



# UNIVERSITY OF CALIFORNIA

Ahmet Palazoglu  
Chair, Assembly of the  
Academic Senate  
Faculty Representative,  
UC Board of Regents  
Academic Senate

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**CAMPUSES**  
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UCLA  
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**NATIONAL LABORATORIES**  
Lawrence Berkeley  
Lawrence Livermore  
Los Alamos

December 19, 2025

Monica Varsanyi  
Vice Provost, Faculty Affairs and Academic Programs  
Amy K. Lee  
Deputy Provost, Systemwide Academic Personnel

**Re: Systemwide Review of Proposed Revisions to APM - 036**

Dear Vice Provost Varsanyi and Deputy Provost Lee:

As requested, I distributed for a second systemwide Academic Senate review the proposed revisions to Academic Personnel Manual (APM) Section 036, General University Policy Regarding Academic Appointees/Employment. All 10 Academic Senate divisions and three systemwide Senate committees ([UCAP](#), [UCFW](#), and [UCPB](#)) submitted comments. These were discussed at the Academic Council's December 17, 2025 meeting, and the compiled feedback is attached for your reference.

The updated proposed revisions reflect [feedback](#) received during the first systemwide review in spring 2025 and address two primary issues: 1) compliance with California Education Code Section 66284, which requires written policies governing Official Letters of Recommendation, and 2) clarification of academic employee classifications and compensation standards under the federal Fair Labor Standards Act (FLSA). The revisions clarify the distinction between "Official" and "Personal" letters, identify the appropriate entities to consult before issuing Official Letters, and explain how the policy applies to different faculty roles. These changes reflect statutory limits on the issuance of Official Letters of Recommendation, while preserving faculty discretion to write personal letters without verification when not speaking on behalf of the University. They also incorporate directly into the APM guidance on compensation, timekeeping, meal and rest breaks, and lactation accommodations.

In general, Senate reviewers agreed that the revision represents a substantial improvement over earlier drafts. Reviewers noted clearer organization, responsiveness to feedback from the first systemwide review, and progress toward aligning the policy with statutory requirements. At the

same time, reviewers identified areas where ambiguity remains, particularly regarding the scope and implementation of Official Letters of Recommendation, the administrative burden placed on faculty and academic administrators, and the need for clear campus-level implementation guidance.

#### **Official vs. Personal Letters of Recommendation**

Many reviewers welcomed the clearer distinction between Official Letters of Recommendation and Personal References or Letters of Recommendation, including confirmation that most faculty letters written in a personal capacity are not subject to verification requirements. However, reviewers expressed continued uncertainty about when a letter should be considered “official,” particularly in cases involving individuals who are both students and employees. Several observed that the definition of who is “authorized to speak on behalf of the University” remains broad and could reasonably be interpreted to include chairs, principal investigators, instructors of record, and other academic appointees with supervisory responsibilities. Some reviewers recommended adopting a presumption that letters are personal unless explicitly designated as official, while others urged clear confirmation that academic administrators may choose to write personal letters. Some reviewers recommended expanding or clarifying the list of exempted personal letters to explicitly include letters written for graduating doctoral students and undergraduates seeking employment or further study, unless an employer explicitly requests an official letter.

#### **Identification of “Appropriate Entities” and Verification Procedures**

Many comments focused on the requirement that administrators and supervisors consult “appropriate entities” to verify whether an employee requesting an Official Letter of Recommendation is a respondent in a sexual harassment complaint. Reviewers noted that the policy does not sufficiently specify which campus offices constitute the “appropriate entities,” how verification should occur, what information may be disclosed, or how confidentiality will be protected. Many stressed the importance of clear, campus-level procedures to avoid delays, inconsistent application, or inappropriate disclosures.

Reviewers also cautioned against placing faculty in investigative or compliance roles and underscored the need for clear guidance regarding responsibility, timelines, privacy parameters, and available resources. Several reviewers also questioned how the required verification process can be reconciled with employee privacy rights, given the confidential nature of sexual harassment complaints. Some reviewers also expressed concern that tying restrictions on Official Letters of Recommendation to an individual’s status as a respondent instead of adjudicated findings could imply guilt prior to the completion of a hearing or determination of misconduct.

### **Faculty Workload and Administrative Burden**

Concerns about faculty workload and administrative burden were raised repeatedly. Reviewers noted that requiring individual letter-writers to initiate verification for each Official Letter of Recommendation could impose a nontrivial burden, particularly for chairs, program directors, principal investigators, and clinical faculty who routinely write letters. Several committees cautioned that this could discourage faculty from supporting students, trainees, and colleagues or result in uneven implementation across campuses. Some encouraged UCOP to explore more centralized or streamlined approaches that satisfy statutory requirements while minimizing burden on individual faculty.

### **Toolkit, Flowcharts, and Implementation Guidance**

Reviewers emphasized the importance of the proposed implementation toolkit. While welcoming the commitment to provide model language, FAQs, and flowcharts, several stressed that these materials will be essential and should be practical, easy to use, and attentive to faculty roles and graduate and professional training contexts. Several noted that clear guidance could help address remaining concerns related to confidentiality, consistency, and enforcement.

### **Application to Student Employees**

Reviews raised concerns that the policy appears primarily oriented toward career employees and does not fully address the circumstances of student academic employees. Reviewers cited continued ambiguity regarding letters written for students who also hold academic appointments, the treatment of cases in which a student employee completes an appointment while an investigation is pending, and the potential for unintended consequences for graduate students, teaching assistants, residents, and fellows absent tailored guidance.

A small number of reviewers also raised questions about how revisions affecting graduate student employment interact with collective bargaining agreements, and whether aspects of the policy could have unintended implications for employee classification or bargaining alignment.

### **Fair Labor Standards Act (FLSA) Clarifications**

Comments on the incorporation of FLSA-related provisions into APM - 036 were generally positive. Reviewers appreciated the consolidation of policies affecting academic appointees and the clarification of exempt and non-exempt classifications, including confirmation that employees hold a single FLSA status across concurrent appointments. Most agreed that these provisions appropriately codify existing campus practices without introducing new reporting requirements. A small number of committees suggested minor clarifications, including clearer explanation of individualized FLSA analyses, authority in multi-campus appointments,

and clarifying disciplinary language to distinguish between inadvertent errors and willful or repeated noncompliance.

**Lactation Accommodation**

Reviewers supported the inclusion of lactation accommodation provisions within the APM, noting that this change addresses a prior gap and aligns APM - 036 with existing personnel policies that apply to staff members.

In sum, Senate reviewers generally support the revisions to APM - 036 and view them as a meaningful improvement in clarity, structure, and compliance. The most significant remaining concerns relate to the definition and implementation of Official Letters of Recommendation, particularly verification procedures, faculty workload, and campus-level guidance. Reviewers emphasized that the policy's effectiveness will depend on clear operational pathways, robust implementation support materials, and careful attention to confidentiality and established academic practices.

Sincerely,



Ahmet Palazoglu  
Chair, Academic Council

cc: Academic Council  
Provost Newman  
Executive Director Anders  
Senate Division Executive Directors  
Senate Executive Director Lin



320 STEPHENS HALL  
UNIVERSITY OF CALIFORNIA  
December 15, 2025

AHMET PALAZOGLU  
Systemwide Academic Senate/Council Chair

*Subject: Berkeley Division comments – Proposed Revisions to the Academic Personnel Manual (APM) Section 036, General University Policy Regarding Academic Appointees/Employment*

Dear Chair Palazoglu,

Over the past month, several Berkeley Division Academic Senate committees have reviewed the proposed revisions to APM-036, including the Committees on Faculty Welfare (FWEL); Diversity, Equity and Campus Climate (DECC); Research (COR); Graduate Council (GC); and Undergraduate Council (UGC), and Academic Freedom (ACFR). There was strong consensus that the revisions made in response to prior Senate feedback regarding letters of recommendation were thorough and appreciated.

Late in our review process, however, it was noted that the revisions of APM-036 under review this fall included a wide range of other additions related to graduate student and postdoctoral employment. Two specific questions emerged in our collective review of these changes, which we simply pose as questions for the purpose of this review:

1. Is there risk that the revised policy could result in some PhD student employees being classified as “non-exempt” employees? Such a result would, seemingly, require shifts in timekeeping or new requirements for overtime pay, each of which should be given careful consideration.
2. How will the new text in APM-036 regarding graduate student employment be aligned with whatever emerges from current bargaining with the United Auto Workers (UAW)? If there are contradictions between these materials, how will they be resolved?

Thank you for the opportunity to comment on this.

Sincerely,

Mark Stacey  
Chair, Berkeley Division of the Academic Senate

Enclosures

cc: Thomas Philip, Vice Chair, Berkeley Division of the Academic Senate  
Monica Lin, Executive Director, UC Systemwide Academic Senate  
J. Keith Gilless, Co-Chair, Committee on Faculty Welfare  
Moriel Vandsburger, Co-Chair, Committee on Faculty Welfare  
Debora Lee Chen, Chair, Committee on Diversity, Equity, and Campus Climate  
Abby Dernburg, Chair, Committee on Research  
Mark Csikszentmihalyi, Chair, Graduate Council  
Oscar Dubón, Chair, Undergraduate Council  
Jay Wallace, Chair, Committee on Academic Freedom  
Sumei Quiggle, Associate Director staffing Graduate Council and Undergraduate Council  
Linda Corley, Senate Analyst, Chair, Committee on Diversity, Equity, and Campus Climate  
Patrick Allen, Senate Analyst, Committees on Faculty Welfare and Research



320 STEPHENS HALL  
UNIVERSITY OF CALIFORNIA

November 20, 2025

CHAIR MARK STACEY  
Academic Senate

*Re: Proposed Revisions to APM - 036*

Dear Chair Stacey,

At the Committee on Faculty Welfare (FWEL) meeting on October 27, 2025, the committee reviewed and discussed the proposed revisions to Academic Personnel Manual (APM) Section 036. Overall, FWEL is satisfied with the clarifications to the definitions of official and personal letters, and the limitation of identifying language to the former.

We appreciate the opportunity to weigh in on these matters.

Regards,

A blue ink signature of J. Keith Gilless.

J. Keith Gilless, Co-Chair  
Committee on Faculty Welfare

A blue ink signature of Moriel Vandsburger.

Moriel Vandsburger, Co-Chair  
Committee on Faculty Welfare

JKG/MV/pga



320 STEPHENS HALL  
UNIVERSITY OF CALIFORNIA

November 12, 2025

PROFESSOR MARK STACEY  
Chair, 2025-2026 Berkeley Division of the Academic Senate

*Re: DECC's Comments on the Systemwide Review: Proposed Revisions to APM-036, General University Policy Regarding Academic Appointees/Employment*

The Committee on Diversity, Equity, and Campus Climate (DECC) appreciates the opportunity to provide feedback on the proposed revisions to APM-036, the General University Policy Regarding Academic Appointees/Employment. Our committee's assessment is consistent with the concerns raised by other Senate committees and in the letter from Chair Amani Nuru-Jeter on behalf of DIVCO, dated March 27, 2025 - namely, that the revisions introduce significant ambiguities and place an undue compliance burden for individual faculty members.

Consistent with the views of others, DECC members expressed concern regarding the considerable ambiguity in distinguishing between an 'official' and a 'personal' letter of recommendation. The current criteria for an official letter, including those "issued using University of California letterhead or via a University issued email address," overlap with standard practices for 'personal' letters routinely written by faculty, thereby obscuring the necessary distinction.

DECC members agreed with the Graduate Council and many others that including principal investigators (PIs) and instructors of record alongside 'deans, provosts, and chancellors' in the list of Administrators and Supervisors would be conceptually inconsistent and potentially confusing. This conflation unnecessarily expands the scope of the policy and its compliance burden, as these roles are common academic titles not inherently associated with broad and/ or higher administrative authority. A specific point of ambiguity also arises for faculty members who serve in both administrative and non-administrative roles, such as a 'personal' letter of recommendation for an award from a PI for a graduate student - a point also raised by COR and others. Clarification is needed in scenarios such as these.

The document would also benefit significantly from a clearer structure that centers the purpose of the revisions. We suggest making the policy's response to Federal and State Law, specifically Assembly Bill 1905 and California Education Code 66284, a more prominent part of the opening statement under 036-0: Policy, to immediately establish the necessary legal context for the complex compliance requirements. Members also

suggested that a more logical structure would begin by defining typical requests for personal letters of recommendation and then providing a clear, non-overlapping description of letters considered personal.

Thank you for considering our comments.

Sincerely,



Debora Lee Chen  
Chair, Committee on Diversity, Equity, and Campus Climate

DLC/lc



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DAVIS, CALIFORNIA 95616-8502  
(530) 752-2220  
academicsenate.ucdavis.edu

December 10, 2025

**Ahmet Palazoglu**

Chair, Academic Council

**RE: Proposed Revisions to APM 036, General University Policy Regarding Academic Appointees/Employment**

Dear Ahmet,

The proposed revisions to APM 036, General University Policy Regarding Academic Appointees/Employment were forwarded to all standing committees of the Davis Division of the Academic Senate. Seven committees responded: Academic Personnel – Oversight (CAP), Faculty Welfare (FWC), Graduate Council (GC), and the Faculty Executive Committees of the College of Agricultural and Environmental Sciences (CAES), the College of Biological Sciences (CBS), the College of Letters and Science (L&S) and the School of Medicine (SOM).

