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SYSTEMWIDE ACADEMIC PERSONNEL FACULTY AFFAIRS AND ACADEMIC PROGRAMS OFFICE OF THE PRESIDENT 1111 Franklin Street, 10<sup>th</sup> Floor Oakland, California 94607-5200

May 19, 2025

CHANCELLORS ACADEMIC COUNCIL CHAIR CHEUNG LABORATORY DIRECTOR WITHERELL ANR VICE PRESIDENT HUMISTON

# Re: Systemwide Review of Proposed Revisions to Academic Personnel Manual (APM) 230, Visiting Appointments

Dear Colleagues:

Enclosed for systemwide review are proposed revisions to the Academic Personnel Manual (APM) as follows:

• Section 230, Visiting Appointments

The proposed revisions are intended to address substantive matters discussed in more detail below.

## Background

The proposed substantive revisions are intended to clarify the appropriate use of the visiting title, remove the carve out for Visiting Assistant Professor Programs in Mathematics, and to remove the prohibition against appointees in a visiting title participating in a compensation plan.

## **Key Policy Revisions**

The following key revisions are proposed:

- Substantive revisions to clarify Visiting appointments at the assistant rank are only appropriate if the visitor is on leave from an academic or research position at another education institution.
- Technical revision to remove the three-year carve out for Visiting Assistant Professor Programs in Mathematics due to the creation of the Math Fellow title.
- Technical revision to remove language which prohibits Visiting appointees from participating in a Health Sciences or other special compensation plan because it conflicts with language in APM 670, Health Sciences Compensation Plan (APM 670-14-a-6).

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## Systemwide Review

Systemwide review is a public review distributed to the Chancellors, the Chair of the Academic Council, the Director of the Lawrence Berkeley National Laboratory, and the Vice President of Agriculture and Natural Resources requesting that they inform the general University community, especially affected employees, about policy proposals. Systemwide review also includes a mandatory, 90-day full Senate review. Due to the urgent nature of these revisions, and following consultation with the Academic Senate, the review period for this review will be shortened to 60 days.

Employees should be afforded the opportunity to review and comment on the draft policies, available on the <u>Systemwide Academic Personnel website</u>. Attached is a Model Communication which may be used to inform non-exclusively represented employees about these proposals. The Systemwide Labor Relations at the Office of the President is responsible for informing the bargaining units representing union membership about policy proposals.

We would appreciate receiving your comments no later than **July 18, 2025**. Please submit your comments to <u>SystemwideAP-PolicyReviewComments@ucop.edu</u>. If you have any questions, please contact Tiffany Wilson at <u>Tiffany.Wilson@ucop.edu</u>.

Sincerely,

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Amy K. Lee Deputy Provost Systemwide Academic Personnel

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Douglas M. Haynes Interim Vice Provost Faculty Affairs and Academic Programs

Enclosures:

- 1) APM 230, Visiting Appointments (clean copy)
- 2) APM 230, Visiting Appointments (tracked changes copy)
- 3) Model Communication
- cc: President Drake

Provost and Executive Vice President Newman Executive Vice Chancellors/Provosts Executive Vice President and Chief Operating Officer Nava Executive Vice President Rubin Senior Vice President and Chief Compliance Officer Bustamante Vice President Brown Vice President and Chief of Staff Kao Vice President Gullatt Vice President Gullatt Vice President Lloyd Vice President Maldonado Academic Council Vice Chair Palazoglu Vice Provosts/Vice Chancellors for Academic Affairs/Personnel Deputy General Counsel Woodall May 19, 2025 Page 3

> Assistant Vice Provosts/Assistant Vice Chancellors for Academic Personnel Associate Vice President Matella Associate Vice President McRae Chief Policy Advisor McAuliffe **Executive Director Anders Executive Director Lin Executive Director Teaford** Chief of Staff Beechem Deputy Chief HR Officer and Chief of Staff Henderson Chief of Staff Levintov LBL Chief Human Resources Officer Crosson Senior Principal Counsel Mastro Director Chin Director Garcia **Director Weston-Dawkes** Associate Director DiCaprio Associate Director Soria Associate Director Woolston Assistant Director LaBriola Labor Relations Manager Garza Policy Analyst Durrin Policy Analyst Miller Policy Analyst Wilson Program Policy Analyst D'Agostino

