

May 20, 2022

To: Senate Faculty  
Academic Department Chairs and Deans  
AP Department Business Officers and Staff

From: June Betancourt, Director  
Academic Personnel

Re: Academic Personnel Manual (APM) Policy Issuance

### **ACADEMIC PERSONNEL POLICY ISSUANCE**

The following Academic Personnel Manual revision has been issued by the Office of the President and is effective 7/1/2022:

APM 759 Leaves of Absence/Other Leaves Without Pay (APM - 759)

Red Binder changes will be made during the next round of updates.

For reference, the issuance letter and revised policy are attached and can also be found on the [Academic Personnel and Programs website](#).

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Director  
Academic Personnel  
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OFFICE OF THE PROVOST AND  
EXECUTIVE VICE PRESIDENT FOR ACADEMIC AFFAIRS

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

May 20, 2022

CHANCELLORS  
ACADEMIC COUNCIL CHAIR ROBERT HORWITZ  
LABORATORY DIRECTOR MICHAEL WITHERELL  
ANR VICE PRESIDENT GLENDA HUMISTON

**Re: Issuance of Revisions to Academic Personnel Manual (APM) Section 759, Leaves of Absence/Other Leaves Without Pay (APM - 759)**

Dear Colleagues:

I am formally issuing revised Academic Personnel Manual (APM) Section 759, Leaves of Absence/Other Leaves Without Pay (APM - 759). The revised policy is effective July 1, 2022, and may be found online on the [Academic Personnel and Programs website](#).

### **Background**

APM - 759 serves as the general “catch-all” policy governing leaves without pay taken for reasons that are not addressed elsewhere in the APM. Under APM - 759, Chancellors have the authority to grant a leave without pay for up to one year, and in certain cases, the leave may be extended for more than one year. These leaves are primarily personal leaves and may be requested for a variety of reasons, such as when a faculty member has the opportunity to work at a for-profit company, or when taking on a visiting appointment at another institution. In cases where the requested leave without pay will involve an outside professional activity, the leave request will typically accompany a “prior approval” request to engage in the outside professional activity pursuant to the University’s conflict of commitment policies.

In 2019-2020, Academic Personnel and Programs (APP) initiated a comprehensive review of the leave-related policies of the APM - 700 series, including APM - 759, Leaves of Absence/Other Leaves Without Pay. Proposed revisions to APM - 759 were distributed in 2020 for both management consultation and systemwide review as part of a larger package of leave-related policy revisions. During the 2020 systemwide review period, APP learned about a forthcoming recommendation from the Regents Working Group on Innovation Transfer and Entrepreneurship (“Regents Working Group”) regarding changes to APM - 759 concerning leaves without pay for innovation and entrepreneurial pursuits. Because of the forthcoming recommendation from the Regents Working Group, the pending revisions to APM - 759 were placed on hold in 2020 while the remainder of the leave-related policies were finalized and issued.

In May 2021, the Regents Working Group issued its [final recommendation report](#). Recommendation 9 of the final report specifies that APM - 759 be revised to explicitly state that a leave without pay may be used for innovation and entrepreneurship pursuits. In response, proposed revisions to APM - 759 were developed to clarify that a leave without pay may be granted for innovation and entrepreneurship activities, among other reasons. Proposed changes to APM - 759 were distributed to the University community for systemwide review from October 7, 2021, through January 26, 2022. Reviewers generally conveyed support for the proposed changes; several reviewers offered recommendations, some of which have been incorporated into the final policy language. Key policy changes are outlined below.

### Key Policy Changes

- **Addition of examples of “good cause” for a leave without pay.** Existing policy provided that leaves of absence without pay may be granted for “good cause.” To address Recommendation 9 from the Regents Working Group, language has been added to APM - 759-0 to further clarify that “good cause” for a leave without pay may include, but is not limited to, leaves for innovation and entrepreneurship activities. Other examples of “good cause” include service to a non-profit or non-governmental organization, a visiting appointment at another institution, professional development opportunities, or medical reasons under APM - 710, Leaves of Absence/Sick Leave/Medical Leave, when an appointee’s paid leave has been exhausted.
- **Leaves without pay exceeding one year in length.** Existing language in APM - 759-12 has been revised to clarify that a leave without pay shall not exceed one year in length; however, a leave may be renewed in increments of one year or less, but not indefinitely. In addition, the approval process for such leaves must take into account the impact of the requested leave on the teaching, research, and service obligations of a department.
- **Cross-references to other applicable policies.** Language has been added to APM - 759-0 to remind appointees that when they are on an approved leave of absence without pay, they are still considered University employees and must continue to comply with University policies on conflict of commitment and outside professional activities, such as APM - 025 for general campus faculty; and APM - 671 and local Health Sciences Compensation Plan (HSCP) School Implementing Procedures (“HSCP Implementing Procedures”) for faculty participating in the HSCP. The addition of this language does not constitute any new changes in policy or practice; it simply reminds appointees that they remain subject to conflict of commitment policies while on leave and should refer to these policies to determine their obligations while on leave. HSCP participants, in particular, should carefully review their local HSCP Implementing Procedures to determine whether and under what conditions leaves without pay may be requested.

