



# ACADEMIC PERSONNEL

## UNIVERSITY OF CALIFORNIA, SANTA BARBARA

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July 3, 2014

To: All Faculty, Department Chairs, and Business Officers (via SBFACU-L, SBCHR-L, SBADM-L)

From: Cindy Doherty, Director  
Academic Personnel

Re: Academic Personnel Policy Issuances

### **ACADEMIC PERSONNEL POLICY ISSUANCES**

**APM-025, Conflict of Commitment and Outside Activities by Faculty Members**  
**APM-290, Regents' Professors and Regents' Lecturers**  
**APM-510, Intercampus Transfers**  
**APM Section IV Salary Administration (APM-600 Series)**

Issued by Provost and Executive Vice President Aimée Dorr, revised APM - 025, Conflict of Commitment and Outside Activities of Faculty Members, revised APM - 290, Regents' Professors and Regents' Lecturers, APM - 510, Intercampus Transfers, and APM Section IV, Salary Administration (APM - 600 Series) are effective July 1, 2014

#### **APM-025**

The general intent of APM - 025 is to ensure that when a faculty member participates in activities outside of the University the activities do not interfere with fulfilling the individual's responsibilities to the University. APM-025 has been updated to enhance clarity and to foster consistent interpretation. Provost Dorr's issuance letter is attached. Please note that the issuance letter also addresses APM-671 and 670. These sections are relevant to Health Science Compensation Plans only and therefore have no impact at UCSB.

APM-025 is available on-line at <http://www.ucop.edu/academic-personnel-programs/files/apm/apm-025-07-01.pdf>

On-line reporting forms for Outside Professional Activities have been updated to reflect the changes in APM-025. Updated campus policy (Red Binder I-29) will be issued as soon as possible.

**APM-290**

The new language sets the maximum compensation rate and confirms that compensation is established by agreement. The policy is available on-line at <http://www.ucop.edu/academic-personnel-programs/files/apm/apm-290.pdf>

**APM-510**

The revised policy makes explicit that the policy applies only to Senate faculty titles and clarifies procedures for both home and recruiting campuses. The policy is available on-line at <http://www.ucop.edu/academic-personnel-programs/files/apm/apm-510.pdf>

**APM Section IV**

Revision to the 600 series was prompted in part by the UC Path initiative so that procedural information contained within the policies is up-to-date, clear, and consistent from policy to policy. Language has been added to standardize practices across the ten campuses. Prior sections 660, 665 and 690 have been consolidated into the body of the policy. Significant changes include:

- Revised language stating all academic appointees, with the exception of students and represented employees, are eligible for off-scale salaries
- Definition of the term “honoraria” and added flexibility regarding honoraria payments
- Revised and clarified policy regarding extramurally funded research

The updated policies are available on-line at: <http://www.ucop.edu/academic-personnel-programs/academic-personnel-policy/salary-administration/index.html>. Updated campus policy (Red Binder VI-10 through VI-17) will be issued as soon as possible.

Provost Dorr’s issuance letter regarding APM-290, APM-510 and APM Section IV is attached.

# UNIVERSITY OF CALIFORNIA

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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

June 16, 2014

CHANCELLORS  
LABORATORY DIRECTOR ALIVISATOS  
ACADEMIC COUNCIL CHAIR JACOB  
ANR VICE PRESIDENT ALLEN-DIAZ

Dear Colleagues:

I am formally transmitting revised Section 290, Regents' Professors and Regents' Lecturers (APM - 290); Section 510, Intercampus Transfers (APM - 510); and Section IV, Salary Administration (APM - 600 Series) of the Academic Personnel Manual, effective July 1, 2014. The attached policies can be found online at: <http://www.ucop.edu/academic-personnel/academic-personnel-policy/policy-issuances-and-guidelines/apm-290-510-600-series.html>.

## **Rationale and Consultation Process**

Simultaneous revision to the 20 policies in Sections 290, 510, and IV was prompted in part by the UC Path initiative so that procedural information contained within the policies is up-to-date, clear, and consistent from policy to policy. The systemwide consultation process engaged to develop the policies consisted of three major reviews conducted over the past two years: Management Consultation, Systemwide Review, and Final Review. Recommendations were offered during all three reviews, most of which are incorporated in final language. Throughout the consultation process, there was frequently consensus on policy details. In a few cases, divergent campus practices led to APM policy language that would accommodate a range of policy and practice interpretations, all of which are appropriate within UC Path. For one aspect of APM - 510, the salary limits, meaningful differences of opinion persisted through several efforts to resolve them.