CBS, L&S, FWC and SOM express no objections to the proposed revisions. FWC and SOM note that the clarifications regarding Official Letters of Recommendation are helpful, and FWC adds that the revisions address faculty concerns as much as possible while maintaining compliance with state law. CAP reiterates their strong recommendation to ensure that faculty are broadly informed about the appropriate language to use and the differences between Official Letters of Recommendation and Personal References and Letters of Recommendation. GC and CAES echo a few concerns and recommendations from our [previous response](#) with respect to the requirement that the “appropriate entities” be consulted on whether an employee is a respondent in a sexual harassment complaint and express concern regarding the lack of implementation details within the policy. CAES also discusses the subsection on Service Obligations.

Regarding the “appropriate entities” to consult prior to providing an Official Letter of Recommendation, GC notes that it is still unclear who constitutes these entities. CAES adds that while the revisions improve on the previous iteration, the language remains vague and incomplete which may jeopardize privacy and impact implementation. Discussing implementation, CAES notes that it is unclear how the designated official will verify the status of the case, what information may be disclosed, or how to prevent misuse given that Title IX investigations are highly confidential. CAES strongly recommends incorporating a detailed workflow which identifies how administrators or supervisors will be granted access to the necessary information, specifies permissible disclosures, and articulates safeguards against the inappropriate disclosure of sensitive data. More broadly, GC recommends clarifying the procedural implementation of the policy in future revisions.

Lastly, CAES expresses concern regarding the subsection on Service Obligations, noting that the language appears to redefine or tighten the understanding of time due to the University. CAES adds that salaried academic employees do not have prescriptive working hours, and the proposed wording could be interpreted as constraining outside service in ways that conflict with other APM sections. CAES suggests clarifying this subsection to ensure that departments interpret the language consistently across the campus.

The Davis Division appreciates the opportunity to comment.

Sincerely,



Katheryn Niles Russ, Ph.D.  
Chair, Davis Division of the Academic Senate  
Professor of Economics  
University of California, Davis

Enclosed: Davis Division Committee Responses

c: Monica Lin, Executive Director, Systemwide Academic Senate  
Michael LaBriola, Assistant Director, Systemwide Academic Senate  
Edwin M. Arevalo, Executive Director, Davis Division of the Academic Senate

October 23, 2025

**Kadee Russ**

Chair, Davis Division of the Academic Senate

**RE:** Proposed Revisions to APM 036, General University Policy Regarding Academic Appointees/Employment

The Committee on Academic Personnel – Oversight (CAP) has reviewed and discussed the **Proposed Revisions to APM 036, General University Policy Regarding Academic Appointees/Employment**. CAP reiterates our [feedback](#) on the previous revisions proposed to APM 036: if these revisions are approved, the committee strongly recommends that faculty be broadly informed about the appropriate language to use and the differences between “Official Letters of Recommendation” and “Personal References and Letters of Recommendation.”

CAP appreciates the opportunity to comment.

December 3, 2025

**Katheryn (Kadee) Russ**

Chair, Davis Division of the Academic Senate

**RE: Proposed Revisions to APM 036, General University Policy Regarding Academic Appointees/Employment**

As delegated by Graduate Council, the Graduate Council Academic Planning and Development Subcommittee (APD) has reviewed and discussed **Proposed Revisions to APM 036, General University Policy Regarding Academic Appointees/Employment**. Overall, the APD found the policy revisions to be lacking in critical details necessary for implementation. One member noted that there is lack of clarity regarding the “appropriate entities” that need to be consulted prior to providing a letter of recommendation. While the policy revisions note that the Chancellor (or designee) are responsible for developing implementation procedures, the timeline for the development of these procedures, the communication of these procedures to campus stakeholders, and what these procedures would, at minimum, consist of in terms of implementation are unclear. The APD encourages for more clarity regarding the procedural implementation of the proposed policy be incorporated in future revisions.

Thank you for the opportunity to provide comments on the **Proposed Revisions to APM 036, General University Policy Regarding Academic Appointees/Employment**.

November 24, 2025

**Katheryn Russ**

Chair, Davis Division of the Academic Senate

**RE:** Request for Consultation – Proposed Revisions to APM 036, General University Policy Regarding Academic Appointees/Employment

Dear Chair Russ:

The Committee on Faculty Welfare has reviewed the RFC – Proposed Revisions to APM 036, General University Policy Regarding Academic Appointees/Employment. The committee feels that the clarifications related to the Official Letter of Recommendation policy are very helpful. Additionally, it was noted that the proposed policy seems to be the minimum necessary to comply with state law, and faculty concerns were addressed as much as possible.

Sincerely,



Janet Foley  
Chair, Committee on Faculty Welfare

# Proposed Revisions to APM 036, General University Policy Regarding Academic Appointees/Employment

## FEC: College of Agricultural and Environmental Sciences Committee Response

December 3, 2025

CAES FEC members raise several substantive concerns about the feasibility, clarity, and confidentiality implications of the proposed revisions to APM 036, particularly those involving Title IX verification requirements for letters of recommendation. The draft policy now requires supervisors and administrators to confirm that the individual requesting a letter is not a respondent in a sexual-harassment complaint before issuing an “official” recommendation. Members note that while this iteration improves slightly on the prior version by at least identifying *who* must be contacted, the language remains vague and incomplete in ways that jeopardize both privacy and implementability. Title IX investigations are, by statute, highly confidential; the policy does not explain how the designated official will verify the status of a case, what information may be disclosed, or how to prevent misuse—such as fishing for information by making repeated verification requests. Without explicit guardrails, this mechanism creates risks both for individuals under investigation and for those required to act on incomplete or constrained information.

There is also broad uncertainty about how administrators or supervisors will be granted access to the necessary information at all, given existing confidentiality protections. The expectation that units can carry out this check is unrealistic unless the policy provides a detailed workflow, specifies permissible disclosures, and articulates safeguards against inappropriate release of sensitive data. Members stress that this must be spelled out unambiguously, or the policy will create more liability than it resolves.

A separate concern arises from new language in the section on outside professional activities, which appears to redefine or tighten the understanding of time “owed to the University.” Salaried academic employees do not have prescriptive working hours, and the proposed wording could be interpreted as constraining consulting or outside service in ways that conflict with long-standing APM frameworks such as APM 025 and 671. Without further clarification, there is a risk that departments will interpret this language inconsistently, leading to uneven or overly restrictive application across the campus.

Stepping back, this is the second systemwide review of changes prompted by legal mandates requiring UC to formalize policies governing letters of recommendation. The additions concerning lactation accommodations are straightforward, but the Title IX verification procedures remain under-specified. Given the sensitivity of the subject matter and the legal exposure involved, the policy needs a far clearer operational pathway before campus units can

*Davis Division Committee Responses*  
responsibly implement it.

# **Proposed Revisions to APM 036, General University Policy Regarding Academic Appointees/Employment**

## **FEC: School of Medicine Committee Response**

**December 3, 2025**

FEC requested consultation from the Committee on Faculty Affairs (CFA) in addition to the FEC review. The feedback is as follows.

1. The APM 036 revisions were extensively discussed last year, so this new version reflects extensive Senate/faculty feedback. In particular, there was much concern about distinguishing an “Official Letter of Recommendation” from a “Personal Letter of Recommendation.” This distinction has now been clarified. In our context in SOM, it appears that what we call program director letters and Dean’s letters would be covered by this burdensome new policy (mandated by state law). Still, virtually no letter written by anyone other than a Chair, Dean, or Program Director would be covered. The scope of this policy now clearly excludes all letters that rank-and-file faculty routinely write for former students, residents, fellows, postdocs, junior faculty, staff, colleagues, etc. These clarifications are helpful.

December 8, 2025

**Ahmet Palazoglu**  
**Chair, Academic Council**

**Re: Proposed Revisions to APM-036**

The Irvine Division Cabinet discussed the proposed revisions to Section 036 of the Academic Personnel Manual (APM-036) at its meeting on December 2, 2025. The Council on Teaching, Learning, and Student Experience (CTLSE), the Council on Faculty Welfare, Diversity, and Academic Freedom (CFW), the Council on Educational Policy (CEP), and the Graduate Council (GC) also reviewed the proposal. The councils' feedback is attached for your review.

Overall, Cabinet members noted that the revisions resulting from last year's review have improved the policy and agreed with the councils' feedback. However, while they understand the motivation for the changes to the California Education Code regarding official letters of recommendation for employees who are respondents in sexual harassment complaints, some members continued to question how the disclosure of such confidential information is reconciled with employee privacy rights.

Members noted that the "Chancellor, or the Chancellor's designee, shall develop appropriate implementation procedures, including identifying and communicating the 'appropriate entities' that will provide verification of whether a requesting employee is a respondent in a sexual harassment complaint" and emphasized that each campus administration should clearly communicate the identity of the "appropriate entities."

Neither the councils nor the Cabinet commented on the changes addressing gaps in the current APM regarding the federal Fair Labor Standards Act and lactation accommodation.

The Irvine Division appreciates the opportunity to comment.

Sincerely,



Jane Stoever, Chair  
Academic Senate, Irvine Division

Cc: Lisa Grant Ludwig, Chair Elect-Secretary  
Jisoo Kim, Executive Director  
Gina Anzivino, Associate Director

November 25, 2025

**JANE STOEVER**  
**CHAIR, ACADEMIC SENATE**

**RE: Revisions to APM-036 General University Policy Regarding Academic Appointees/Employment**

At its November 13, 2025 meeting, Graduate Council reviewed proposed revisions to APM-036 General University Policy Regarding Academic Appointees/Employment, with a focus on official letters of recommendation.

### **Background**

On January 1, 2025, a new bill was signed into California state law requiring the University of California to adopt a written policy regarding Official Letters of Recommendation as a condition for receiving state funding. This policy stated that Official Letters of Recommendation may not be provided for an employee who is a respondent in a sexual harassment complaint. Official Letters of Recommendation are distinct from personal letters of recommendation; while the former are endorsed by the University, represent its views, and are typically provided by administrators and supervisors, the latter are written in a personal capacity and neither represent nor propose to speak on behalf of the University.

Feedback from the first systemwide review raised concerns about the distinction between official and personal letters; requested clarity on the “appropriate entity” from whom administrators and supervisors should seek verification; noted concerns over workload in regards to verification; noted concerns over privacy and confidentiality; noted concerns about the inclusion of a “disclaimer” in personal letters of recommendation; and requested clarity on the types of letters that are subject to this policy. Based on this feedback, further revisions have been incorporated. The revisions have included the following:

- Language has been added that these requirements are in accordance with California Education Code 66284.
- Language has been added to clarify that “appropriate entities” must be defined in local campus procedures.
- Language has been added to define an Official Letter of Recommendation as distinct from a personal letter of recommendation.
- The requirement that personal letters of recommendation include disclaimer language about whether the letter is written in an “official” or “personal” capacity has been eliminated.

- Clarification has been added about which types of letters constitute Official Letters of Recommendation, even when written by administrators and supervisors on University of California letterhead.
- A toolkit will be issued that will include model statement language, a flowchart, and FAQs.

### **Recommendation**

The proposed revisions mostly address the feedback received from the first systemwide review. In the earlier review, Graduate Council recommended clarifying which “appropriate campus entities” must be consulted before issuing Official Letters of Recommendation, and this point has been addressed. The Council also suggested that the inclusion of a flowchart would improve transparency and compliance, but this flowchart is still pending. Other campus units noted a concern about privacy and confidentiality. This concern should be addressed in the forthcoming flowchart and FAQs.

The Council appreciates the opportunity to comment.

On behalf of the Graduate Council,



Baolin Wu, Chair

c: Jisoo Kim, Executive Director  
Gina Anzivino, Associate Director  
Thao Nguyen, Graduate Council Analyst



**November 10, 2025**

**Jane Stoever, Chair  
Academic Senate, Irvine Division**

**Re: Proposed Revisions to APM-036, General University Policy Regarding Academic Appointees/Employment**

At its meeting on November 6, 2025, the Council on Educational Policy (CEP) discussed proposed revisions to Section 036 of the Academic Personnel Manual (APM-036), General University Policy Regarding Academic Appointees/Employment.

Members were pleased that the language requiring personal letters of recommendation to confirm whether the letter was written in a personal rather than “official” capacity was removed and is now only required for official letters of recommendation. They also appreciated that a definition of official letter of recommendation (page 5, item b of draft policy) was provided. However, the definition notes that “other Administrators or Supervisors may also be asked to provide Official Letters of Recommendation,” and the policy goes on to say that “Administrators and Supervisors” can include “any...academic appointee with supervisory authority” (page 6 of draft policy), which would include most all faculty. Thus, members continued to find it unclear when faculty would be expected to provide official letters of recommendation and, as a result, assume that faculty will simply provide personal letters of recommendation in all cases. Lastly, members continued to find the policy completely unenforceable.

Note that CEP only reviewed the revisions addressing changes to the California Education Code. CEP considered the revisions addressing gaps in the APM related to the Fair Labor Standards Act and other issues to be outside the scope of its charge.