## DRAFT-Appointment and Promotion: APM - 230 - Visiting Appointments

#### 230-4 Definition and Policy

- a. The Visiting prefix may be attached to titles in any of the following series: Professor, Astronomer, Agronomist in the Agricultural Experiment Station, Professional Research, Specialist in Cooperative Extension, Project Scientist, Specialist, and Librarian; except that the Visiting prefix shall not be attached to the title Instructor, Junior Astronomer, or Junior Agronomist. Visiting Scholars, as defined in <u>APM - 430-4</u>, are governed by <u>APM - 430</u>, Visiting Scholars and Other Visitors.
- b. The Visiting prefix is used to designate one who is appointed temporarily to perform the duties of the title to which the prefix is attached.
  - (1) For visitors at any rank in the Professor, Astronomer, Agronomist in the Agricultural Experiment Station, Specialist in Cooperative Extension, and Librarian series, those who have held, are on leave from, or are retired from an academic or research position at another educational institution; or, alternatively, those who have research, creative activities or professional achievement that make Visiting appointments appropriate at the associate or full rank. In the latter cases, the Chancellor must solicit advice on the appointment from the Divisional Committee on Academic Personnel or its equivalent. Visiting appointments at the assistant rank are only appropriate if the visitor is on leave from an academic or research position at another educational institution.
  - (2) For visitors in the Professional Research and Project Scientist series, those who hold or are on leave from an academic or research position at another institution other than the University of California.
  - (3) For visitors in the Specialist series, those who hold or are on leave from an academic or research position at another institution other than the University of California, or, those who are enrolled in a degree-granting doctoral program or the equivalent at an educational institution other than the University of California.
- c. When a title with the Visiting prefix is assigned to a faculty member on leave or retired from another educational institution, the title will usually be the same as the individual's title at the home educational institution, with exceptions when connotations differ (e.g., Reader or Tutor in a British university).
- d. If an academic appointee with a Visiting title is later considered for transfer to a corresponding appointment in the regular series, the proposal for such transfer shall be treated as a new appointment subject to APM 230-20(e) and -(g) and full customary review.

## 230-10 Criteria

The criteria for evaluation of a candidate for appointment with a Visiting title shall be the same as for the corresponding regular title. Because the appointment is temporary, reasonable flexibility may be employed in the application of these criteria. Care should be taken to inform the appointee of the provisions of Section 230-4-d.

## 230-17 Terms of Service

Each appointment or reappointment with a Visiting title shall be for a specified term not to exceed one (1) year. With the exceptions below, the total period of consecutive service with a Visiting title shall not exceed two (2) years, unless a longer period is approved by the Chancellor.

Visitors in the Specialist series who are enrolled in a degree-granting doctoral program or the equivalent at an educational institution other than the University of California are limited to a one (1)-year appointment, with no extensions, reappointments, or exceptions.

## 230-18 Salary

- a. The salary of an appointee with a Visiting title shall be determined according to the special circumstances of the case. In some cases, it will be appropriate to separate considerations of rank from those of salary.
- b. Since the negotiated salary for an appointment to a Visiting title may take into account certain relocation expenses, it should not necessarily be regarded as the appropriate salary for any subsequent regular appointment. (Relocation expenses are not the same as travel expenses; for travel expense reimbursement to a Visiting appointee, see the provisions of APM -230-20- h.)
- c. Because salaries of Visiting appointees are negotiated on an individual basis, such salaries are not subject to range adjustments which, when given, automatically affect the regular salary scales.

#### 230-20 Conditions of Employment

- a. Inasmuch as a Visiting appointment is temporary, with an ending date, and there is no expectation of continued employment, notice of intention not to reappoint is not required, but the formal appointment letter shall specify the starting and termination dates of the service period and indicate that the appointment is self-terminating.
- b. As established under the terms of <u>Regents' Bylaw 40.3(c)</u>, termination of the appointment of a faculty member, including that of a Visiting faculty member, before expiration of the contracted term shall be only for good cause, after opportunity for a hearing before the properly constituted advisory committee of the Academic Senate. In all other cases of grievances pertaining to appointees holding a Visiting title, the provisions of APM 140 are applicable.
- c. An appointee with a Visiting title is not a member of the Academic Senate.
- d. Certain removal expenses may be allowed a Visiting appointee who is subsequently appointed to regular faculty rank, or to the regular professional research series, as provided in <u>APM 560-14-</u><u>d.</u>
- e. Sabbatical leave credit may be accrued by a Visiting appointee under the special conditions described in <u>APM 740-11-b</u>.
- f. Sick leaves, vacation leaves, or authorized special leaves with pay for Visiting appointees will be subject to the policies for corresponding ranks without the Visiting prefix.