## **Policies Incorporated into Other Sections of the APM**

In an effort to consolidate policy, the following six APM Sections are removed and incorporated into other APM Sections:

APM - 615, Salary Increases/Merit is incorporated into new section APM - 610-9, Salary Increases, General Scale, Merit and Promotion Increases.

APM - 632, Stipends/Assignments of FTE for Split Appointments with Stipends is incorporated into APM - 633, Stipends/Academic Appointees.

APM - 640, Regents' Professors and Regents' Lecturers, Compensation is incorporated into APM - 290, Regents' Professors and Regents' Lecturers.

APM - 660, Additional Compensation/General is incorporated into APM - 600, General.

APM - 665, Additional Compensation/Reading Manuscripts is incorporated into APM - 600-14-b, General, Additional Compensation.

APM - 690, Academic Salary Scales is incorporated into APM - 600, General.

### **Summary of Policy Revisions**

A summary of key revisions to the remaining 14 policies is provided below. Where applicable, policies were updated to conform to the overall APM style format and reflect the current authority and delegations of authority.

APM - 290, Regents' Professors and Regents' Lecturers. APM - 640, Regents' Professors and Regents' Lecturers, Compensation is merged into new section APM - 290-18, Compensation. New language conforms to Regents Action Item 506 (November 1988), which sets the maximum compensation rate for Regents' Professors and Regents' Lecturers to correspond with the salary rate for the highest step on the appropriate professorial salary scale. Additionally, new language confirms that compensation is established by agreement and may take the form of salary or of honorarium.

APM - 510, Intercampus Transfer. Revisions make explicit that the policy applies only to Senate faculty titles. Procedures that home campuses and recruiting campuses follow are clarified. New language confirms that while the policy does not apply to faculty administrator appointments, the policy does apply to a faculty administrator's underlying Senate faculty appointment. Language limiting start-up package costs is revised to allow the Provost and Executive Vice President for Academic Affairs to adjust the maximum amounts from time-to-time, rather than listing specific amounts which may become outdated.

The salary limits for intercampus faculty transfers stated in APM - 510-18-c remain in place. We conducted extensive consultation on this policy protocol, which permits campuses to recruit the best talent and individual faculty to move to another UC campus if it will be more advantageous professionally or personally. The limits in place constitute judicious management of state funds, with which we are entrusted. Even if state support has receded in terms of the percentage of total funds allocated to UC, state funding is still dominant in the area of ladder-rank faculty salary; it would be imprudent to allow one campus to expend unlimited resources in competition with another campus over individual faculty. Since faculty benefit from belonging to a system where retirement can accrue across multiple campuses, the salary model should also be viewed from a unified perspective.

APM - 600, General. APM - 660, - 665, and - 690 are consolidated into the body of the policy. APM - 600-8 is amended to include off-scale increases as a type of salary increase. To standardize payments for all fiscal-year faculty across all 10 campuses and to account for vacation accrual, additional compensation for fiscal-year appointments made after July 1, 2014 will be calculated at a one-twelfth rate. Additional compensation for appointments made prior to July 1, 2014 is grandfathered at the one-eleventh rate subject to a corresponding deduction of accrued vacation days. Additionally, revised language clarifies the salary conversion rates for faculty moving from appointments based on an academic year to a fiscal year and for those moving from a fiscal year to an academic year.

APM - 610, Salary Increases. APM - 615 is consolidated into new APM - 610-9, Merit and Promotion Increases. New language is added to calculate service for semester campuses to complement language providing guidance for quarter campuses.

APM - 620, Off-Scale Salaries for Appointments and Advancement. Revised language clarifies that all academic appointees, with the exception of students and appointees subject to collective bargaining agreements, are eligible for off-scale salaries. Limitations that off-scale salaries are \$100 less than the published salary for the equivalent step in the next rank are removed.

APM - 633, Administrative Stipends: Academic Appointees. APM - 633 is reformatted and revised to align with UC Path agreements. The title of the policy is updated to reflect that the policy pertains to stipends awarded specifically for additional administrative duties.