The council appreciates the opportunity to comment.

Sincerely,



Maia Young, Chair  
Council on Educational Policy

Cc: Lisa Grant Ludwig, Chair Elect  
Jisoo Kim, Executive Director  
Gina Anzivino, Associate Director & CEP Analyst

November 20, 2025

**JANE STOEVER, CHAIR  
ACADEMIC SENATE – IRVINE DIVISION****Re: Systemwide Proposed Revisions to APM-036, General University Policy Regarding Academic Appointees/Employment**

Systemwide Senate Chair Palazoglu distributed for systemwide review proposed revisions to Section 036 of the Academic Personnel Manual (APM-036), General University Policy Regarding Academic Appointees/Employment. The revisions are intended to address two main issues: 1) California Education Code Section 66284 (effective January 1, 2025) which requires institutions to adopt a written policy regarding Official Letters of Recommendation, reflecting feedback received during the first systemwide review of this issue last academic year; 2) Gaps in the current APM regarding the federal Fair Labor Standards Act (FLSA) and lactation accommodation.

The Council on Faculty Welfare, Diversity, and Academic Freedom (CFW) discussed this issue at its meeting on November 18, 2025, and submits the following comments:

Overall, members agreed that these revisions were an improvement. However, most also agreed that some ambiguity remains about what constitutes an official letter. It also remains unclear whether there are any potential consequences for faculty who may mistakenly recommend individuals with sexual harassment issues.

Sincerely,



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Ben Lourie, Chair  
Council on Faculty Welfare, Diversity, and Academic Freedom

C: Julie Kennedy, CFW Analyst  
Academic Senate

Jisoo Kim, Executive Director  
Academic Senate

Gina Anzivino, Associate Director  
Academic Senate

Casey Lough, Assistant Director  
Academic Senate



November 13, 2025

**JANE STOEVER, CHAIR  
ACADEMIC SENATE – IRVINE DIVISION****Re: Systemwide Proposed Revisions to APM-036, General University Policy Regarding Academic Appointees/Employment**

Systemwide Senate Chair Palazoglu has distributed for systemwide review proposed revisions to Section 036 of the Academic Personnel Manual (APM-036), General University Policy Regarding Academic Appointees/Employment. The revisions are intended to address two main issues: 1) California Education Code Section 66284 (effective January 1, 2025) which requires institutions to adopt a written policy regarding Official Letters of Recommendation, reflecting feedback received during the first systemwide review of this issue last academic year; 2) Gaps in the current APM regarding the federal Fair Labor Standards Act (FLSA) and lactation accommodation.

The Council on Teaching, Learning, and Student Experience (CTLSE) discussed this issue at its meeting November 3, 2025. Members were generally satisfied with the revisions, but emphasized the need for clarity on who are the “appropriate entities.” The revised policy notes that the “Chancellor, or the Chancellor’s designee, shall develop appropriate implementation procedures, including identifying and communicating the ‘appropriate entities’ that will provide verification of whether a requesting employee is a respondent in a sexual harassment complaint.” However, we are unaware of any communication to the campus community on either implementation or appropriate entities and the law has been in effect since January.

Members also questioned whether graduate school recommendations should be considered official letters because most graduate students are funded through TAships and/or RAships. As a result, while a letter of recommendation is primarily intended for admission into an educational program (and, therefore, an unofficial letter), there is a good chance that the student will, as a result of acceptance into the graduate program, also be employed as a TA or RA (official letter).

Sincerely,



Mary McThomas, Chair  
Council on Teaching, Learning, and Student Experience

C:

Julie Kennedy, CTLSE Analyst  
Academic Senate

Jisoo Kim, Executive Director  
Academic Senate

Gina Anzivino, Associate Director  
Academic Senate

Casey Lough, Assistant Director  
Academic Senate



# UCLA Academic Senate

Executive Board

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December 8, 2025

Ahmet Palazoglu  
Chair, UC Systemwide Academic Senate

**Re: (Systemwide Senate Review) Proposed Revisions to APM 036, General University Policy Regarding Academic Appointees/Employment**

Dear Chair Palazoglu,

The UCLA divisional Executive Board (EB) reviewed the proposed revisions to APM 036, General University Policy Regarding Academic Appointees/Employment and the committee/council feedback at their meeting on December 4, 2025. EB members agreed to share the comments from the divisional councils and committees for systemwide consideration.

A member expressed appreciation that the revision reflected earlier Senate feedback.

Sincerely,



Megan McEvoy  
Chair, UCLA Academic Senate

Encl.

Cc: Kathy Bawn, Immediate Past Chair, UCLA Academic Senate  
April de Stefano, Executive Director, UCLA Academic Senate  
Tim Groeling, Vice Chair/Chair Elect, UCLA Academic Senate

**UCLA Academic Senate**  
Committee on Charges

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November 26, 2025

To: Executive Board Members  
c/o Megan McEvoy, Chair  
Academic Senate

From: Vinay Lal, Chair  
Committee on Charges

**Re: Proposed Revisions to APM-036, Second Systemwide Review**

The Charges Committee had an opportunity to review the updated version of APM-036. Committee members compared this new version to their own comments following the first round of systemwide review and appreciate that their concerns have been addressed.

cc: April de Stefano, Academic Senate Executive Director  
/mmo

To: Megan McEvoy, Chair, Academic Senate

From: Phyllis Nagy, Chair, Committee on Privilege and Tenure

CC: Tim Groeling, Vice Chair/Chair-Elect, Academic Senate  
Kathleen Bawn, Immediate Past Chair, Academic Senate  
April de Stefano, Executive Director, Academic Senate  
Marian M. Olivas, Principal Policy Analyst, Academic Senate  
Members of the Committee on Privilege and Tenure

Date: November 26, 2025

**Re: APM-036 (General University Policy Regarding Academic Appointees/Employment) Second Systemwide Review**

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The Committee on Privilege and Tenure (P&T) reviewed the updated proposed revisions to Academic Personnel Manual Policy 036. Members appreciated that their comments and concerns during the first-round review seem to have all been addressed as part of the second-round review.

P&T hopes that similar careful consideration will be given to all significant APM revisions that impact Senate faculty.

Thank you for the opportunity to review and comment. If you have any questions, please do not hesitate to contact me at [pnagy@tft.ucla.edu](mailto:pnagy@tft.ucla.edu) or via the Committee's analyst, Marian Olivas, at [molivas@senate.ucla.edu](mailto:molivas@senate.ucla.edu).

November 25, 2025

To: Megan McEvoy, Chair, Academic Senate

From: Elizabeth Rose Mayeda, Chair, Faculty Welfare Committee

**Re: (Systemwide Senate Review) Proposed Revisions to APM 036, General University Policy  
Regarding Academic Appointees/Employment**

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At its meeting on November 4, 2025, the Faculty Welfare Committee (FWC) reviewed the Systemwide Senate Review on Proposed Revisions to APM 036, General University Policy Regarding Academic Appointees/ Employment.

The FWC appreciates the edits to the proposed revisions to APM 036 since our last review in February 2025, which we believe enhance clarity, but we request a few additional modifications to further clarify what constitutes an official versus a personal letter of recommendation.

The current document provides several examples of personal letters of recommendation and one specific example of an official letter of recommendation issued by a chancellor. It would be helpful to provide specific examples of official letters of recommendation that can be written by principal investigators and instructors of record. A specific concern is that faculty often write letters for individuals who are both students and employees (e.g., GSRs, TAs); in such cases, it is unclear whether the letter should be treated as official (employment-related) or personal/academic (student-related). Members also noted that it would be helpful for the policy to clarify whether the default assumption is that letters of recommendation are written on behalf of the individual (as personal letters) or on behalf of the University (as official letters). Finally, a broader concern noted during discussions is that it is potentially confusing that personal letters of recommendation may be written on University letterhead, as this may imply institutional endorsement.

Thank you for the opportunity to opine. If you have questions, please do not hesitate to contact me at [mayeda@g.ucla.edu](mailto:mayeda@g.ucla.edu) or the Committee analyst, Renee Rouzan-Kay, at [rrouzankay@senate.ucla.edu](mailto:rrouzankay@senate.ucla.edu).

CC: Tim Groeling, Vice Chair/Chair-Elect, Academic Senate  
Kathleen Bawn, Immediate Past Chair, Academic Senate  
April de Stefano, Executive Director, Academic Senate  
Renee Rouzan-Kay Committee Analyst, Academic Senate  
Members of the Faculty Welfare Committee

To: Megan McEvoy, Chair, Academic Senate

From: Deborah Landis, Chair, 2025-26 Faculty Executive Committee

Date: November 3, 2025

Re: Proposed Revisions to APM 036, General University Policy Regarding Academic Appointees/Employment

Dear Chair McEvoy,

At its meeting on October 30, 2025, the UCLA School of Theater, Film and Television Faculty Executive Committee (FEC) reviewed and discussed the requests for Senate Consultation. We appreciate the opportunity to provide input as outlined in the consultation plan regarding the Interim Systemwide Guidelines on Faculty Discipline and Revisions to APM.

**Committee Statement on Proposed Revisions to APM 036**

The TFT FEC Committee supports Kris Ravetto's suggestion noted in her letter dated March 12, 2025. (Item 10-4 in your Table of Contents).

Thank you,



Deborah Nadoolman Landis, PhD  
Chair, 2025-26 Faculty Executive Committee

cc:

Celine Parreñas Shimizu, Dean, School of Theater, Film & Television  
Jeff Burke, Chair, Theater  
Fabian Wagmister, Chair, FTVDM  
William McDonald, Professor, FTVDM  
Denise Mann, Associate Professor, FTVDM  
Adam Rigg, Associate Professor, Theater  
Malika Oyetimein, Assistant Professor, Theater



ACADEMIC SENATE, MERCED DIVISION

Kevin Mitchell, Chair, Merced Division of the Academic Senate

UNIVERSITY OF CALIFORNIA, MERCEDES

December 3, 2025

**To: Ahmet Palazoglu, Chair, Academic Council**

**From: Kevin Mitchell, Chair, UCM Divisional Council (DivCo)**

**Re: Proposed Revisions to APM-036, General University Policy Regarding Academic Appointees/Employment**

The proposed revisions to **APM-036, General University Policy Regarding Academic Appointees/Employment** were circulated to the Merced Division Senate Committees and School Executive Committees for review. The committees listed below provided thoughtful feedback and raised points for consideration. Their comments are appended to this memo for full context and detail.

- Committee on Academic Freedom (CAF)
- Committee on Academic Personnel (CAP)
- Committee on Rules and Elections (CRE)
- Committee for Equity, Diversity and Inclusion (EDI)
- Committee on Privilege and Tenure (P&T)
- School of Natural Sciences Executive Committee (NSEC)

On November 19, DivCo members engaged in a substantive discussion of the committees' feedback. The summary below highlights the central themes that emerged during the DivCo deliberations, and the range of perspectives offered across the committees.

DivCo members broadly agree that the revised APM-036 represents a significant improvement over earlier drafts. Members noted clearer organization, strengthened coherence, and greater operational practicality. The integration of California Education Code 66284, clearer definitions of Fair Labor Standards Act (FLSA) requirements, explicit codification of lactation accommodation, and a more systematic attempt to distinguish personal from official letters of recommendation were all praised as meaningful steps forward.

Despite these improvements, DivCo identified one persistent challenge: the definition of an *official* letter of recommendation. This issue surfaced repeatedly across committee responses, most prominently in feedback from CAP, CAF, EDI, and the NSEC. Faculty remain uncertain about where the boundary between official and personal letters lies. Concrete examples surfaced during discussion: Would a department chair's letter for a teaching assistant constitute official communication? If so, by what standard? And under what circumstances would a letter written by an administrator or supervisor be presumed to carry official weight?

This ambiguity is compounded by the policy's structural asymmetry. While the policy requires campuses to maintain processes for verifying whether an individual has been accused of sexual harassment – consistent with statutory mandates – there is no analogous mechanism for determining whether a letter is official. DivCo members expressed concern that this places undue burden on faculty and could inadvertently lead to inconsistent or overly cautious practices. Several members suggested an alternative paradigm in which letters are presumed personal unless explicitly designated as official by the authorized administrative office. Such an approach would both clarify expectations and reduce unintended liability.

DivCo also reflected on the broader policy landscape. Many of the ambiguities in APM-036 stem from statutory requirements imposed by the California Legislature – requirements that do not always align smoothly with the realities of academic employment. DivCo acknowledges the difficulty of crafting policy that meets legal obligations while remaining workable and intuitive for faculty. Nonetheless, unresolved uncertainty around official letters was identified as a central issue requiring further attention.

## **Summary of Committee Comments**

### **Official vs. Personal Letters of Recommendation (036-6)**

CAF, CAP, and EDI all address this area, with overlapping concerns. CAF notes that the revisions successfully define official letters while affirming faculty freedom to provide personal references without oversight. CAP echoes support but highlights lingering ambiguity in sections 036-6(b) and (c), particularly where the policy uses language such as letters being “mostly” official or personal. CAP recommends a clear rule: unless a letter explicitly states it is official, it should be treated as personal.