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- g. Neither tenure nor security of employment is acquired by appointment to a Visiting title, although eligible service with certain Visiting titles is credited under the University's "eight-year" rule.
  (See <u>APM 133</u>.)
- h. Travel expenses for Visiting appointees:
  - (1) When employed at full time for at least one (1) quarter, an appointee with a Visiting title may be reimbursed for expenses incurred in initially traveling from home to the campus to which appointed, subject to the provisions which appear in the following subsections. Agreements concerning such reimbursement shall be made at the time of negotiation for appointment, and payment of travel expense to the extent authorized by University regulations should not be incorporated in the salary, but paid separately.

Reimbursement for return travel may be made, after completion of the term of appointment, to the point of origin or the actual destination, whichever shall result in the lesser distance.

- (2) When paid to Visiting appointees, travel expenses are subject to the following limitations:
  - (a) When the appointee travels alone, expenses and method of travel shall be governed by the University travel policy.
  - (b) When accompanied by spouse, domestic partner (same sex or opposite sex), and/or children, or other near relatives (as defined in <u>APM - 520-4</u>) who regularly form part of the appointee's immediate household, the appointee has the option of claiming one of the following for reimbursement of travel expenses:
    - (1) The coach air fares from home to the campus to which appointed for the appointee and family members as described above; or
    - (2) Up to the maximum amount permitted by University policy for travel mileage by a privately owned automobile; or
    - (3) If the appointee elects to combine air travel from overseas to an airport on the North American continent and subsequent travel by automobile from that point to the campus to which appointed, only the equivalent of the coach air fares from home to the campus to which appointed for the appointee and family members as described above. (This option does not permit reimbursement for overseas air travel plus travel mileage by automobile.)

In case of election of the first or third option, only such miscellaneous expenses related to air travel as are permitted under the provisions of Business and Finance Bulletin G-28, Policy and Regulations Governing Travel, will be allowed.

(c) If, for personal convenience, an indirect route is traveled or travel by a direct route is interrupted, any resulting extra expense shall be borne by the traveler, and reimbursement for expense shall be based only on such charges as would have been incurred by the usually traveled route.

- (3) Payments for travel expenses normally shall be made from the "Supplies and Expense" subaccount(s) (Sub 3) of the appropriate account(s) under which the appointment is made. See APM 230-24-d for reimbursement of payments for travel expenses from other than the appropriate account(s).
- (4) Advance signing of an agreement to refund a portion of the travel expense payment if the terms of the appointment are not fulfilled is not required of a Visiting appointee. Any repayment, should events require it, is left to the discretion of the Chancellor.

## 230-24 Authority

- a. The Chancellor, the Provost and Executive Vice President—Academic Affairs, and the Vice President—Agriculture and Natural Resources are authorized to approve appointments with Visiting titles under their respective jurisdictions, except as noted in Sections 230-24-b.
- b. The Chancellor is authorized to approve above-scale salaries up to and including the Regental compensation threshold. For salaries beyond the Regental compensation threshold, authority rests with The Regents on recommendation of the President, after appropriate review and as prescribed in <u>Section 101.2(a) of the Standing Orders of The Regents</u>.
- c. The authority of the Chancellor, the Provost and Executive Vice President Academic Affairs, and the Vice President—Agriculture and Natural Resources as stipulated above shall also apply for certain personnel actions having effective dates other than July 1 and for retroactive approvals.
- d. The Chancellor, the Provost and Executive Vice President—Academic Affairs, and the Vice President—Agriculture and Natural Resources are authorized to approve the reimbursement of expenses for travel by an appointee with a Visiting title under their respective jurisdictions. If travel expenses are to be incurred outside the United States, prior approval is required for the reimbursement of such expenses. Prior approval is also required for reimbursement of payments for travel expenses from other than the appropriate account(s), whether with intramural or extramural funding.

## 230-80 Procedures

The general procedures for making Visiting appointments shall be the same as those specified for the corresponding regular academic title; e.g., in the Visiting Professor series, the provisions of <u>APM - 220-</u><u>80</u> would apply. Because a Visiting appointment is temporary and because it usually serves to recognize the title held at another educational institution, requirements for an *ad hoc* committee may be waived in accordance with <u>APM - 220-80-k</u>.

## 230-96 Reports

See <u>APM - 200-96</u>.

## **Revision History**

Date:

- Substantive revisions to clarify Visiting appointments at the assistant rank are only appropriate if the visitor is on leave from an academic or research position at another education institution
- Technical revision to remove the three-year carve out for Visiting Assistant Professor Programs in Mathematics due to the creation of the Math Fellow title.
- Technical revision to remove language which prohibits Visiting appointees from participating in a Health Sciences or other special compensation plan because it conflicts with language in APM 670, Health Sciences Compensation Plan (APM 670-14-a-6).