- **Other revisions to improve overall clarity and intent.** Technical revisions were made throughout the policy to clarify the intent of existing policy language and to update the language to align with other APM policies.

## **Implementation**

The revised policy is effective on July 1, 2022. Additional systemwide guidance will be forthcoming to campus academic personnel offices and will include guidance on specific leave without pay scenarios under APM - 759. Campuses may also wish to review their local campus policies and procedures relevant to the implementation of APM - 759. In particular, health sciences schools may wish to review their existing local HSCP Implementing Procedures to create new procedures or clarify existing procedures to implement revised APM - 759. As a reminder, pursuant to APM - 670, any proposed new HSCP Implementing Procedures or revisions to existing HSCP Implementing Procedures must be submitted to UCOP for approval.

I wish to thank all members of the University community who participated in the consultation of the revisions to this important APM policy. Your contributions are deeply appreciated.

Sincerely,



Michael T. Brown, Ph.D.  
Provost and  
Executive Vice President for Academic Affairs

Enclosure

cc: President Drake  
Executive Vice Chancellors/Provosts  
Executive Vice President and Chief Operating Officer Nava  
Secretary and Chief of Staff Shaw  
Senior Vice President and Chief Compliance Officer Bustamante  
Vice Provost Carlson  
Vice President Lloyd  
Vice President Maldonado  
Vice Provosts/Vice Chancellors of Academic Affairs/Personnel  
Assistant Vice Provosts/Vice Chancellors for Academic Personnel  
Associate Vice Provost Lee  
Deputy General Counsel Woodall  
Executive Director Baxter  
Executive Director Motton  
Executive Director Silas  
Chief of Staff Kao  
Chief of Staff and Executive Director Henderson

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Chief of Staff Levintov  
Chief of Staff Peterson  
Chief Policy Advisor McAuliffe  
Principal Counsel Mastro  
Director Grant  
Director Roller  
Director Sykes  
Associate Director DiCaprio  
Associate Director Woolston  
Assistant Director LaBriola  
Labor Relations Manager Donnelly  
HR Manager Crosson  
Administrative Officer Babbitt  
Policy Analyst Durrin  
Policy Analyst Wilson

## **Benefits and Privileges: APM - 759 - Leaves of Absence/Other Leaves Without Pay**

### **759-0 Policy**

In addition to the special types of leaves listed in APM - 700 through 752, leaves of absence without pay for other good cause may be granted to academic appointees.<sup>1</sup> Good cause in this section may, in appropriate circumstances, include, but is not limited to, leaves for: service to non-profit/non-governmental organizations, innovation and entrepreneurship activities, a visiting appointment at another institution, professional development, or medical reasons under [APM - 710, Leaves of Absence/Sick Leave/Medical Leave](#), when an appointee's paid leave has been exhausted. When a request for a leave without pay involves service or activities with an entity or organization outside the University, the request may be approved when the purpose for the leave is one that will enhance the academic appointee's contributions to the University after completion of the leave.

Academic appointees on an approved leave of absence without pay under APM - 759 remain University employees and must continue to comply with University policies on conflict of commitment and outside activities. General campus academic appointees are subject to [APM - 025, Conflict of Commitment and Outside Activities of Faculty Members](#). Faculty participating in the Health Sciences Compensation Plan (HSCP) are subject to [APM - 671, Conflict of Commitment and Outside Activities of Health Sciences Compensation Plan Participants](#), and local HSCP School Implementing Procedures which specify whether and under what conditions such leaves are permissible. In addition to complying with University policies on conflict of commitment and outside activities, academic appointees on an approved leave of absence without pay must also comply with all University policies involving University intellectual property, conflict of interest, and the use of University resources. See Appendix A for a list of other relevant University policies.