EDI similarly urges clarification of who is authorized to write official letters, noting the current draft grants this authority to a very broad group, potentially creating confusion. EDI also recommends explicitly stating that administrators and supervisors are not obligated to provide official letters and may opt to write personal letters instead. These concerns overlap with CAP’s, as both aim to ensure consistent interpretation and practical application. P&T confirms that the revisions clearly distinguish official from personal letters, provide model language for official endorsements, and exclude student-related letters, academic review materials, grants, and awards from the “official” category.

### **FLSA Implementation (036-14, 036-20)**

CRE and P&T both address FLSA-related clarifications. CRE asks that the purpose of the individualized analysis in 036-14(2.a) be made explicit (e.g., for informing FLSA determinations) and suggests referencing related issues in parts b and c. CRE also highlights uncertainty about who ultimately determines FLSA status for academic appointees with concurrent appointments across multiple campuses. P&T notes that the revisions provide clear definitions, confirm that employees may have only one FLSA classification, and standardize overtime and related pay procedures, codifying existing practices without imposing new reporting burdens. CRE additionally recommends removing the term “misstatement” from disciplinary language in 036-20 to avoid penalizing unintentional errors.

### **Policy Clarity and Terminology**

CRE suggests minor edits to improve consistency, such as adding hyphens to “without salary” in 036-80. EDI raises concerns about the removal of language encouraging recruitment of underrepresented groups (036-0(a)) and wording referencing historical gender imbalances (036-0(b)), advocating for explicit language that promotes equal opportunity while complying with legal constraints. P&T notes that terminology has generally been updated for inclusivity and consistency.

### **Lactation Accommodation**

P&T highlights the explicit inclusion of lactation accommodation in the revisions, aligning APM-036 with PPSM-84 and addressing a previous gap in policy.

All committees recognize that the revised APM-036 represents a more coherent, compliant, and operationally practical policy. While support is strong, overlapping concerns remain regarding the clarity and limits of authority for official letters, FLSA determination procedures, disciplinary language, and the explicit promotion of diversity and equity in recruitment. Addressing these points would further strengthen the policy's clarity, fairness, and implementability.

We thank you for the opportunity to review the proposed revisions to APM-036.

Cc:

DivCo Members

Chairs of CAF, P&T, and LASC

School Executive Committee Chairs

UCM Senate Office

UCOP Senate Office



ACADEMIC SENATE, MERCED DIVISION  
COMMITTEE ON ACADEMIC FREEDOM (CAF)

UNIVERSITY OF CALIFORNIA, MERCED  
5200 NORTH LAKE ROAD  
MERCED, CA 95343

**November 7, 2025**

**To: Kevin Mitchell, Chair, Divisional Council**

**From: Committee on Academic Freedom (CAF)**

**Re: APM-036, General University Policy Regarding Academic Appointees/Employment**

At their October 22, 2025 meeting, members of the Committee on Academic Freedom (CAF) reviewed the proposed revisions to *APM-036, General University Policy Regarding Academic Appointees/Employment* and offer the following comments:

The proposed revisions to APM-036 aim to address:

**1. Compliance with recent changes to the California Education Code**

Specifically, the addition of Section 66284, which requires institutions to adopt a written policy regarding official Letters of Recommendation (currently under second systemwide review).

**2. Closing a gap in the current APM**

Specifically, providing clarification on the classification of academic employees under the Federal Fair Labor Standards Act and incorporating related compensation standards (currently under first systemwide review).

The policy defines an “official letter of recommendation” and outlines the process for issuing such a letter. This process involves consultation with the appropriate entities to determine whether the employee is a respondent in a sexual harassment complaint filed with the University. A key procedure specific to official letters is the inclusion of the following statement:

“The following recommendation is endorsed by the University of California and represents the viewpoints of the [campus] and the University of California system as an employer” (page 6).

The policy also provides a list of letters that qualify as official letters of recommendation. Section C (page 7) affirms that faculty can and do write many personal references or letters of recommendation. Furthermore, it specifies that faculty do not need to confer with “the appropriate entities” when writing these letters.

“Academic appointees, including emeriti faculty, may provide references or letters in a personal capacity, and the academic appointee is not required to consult with the appropriate entities to determine if the current or former employee is a respondent in a sexual harassment complaint filed with the University, as outlined in APM - 036-6 b” (page 7).

Overall, CAF believes the changes provide a clear definition of what constitutes an official letter of recommendation and specify the procedures required when issuing such letters. At the same time, the policy explicitly affirms that faculty retain the ability to submit personal references or letters in a personal capacity without consulting the appropriate entities, thereby preserving their academic freedom to express their own views.

CAF thanks you for the opportunity to review and comment on the *APM-036, General University Policy Regarding Academic Appointees/Employment*.

Cc:            CAF Members  
                  Senate Office

# UNIVERSITY OF CALIFORNIA, MERCED

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SANTA BARBARA • SANTA CRUZ

ACADEMIC SENATE, MERCED DIVISION  
COMMITTEE ON ACADEMIC PERSONNEL (CAP)  
AJAY GOPINATHAN, CHAIR  
agopinathan@ucmerced.edu

UNIVERSITY OF CALIFORNIA, MERCED  
5200 NORTH LAKE ROAD  
MERCED, CA 95343

**November 7, 2025**

**To:** Kevin Mitchell, Senate Chair

**From:** Ajay Gopinathan, Chair, Committee on Academic Personnel (CAP)

**Re:** Proposed Revisions to APM-036, General University Policy Regarding Academic Appointees/Employment

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CAP reviewed the proposed revisions to APM-036, General University Policy Regarding Academic Appointees/Employment. CAP generally supports the proposed revisions but does have the following comment.

036-6 b. Official Letters of Recommendation and 036-6 c. Personal References and Letters of Recommendation. While these sections contain reassuring language, CAP believes it still leaves room for ambiguity - resorting to describing how one type or other of letter will “mostly” be. For example, CAP is still unclear if a letter by a department chair for a TA is official or not. Perhaps the ambiguity could be avoided by explicitly stating something “unless the official nature of the letter is explicitly indicated in the letter, all letters will be considered personal”. This removes the onus of having to try to decide.

We appreciate the opportunity to opine.

cc: Senate Office



November 3, 2025

**To:** Kevin Mitchell, Chair, Divisional Council  
**From:** Committee on Rules and Elections (CRE)  
**Re:** [Proposed Revisions to the Academic Personnel Manual \(APM\) Section 036, General University Policy Regarding Academic Appointees/Employment](#)

The Committee on Rules and Elections (CRE) reviewed the proposed revisions to the Academic Personnel Manual (APM) Section 036, General University Policy Regarding Academic Appointees/Employment and offers the following comments.

#### **036-14 Eligibility**

##### **b. Multiple Concurrent Appointments**

**2. a. "When at least one of the differing appointments is academic, the local Academic Personnel Office should conduct an individualized analysis."** (Page 9 of the proposed revisions) CRE believes the outcome of the analysis should be clearly specified (e.g. to inform the Chancellor's determination of the Fair Labor Standards Act (FLSA) status). If the analysis addresses the issues in part b) and part c), CRE recommends explicitly referencing those parts in part a).

**3. "If an academic appointee holds concurrent appointments at multiple UC locations, the primary duties as well as earnings from all locations must be considered as part of the whole in determining the FLSA status."** (Page 9 of the proposed revisions)

If each campus Chancellor is given the authority to modify the FLSA status, CRE finds it unclear who will have the final authority to determine the FLSA status in the case of concurrent appointments across UC campuses with more than one Chancellor.

#### **036-20 Conditions of Employment**

##### **a. Recording Leave Balances and Use of Paid and Unpaid Leave**

##### **3. Non-Exempt Academic Appointees**

**"Any misstatement or falsification of hours of time and leave reporting may be cause for disciplinary action up to and including termination."** (Page 13 of the proposed revisions)

"Falsification" suggests intent and this disciplinary action range seems appropriate. However, "misstatement" might be an unintended mistake, yet as currently written, it opens the door to the full range of disciplinary actions, including termination. Therefore, CRE suggests omitting "misstatement."

#### **036-80 Procedures** (Pages 18-19 of the proposed revisions)

CRE suggests adding hyphens to "without salary" throughout "c. Without Salary Appointments" and "d. Affiliate Appointments - UC Faculty" as the term describes the appointees and is previously referred as

“without-salary” in this document.

We thank you for the opportunity to review and comment.

CC:           CRE Members  
                 Senate Office



ACADEMIC SENATE, MERCED DIVISION  
COMMITTEE FOR EQUITY, DIVERSITY AND INCLUSION (EDI)

UNIVERSITY OF CALIFORNIA, MERCED

**November 3, 2025**

**To:** Kevin Mitchell, Chair, Divisional Council (DivCo)

**From:** Sean Malloy, Chair, Committee for Equity, Diversity and Inclusion (EDI)

**Re:** [\*\*APM 036, General University Policy Regarding Academic Appointees/Employment\*\*](#)

The Committee for Equity, Diversity and Inclusion (EDI) reviewed the proposed revisions to APM 036, General University Policy Regarding Academic Appointees/Employment and offers the following comments.

EDI appreciates the significant work invested in revising APM 036 to be in compliance with recent changes to California Education Code as well as the Fair Labor Standards Act (FLSA). We particularly appreciate the attention paid to Senate concerns raised during the previous review of the letter of recommendation portion of the policy. While the bulk of these changes seem uncontroversial, the committee does wish to flag a handful of questions and concerns raised by this draft.

First, EDI is concerned with the removal of the phrase “enhance the pool of applicants for those job groups and units where underutilization has been determined to exist” from 036-0(a) on recruitment (page 27 of the proposed revisions). The UC was, and remains, in compliance with all relevant state and federal laws on recruitment which prohibit affirmative action or other race-conscious policies in making hiring decisions. However, nothing in these laws prohibits hiring committees and other relevant entities from making a conscious effort to ensure that jobs are promoted or advertised in such a way as to draw a diverse set of candidates and this is particularly relevant in fields in which particular groups have been historically underrepresented. Unless there is a compelling legal reason otherwise, we strongly urge that this struck language be restored.

EDI also has concerns about the change in 036-0(b) to remove the phrase “men and women in job groups that have traditionally been identified with one sex” (page 28 of the proposed revisions) from the injunction to ensure that “good faith effort shall be taken to assure equal opportunity for employment.” On the one hand, we appreciate the need to reword this section to avoid reference to a strict gender binary. However, as with the struck language in the previous section, we believe it is important for the UC to recognize the reality that historically some fields and positions have suffered from gender imbalances that are the result of structural discrimination and that every legal effort should be made to remedy those imbalances. While affirmative action and other more direct remedies are legally prohibited, we see no reason why the UC should not explicitly encourage efforts to “assure equal opportunity for employment” in such cases. A suggested revision could look like, “... good faith effort shall be taken to assure equal opportunity for employment of people of all identities and backgrounds, particularly for job groups from which certain groups have historically been excluded.”

EDI also believes it important to clarify which employees have the capacity to speak for the institution as outlined in 036-6(b) on letters of recommendation. The current draft states that “Official Letters of Recommendation for employment are endorsed by the University, represent the views of the University, and are written by someone authorized to speak on the University’s behalf. Such letters are typically issued by faculty administrators (see APM - 241 and APM - 246); however, other Administrators or Supervisors may also be asked to provide Official Letters of Recommendation” (page 32 of the proposed revisions). The draft goes on to note that “Administrators and Supervisors include current department chairs, deans, provosts, chancellors, and faculty administrators (see APM - 241 and APM - 246), principal investigators, instructors of record, and any other academic appointee with supervisory authority, whether full-time or part-time, regardless of the current relationship between the letter writer and the requestor” (page 32 of the proposed revisions). This seems to be a very large pool of people potentially “authorized to speak on the University’s behalf.” EDI wonders whether a department chair, for example, really has the power to speak on behalf of the UC. We suggest further consideration and clarification of this language (either here or in a separate document) to make clear who has the authority to speak on the UC’s behalf.

Finally, EDI suggests that it would be helpful to explicitly clarify that administrators and supervisors are not obligated to provide official letters on the basis of their position and that they may still opt to provide personal letters (not reflecting the official position of the UC) even as they serve in such capacities.

We thank you for the opportunity to review and comment.

Cc: EDI Members  
Senate Office



ACADEMIC SENATE, MERCED DIVISION  
Christopher Viney, Chair, Committee on Privilege and Tenure

UNIVERSITY OF CALIFORNIA, MERCED

**October 29, 2025**

**To:** Kevin Mitchell, Chair, Divisional Council

**From:** Christopher Viney, Chair, Committee on Privilege and Tenure (P&T)

**Re:** [Proposed Revisions to APM-036 – General University Policy Regarding Academic Appointments/Employment](#)

Members of P&T have reviewed the proposed revisions to APM-036, General University Policy Regarding Academic Appointments/Employment.

This “revised-revised” APM-036 (September 2025) represents the integration of California Education Code 66284 statutory requirements (regarding official letters of recommendation) to provide a clear policy framework for distinguishing official from personal recommendations. The policy revision also addresses long-standing problems with implementation of the Federal Fair Labor Standards Act (FLSA) and lactation accommodation. Campuses will have to develop their own verification processes, but the revisions address the primary concerns that were raised in the first review. The current version is a coherent, implementable policy package. I will address each revision in turn.

