

SENATE DIVISION CHAIRS  
SENATE COMMITTEE CHAIRS

Dear Division and Committee Chairs:

I am forwarding the Administration's proposed revisions to APM 240 (deans) for systemwide review. This proposed policy establishes that academic deans, with a very few exceptions, are governed by the APM rather than Senior Management Group (SMG) policies. The Administration hopes to implement this policy on July 1, 2009. Provost Grey requests comments by March 31. In order for Council to discuss the proposed policies at its March 25 meeting, your Division's or Committee's comments are requested by March 20 -- just under 60 days from now. Comments received after the Council meeting will be included in Council's transmittal to the Provost.

As described in the transmittal letter (attached as a pdf file), the proposed policy (attached as a separate pdf file) is intended "to provide greater clarity as to the role of the Dean on the campus as a high level academic administrator. The revised policy further seeks to clarify eligibility for service as a Dean, and provides detailed information on the terms of service, appointment and salary, conditions of appointment, benefits, and privileges for faculty serving as Dean." Deans belonging to the Health Sciences Compensation Plan, deans who are also vice chancellors, and deans who report directly to chancellors remain in the Senior Management Group (SMG) and are not covered by this policy.

The revisions include: a new section on eligibility for appointment as a dean; new provisions that a chancellor must consult with the Senate before appointing a dean; establishment of a renewable five-year term; new provisions for governing a dean's salary, merit increases, equity or retention increases, compensation for interim or acting appointments, and additional University compensation; a new section on Conditions of Employment; revisions of the appointing Authority section; new provisions for vacation accrual, medical leave, and sabbatical and transitional leave; and new provisions for annual and five-year reviews.

Please note that although I am sending this request for a systemwide review to all committee chairs, some committees may choose not to opine on this academic personnel policy. If possible, please let me know if this is the case for your committee.

Thank you for your assistance. I hope that this review period is adequate, as I was asked how long the Senate needed to conduct it and need to know if I misspoke.

Sincerely,  
Martha

Martha Kendall Winnacker, J.D.  
Executive Director, Academic Senate

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**From:** Doris Lopez

**Sent:** Thursday, January 22, 2009 11:47 AM

**To:** Mary Croughan; Dan Dooley; apalivisatos@lbl.gov; Barbara Horwitz; David Klinger; Ellen Wartella; Eugene Washington; Gene Lucas; George Breslauer; Keith Alley; Michael Gottfredson; Paul Drake; Scott Waugh

**Cc:** Robert Grey; Sheryl Vacca; John Cammidge; Cathryn Nation; Lynn Boland; Dennis Larsen; Patricia Price; Martha Winnacker; Carolyn Frazier; Janet Lockwood; Nancy J. Capell; Leslie Van Houten; Patty Donnelly; Myron Okada; Doris Lopez; President's Office; mtbello@lbl.gov; Records Management; Linda Fabbri; Diana Gee; Mona Litrownik; Arthur Gossard; Bruce White; David Ojcius; Elizabeth Lord; Herb Killackey; Robert Bitmead; Sally Marshall; Sandra Chung; Sheldon Zedeck; Thomas Rice; Cindy Ponce; Connie Melendy; Cynthia Lynch Leathers; Esther Hamil;

Heather Archer; Joan Tenma; Katina Napper; Kristina Petruzzelli; Marsha Fractor; Nancy Tanaka; Pamela Peterson; Pat Price; Patti Owen; Susan Fellows; Tricia Takacs; Gene Block; George Blumenthal; Henry Yang; J. Michael Bishop; Larry Vanderhoef; Marye Anne Fox; Michael Drake; Robert Birgenau; Steve Kang; Timothy White

**Subject:** Proposed Revised APM - 240 (Deans) for Systemwide Review

To: COUNCIL OF VICE CHANCELLORS  
ACADEMIC COUNCIL CHAIR CROUGHAN  
VICE PRESIDENT – AGRICULTURE AND NATURAL RESOURCES  
DOOLEY  
DEPUTY DIRECTOR – LAWRENCE BERKELEY LABORATORY  
ALIVISATOS

From: Doris Lopez  
Administrative Analyst – Academic Personnel

Re: Proposed Revised APM - 240 (Deans) for Systemwide Review

Attached is a letter from Interim Provost and Executive Vice President Robert Grey transmitting proposed revised APM - 240 (Deans) for systemwide review. The policy has been revised to provide greater clarity as to the role of the Dean on the campus as a high level academic administrator.