APM - 650, Technical Assistance Projects. Revisions define foreign service and in-residence (within the U.S.) service and clarify rate of pay and pay components. The definition of hardship outlined in APM - 650-18-b(2) is updated in accordance with the Department of State Standardized Regulations (DSSR). New language allows appointments to be made for an unspecified term or to extend beyond one year.

APM - 661, Additional Compensation: Summer Session Teaching. New language is added to cover various types of appointments and appointees eligible for Summer Session teaching and to clarify that full-time Health Sciences Compensation Plan faculty are ineligible to receive additional compensation for Summer Session teaching. Revisions allow campus flexibility to determine formulas for calculating summer session pay.

APM - 662, Additional Compensation: Additional Teaching. Current APM - 662, Appendices B-1 and B-2 are reformatted and expanded to describe the types of additional teaching activities and the conditions under which faculty may earn additional compensation for teaching beyond a full-time work load. Additional compensation for appointments made prior to July 1, 2014 is grandfathered at the one-eleventh rate subject to a corresponding deduction of accrued vacation days. New language provides general guidance for determining time spent teaching fully online courses within the context of additional compensation for additional teaching.

APM - 663, Additional Compensation: University Extension. Revised language consolidates UNEX-related language in APM - 662, Appendices A-1, A-2, A-3, B-2 (in part), B-3, and B-4 into APM - 663. The term, "Correspondence Courses" is removed from the policy title, since the policy applies to all University Extension teaching.

APM - 664, Additional Compensation: Services as Faculty Consultant. Language clarifies that the scope of the policy covers faculty, as defined in APM - 110-4(15), who are consulting for UC or the Lawrence Berkeley National Laboratory. Additionally, revisions clarify that the daily rate of pay is calculated based on the total salary (salary plus off-scale for general campus faculty and total negotiated salary for Health Sciences Compensation Plan faculty).

APM - 666, Additional Compensation: Honoraria. The policy is reformatted and the title is changed from "Additional Compensation/Lectures and Similar Services" to "Additional Compensation: Honoraria." New language defines the term "honoraria" and the conditions for payment. Language formalizes current campus practice and adds flexibility requested by some reviewers to allow the chancellor to make exceptions.

June 16, 2014

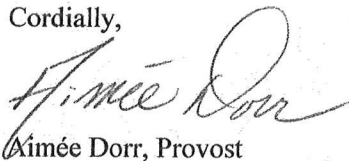
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APM - 667, Additional Compensation: Extramurally Funded Research. New language outlines restrictions on additional compensation derived from extramural agency funding. Maximum salary caps must be observed and state funds may not be used to pay salary gaps.

APM - 680, Salary Calculations for Faculty with Appointments at Lawrence Berkeley National Laboratory. The title and body of the policy is revised to reflect that the policy applies to faculty with any type of appointment at Lawrence Berkeley National Laboratory, not only permanent transfers. Revised language clarifies the salary conversion formula used to convert academic-year to fiscal-year salaries.

I wish to thank all members of the University community for their efforts to revise these policies. Your contributions are deeply appreciated.

Cordially,



Aimée Dorr, Provost  
Executive Vice President for Academic Affairs

Attachments: APM - 290, APM - 510, and  
APM Section IV, Salary Administration (APM - 600 Series)

cc: President Napolitano  
Members, President's Cabinet  
Executive Vice Chancellors/Provosts  
Vice Provosts for Academic Affairs/Academic Personnel  
Academic Personnel Directors  
Executive Director Fox  
Executive Director Larsen  
Executive Director Rodrigues  
Executive Director Tanaka  
Executive Director Winnacker  
Deputy General Counsel Drown  
Director Chester  
Manager Lockwood  
Human Resources Policy Analyst Bello  
Policy and Compensation Analyst Flinker  
Policy Coordinator Trifonov

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OFFICE OF THE PROVOST AND EXECUTIVE VICE PRESIDENT  
ACADEMIC AFFAIRS

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Oakland, California 94607-5200

May 28, 2014

CHANCELLORS  
LABORATORY DIRECTOR ALIVISATOS  
ACADEMIC COUNCIL CHAIR JACOB  
ANR VICE PRESIDENT ALLEN-DIAZ

Dear Colleagues:

I am formally transmitting the revised Conflict of Commitment and Outside Activities of Faculty Members, Section 025 of the Academic Personnel Manual (APM - 025); new Section 671 (APM - 671), Conflict of Commitment and Outside Activities of Health Sciences Compensation Plan Participants; and revised Section 670 (APM - 670), Health Sciences Compensation Plan (HSCP or the Plan). The policies can be found online at <http://www.ucop.edu/academic-personnel/academic-personnel-policy/policy-issuances-and-guidelines/apm-025-671>

Each of the policies is issued effective July 1, 2014, with APM - 025 to be implemented immediately. Health Sciences Compensation Plan campuses and schools will have one year, until July 1, 2015, to create new procedures or revise existing procedures to implement APM - 671. Until HSCP campuses and schools fully implement APM - 671, HSCP participants remain subject to APM - 025 and current APM - 670 Appendix B, Guidelines on Outside Professional Activities for Health Sciences Compensation Plan Participants; the latter will be retired effective June 30, 2015, or as soon as all HSCP campuses and schools implement APM - 671, whichever date is earlier.

Proposed new procedures or revisions to existing procedures to implement APM - 671 should be submitted to Janet Lockwood ([Janet.Lockwood@ucop.edu](mailto:Janet.Lockwood@ucop.edu)) for my approval no later than January 31, 2015. Complete implementation should be accomplished no later than July 1, 2015. Campus staff may contact Manager Lockwood at (510) 987-9499 for assistance with questions as they draft their Implementing Procedures.

## Consultation Process

The systemwide consultation process engaged to develop APM - 025 and APM - 671 consisted of two major reviews conducted over the past 18 months: Management Consultation and Systemwide Review. Reviewers generally conveyed support during the comment periods; several offered recommendations during both reviews, most of which have been incorporated in final language.



## **Overview**

The policies provide guidance to identify and manage outside professional activities in order to avoid conflicts of commitment. Equally important is the acknowledgement that faculty engage in outside professional activities to cultivate scholarly, professional, and creative competence in service of the University's teaching, research, clinical care, and service mission. The general intent of APM - 025 and APM - 671 is to ensure that when a faculty member participates in activities outside of the University the activities do not interfere with fulfilling the individual's responsibilities to the University. Outside professional activities that interfere with a faculty member's professional obligations to the University constitute a conflict of commitment.

## **Conceptual Foundation for APM - 025 and APM - 671**

The current structure--placing policy and guidelines within APM - 025 and APM - 670, Appendix B--is organizationally confusing for faculty and administrators, leading to difficulties interpreting policy principles and compliance requirements, particularly for HSCP participants. To enhance clarity and to foster consistent interpretation, revisions to current APM - 025 and the creation of APM - 671 result in mutually exclusive policies such that HSCP faculty are subject to APM - 671, and all other faculty (including Health Sciences faculty who are not HSCP participants) are subject to APM - 025. Parallel language is used for both policies wherever possible, particularly in these sections: purpose, definitions, responsibility, general principles, and guidelines; this includes the section separating outside professional activities into three categories based on the extent to which they are likely to constitute conflict of commitment (Categories I, II, and III activities). Other sections that use parallel language are those describing time limits; disclosure, prior approval, and reporting requirements; authority; non-compliance; and grievances.

## **Treatment of Outside Earnings**

Central to both policies is the concept that faculty owe their primary professional allegiance to the University in terms of time and effort. However, APM - 025 reduces the emphasis on compensation as an element of policy since there are no restrictions or limits on the type and amount of income that may be earned by general campus faculty, since the amount of compensation is often not known, and since most peer institutions do not require this. The policy is based on the premise that there is no benefit gained by requesting this information or identifying activities based on compensation when there are no limits imposed on the amount of income that may be earned. For HSCP participants, given the operations of the Plan, the University has an interest in being informed about time, effort, *and* earnings (type, amount, and disposition) and a separate policy is required to provide guidance as to how all earnings are treated under the Plan. As APM - 670 makes clear, the success of the academic and clinical enterprise is dependent on the productivity and revenue generation by Plan participants. The Policy also stipulates special conditions for clinical work, in particular that all clinical income is due the Plan and that in no case will Plan participants be allowed to retain income from patient care (clinical) activities. These principles and practices in APM - 670 carry through into APM - 671.