1. Alignment with California Education Code 66284 (Official Letters of Recommendation)
  - a. This represents the most notable new content addressing the need for a written policy on how to address the need for official letters of recommendation when the person requesting the letter has been accused of sexual harassment. The revisions now formally define what is meant by “official” in this case, distinguishing it from personal references. There is a stipulation that appropriate entities be consulted before such letters can be provided (with local campus procedures delineating what constitutes “appropriate entities”).
  - b. The revision now stipulates that official letters are to be prohibited for employees who have been officially found to have committed sexual harassment, who resigned while an investigation was either pending or in process, or who entered into a settlement related to allegations of sexual harassment.
  - c. Model language is provided for inclusion in official letters to make it clear that an endorsement is official and not personal in nature.

The most recent set of revisions now does the following: 1) explicitly excludes letters written for students, academic review files, grants, and awards from the “official” category; 2) applies the required attestation language only to official letters (not personal recommendations, as originally indicated), and 3) clarifies that even if a personal letter uses UC letterhead/institutional email address, it is a personal letter if it does not meet the “official” definition.

2. Incorporation of Federal Fair Labor Standards Act (FLSA) Standards
  - a. Clearly defines terms (e.g., “exempt” vs. “non-exempt” academic appointees; overtime, premium overtime rate, primary duty, regular rate of pay, supervisor)
  - b. Clarifies that academic employees can only have one FLSA classification across concurrent appointments, and that determination depends on the nature of the duties performed rather than appointment percentage or duration
  - c. Provides clear and detailed procedures for calculating overtime, overschedule pay, and holiday pay for non-exempt employees (and confirms that faculty remain exempt from hourly timekeeping).
  - d. Makes it clear that all of this is just codifying existing campus practices and is not introducing new reporting expectations.
3. Lactation Accommodation and Working Conditions

Makes explicit reference to lactation accommodation, which had not been codified previously for academic appointees (and in a manner that aligns APM-036 with PPSM 84).
4. Other Updates

Revisions to use more inclusive language; alignment of terminology, cross-references standardized.

#### Assessment

This revised version of APM-036 is an improvement over the previous version in terms of clarity, practical application, and overall compliance alignment. This represents a thoughtful revision/response from the Office of the President, which makes the policy more coherent and operationally sound. It manages to balance legal compliance with academic realities.

Thank you for the opportunity to offer comments on these proposed revisions to APM-036.

Cc: P&T Members

**From:** [Jennifer Manilay](#)  
**To:** [Fatima Paul](#); [Kevin Mitchell](#)  
**Cc:** [Susan DeRiemer](#); [Michael Dawson](#); [Jay Sharping](#); [Tao Ye](#); [Mayya Tokman](#)  
**Subject:** RE: [Systemwide Review Item] Proposed Revisions APM-036, Academic Appointees/Employment (Due by 11/7/2025)  
**Date:** Friday, November 7, 2025 3:12:59 PM

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Dear Fatima and Kevin:

The current policy was written to ensure compliance with applicable law. However, we in SNSEC have the following concerns regarding specific sections of the draft revised policy:

**1. Section 036-0 Policy, part f – Regents Policy 7303: Policy on Service Obligations and Leaves of Absence**

The language describing “outside professional activities” is vague and does not clearly define what constitutes a conflict with University service. For faculty, this section should explicitly reference APM-025 - Conflict of Commitment and Outside Activities of Faculty Members and Designated Other Academic Appointees, which provides clear definitions and categories of outside professional activities. [https://www.ucop.edu/academic-personnel-programs/\\_files/apm/apm-025.pdf](https://www.ucop.edu/academic-personnel-programs/_files/apm/apm-025.pdf)

**2. Section 036-6 Obligations, Parts b and c**

The distinction between official and non-official letters of recommendation is confusing and could be easily circumvented by labeling a letter as “personal.” Furthermore, the differentiation between principal investigators and faculty/instructors of record is unclear, as these roles are often held by the same individual. Greater clarity is needed to ensure consistent interpretation and application of the policy.

Thank you for the opportunity to review these proposed revisions.

Sincerely,

Jennifer O. Manilay, PhD (*pronounced mah-NEE-lie, sounds like “money-lie”*)  
Professor, Dept. of Molecular and Cell Biology  
Chair, Natural Sciences Executive Committee AY-25-26  
School of Natural Sciences  
University of California, Merced  
[jmanilay@ucmerced.edu](mailto:jmanilay@ucmerced.edu)

Pronouns: she/her/hers

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**From:** Fatima Paul <fpaul@ucmerced.edu>  
**Sent:** Monday, September 22, 2025 7:08 AM



CHAIR, ACADEMIC SENATE  
RIVERSIDE DIVISION  
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December 9, 2025

Ahmet Palazoglu, Chair, Academic Council  
1111 Franklin Street, 12th Floor  
Oakland, CA 94607-5200

**RE: Proposed Revisions to APM – 036, General University Policy Regarding Academic Appointees/Employment**

Dear Ahmet,

On December 8, 2025, the Riverside Academic Senate Executive Council discussed the *Proposed Revisions to APM – 036, General University Policy Regarding Academic Appointees/Employment*. In addition to transmitting the comments of local committees, the Executive Council is interested in clearer information and guidance regarding student academic employees in relation to this policy.

While some committees expressed support and the necessity of the proposed revisions (“[t]he language now clarifies that faculty letters are personal instead of official letters, which removes concerns over academic freedom”); others had questions or critiques:

*School of Medicine faculty executive committee:*

The FEC reviewed the distinction between official and private letters of recommendation at UC.

- Official letters required for UC employees seeking advancement within the system and must be verified by HR and must not include exaggerations or inaccuracies.
- Private letters, which may be written on UC letterhead for positions outside UC, are less formal and may include subjective assessments.

The FEC also reviewed a policy update covering letters of recommendation and lactation accommodation. The update specifies that only institutionally authorized individuals may write official letters of recommendation, while personal references can still be provided using UC letterhead or email. The FEC approved the proposed policy changes.

*School of Education faculty executive committee:*

The document states: “This law mandates that University supervisors and administrators take certain steps to ensure the requesting employee is not a respondent in a sexual harassment complaint before providing an official letter of recommendation.” Faculty expressed concern that the proposed policy places the responsibility on individual letter-writers to initiate verification before issuing an official letter of recommendation. Writing letters is already a substantial service obligation, particularly for faculty who mentor many students, trainees, and staff. Adding an extra administrative step, one that

must be independently initiated each time, creates additional workload and may unintentionally discourage faculty from writing letters or cause delays for employees who need timely recommendations. Faculty urge the University to consider alternative mechanisms that fulfill the legal requirement while reducing the burden on individual faculty members.

Additionally, the Faculty also sought clarity regarding which letters are subject to the verification requirement. According to pages 3–4 of the draft policy, the following are not classified as “Official Letters of Recommendation” and therefore do not require prior verification:

- Letters written for academic review files
- Letters for current or former students regarding academic performance
- Letters for graduate school applications
- Letters written for grants, fellowships, awards, and similar purposes

By contrast, letters written for employment purposes—such as K–12 teaching positions, faculty appointments, or other job applications—are considered “Official Letters of Recommendation” subject to the verification process.

Faculty emphasized that this distinction is not intuitive and may lead to confusion or inconsistent implementation. Clearer guidance from the University is needed to ensure compliance and prevent unnecessary workload for faculty who write both academic and employment-related letters.

#### *Committee on Privilege and Tenure:*

The intent of this policy regarding Official Letters of Recommendation is admirable. We have concerns about its implementation and the potential burdens that it might impose on faculty letter writers who are in leadership positions (e.g. Department Chairs, PIs on grants), as they work to support their students, lecturers and colleagues.

The proposed revisions include a commitment from the Office of the President to provide a toolkit for recommenders, which will include a consultation flowchart and FAQ. This resource should be easy-to-follow, widely available. These documents should make the following clear, per policy: while an ‘Official Letter’ must include language to the effect the letter represents the viewpoint of the University as an employer, there is no required language for ‘personal’ letters, and private letters may be written on University letterhead.

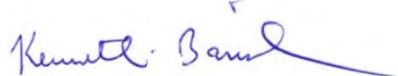
Each campus will need its own guide for letter-writers who need to confirm their recommendee’s record, explaining how they should go about doing so. Honoring this obligation is impossible without the identification of the appropriate process and office for processing these queries. These resources are particularly important in fields (e.g. Medicine) in which official letters are often a standard. A streamlined process will help such campus leaders honor this practice.

#### *Committee on Faculty Welfare:*

- The revisions include clarification that letters of reference or recommendation not meeting the requirements noted for Official Letters of Recommendation in APM - 036-6c. should be considered personal letters of reference or recommendation, even when written by an administrator or supervisor on University of California letterhead or issued via a University issued email address.
- Parts of the document still refer to faculty members as supervisors and graduate students as employees. As a result, the revision should explicitly state that faculty members are able to write personal letters of recommendation for graduate students that evaluate both their academic performance and their performance as employees.
- It is important that faculty members have input into the toolkit guidance documents, particularly as they relate to graduate students, before the documents are finalized.

- The sexual harassment guidelines seem to have been designed for regular employees and haven't been tailored for students. A prime example is condition #2 in the policy which says "Before a final administrative decision is made, and while an investigation is pending, the employee resigns from their current position." Another likely scenario for students is that if a student completes their requirements and graduates, or the quarter and the appointment ends (e.g. for a TA). Given the wording of the policy, one would think that in these situations a University official would still be able to write an official letter of recommendation for the accused student. It is not clear if this would be the intended outcome as outlined in the guidelines. The guidelines may need to be modified for student employees.

Best regards,



Kenneth Barish  
Professor of Physics and Astronomy and Chair of the Riverside Division

Encl.

CC: Monica Lin, Executive Director of the Academic Senate  
Cherysa Cortez, Executive Director of UCR Academic Senate Office



*Academic Senate*

**COMMITTEE ON ACADEMIC FREEDOM**

October 21, 2025

To: Ken Barish, Chair  
Riverside Division Academic Senate

From: Quinn McFrederick, Chair  
Committee on Academic Freedom

**Re: Proposed Revisions to APM-036, General University Policy Regarding Academic Appointees/Employment**

The Committee on Academic Freedom reviewed the proposed changes to APM-036, General University Policy Regarding Academic Appointees/Employment at their October 13, 2025 meeting and voted to support the proposed revisions. The language now clarifies that faculty letters are personal instead of official letters, which removes concerns over academic freedom.



*Academic Senate*

**COMMITTEE ON CHARGES**

November 21, 2025

To: Kenneth Barish, Chair  
Riverside Division

Fr: Darrel Jenerette  
Chair, Committee on Charges

**Re: [Systemwide Review] Proposal: Proposed Revisions to APM - 036, General University Policy Regarding Academic Appointees/Employment**

The Committee on Charges supports the proposed changes. The clarifications and updated definitions seem appropriate and needed.



**College of Humanities, Arts, and  
Social Sciences  
EXECUTIVE COMMITTEE**

October 31, 2025

**TO:** Ken Barish, Chair  
Riverside Division of the Academic Senate

**FROM:** Iván Aguirre, Interim Chair  
CHASS Executive Committee

**RE:** [Systemwide Review] Proposal: Proposed Revisions to APM - 036, General University Policy Regarding Academic Appointees/Employment

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The CHASS Executive Committee reviewed the [Systemwide Review] Proposal: Proposed Revisions to APM - 036, General University Policy Regarding Academic Appointees/Employment). The committee supports the proposed revisions to APM - 036.



November 21st, 2025

TO: Kenneth N. Barish, Chair, Academic Senate, UCR Division

FROM: Harry Tom, Chair, Faculty Executive Committee, College of Natural and Agricultural Sciences

SUBJECT: [Systemwide Review] (Proposal) Proposed Revisions to APM - 036, General University Policy Regarding Academic Appointees/Employment

Prof. Barish,

The CNAS Faculty Executive Committee has reviewed the proposal for the proposed revisions to APM - 036 at their November 18th meeting and has no objections to the proposed changes.

Sincerely,

A handwritten signature in black ink that reads "Harry W. Tom".

Harry Tom, Ph.D.  
Chair, Faculty Executive Committee, College of Natural and Agricultural Sciences

**COMMITTEE ON FACULTY WELFARE**

November 20, 2025

To: Kenneth Barish, Chair  
Riverside Division Academic Senate



From: Salman Asif, Chair  
Committee on Faculty Welfare

Re: [Systemwide Review] Proposal: *Proposed Revisions to APM - 036, General University Policy Regarding Academic Appointees/Employment*

The Committee on Faculty Welfare (CFW) reviewed the *Proposed Revisions to APM - 036, General University Policy Regarding Academic Appointees/Employment*. CFW has the following comments:

- The revisions include clarification that letters of reference or recommendation not meeting the requirements noted for Official Letters of Recommendation in APM - 036-6c. should be considered personal letters of reference or recommendation, even when written by an administrator or supervisor on University of California letterhead or issued via a University issued email address.
- Parts of the document still refer to faculty members as supervisors and graduate students as employees. As a result, the revision should explicitly state that faculty members are able to write personal letters of recommendation for graduate students that evaluate both their academic performance and their performance as employees.
- It is important that faculty members have input into the toolkit guidance documents, particularly as they relate to graduate students, before the documents are finalized.
- The sexual harassment guidelines seem to have been designed for regular employees and haven't been tailored for students. A prime example is condition #2 in the policy which says "Before a final administrative decision is made, and while an investigation is pending, the employee resigns from their current position." Another likely scenario for students is that if a student completes their requirements and graduates, or the quarter and the appointment ends (e.g. for a TA). Given the wording of the policy, one would think that in these situations a University official would still be able to write an official letter of recommendation for the accused student. It is not clear if this would be the intended outcome as outlined in the guidelines. The guidelines may need to be modified for student employees.