Also attached is a model communication, which can be used to inform non-exclusively represented academic appointees affected by this proposal.

Please note we are requesting an expedited review in order to implement this policy by July 1, 2009.

Please forward your comments to [doris.lopez@ucop.edu](mailto:doris.lopez@ucop.edu) by March 31, 2009. If you have any questions, please contact Associate Director Janet Lockwood at (510) 987-9499 or [janet.lockwood@ucop.edu](mailto:janet.lockwood@ucop.edu).

The proposal is on the Web at <http://www.ucop.edu/acadadv/acadpers/apm/review.html>.

## MODEL COMMUNICATION

The University invites comments to proposed revisions to Academic Personnel Policy 240 (Deans).

The Deans' policy has been revised to provide greater clarity as to the role of the Dean on the campus as a high level academic administrator. The revised policy further seeks to clarify eligibility for service as a Dean, and provides detailed information on the terms of service, appointment and salary, conditions of appointment, benefits, and privileges for faculty serving as Dean. Deans who are Health Sciences Compensation Plan members will continue to be members of the Senior Management Group (SMG) and will not be subject to APM - 240.

The proposal is on the Web at <http://www.ucop.edu/acadadv/acadpers/apm/review.html>. It may also be viewed at (e.g., the campus Academic Personnel Office).

If you have any questions or wish to comment, please contact \_\_\_\_\_ at \_\_\_\_\_ no later than \_\_\_\_\_, 2009.



OFFICE OF THE PROVOST AND EXECUTIVE VICE PRESIDENT –  
ACADEMIC AFFAIRS

OFFICE OF THE PRESIDENT  
1111 Franklin Street, 12<sup>th</sup> Floor  
Oakland, California 94607-5200

January 22, 2009

**COUNCIL OF VICE CHANCELLORS  
ACADEMIC COUNCIL CHAIR CROUGHAN  
VICE PRESIDENT – AGRICULTURE AND NATURAL RESOURCES DOOLEY  
DEPUTY DIRECTOR – LAWRENCE BERKELEY NATIONAL LABORATORY ALIVISATOS**

Dear Colleagues:

**Re: Proposed Revised Academic Personnel Policy 240 – Deans**

Enclosed for systemwide review is proposed revised Academic Personnel Policy 240 – Deans. Proposed academic personnel policies on other faculty administrator titles such as Vice Provost, College Provost, and Department Chair will follow.

The Deans' policy has been revised to provide greater clarity as to the role of the Dean on the campus as a high level academic administrator. The revised policy further seeks to clarify eligibility for service as a Dean, and provides detailed information on the terms of service, appointment and salary, conditions of appointment, benefits, and privileges for faculty serving as Dean. Deans who are Health Sciences Compensation Plan members will continue to be members of the Senior Management Group (SMG) and will not be subject to APM - 240.

Our goal is to implement the revised Deans' policy by July 1, 2009. Implementing guidelines (including information on possible grandfathering existing Deans in the SMG program) will be issued at that time.

This is a systemwide review of a proposed revised personnel policy, and employees should be afforded the opportunity to review and comment. The proposal is online at: <http://www.ucop.edu/acadadv/acadpers/apm/review.html>. Also enclosed is a model communication which can be used to inform non-exclusively represented employees affected by these proposed revisions. Please forward your comments to Principal Analyst Doris Lopez by March 31, 2009. Comments may be sent by e-mail if you wish to [doris.lopez@ucop.edu](mailto:doris.lopez@ucop.edu). If you have any questions, please contact Associate Director Janet Lockwood at (510) 987-9499 or at [janet.lockwood@ucop.edu](mailto:janet.lockwood@ucop.edu).