April 20, 2022:

• Technical revisions to update references to Regental governing documents.

December 4, 2019:

• Substantive revisions to eligibility for appointees in the Professional Research, Project Scientist, and Specialist series in order to comply with a stipulated agreement between the University of California and the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America in recognition of the Researchers-Academic Unit formation.

August 7, 2018:

• Technical revisions to comply with AB 168.

For details on prior revisions, please visit the <u>policy issuance webpage</u>.

## **DRAFT-**Appointment and Promotion: APM - 230 - Visiting Appointments

#### 230-4 Definition and Policy

- a. The Visiting prefix may be attached to titles in any of the following series: Professor, Astronomer, Agronomist in the Agricultural Experiment Station, Professional Research, Specialist in Cooperative Extension, Project Scientist, Specialist, and Librarian; except that the Visiting prefix shall not be attached to the title Instructor, Junior Astronomer, or Junior Agronomist. Visiting Scholars, as defined in <u>APM - 430-4</u>, are governed by <u>APM - 430</u>, Visiting Scholars and Other Visitors.
- b. The Visiting prefix is used to designate one who is appointed temporarily to perform the duties of the title to which the prefix is attached.
  - (1) For visitors at any rank in the Professor, Astronomer, Agronomist in the Agricultural Experiment Station, Specialist in Cooperative Extension, and Librarian series, those who have held, are on leave from, or are retired from an academic or research position at another educational institution; or, alternatively, those who have research, creative activities or professional achievement that make Visiting appointments appropriate at the associate or full rank. In the latter cases, the Chancellor must solicit advice on the appointment from the Divisional Committee on Academic Personnel or its equivalent. Visiting appointments at the assistant rank are only appropriate if the visitor is on leave from an academic or research position at another educational institution.
  - (2) For visitors in the Professional Research and Project Scientist series, those who hold or are on leave from an academic or research position at another institution other than the University of California.
  - (3) For visitors in the Specialist series, those who hold or are on leave from an academic or research position at another institution other than the University of California, or, those who are enrolled in a degree-granting doctoral program or the equivalent at an educational institution other than the University of California.
- c. When a title with the Visiting prefix is assigned to a faculty member on leave or retired from another educational institution, the title will usually be the same as the individual's title at the home educational institution, with exceptions when connotations differ (e.g., Reader or Tutor in a British university).
- d. If an academic appointee with a Visiting title is later considered for transfer to a corresponding appointment in the regular series, the proposal for such transfer shall be treated as a new appointment subject to APM 230-20(e) and -(g) and full customary review.

## 230-10 Criteria

The criteria for evaluation of a candidate for appointment with a Visiting title shall be the same as for the corresponding regular title. Because the appointment is temporary, reasonable flexibility may be employed in the application of these criteria. Care should be taken to inform the appointee of the provisions of Section 230-4-d.

## 230-17 Terms of Service

Each appointment or reappointment with a Visiting title shall be for a specified term not to exceed one (1) year. With the exceptions below, the total period of consecutive service with a Visiting title shall not exceed two (2) years, unless a longer period is approved by the Chancellor.

Visitors in the Specialist series who are enrolled in a degree-granting doctoral program or the equivalent at an educational institution other than the University of California are limited to a one (1)-year appointment, with no extensions, reappointments, or exceptions.

In the case of Visiting Assistant Professor Programs in Mathematics, the total period of consecutiveservice shall not exceed three (3) years, unless a longer period is approved by the Chancellor.

#### 230-18 Salary

- a. The salary of an appointee with a Visiting title shall be determined according to the special circumstances of the case. In some cases, it will be appropriate to separate considerations of rank from those of salary.
- b. Since the negotiated salary for an appointment to a Visiting title may take into account certain relocation expenses, it should not necessarily be regarded as the appropriate salary for any subsequent regular appointment. (Relocation expenses are not the same as travel expenses; for travel expense reimbursement to a Visiting appointee, see the provisions of APM -230-20- h.)
- c. An appointee with a Visiting title in one of the schools of health sciences is not eligible for the Health Sciences Compensation Plan, Veterinary Medicine Salary Scale, or other special compensation plans of these schools. The Chancellor, after consultation with the Academic Senate, may approve exceptions to this provision in cases of full time appointments involving-patient-care responsibilities.
- d.c. Because salaries of Visiting appointees are negotiated on an individual basis, such salaries are not subject to range adjustments which, when given, automatically affect the regular salary scales.