*Academic Senate*

## COMMITTEE ON PRIVILEGE & TENURE

November 25, 2025

To: Kenneth Barish, Chair  
Riverside Division

Fr: Jennifer Doyle  
Chair, Committee on Privilege & Tenure

**Re: [Systemwide Review] Proposal: Proposed Revisions to APM - 036, General University Policy Regarding Academic Appointees/Employment**

The Committee on Privilege and Tenure discussed the proposed changes to APM-036, General University Policy Regarding Academic Appointees/Employment at their November 4, 2025 Meeting.

The intent of this policy regarding Official Letters of Recommendation is admirable. We have concerns about its implementation and the potential burdens that it might impose on faculty letter writers who are in leadership positions (e.g. Department Chairs, PIs on grants), as they work to support their students, lecturers and colleagues.

The proposed revisions include a commitment from the Office of the President to provide a toolkit for recommenders, which will include a consultation flowchart and FAQ. This resource should be easy-to-follow, widely available. These documents should make the following clear, per policy: while an 'Official Letter' must include language to the effect the letter represents the viewpoint of the University as an employer, there is no required language for 'personal' letters, and private letters may be written on University letterhead.

Each campus will need its own guide for letter-writers who need to confirm their recommendee's record, explaining how they should go about doing so. Honoring this obligation is impossible without the identification of the appropriate process and office for processing these queries. These resources are particularly important in fields (e.g. Medicine) in which official letters are often a standard. A streamlined process will help such campus leaders honor this practice.

11/21/2025

**To:** Kenneth Barish, Chair of the Assembly of the Academic Senate  
and Cherysa Cortez, Executive Director of the UCR Academic Senate

**From:** Kinnari Atit, Ph.D., Faculty Chair of the School of Education Executive Committee

**Subject:** School of Education's Feedback on Proposed Revisions to APM - 036, General University Policy  
Regarding Academic Appointees/Employment

The SOE Executive Committee reviewed the "Proposed Revisions to APM - 036, General University Policy Regarding Academic Appointees/Employment". Comments/feedback were solicited at our executive committee meeting and via email.

The document states: "This law mandates that University supervisors and administrators take certain steps to ensure the requesting employee is not a respondent in a sexual harassment complaint before providing an official letter of recommendation." Faculty expressed concern that the proposed policy places the responsibility on individual letter-writers to initiate verification before issuing an official letter of recommendation. Writing letters is already a substantial service obligation, particularly for faculty who mentor many students, trainees, and staff. Adding an extra administrative step, one that must be independently initiated each time, creates additional workload and may unintentionally discourage faculty from writing letters or cause delays for employees who need timely recommendations. Faculty urge the University to consider alternative mechanisms that fulfill the legal requirement while reducing the burden on individual faculty members.

Additionally, the Faculty also sought clarity regarding which letters are subject to the verification requirement. According to pages 3–4 of the draft policy, the following are *not* classified as "Official Letters of Recommendation" and therefore do **not** require prior verification:

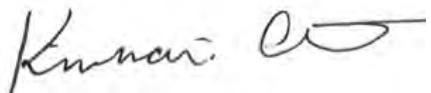
- Letters written for academic review files
- Letters for current or former students regarding academic performance
- Letters for graduate school applications
- Letters written for grants, fellowships, awards, and similar purposes

By contrast, letters written for employment purposes—such as K–12 teaching positions, faculty appointments, or other job applications—are considered "Official Letters of Recommendation" subject to the verification process.

Faculty emphasized that this distinction is not intuitive and may lead to confusion or inconsistent implementation. Clearer guidance from the University is needed to ensure compliance and prevent unnecessary workload for faculty who write both academic and employment-related letters.

Thank you for the opportunity to provide feedback.

Sincerely,



Kinnari Atit  
Chair, Faculty Executive Committee  
School of Education  
University of California, Riverside  
Email: [kinnari.atit@ucr.edu](mailto:kinnari.atit@ucr.edu)



November 12, 2025

TO: Ken Barish, PhD, Chair, Academic Senate, UCR Division

FROM: Adam Godzik, Ph.D., Chair, Faculty Executive Committee, UCR School of Medicine

SUBJECT: **[Systemwide Review] (Proposal) Proposed Revisions to APM - 036, General University Policy Regarding Academic Appointees/Employment**

Dear Ken,

The SOM Faculty Executive Committee has reviewed the Proposed Revisions to APM - 036, General University Policy Regarding Academic Appointees/Employment

The FEC reviewed the distinction between official and private letters of recommendation at UC.

- Official letters required for UC employees seeking advancement within the system and must be verified by HR and must not include exaggerations or inaccuracies.
- Private letters, which may be written on UC letterhead for positions outside UC, are less formal and may include subjective assessments.

The FEC also reviewed a policy update covering letters of recommendation and lactation accommodation. The update specifies that only institutionally authorized individuals may write official letters of recommendation, while personal references can still be provided using UC letterhead or email.

The FEC approved the proposed policy changes.

Yours sincerely,

DocuSigned by:

A handwritten signature in black ink that reads "Adam Godzik".

F3F7FC00ECB4E4AD...

Adam Godzik, Ph.D.

Chair, Faculty Executive Committee School of Medicine

TO: Ken Barish, Chair  
Riverside Division

FR: Kurt Schwabe, Chair *Kurt Schwabe*  
Executive Committee, School of Public Policy

RE: **[Comments] *Proposed Revisions to APM - 036, General University Policy  
Regarding Academic Appointees/Employment***

Date: November 21, 2025

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The Executive Committee of the School of Public Policy has reviewed the ***Systemwide Review of Proposed Revisions to the Academic Personnel Manual (APM) Section 036, General University Policy Regarding Academic Appointees/Employment***. The revisions seem reasonable to us and we have no additional comments.



OFFICE OF THE ACADEMIC SENATE

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

December 10, 2025

Professor Ahmet Palazoglu  
Chair, Academic Senate  
University of California  
VIA EMAIL

Re: Divisional Review of Academic Personnel Manual (APM) 036, General University Policy  
Regarding Academic Appointees/Employment

Dear Chair Palazoglu,

The proposed revisions to the Academic Personnel Manual (APM) 036, General University Policy Regarding Academic Appointees/Employment were distributed to San Diego Divisional Senate standing committees and discussed at the December 8, 2025 Divisional Senate Council meeting. Senate Council endorsed the proposal and offered the following comments for consideration.

Reviewers noted that the revised policy was a major improvement over last year's draft. They identified a few points that still need clarification to ensure faculty compliance. While the policy states that most letters of recommendation written by faculty are not considered official, it remains unclear how letters written for employment purposes, which are the letters that faculty write most frequently, should be categorized. The list of exempted personal letters should be updated to include "letters of reference for graduating PhD candidates seeking academic or other employment" and "letters of reference for undergraduates pursuing employment or graduate study," unless an employer explicitly requests an official letter. Although the policy now clarifies that local campus procedures must define "appropriate entities" for the purposes of consultation on providing Official Letters of Recommendation, systemwide guidance should identify which offices can serve in that role to ensure consistency across all campuses.

The responses from the Divisional Committee on Academic Personnel and Committee on Faculty Welfare are attached.

Sincerely,

Rebecca Jo Plant  
Chair  
San Diego Divisional Academic Senate

Attachment

cc: Akos Rona-Tas, Vice Chair, San Diego Divisional Academic Senate  
Lori Hullings, Executive Director, San Diego Divisional Academic Senate  
Monica Lin, Executive Director, UC Systemwide Academic Senate

November 21, 2025

PROFESSOR REBECCA JO PLANT, Chair  
Academic Senate, San Diego Division

SUBJECT: Review of Revisions to APM 036, General University Policy Regarding Academic Appointees/Employment

Dear Chair Plant,

At its November 19, 2025 meeting, the Committee on Faculty Welfare (CFW) reviewed the proposed revisions to APM 036, General University Policy Regarding Academic Appointees/Employment. CFW appreciated the effort to clarify supervisory responsibilities and letter-writing obligations in APM 036, noting that the revised policy is a significant improvement from the draft reviewed last year. The Committee found there are areas requiring further clarification to ensure faculty understand their responsibilities and can comply without undue burden.

- The draft states that “Most letters of recommendation written by faculty members and other academic appointees are not considered an Official Letter of Recommendation,” yet the policy remains unclear about letters written for employment purposes. The list of exempted personal letters does not include the categories faculty write most frequently. CFW recommended explicitly adding “Letters of reference for graduating PhD candidates who are pursuing academic or other employment” and “Letters of reference for undergraduates who are pursuing employment or graduate education,” with the understanding that these remain personal letters unless an employer explicitly requests an Official Letter of Recommendation.
- CFW recommended that the policy provide general guidance on the types of “appropriate entities” faculty must consult when verifying an individual’s status for Official Letters. The draft policy indicates these will be “defined in local campus procedures” and it would be helpful to provide some systemwide guidance on what is appropriate for consistency across campuses. It is important that the San Diego Divisional Senate be involved in reviewing the local implementation procedures before they are published as clear, accessible local guidance is essential for compliance.

Sincerely,

Amy Adler  
Chair  
Committee on Faculty Welfare

cc: Akos Rona-Tas, Senate Vice Chair  
Lori Hullings, Senate Executive Director  
Jenna Coomer, Senior Senate Analyst  
Jeffrey Clemens, Vice Chair, Committee on Faculty Welfare

December 01, 2025

PROFESSOR REBECCA JO PLANT, Chair  
Academic Senate, San Diego Division

SUBJECT: Review of the Proposed Revisions to the APM 036- General University Policy Regarding Academic Appointees/Employment

Dear Chair Plant,

At its November 05 2025, meeting, the Committee on Academic Personnel (CAP) reviewed the proposed policy revisions to APM 036- General University Policy Regarding Academic Appointees/Employment. CAP endorses proposed policy revisions, without comment.

CAP appreciates the opportunity to review the proposed policy revisions.

Sincerely,



Christina Schneider  
Chair  
Committee on Academic Personnel

cc: Akos Rona-Tas, Senate Vice Chair  
Lori Hullings, Senate Executive Director  
Jenna Coomer, Senior Senate Analyst  
Joseph Ciacci, CAP Vice Chair



**Office of the Academic Senate**  
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Errol Lobo, MD, PhD, Chair  
Marta Margeta, MD, PhD, Vice Chair  
Kartika Palar, PhD, MA, Secretary  
Spencer Behr, MD, Parliamentarian

December 9, 2025

Ahmet Palazoglu  
Chair, Academic Council  
Systemwide Academic Senate  
University of California Office of the President  
1111 Franklin St., 12th Floor  
Oakland, CA 94607-5200

**Re: Systemwide Review of Proposed Revisions to the Academic Personnel Manual (APM) Section 036, General University Policy Regarding Academic Appointees/Employment**

Dear Chair Palazoglu:

The San Francisco Division of the Academic Senate is pleased to provide comments on the Systemwide Review of Proposed Revisions to the Academic Personnel Manual (APM) Section 036, General University Policy Regarding Academic Appointees/Employment. The Committee on Academic Personnel (CAP), Blue and Gold, commented on this review.

CAP appreciates the fact that the updates were responsive to CAP's earlier concerns – clearly defining the difference between an Official Letter of Recommendation and a personal letter, and that the new version is clearer and easier to follow. CAP also appreciates that specific language is now only required for Official Letters of Recommendation, which will make it easier for faculty to comply with the requirements.

CAP further acknowledges the inclusion of federal Fair Labor Standards Act and lactation accommodations and finds that adding this information to the APM is reasonable, and has no further comments on these revisions. After careful review of the new revisions, CAP has two additional suggestions:

- 1. Official Letter of Recommendation Guidance:** The policy does not clarify whether the writer of an Official Letter of Recommendation should inform information about whether the employee is a respondent in a sexual harassment complaint filed with the University will be sought for the purposes of writing the letter. CAP finds that guidance on this matter would help faculty and supervisors navigate the policy appropriately to balance possible privacy concerns. Stipulating that letter writers should inform employees about this requirement may help to balance possible privacy concerns and the need to protect current and future employers.
- 2. Supplemental Procedures document:** CAP feels that creating a brief supplemental Procedures document on Official Letters of Recommendation (e.g., a one-page flow chart, step-by-step instructions, or Frequently Asked Questions) may be helpful so that busy faculty, administrators, and supervisors can easily and accurately follow the process without needing to consult a denser policy document.

Thank you for considering our comments. If you have any questions, please reach out to me or the UCSF Executive Director, Todd Giedt ([todd.giedt@ucsf.edu](mailto:todd.giedt@ucsf.edu)).