Sincerely,

A handwritten signature in black ink that reads "Robert D. Grey".

Robert D. Grey  
Interim Provost and Executive Vice President  
Academic Affairs

Enclosures

January 22, 2009

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cc: President Yudof  
Senior Vice President Vacca  
Acting Associate Vice President Cammidge  
Associate Vice President Nation  
Vice Provosts for Academic Personnel  
Executive Director Boland  
Executive Director Larsen  
Interim Executive Director Price  
Executive Director Winnacker  
Academic Personnel Directors  
Director Frazier  
Associate Director Lockwood  
Coordinator Capell  
University Counsel Van Houten  
Manager Donnelly  
Manager Okada  
HR Policies Analyst Bello  
Principal Analyst Lopez

240-4 **Definitions**

- a. An academic Dean ~~or Provost~~ is head of a Division, College, School, or other similar academic unit and has administrative responsibility for that unit. This includes fiscal responsibility for the unit, ~~maintaining an affirmative action program for faculty and staff recruitment and retention consistent with University affirmative action policies;~~ responsibility, consistent with Regental policy and applicable law, to ensure the diversity of the faculty, students, and staff; and responsibility for ~~ensuring that systemwide and local policies, including Academic Senate regulations, are observed.~~
  
- b. ~~A Divisional Dean is head of a Division of a College, School, or other similar academic unit and has administrative responsibility for that unit. A Divisional Dean may also head an intercollege/school division.~~
  
- b. Deans as the academic heads of their units are persons of scholarly and, where appropriate, professional, accomplishment. They are encouraged to continue to engage in scholarly and professional activities, if possible and to the extent consistent with their decanal responsibilities, and it is therefore appropriate for time to be allotted to them to engage in these activities.

240-10 **Criteria for Appointment ~~and Evaluation~~**

Criteria for appointment ~~and evaluation~~ of a Dean ~~or Provost~~ shall be developed by each Chancellor<sup>1</sup> ~~or designee~~.

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<sup>1</sup> In accordance with APM - 100-6-d, the Chancellor may redelegate to a designee authority for implementing APM - 240.

**240-14 Eligibility**

- a. Except as specifically modified or addressed in APM - 240, Deans are subject to all Academic Personnel policies (APM).
- b. Acting and Interim Deans are subject to APM - 240 and to all Academic Personnel policies.
- c. A Dean with a concurrent title of Vice Chancellor and/or a Dean that reports solely to the Chancellor shall be governed by the Senior Management Group policies. Deans who are members of the Health Sciences Compensation Plan shall be governed by the Senior Management Group policies.
- d. Deans of University Extension or student services are not covered by this policy.

**240-16 Restrictions**

The following restrictions apply to the appointment of a ~~an academic~~ Dean ~~or~~ Provost:

- a. A Dean ~~or Provost~~ shall hold a concurrent University appointment in ~~one of the following title series: Professor series, Professor in Residence series, or one of the equivalent ranks as defined by Regents' Standing Order 103.3.~~ (See APM - 115) an Academic Senate faculty title.

- b. An appointment to the position of Dean ~~or Provost~~ may shall be full time ~~or part time~~. ~~The personnel policies herein apply to all appointments, regardless of percent time. For Deans and Provosts appointed in the Senior Management Program, the Personnel Policies for Senior Managers, also apply. (Personnel Policies for Staff Members, Appendix H)~~
  
- c. The Chancellor, after consultation with the Academic Senate, shall appoint a committee to advise in the selection of a Dean. In all cases, the faculty of the Division, College, School, or other similar academic unit shall also be consulted regarding the selection of a Dean.

240-17 **Terms of Service**

- a. Subject to APM - 240-20-a, appointments to the position of Dean shall normally be for a period of five years, subject to reappointment. A shorter period may be approved by the Chancellor. Appointments shall be made on a fiscal-year basis.
  