### **759-12 Leaves of Absence Without Pay for More Than One Year**

Except as may otherwise be required by law, a leave of absence without pay under APM - 759 shall not exceed one year in length and shall generally not extend beyond June 30 of the academic year in which the leave is granted. However, in the interests of the University and/or as may be required by law, such a leave may be renewed in increments of one year or less (but not indefinitely) as outlined in this section. The approval process for such a leave shall take into consideration the impact of the leave on the teaching, research, and service obligations of a department.

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<sup>1</sup> For discussion about leaves provided as a reasonable accommodation for a disability, see [APM - 711, Reasonable Accommodation for Academic Appointees with Disabilities](#). For discussion about possible initiation of a medical separation review if an academic appointee is unable to return to work and/or perform the essential functions of the academic position after an interactive process has been exhausted, see [APM - 080, Medical Separation](#).

**a. Faculty holding tenure or security of employment**

Leaves without pay for more than one year under APM - 759 are normally granted only to faculty holding tenure or security of employment.

**b. Other academic appointees**

In exceptional cases, department chairs may recommend academic appointees other than faculty holding tenure or security of employment for leave without pay for more than one year under APM - 759 when it is certain that the department wishes to retain the appointee's services after completion of the leave, and the purpose of the leave is one that will enhance the appointee's contributions to the University. In such cases, no assurance may be given, either directly or by implication, that the appointee will be retained beyond the period of service normally applicable to the appointee's rank, or that the appointee will be promoted when that period is over. Reappointment at the termination of leave is dependent upon availability of funds.

**759-21 Temporary Coverage of Work During Leave**

If temporary support is necessary to complete work during the period of leave, the person(s) temporarily employed to perform that work shall be notified in writing by the department chair that the appointment is limited to the period for which leave has been granted to the academic appointee. If the person temporarily employed to perform this work is an exclusively represented academic appointee, the department should refer to the terms of the applicable Memorandum of Understanding.

**759-24 Authority**

Chancellors and the Vice President-Agriculture and Natural Resources are authorized to approve all leaves of absence without pay for appointees under their respective jurisdictions, subject to the provisions of APM - 759-0.

**Revision History**

July 1, 2022:

- Substantive revisions to address the 2021 recommendation of the Regents Working Group on Innovation Transfer and Entrepreneurship and to clarify intent of language.
- Technical revisions to correct minor grammatical errors and readability.

For details on prior revisions, please visit the [Academic Personnel and Programs website](#).

### **RELATED UNIVERSITY POLICIES**

- Regents Policy 1111: Policy on Statement of Ethical Values and Standards of Ethical Conduct
- Regents Policy 7303: Policy on Service Obligations and Leaves of Absence
- Regents Policy 7707: Senior Management Group Outside Professional Activities
- University of California Patent Policy
- University of California Policy on Accepting Equity When Licensing University Technology
- University of California Policy on Disclosure of Financial Interests and Management of Conflicts of Interest in Private Sponsors of Research
- University of California Policy on Disclosure of Financial Interests and Management of Conflicts of Interest, National Science Foundation Awards
- University of California Policy on Disclosure of Financial Interests and Management of Conflicts of Interest, Public Health Service Research Awards
- Conflict of Interest Code – Disqualification Requirement
- Guidance on Compendium of Conflict of Interest and Integrity Policies
- University of California Policy on the Requirement to Submit Proposals and to Receive Awards for Grants and Contracts through the University
- Health Care Vendor Relations Policy
- University Regulation No. 3, Privileges and Duties of Members of the Faculty – APM - 005
- University Regulation No. 4, Special Services to Individuals and Organizations – APM - 020
- The Faculty Code of Conduct – APM - 015
- University Policy on Faculty Conduct and the Administration of Discipline – APM - 016
- Guidelines for Disclosure and Review of Principal Investigator’s Financial Interest in Private Sponsors of Research – APM - 028



BENEFITS AND PRIVILEGES

Leaves of Absence/Other Leaves Without Pay

APM - 759  
APPENDIX A

- Deans – APM - 240
- Faculty Administrators (Positions Less Than 100%) – APM - 241
- Faculty Administrators (100% Time) – APM - 246
- Health Sciences Compensation Plan – APM - 670
- Conflict of Commitment and Outside Activities of Health Sciences Compensation Plan Participants – APM - 671
- Veterinary Medicine Salary Administration – APM - 675