Sincerely,

Errol Lobo, MD, PhD, 2025-27 Chair  
UCSF Academic Senate

Enclosures (1)

Cc: Catherine Lomen-Hoerth, Chair, Committee on Academic Personnel –Blue  
Bruce Cree, Chair, Committee on Academic Personnel – Gold

**Communication from the Committee on Academic Personnel****Catherine Lomen-Hoerth, MD, PhD, Chair, Blue CAP****Bruce Cree, MD, PhD, MAS, Chair, Gold CAP**

December 3, 2025

TO: Errol Lobo, Chair of the UCSF Division of the Academic Senate

FROM: Catherine Lomen-Hoerth, Chair, Committee on Academic Personnel – Blue  
Bruce Cree, Chair, Committee on Academic Personnel – Gold

CC: Todd Giedt, Executive Director of the UCSF Academic Senate Office

RE: Systemwide Review of Proposed Revisions to the Academic Personnel Manual (APM)  
Section 036, General University Policy Regarding Academic Appointees/Employment

Dear Chair Lobo:

The Blue and Gold Committees on Academic Personnel (CAP) write to comment on the Systemwide Senate Review of Proposed Revisions to the Academic Personnel Manual (APM) Section 036, General University Policy Regarding Academic Appointees/Employment.

CAP commented on a previous version of the proposed revisions that address changes to the California Education Code requiring institutions to adopt a written policy regarding Official Letters of Recommendation. CAP felt that the first version of the policy needed to be made clearer so that faculty could more easily understand and comply with the policy.

CAP has reviewed the new revisions and feels that the updates were very responsive to CAP's concerns. The new version of the policy is clearer and easier to follow. CAP feels that the distinction between an Official Letter of Recommendation and a personal letter is now clear, and CAP appreciates that specific language is now only required for Official Letters of Recommendation. These changes will make it easier for faculty to comply with the requirements.

CAP has two additional suggestions:

1. The policy does not explain whether a writer of an Official Letter of Recommendation should inform the employee that information about whether the employee is a respondent in a sexual harassment complaint filed with the University will be sought for the purposes of writing an official letter of recommendation. CAP continues to feel that guidance on this matter would be helpful to faculty and other supervisors. Stipulating that letter writers should inform employees about this requirement may help to balance possible privacy concerns and the need to protect current and future employers.
2. CAP feels that creating a brief supplemental Procedures document on Official Letters of Recommendation (e.g., a one-page flow chart, step-by-step instructions, or Frequently Asked Questions) may be helpful so that busy faculty, administrators, and supervisors can easily and accurately follow the process without needing to consult a denser policy document.

Finally, CAP also reviewed the revisions to address gaps in the Academic Personnel Manual (APM) related to the implementation of the federal Fair Labor Standards Act and lactation accommodations. CAP feels that adding this information to the APM is reasonable and has no further comments on these revisions.

Thank you for the opportunity to comment on this important policy. If you have any questions on these comments, please contact us or Academic Senate Analyst Liz Greenwood ([liz.greenwood@ucsf.edu](mailto:liz.greenwood@ucsf.edu)).



# UC SANTA BARBARA

Academic Senate  
Rita Raley, Chair  
Shasta Delp, Executive Director

1233 Girvetz Hall  
Santa Barbara, CA 93106-3050  
<http://www.senate.ucsb.edu>

December 10, 2025

To: Ahmet Palazoglu, Chair  
Academic Senate

From: Rita Raley, Divisional Chair  
Academic Senate

A handwritten signature in black ink, appearing to read "Rita Raley".

Re: Proposed Revisions to Academic Personnel Manual (APM) 036

The Santa Barbara Division distributed the Proposed Revisions to Academic Personnel Manual (APM) 036 to the Committee on Academic Personnel (CAP), the Council on Faculty Welfare, Academic Freedom, and Awards (CFW), the Charges Advisory Committee (CAC), the Committee on Privilege and Tenure (P&T), the Council on Planning and Budget (CPB), the Graduate Council (GC), the Undergraduate Council (UgC), and the Faculty Executive Committees (FECs) for the College of Letters and Science (L&S), the College of Engineering (COE), the College of Creative Studies (CCS), the Gevirtz Graduate School of Education (EDUC), and the Bren School of Environmental Science and Management (BREN). CAP, CFW, CAC, CPB, and the L&S, EDUC, and BREN FECs elected not to opine.

The Santa Barbara Division acknowledges the effort undertaken to address the reviewing agency comments submitted during the previous round of Systemwide review. Several groups remarked that the new version of the policy was improved from the last version. At the same time, however, there was significant agreement that the proposed policy language remains rather opaque and would benefit from additional revision.

A recurring theme in comments from the councils and committees is the lack of a clear distinction between official and unofficial letters of recommendation, which may result in confusion for faculty. They emphasize that the policy would benefit from an explicit definition of "official" letters of recommendation and a comprehensive list of circumstances that would determine whether a letter is official or unofficial (e.g., graduate program applications, tenure reviews, fellowship nominations). Providing this precise definition will make the policy straightforward and unambiguous, thereby facilitating compliance. Further, faculty should be informed, or reminded—per the GC's recommendation—of their responsibilities and potential liabilities when drafting or submitting these letters.

All of the agencies' individual responses are attached for appropriate consideration.

UC SANTA BARBARA  
Academic Senate

DATE: December 3, 2025

TO: Rita Raley, Divisional Chair  
Academic Senate

FROM: Phil Christopher, Chair  
Committee on Privilege and Tenure

RE: Review of Proposed Revisions to the Academic Personnel Manual (APM) 036

On November 13th, the Committee on Privilege and Tenure (P&T) reviewed and discussed the *"Proposed Revisions to the Academic Personnel Manual (APM) 036."*

The committee was positive about the change in policy language that now requires a statement that a letter is official, rather than having to include a statement when letters are not official.

However, the committee felt that the document is still too vague as to what scenario would need an "official" letter. The document should provide a clear set of conditions of when an official letter would be needed and specific examples of when faculty members would need to write official letters.

CC: Shasta Delp, Executive Director, Academic Senate

Academic Senate  
Santa Barbara Division

November 5, 2025

To: Rita Raley, Divisional Chair  
Academic Senate

From: Joe McFadden, Chair  
Graduate Council 

**Re: Proposed Revisions to the Academic Personnel Manual (APM) 036**

At its meeting of November 3, 2025, Graduate Council reviewed the proposed revisions to Academic Personnel Manual (APM) 036 and has the following comments.

The Council reviewed the original version of this proposal in March 2025 and noted the distinction between official and personal letters of recommendation to be “murky at best” at the time. The Council maintains that the distinction is still confusing.

Under the “Official Letters of Recommendation” section, the policy offers a statement to be included on Official Letters of Recommendation; “The following recommendation is endorsed by the University of California and represents the viewpoints of the [campus] and the University of California system as an employer.” The original version of this policy was in reverse. Personal letters were to include a statement that the letter did not represent the viewpoints of the University of California system. Is the “disclaimer” no longer required for personal letters of recommendation?

Also, under the “Personal References and Letters of Recommendation” section, the policy reads “Most letters of recommendation written by faculty members and other academic appointees are not considered an Official Letter of Recommendation; instead, they are personal references and letters of recommendation that do not serve as an Official Letter of Recommendation from the University.” The Council believes this statement lacks clarity. It would be better to create a finite list of examples of letters that are considered “official”, so that faculty members do not have to guess.

Overall, the Council finds the proposal, particularly pages 7 and 8, lacks clarity. Faculty members are still in the dark about their responsibilities and liabilities when it comes to letters of recommendation. For example, what happens if a faculty member knowingly writes a letter for a student that was accused of sexual harassment?

CC: Shasta Delp, Executive Director, Academic Senate

UC SANTA BARBARA  
Academic Senate

DATE: November 6, 2025

TO: Rita Raley, Chair  
Academic Senate

FROM: Giuliana Perrone, Chair  
Undergraduate Council

*gpmone*

RE: Proposed Revisions to the Academic Personnel Manual (APM) Section 036,  
General University Policy Regarding Academic Appointees/Employment

The Undergraduate Council reviewed the updated revisions to APM 036 in its meeting on November 6th. Council overwhelmingly agreed that the current draft has meaningfully addressed almost all of the concerns it raised in our first review of this policy.

Council requests some minor clarifications. Most important, in what circumstances would a letter written by faculty be considered official? The revisions indicate that most will not meet that standard, but the UgC would like greater specificity about when and under what conditions faculty would need to consider their letters official. For example, are recommendations for students applying for jobs - academic or professional - ever considered official? What about writing for students who have also been employed by the university?

The UgC commends the careful consideration of divisional comments to create a significantly improved draft policy.

SANTA BARBARA  
Faculty Executive Committee  
The Robert Mehrabian College of Engineering

November 19, 2025

TO: Rita Raley  
Divisional Chair, Academic Senate

FROM: Dahlia Malkhi, Chair  
College of Engineering, Faculty Executive Committee

Arpit Gupta, Vice Chair  
College of Engineering, Faculty Executive Committee

RE: Proposed Revisions to the Academic Personnel Manual (APM) 036

Signed by:  
  
2D51752F8998416...

DocuSigned by:  
  
19DD369A870247E...

The College of Engineering FEC met on November 4<sup>th</sup> and November 18<sup>th</sup> and discussed the proposed policy changes.

Committee members who were familiar with previous versions of the proposed policy changes commented that they are generally satisfied with the revisions in this version.

The committee requests that the language in item “c. Personal References and Letters of Recommendation”, bullet point #2, “Letters written by faculty members for current and former students regarding their academic performance for the purposes of applying for non-employment opportunities, such as education, programs, scholarship, and awards” be clarified. It is confusing that “non-employment” is specified but that general employment is not mentioned. The committee’s understanding is that neither are official letters of recommendation. Alternatively, committee members recommend that bullet points clearly delineate what is an official letter and what is not an official letter.

December 3, 2025

To: Rita Raley, Chair  
Academic Senate - Santa Barbara Division

From: Karel Casteels, Chair  
College of Creative Studies Faculty Executive Committee

Re: CCS Response to Proposed Revisions to the Academic Personnel Manual Section 036,  
General University Policy Regarding Academic Appointees/Employment

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The College of Creative Studies faculty discussed the **Proposed Revisions to the Academic Personnel Manual Section 036, General University Policy Regarding Academic Appointees/Employment** at its meeting on November 18, 2025.

We appreciate the concerted effort to distinguish between “official” and “personal” letters of recommendation on pages 6 - 8. However, the section attempts to define this distinction primarily by giving numerous examples. As a result, the language often remains squishy (using terms such as “most” and “typically”) and, at times, somewhat confusing. For instance, the document states that “official Letters of Recommendation are issued using University of California letterhead or via a University-issued email address.” While this is surely true, letters written for graduate school applications also often require they be written on UC letterhead. Does that make such letters official? We do not believe that is the intended interpretation given later paragraphs, but in the context of where this sentence appears, it may reasonably be construed that way.

We recognize the difficulty of crafting a precise and concise definition of “official” letters of recommendation, but we strongly urge that such a definition be established to avoid future confusion.

Our second concern arises in the opening pages, where several terms or sentence fragments related to DEI were removed and replaced with much vaguer language. The political motivations for these changes are, of course, apparent. However, the cover letter accompanying these revisions did not explicitly (or, from what we could tell, implicitly) explain these changes. As a result, their inclusion here feels sneaky and distasteful.

Thank you for the opportunity to comment on these revisions.

# UNIVERSITY OF CALIFORNIA, SANTA CRUZ

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



SANTA BARBARA • SANTA CRUZ

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SANTA CRUZ, CALIFORNIA 95064

Office of the Academic Senate  
SANTA CRUZ DIVISION  
125 CLARK KERR HALL  
(831) 459 - 2086

December 5, 2025

AHMET PALAZOGLU  
Chair, Academic Council

**RE: Systemwide Review of Proposed Presidential Revisions to the Academic Personnel Manual (APM) Section 036, General University Policy Regarding Academic Appointees/Employment**

Dear Ahmet,

The Santa Cruz Academic Senate has reviewed the request for feedback on the proposed revisions to Academic Personnel Manual (APM) Section 036. Our Committees on Academic Freedom (CAF), Academic Personnel (CAP), Faculty Welfare (CFW), Planning and Budget (CPB), and Rules, Jurisdiction, and Elections (CRJE) have responded. Although we appreciate the intent to ensure compliance with state and federal laws, our responding committees expressed several concerns regarding confidentiality, ambiguity, accountability, and the administrative burden of the proposed policy and its implementation, some of which were previously raised in our response to the last review of APM 036 in March of 2024.<sup>1</sup>

*Issues Related to California Education Code Section 66284 (Official Letters of Recommendation)*

**Confidentiality**

Responding committees raised concerns about the potential for breaches of confidentiality with regard to section 036-6 Obligations, b. Letters of Recommendation. Specifically:

- *Communication and transparency:* There is no language in the policy to confirm that all past and present employees who are respondents subject to the criteria will be informed of this policy; however, the *rejection* of a request for Official Letters of Recommendation may have significant implications for a candidate. For example, if a supervisor is asked for

<sup>1</sup> UC Santa Cruz Senate Chair McCarthy to Council Chair Cheung, 3/24/25, Re: Systemwide Review of Proposed Revisions to the Academic Personnel Manual Section 026, General University Policy Regarding Academic Appointees/Employment

an Official Recommendation, makes a query, and it is denied or negative information is supplied by the “appropriate entities,” the privacy of the requestor/candidate—about a very sensitive and highly charged matter—in a sense is already violated. The supervisor would in this be essentially provided with information—often about unverified suspicions—with which they should not be burdened, and in the case of at least some unverified allegations, they should not be privy. As such, the University must ensure that all past and current employees are aware of the policy, and implications surrounding requests of this kind.