- b. Appointment as Acting or Interim Dean may be made on an academic-year or fiscal-year basis as determined by campus need.

240-18 **Salary**

- a. ~~Authority to approve salaries for the appointment of Deans and Provosts is established in the Personnel Policies for Staff Members, Appendix H, Personnel Policies for Senior Managers.~~



- b. ~~Academic-year or fiscal-year annual salaries up to the Regental Compensation threshold for the appointment of Acting Deans and Acting Provosts are approved by the Chancellor. This figure will be indexed annually in accordance with the Consumer Price Index.~~
- e. ~~Guidelines for the compensation of Divisional Deans, Associate Deans, and Assistant Deans are presented in APM - 630.~~
- a. **Determination of Salary**

Deans' salaries shall be established based upon the following factors, as applicable:

- (1) **Dean Salary Range.** A salary range for Deans shall be established and maintained by the Office of the President, and shall serve as a baseline for determining appointment salary. Adjustments to the salary range shall not automatically result in an increase in the salary paid to a Dean.
- (2) **Prior administrative experience.** Prior relevant administrative experience may be considered in determining appropriate salary.
- (3) **Market conditions and comparability.** To pay competitive total compensation in regional and national marketplaces, the Chancellor may consider external market comparability and other market conditions in determining appropriate salary. Comparisons used to determine compensation shall be to institutions comparable to the rank and stature of the University of California and may be selected to address the needs of individual schools and/or disciplines.

(4) **Equity within the University of California system.** UC system internal comparison with equivalent Dean positions and responsibilities may be considered in determining appropriate salary.

(5) **Professorial salary.** As an incentive to serve in an administrative capacity, the Dean's administrative salary shall at all times remain greater than his or her University of California professorial salary.

b. **Merit Increases**

(1) **Basis for Merit Increase.** A Dean shall be eligible for consideration of an annual merit increase associated with the administrative salary in accordance with campus procedures and the availability of funding. Funding for administrative merit increases will be determined annually through the University of California budget process.

(2) **Eligibility.** The Dean must be appointed no later than April 1 to be eligible for an administrative merit increase during the subsequent merit cycle.

(3) **Amount of Merit Increase.** The amount of a Dean's administrative merit increase shall be based upon the following factors:

(a) The Dean's annual assessment (see APM - 240-80).

(b) The Dean's current position within the salary range and his or her salary relative to internal comparable positions.

(c) Availability of approved merit increase funding.

c. **Equity or Retention Increases**

- (1) A salary increase may be granted to correct a significant salary inequity in individual circumstances that result from any number of causes, including rapidly changing external market conditions or a disparity created by new appointees in the same or substantially similar Dean positions, both at the campus and internal to UC, who have comparable levels of skills and experience.
- (2) The Chancellor may approve a salary increase when a five-year review results in a recommendation to reappoint the Dean and identifies significant achievements and/or sustained excellent administrative performance beyond that which can be rewarded in the annual merit process. A salary increase may also be justified at the time of reappointment if market conditions or internal equity factors have changed since appointment, or if necessary to successfully retain the Dean in light of a positive five-year review.
- (3) An equity or retention increase shall be effective on the same date as the administrative merit (normally October 1), to the extent possible. The merit increase shall be applied first, and any additional equity or retention increase shall be determined after applying the merit adjustment. An additional increase beyond the merit adjustment shall be provided only if the applied merit increase does not resolve the inequity or retention issue.
- (4) If a Dean receives an equity or retention increase in a fiscal year prior to the availability of merit funding, the subsequent merit shall be calculated based upon the salary prior to any adjustment. A merit increase will only

be applied if the merit calculation is more than the equity or retention increase.

d. **Compensation for Appointment as Acting or Interim Dean**

- (1) Administrative compensation shall be paid to an Acting Dean for assuming the responsibilities of an appointed Dean who is on an approved leave of absence or sabbatical leave for a minimum of one term.
- (2) Administrative compensation shall be paid to an Interim Dean when the individual is serving as Dean on an interim basis when a new permanent Dean has not yet been named.
- (3) Compensation for an Acting or Interim Dean shall be structured in accordance with normal campus practice.