Current APM - 670, Appendix B provides units with the choice of one or two options for managing outside professional activity income: 1) the University-wide Standard Requirement, allowing Plan participants to retain payments from 21 days of service (other than patient care) per fiscal year for certain types of activities if the service has been approved by the Dean and the Chancellor, or 2) the Alternative Option, allowing Plan participants to retain income from up to 48 days of service per fiscal year to all entities specified in the Standard Requirement, plus income from for-profit consulting and expert witness testimony. Campuses have interpreted these options in different ways, which has led to divergent and conflicting processes, suggesting that current policy structure and language is unclear and confusing.

New APM - 671 allows *one* method for managing income from outside professional activities, which combines elements of the University-wide Standard Requirement and the Alternative Option. This combined approach includes the following:

- (1) A minimum 21 days and maximum 48 days annually to engage in outside professional activities, the specific time limit to be specified in campus/school/department Implementing Procedures
- (2) A maximum annual outside professional activities earnings threshold of \$40,000 or 40 percent of the fiscal year base salary scale (Health Sciences Compensation Plan Salary Scale 0), whichever is greater, a threshold that the Provost may adjust periodically
- (3) A pre-approval requirement after either the time or earnings threshold has been reached
- (4) The requirement that campus/school/department Implementing Procedures define taxation for the first \$40,000 earned as well as subsequent earnings
- (5) The requirement that campus/school/department Implementing Procedures clearly define the types of activities for which time limits and income earned count toward the approval threshold.

### **Consensus and Allowance for Campus Practice**

Throughout the consultation process, there was frequently consensus on policy details. At other times, divergent campus practices led to APM policy language that would allow campuses to continue a variety of policy interpretations. One good example of this broad policy language is in the definition of “a day” (see APM - 025-4-e and APM - 671-4-e). Clearly, the definition of a day, on our ten campuses, and in academia more generally, is influenced by many factors including discipline and campus culture. For both APM - 025 and APM - 671, a day is defined using common sense and customary practice. This definition will be refined by campus and/or discipline; each campus is authorized to define a day more specifically according to its own needs.

Another issue on which campuses may refine their use of policy according to campus practice is the maximum earnings threshold for Plan participants in new APM - 671. The new maximum threshold in APM - 671 (\$40,000 or 40% of HSCP scale 0) maintains a better level of equity in retention of earnings between the Assistant/Associate ranks versus full Professor rank. This threshold will be re-evaluated periodically, adjusted for inflation in accordance with the California Consumer Price Index, and published along with the Academic Salary Scales.

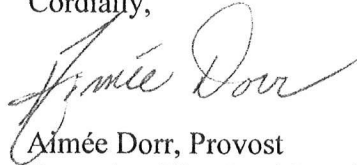
### **Frequently Asked Questions (FAQ)**

Finally, some reviewers submitted questions and comments that indicated a “Frequently Asked Questions” (FAQ) document would be helpful. The beginnings of an FAQ are enclosed to

respond to those comments and questions. This document will be updated as both policies are implemented and published on the Office of Academic Personnel website at <http://www.ucop.edu/academic-personnel/academic-personnel-policy/policy-issuances-and-guidelines/index.html>. Suggested additions to the FAQ may be addressed to Janet Lockwood.

I wish to thank all members of the University community for their efforts to revise APM - 025 and to develop APM - 671. Your contributions are deeply appreciated.

Cordially,



Aimée Dorr, Provost  
Executive Vice President for Academic Affairs

Attachments: APM - 025, Conflict of Commitment and Outside Activities of Faculty Members  
APM - 670, Health Sciences Compensation Plan  
APM - 671, Conflict of Commitment and Outside Activities of Health Sciences  
Compensation Plan Participants

cc: President Napolitano  
Members, President's Cabinet  
Executive Vice Chancellors/Provosts  
Vice Provosts for Academic Affairs/Academic Personnel  
Associate Vice President Nation  
Health Sciences Deans  
Academic Personnel Directors  
Executive Director Fox  
Executive Director Larsen  
Executive Director Rodrigues  
Executive Director Tanaka  
Executive Director Winnacker  
Deputy Compliance Officer Lane  
Deputy General Counsel Drown  
Deputy General Counsel Nosowsky  
Director Chester  
Manager Lockwood  
Human Resources Policy Analyst Bello  
Policy and Compensation Analyst Flinker  
Policy Coordinator Trifonov