- *Potential for abuse:* The proposed system has the potential to be abused, for example, by someone submitting a name for verification to see if an employee is under investigation.
- *Implications of retroactive application:* Concerns were raised about employees who have either resigned or entered a settlement with the University, as these actions are not admissions or determinations of guilt. Does the rule apply to cases that were decided or settled before the rule went into effect? Would not the application of ex-post-facto rules potentially have a material impact on respondents that made decisions to settle or resign under different circumstances?

### **Contradiction and Ambiguity in the Definition of “Official” vs. “Personal” Letters**

The majority of our responding committees noted that it is difficult to understand the distinction between *official* and *personal* letters of recommendation in Section 036-6. Further, there are aspects in which the way the definitions are written appear simply incorrect, and so self-contradictory.

The draft policy defines Official Letters of Recommendation as those that “represent the views of the University” and may be written by “*administrators or supervisors, including department chairs, PIs, instructors of record, and others*.” Committees found this definition to be overly broad, but more important, inconsistent with standard academic practice, where nearly all recommendation letters—whether for employment or postdoctoral applications, etc.—are written by faculty in their *professional* capacity, not in any institutional capacity (“representing the views of the University”). In essentially any letter of recommendation for a former postdoc, student, or scientific staff, a faculty member is acting first and foremost as an individual member of a professional community. The institution in which the recommender is situated is largely irrelevant to the letter’s content or judgement, and the recommender is certainly not representing the views of the university. At the same time, the draft APM 036-6c specifies that most faculty letters are \*not\* official, even as the accompanying text and examples suggest that letters addressing a student’s academic performance for employment purposes may be classified as official.

Responding committees therefore found it critical to explicitly clarify these definitions, specifically, whether letters written by faculty members for current and former students or postdocs regarding their academic performance, for the purposes of applying for employment, are in fact considered official letters. If so, this would categorize a substantial portion of faculty correspondence as official, which would not reflect the actual content of such letters, as well as being impractical and inconsistent with academic norms.

A recommendation (see also below) was to create an easy to use tool such as a flow chart or digital interactive decision tree (also mentioned below), to help potential letter writers determine if they are writing an Official Letter of Recommendation and, if so, how to proceed with the pre-

recommendation inquiry.

### **Tracking System and Compliance Costs**

The draft policy indicates that individual campuses are required to develop a tracking system to verify employee status. However, there is no discussion of how this will be implemented, or what the associated staffing costs would be, etc. Without those details, particularly how many queries are expected to be submitted per year, it is difficult to assess the budget implications. This is particularly pertinent amidst the current UC budget environment and the multiple unfunded mandates placed on the individual campuses in recent years.

Finally, the proposed requirement that academic administrators or supervisors consult with an “appropriate entity” to verify whether the requesting employee is a respondent in a Sexual Violence/Sexual Harassment (SVSH) complaint is unworkable without specific procedures. The final policy should explicitly define:

1. **Who** constitutes an “appropriate entity.”
2. **Expected verification timelines**, as employment reference requests often require quick turnaround (within days, not weeks).
3. **How verification is initiated**—by the recommender or the requester.
4. **Who bears administrative responsibility**, as faculty should not be expected to investigate or manage personnel matters.

Without clear process definitions and turnaround standards, the proposed system risks delaying or deterring legitimate recommendations and would impose excessive compliance burdens on faculty.

### **Faculty Protection and Accountability**

Several passages of the proposed policy suggest a high level of liability on the part of those who might be asked for Official Letters of Recommendation, coupled with a burdensome pre-recommendation inquiry process for determining if they can, indeed, write a letter for someone. We are concerned that these factors will inadvertently undermine the entire recommendation process by causing people to hesitate or refuse to write Official Letters of Recommendation, as they may be fearful of potentially violating the policy or unwilling to navigate the pre-recommendation inquiry process. These potential unintended consequences further highlight the need for clear definitions and a uniform process for determining “official” letters.

Finally, the policy provides no clear guidance regarding consequences or safe-harbor provisions for faculty who inadvertently fail to comply with consultation requirements, or the use of official wording. As such, The Santa Cruz Division recommends the following:

1. **A clear decision tree**, flow chart, or table that distinguishes between letter types, responsibilities, and required actions (as noted also above).
2. **Model disclaimer language** (e.g., “This letter reflects my personal assessment and not the official view of the University of California”).
3. **A good-faith protection clause** shielding faculty from disciplinary or legal liability.

*Issues Related to the Fair Labor Standards Act (FLSA) and Employment Classifications*

The Santa Cruz Division finds the proposed updates concerning FLSA exemption status and related definitions (APM 036-4 and -14) to be reasonable and consistent with existing practices. The clarifications regarding exempt versus non-exempt appointments, overtime, and service obligations are informational and do not appear to introduce new reporting burdens for faculty.

**Additional Recommendations**

One of our responding committees found the phrase “lactating academic appointee” in Draft APM 036-20.b.3 to be dehumanizing. We suggest that the language be revised along the lines of “academic appointees who need to nurse or pump” — i.e., name the action that needs to be accommodated.

**Summary and Main recommendations**

In summary, and in order to minimize administrative burden and ensure equitable and feasible implementation across all campuses, the Santa Cruz Division recommends that further revisions be made to the draft APM 036 before final adoption to:

1. Provide a clear and narrow definition of “official letter of recommendation.”
2. Explicitly exclude standard faculty references for students, postdocs, and most colleagues from being classified as “official.”
3. Identify the responsible campus office and establish a specific response timeframe for SVSH verification requests.
4. Include a decision table or flowchart outlining scenarios, responsibilities, and sample statements.
5. Add protective language for faculty acting in good faith.

Thank you for the opportunity to opine.

Yours Sincerely,



Matthew D. McCarthy, Chair  
Academic Senate, Santa Cruz Division

cc: Heather Shearer, Chair, Committee on Academic Freedom  
Greg Gilbert, Chair, Committee on Academic Personnel  
Yat Li, Chair, Committee on Faculty Welfare  
Gabriela Arredondo, Incoming Chair, Committee on Diversity, Equity, and Inclusion  
Raphael Kudela, Chair, Committee on Planning and Budget  
Eleonora Pasotti, Chair, Committee on Rules, Jurisdiction, and Elections  
Matthew Mednick, Executive Director, Academic Senate



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UNIVERSITY COMMITTEE ON PLANNING AND BUDGET (UCPB)

Robert Brosnan  
[rjbrosnan@ucdavis.edu](mailto:rjbrosnan@ucdavis.edu)

December 5, 2025

**CAMPUSES**

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Irvine  
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Riverside  
San Diego  
San Francisco  
Santa Barbara  
Santa Cruz

Ahmet Palazoglu  
Chair, Academic Council

RE: Systemwide Review of Proposed Revisions to the Academic Personnel Manual (APM) Section 036, General University Policy Regarding Academic Appointees/Employment

Dear Ahmet,

**MEDICAL CENTERS**

Davis  
Irvine  
UCLA  
San Diego  
San Francisco

The University Committee on Planning and Budget discussed the proposed revisions to APM 036 during our December meeting. Proposed revisions in this version aim to clarify language used in the first iteration of the policy revision. The policy will ensure UC compliance with both state and federal laws, beginning with Section 66284, the California Education Code, that requires institutions to adopt a written policy regarding official letters of recommendation as well as the Fair Labor Standards Act on time recordkeeping, nondescription in hiring, and exempt vs nonexempt employees. The second part closes gaps in the first proposal by adding some policies for staff members to the policy.

Letters of recommendation are divided into personal and official versions. No longer will authors need to attest to the personal nature of a recommendation letter. This will ease what might have proved burdensome to faculty members. In addition, letters for current or former students speaking to their academic performance are also not considered official letters of recommendation. Such letters do not require consulting with any other entity on campus and can be freely written and sent.

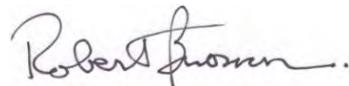
Letters written on official letterhead attesting to an individual's employability require that the author of the letter consult with appropriate entities to determine that the individual is not a respondent in a sexual harassment

complaint in three separate ways: 1) a final administrative decision has determined that the individual committed sexual harassment; 2) before such a decision is made, the individual resigns their position; and 3) the individual settles with their postsecondary employment institution based on the allegations in a sexual harassment complaint.

This requirement covers student appointees, and the committee noted that not all students are current or former employees, which might present a gap in the policy. Another point raised in discussion is possible weaponization of this policy, so that if a person wished to discover if another was a respondent in a complaint that had not yet reached a final decision, could they reach out to the local appropriate entity and claim a need to write a letter of recommendation for employment and by this discover something not yet public?

Importantly, the committee raised concerns that being a respondent to a sexual harassment complaint is not the same as being found guilty of sexual harassment. Nonetheless, state regulation and this policy mete out the same consequence for both, thereby creating a presumption of guilt and potentially unfair treatment of the wrongly accused. UCPB is cognizant of the need to comply with state and federal laws. At the same time, UCPB hopes that UC and the state will work to modify the law and this policy so that penalties are reserved for individuals who have been adjudicated to have committed sexual harassment.

Sincerely,

A handwritten signature in black ink that reads "Robert Brosnan". The signature is fluid and cursive, with "Robert" on the top line and "Brosnan" on the bottom line.

Robert Brosnan  
Chair

cc: UCPB



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Lawrence Livermore

Los Alamos

UNIVERSITY COMMITTEE ON FACULTY WELFARE  
KAREN BALES, CHAIR

December 10, 2025

AHMET PALAZOGLU  
CHAIR, ACADEMIC COUNCIL

RE: Systemwide Review of Proposed Revisions to the Academic Personnel Manual Section 036 (General University Policy Regarding Academic Appointees/Employment)

Dear Chair Palazoglu,

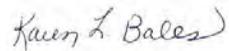
The University Committee on Faculty Welfare (UCFW) has completed its portion of the systemwide review of the Proposed Revisions to APM 036, and we have several comments. The proposed revisions include two parts: to bring UC into compliance with new laws impacting the California Education Code, and to address policy gaps under the Federal Fair Labor Standards Act. We have no questions about how the revisions accomplish the latter goal, but we have several concerns about the former.

This is the second systemwide review of proposed changes intended to bring UC into compliance with new state laws regarding vetting potential recipients of official letters of recommendation for any Sexual Violence/Sexual Harassment findings against them. Previously addressed vagaries remain unclear. Many members are still unsure what an “official” letter of recommendation is, as the language still seems to include any letter authored by any supervisor which poses a considerable work burden and is inconsistent with academic norms; the language on page 6 could be further improved. The timeline for investigation is still unspecified, and who will conduct the investigation – and within what privacy parameters and with what resources – is also undefined. Out of state employers cannot be forced to comply with disclosure requests, and student employees may be protected as juvenile records may be sealed. Faculty who may be recalled

have raised umbrage at being subjected to this practice. Finally, the consequences of someone being found in violation of the policy for a lack of due diligence are not specified.

In short, we cannot support this round of revisions, either. Accompanying implementation guidelines could be persuasive, but we would need to see them first.

Sincerely,

A handwritten signature in black ink that reads "Karen L. Bales".

Karen Bales, UCFW Chair

Cc: Academic Council Vice Chair Susannah Scott  
Senate Executive Director Monica Lin  
UCFW Members



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UNIVERSITY COMMITTEE ON ACADEMIC PERSONNEL  
Nael Abu-Ghazaleh, Chair

November 10, 2025

—  
**CAMPUSES**

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Davis

Irvine

UCLA

Merced

Riverside

San Diego

San Francisco

Santa Barbara

Santa Cruz

Ahmet Palazoglu  
Chair, Academic Council

RE: Systemwide Review of Proposed Revisions to APM 036 (Employment)

Dear Chair Palazoglu,

The University Committee on Academic Personnel (UCAP) has reviewed the proposed revisions to APM 036 (Employment), and we support the changes.

**MEDICAL CENTERS**

Davis

Irvine

UCLA

San Diego

San Francisco

UCAP finds the clarification of official letters of recommendation versus personal letters of recommendation clear and allows faculty to continue to issue letters evaluating someone's scholarly capacity.

We also find the conforming amendments for compliance with updates to the Fair Labor Standards Act reasonable.

**NATIONAL LABORATORIES**

Lawrence Berkeley

Lawrence Livermore

Los Alamos

Sincerely,

Nael Abu-Ghazaleh  
UCAP Chair

Cc: Susannah Scott, Academic Council Vice Chair  
UCAP Members  
Monica Lin, Senate Executive Director