e. **Additional University Compensation**

A Dean is compensated for full-time administrative service. Additional University compensation is appropriate only in the following circumstances:

- (1) **Summer Research.** Deans may receive up to 1/12th payment for summer research based on their annual decanal salary. In such instances, accrued vacation will be used in proportion to the research days worked.
- (2) **Other Administrative Role.** In exceptional circumstances, the Chancellor may appoint a Dean to an additional and temporary administrative role within the University. In such cases a stipend may be provided for the additional temporary administrative responsibilities.

- (3) Acting or Interim Dean Appointments. Academic-year Acting or Interim Dean appointees may receive administrative compensation in the summer period. In combination with other University compensation for teaching and/or research duties, the total summer compensation may not exceed 3/9ths exclusive of any stipends.

240-20 **Conditions of Employment**

- a. Individuals appointed to the titles of Dean, Acting Dean, or Interim Dean serve at the discretion of the Chancellor. The Chancellor may terminate the appointment of a Dean at any time, after discussion with an appropriate group of the faculty as determined by the Chancellor and after consultation with the Academic Senate.
- b. Termination of a Dean appointment does not terminate the underlying faculty appointment.
- c. Conflict of Commitment and Outside Professional Activities

A Dean may engage in outside activities as defined by, and in accordance with, APM - 025, Conflict of Commitment and Outside Activities of Faculty Members, with the following additional provisions:

- (1) A Dean may not serve on more than three for-profit boards that are not entities of the University of California, for which he or she receives compensation and for which he or she has governance responsibilities.

- (2) All outside professional activities, including compensated consulting, shall be reported annually to the Chancellor.
- (3) In accordance with APM - 025, Conflict of Commitment and Outside Activities of Faculty Members, a Dean may in each fiscal year engage in a maximum of forty-eight (48) calendar days of compensated outside professional activity, which includes the twelve days cited in (4) below.
- (4) A Dean may engage in compensated outside professional activity up to twelve (12) University workdays per fiscal year without deducting from vacation leave balances. In excess of twelve (12) days, a Dean shall use accrued vacation leave for compensated outside professional activities.

240-24 **Authority**

a. ~~Appointment of a Dean or Provost:~~

The Chancellor has the authority to appoint and reappoint a Dean, ~~or Provost~~ including those serving in an interim or acting capacity, and to approve the Dean's appointment salary and appropriate salary increases up to the established Indexed Compensation Level in accordance with campus procedures. ~~The Chancellor, in consultation with the Academic Senate, shall appoint a committee to advise in the selection of a Dean or Provost. In cases when the Dean is the head of a school or college consisting of a single department, the faculty of the school or college shall also be consulted. In cases involving professional schools offering courses at the graduate level only, the faculty of the school shall be consulted.~~

- b. The Chancellor shall report annually to the President any new appointments to the title of Dean or salary increases to existing appointments of Deans.

- b. ~~Appointment of Acting Dean or Acting Provost:~~

~~The Chancellor has the authority to appoint an Acting Dean or Acting Provost in accordance with local campus procedures. The appointment of an Acting Dean or Acting Provost shall be a temporary appointment normally for a period not to exceed twelve months.~~

- c. ~~Appointment of Divisional Dean, Associate Divisional Dean, Associate and Assistant Dean, Associate and Assistant Provosts:~~

~~Appointments of Divisional Dean, Associate Divisional Dean, Associate and Assistant Deans, Associate and Assistant Provosts, and acting appointments to those titles shall be made by the Chancellor upon the recommendation of the Dean or Provost under whom they serve and in accordance with specified campus procedures.~~

- d. ~~Deans and Provosts and acting appointments to those titles serve at the discretion of the Chancellor. The Chancellor may end the appointment of a Dean or Provost at will and at any time, after discussion with an appropriate group of the faculty determined by the Chancellor after consultation with the Chair of the Division of the Academic Senate.~~