## 230-20 Conditions of Employment

- a. Inasmuch as a Visiting appointment is temporary, with an ending date, and there is no expectation of continued employment, notice of intention not to reappoint is not required, but the formal appointment letter shall specify the starting and termination dates of the service period and indicate that the appointment is self-terminating.
- b. As established under the terms of <u>Regents' Bylaw 40.3(c)</u>, termination of the appointment of a faculty member, including that of a Visiting faculty member, before expiration of the contracted term shall be only for good cause, after opportunity for a hearing before the properly constituted advisory committee of the Academic Senate. In all other cases of grievances pertaining to appointees holding a Visiting title, the provisions of <u>APM 140</u> are applicable.
- c. An appointee with a Visiting title is not a member of the Academic Senate.
- d. Certain removal expenses may be allowed a Visiting appointee who is subsequently appointed to

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regular faculty rank, or to the regular professional research series, as provided in <u>APM - 560-14-</u> <u>d.</u>

- e. Sabbatical leave credit may be accrued by a Visiting appointee under the special conditions described in <u>APM 740-11-b</u>.
- f. Sick leaves, vacation leaves, or authorized special leaves with pay for Visiting appointees will be subject to the policies for corresponding ranks without the Visiting prefix.
- g. Neither tenure nor security of employment is acquired by appointment to a Visiting title, although eligible service with certain Visiting titles is credited under the University's "eight-year" rule. (See <u>APM 133</u>.)
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- b. The Chancellor is authorized to approve above-scale salaries up to and including the Regental compensation threshold. For salaries beyond the Regental compensation threshold, authority rests with The Regents on recommendation of the President, after appropriate review and as prescribed in <u>Section 101.2(a) of the Standing Orders of The Regents</u>.
- c. The authority of the Chancellor, the Provost and Executive Vice President Academic Affairs, and the Vice President—Agriculture and Natural Resources as stipulated above shall also apply for certain personnel actions having effective dates other than July 1 and for retroactive approvals.
- d. The Chancellor, the Provost and Executive Vice President—Academic Affairs, and the Vice President—Agriculture and Natural Resources are authorized to approve the reimbursement of expenses for travel by an appointee with a Visiting title under their respective jurisdictions. If travel expenses are to be incurred outside the United States, prior approval is required for the reimbursement of such expenses. Prior approval is also required for reimbursement of payments for travel expenses from other than the appropriate account(s), whether with intramural or extramural funding.

## 230-80 Procedures

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## APPOINTMENT AND PROMOTION Visiting Appointments

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the title held at another educational institution, requirements for an *ad hoc* committee may be waived in accordance with <u>APM - 220-80-k</u>.

## 230-96 Reports

See <u>APM - 200-96</u>.

## **Revision History**

Date:

- Substantive revisions to clarify Visiting appointments at the assistant rank are only appropriate if the visitor is on leave from an academic or research position at another education institution
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April 20, 2022:

• Technical revisions to update references to Regental governing documents.

December 4, 2019:

• Substantive revisions to eligibility for appointees in the Professional Research, Project Scientist, and Specialist series in order to comply with a stipulated agreement between the University of California and the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America in recognition of the Researchers-Academic Unit formation.

August 7, 2018:

• Technical revisions to comply with AB 168.

For details on prior revisions, please visit the <u>Academic Personnel and Programs website policy issuance</u> webpage.

## **MODEL COMMUNICATION**

The University invites comments on proposed revisions to Section 230 of the Academic Personnel Manual:

• APM - 230, Visiting Appointments.

Summarized below are the proposed key policy revisions that are being distributed for systemwide review.

- Substantive revisions to clarify Visiting appointments at the assistant rank are only appropriate if the visitor is on leave from an academic or research position at another education institution.
- Technical revision to remove the three-year carve out for Visiting Assistant Professor Programs in Mathematics due to the creation of the Math Fellow title.
- Technical revision to remove language which prohibits Visiting appointees from participating in a Health Sciences or other special compensation plan because it conflicts with language in APM 670, Health Sciences Compensation Plan (APM 670-14-a-6).

The proposed revisions to the APM - 230 are posted to the <u>Systemwide Academic Personnel</u> website under the "Systemwide Review" tab. It may also be viewed at \_\_\_\_\_\_ [*e.g.*, the campus Academic Personnel Office or Human Resources Office].

If you have any questions or if you wish to comment, please contact \_\_\_\_\_\_\_ at \_\_\_\_\_, no later than \_\_\_\_\_\_, 2025.