time line and by protecting faculty who may be unable to communicate because of exceptional circumstances (APM 700-30c,d,&e).



March 1, 2013

To: Jose Wudka  
Chair, Riverside Division Academic Senate

From: Helen Henry  
Chair, Committee on Privilege and Tenure

Re: Final Systemwide Review of Changes to APM 700

The Committee on Privilege and Tenure notes the changes made APM-700 in response to the comments of the Academic Council. We have no further comments on this policy.



**Academic Senate**  
senate.ucsf.edu

March 8, 2013

Robert Powell, PhD, Chair  
UC Academic Council  
University of California  
1111 Franklin Street  
Oakland, CA 94607

Re: San Francisco Division of Academic Senate's Review of Proposed  
APM 700 Revisions

Dear Chair Powell:


The San Francisco Division of the University of California Academic Senate has reviewed the newly proposed revisions to APM 700.

Individually Committees on Academic Personnel and Faculty Welfare reviewed and found no issue with the revisions.

Both committees appreciated the creation of a timeline for department and campus action if a faculty member fails to return from a leave of absence or sabbatical.

Thank you for the opportunity to review.

Sincerely,

A handwritten signature in black ink that reads 'Robert Newcomer'. The signature is written in a cursive, flowing style.

Robert Newcomer, PhD  
Chair, UCSF Academic Senate



ACADEMIC SENATE  
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Kum-Kum Bhavnani, Chair  
Deborah Karoff, Executive Director

March 14, 2013

Robert Powell, Chair  
Academic Senate

Re: APM 700-Final Review

Dear Bob,

At UCSB, the Senate conducted a targeted review and asked only the Council on Faculty Issues and Awards to review the final version of APM 700. Their complete response represents the overall view of the division and is excerpted below.

“The Council on Faculty Issues & Awards has reviewed the updated revisions to the Academic Personnel Manual (APM 700) regarding leaves of absence (“presumptive resignation”). CFIA notes that the revisions are an improvement over the earlier draft of the policy that was reviewed in November, yet Council would like to reiterate its aforementioned concerns.

CFIA remains unconvinced of the need for the policy. No additional data has been presented indicating that such occurrences are common enough that a policy is warranted. Council continues to be wary of the potential for misuse and would expect that the implementation of APM 700 would be very rare.”

Thank you for the opportunity to comment.

Sincerely,

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

Kum-Kum Bhavnani, Chair  
Santa Barbara Division



UNIVERSITY COMMITTEE ON ACADEMIC PERSONNEL (UCAP)  
Harry Green, Chair  
[harry.green@ucr.edu](mailto:harry.green@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

March 15, 2013

BOB POWELL, CHAIR  
ACADEMIC COUNCIL

**RE: FINAL REVIEW OF PROPOSED REVISIONS TO APM 700**

Dear Bob,

UCAP discussed the proposed revisions to APM 700 during its meeting on March 13<sup>th</sup> and the committee identified one issue that should be clarified. The policy should indicate whether, in the case of faculty with nine month appointments, the start of the absence has to begin within those nine months, including consideration of whether or not the faculty member may be receiving summer salary at the time.

Sincerely,

A handwritten signature in blue ink, appearing to read "Harry Green".

Harry Green, Chair  
UCAP



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  
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March 14, 2013

**ROBERT POWELL, CHAIR  
ACADEMIC COUNCIL**

**RE: Proposed Revisions to APM 700 (Presumptive Resignation)**

Dear Bob,

The University Committee on Faculty Welfare (UCFW) has discussed again the proposed revisions to APM 700 (Presumptive Resignation), and while we appreciate the changes made in response to our previous feedback, we still question the need for this particular APM article. Indeed, one of our major concerns about this APM during both our Management Review and Systemwide Review was the lack of justification presented for this APM article by the Administration. The number of individuals who "abandon" their jobs is extremely small on a Systemwide basis, and UCFW still believes that other APM articles can be used, if slightly modified, to address the small number of cases likely to arise. Finally, the underlying psychological causes implicated in job abandonment remain unaddressed.

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](mailto:daniel.hare@ucr.edu)

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December 4, 2012

**ROBERT POWELL, CHAIR  
ACADEMIC COUNCIL**

**RE: Proposed Revisions to APM 700 (Leaves of Absence)**

Dear Bob,

The University Committee on Faculty Welfare (UCFW) has discussed the proposed revisions to APM 700 (Leaves of Absence). The committee does not endorse the proposed changes as several questions remain unanswered from the management review. UCFW still questions the problem that is being targeted, especially as other means of redress currently exist. Members also noted that many terms need definitions. For example, members questioned when a faculty person has returned to duty, especially in light of the consecutive absence requirement. That is, if a faculty person is absent for 29 days, but returns for 2, and then repeats the cycle, he would be beyond the scope of the revision as written. Members also suggested that a process map and exception chart be developed to help guide use of the policy, should it be adopted.

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