- e. ~~Divisional Deans, Associate Divisional Deans, Associate and Assistant Deans, and Associate and Assistant Provosts serve at the discretion of the Chancellor. The Chancellor, after consultation with the appropriate Dean or Provost, may end these appointments at will and at any time. In the case of a Divisional~~

~~Dean who heads an intercollege/school division, provisions for ending the appointment of a dean/provost apply. (See APM - 240-24-d.).~~

240-60 **Benefits and Privileges**

a. **Vacation Accrual**

- (1) Deans accrue and use vacation leave in accordance with APM - 730, Leaves of Absence/Vacation.
- (2) The Chancellor shall develop campus procedures for reporting vacation usage.
- (3) A Dean shall be granted no more than thirty (30) days in any academic year for the purpose of attending international conferences and related scholarly activities. For additional time off beyond thirty (30) days, a Dean shall be required to use accrued vacation. However if the Dean does not have sufficient accrued vacation, the Chancellor may approve the additional time off as leave without pay.

b. **Medical Leave**

Deans do not accrue sick leave. However, Deans shall be granted paid medical leave for periods of personal illness, injury, or disability. See, APM - 710-11, Paid Medical Leave for Academic Appointees Who Do Not Accrue Sick Leave.



c. **Sabbatical Leave Accrual**

- (1) Deans accrue sabbatical leave credit based on their faculty administrative appointment in accordance with APM - 740, Leaves of Absence/Sabbatical Leaves.
- (2) Deans shall continue to accrue sabbatical credit beyond the established limits set forth in APM - 740-16 for the duration of the Dean appointment.

d. **Sabbatical Leave During Administrative Service**

When approved by the Chancellor, a sabbatical leave may be granted during appointment as Dean.

e. **Transition Leave**

- (1) A Dean may be eligible to take a transition leave immediately following the conclusion of appointment to provide an opportunity to redirect his or her primary efforts to scholarly activities.
- (2) Paid transition leave requires the deduction of sabbatical leave credits and is subject to the terms and conditions described in APM - 740, Leaves of Absence/Sabbatical Leaves.
- (3) Transition leave shall be paid at either the current administrative or faculty rate contingent upon when sabbatical leave credits were accrued. The salary rate for that portion of the leave compensated at the administrative salary rate is ineligible for any increase. The faculty

salary rate is subject to any change that may result from salary scale adjustments or academic personnel review during the period of the leave.

If sabbatical leave credits are exhausted before the conclusion of a transition leave period, the Chancellor may approve a leave with pay at the faculty salary rate through the conclusion of the transition leave period. The individual is required to fulfill a return to active University service requirement (as stated in APM - 740-16-d) equal to the total period of the transition leave.

- (4) The combined total of transition leave and sabbatical leave taken during administrative service within the last five years may not exceed one year (12 months).

240-80 **Review Procedures**

a. **Annual Assessment**

The Chancellor shall conduct an annual assessment for each Dean. The Chancellor shall communicate the key components of the assessment to each Dean.

a. b. **Five-Year Review and Reappointment**

- (1) The Chancellor shall conduct a five-year ~~A performance~~ review for each academic Deans and Provosts shall be conducted no later than the fifth year of service and at five-year intervals thereafter to determine whether reappointment to another term is warranted. In each case involving the

five-year review of a Dean ~~or Provost~~, the Chancellor, ~~in~~ after consultation with the Academic Senate, shall appoint an advisory committee to review the Dean's performance and accomplishments ~~of the Dean or Provost~~. The advisory committee shall report its findings to the Chancellor.

(2) The Chancellor shall develop the criteria and procedures for conducting five-year Dean reviews.

- b. ~~The Chancellor or designee shall develop guidelines for the review of Divisional Deans, Associate Divisional Deans, Associate and Assistant Deans, and Associate and Assistant Provosts.~~