

May 18, 2017

To: Department Chairs, Directors, Business Officers and all faculty (via SBCHR-L, SBADM-L, and SBFACU-L)

From: Cindy Doherty, Director  
Academic Personnel

Re: Red Binder updates

A number of revisions to the Red Binder (UCSB campus academic personnel policies and procedures) have been posted at the Academic Personnel web site. A summary of all changes is listed below for your convenience.

The complete Red Binder, as well as the annotated changes are available on the Academic Personnel website at: <https://ap.ucsb.edu/policies.and.procedures/red.binder/>

In addition, the following resources have recently been updated on the Academic Personnel website:

- Postdoctoral Scholars Appointment Form
- Postdoctoral Scholars Mid Appointment Salary Increase Form
- Pay and Service Period Chart (2017-18 dates)
- Graduate Student Maximum Employment Chart (2017-18 dates)

### **Summary of changes**

<b>I-1, I-14, VI-1</b>	Delete I-1 and incorporate delegation of authority into relevant Red Binder sections.
<b>I-8</b>	Update of off-scale policies to reflect current campus practice.
<b>I-29</b>	Outside professional activity reporting required for both compensated and uncompensated activity in accord with system-wide policy.
<b>III-14, III-16</b>	Five-year mandatory review for Project Scientist and Specialist series.
<b>III-25</b>	Clarification of criteria for without salary visitor appointments.
<b>IV-10</b>	Elimination of title code 3276. All academic year GSR appointment will use title code 3284. The level of tuition and fee remission is based on the total eligible appointment percentage of time.

- VI-4, VI-5, VI-7** Clarification of request and approval process and delegation of authority for various types of leave. Clarification of requirement for prior approval if category 1 outside professional activities will take place while on leave.
- VI-10** Summer additional compensation dates for summer 2017.
- VI-17** Clarification of use of Summer Session dos codes.
- VII-1** Search waivers processed via UC Recruit rather than on paper.
- IX-25** Update to be in compliance with system-wide SVSH policy.

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I-1  
**APPROVAL AUTHORITY FOR  
LADDER RANK FACULTY**  
(Revised 4/15)

**Action**

**Authority**

**Appointments**

Assistant Professor II, III, including Acting titles	Dean
Assistant Professor IV and V	Associate Vice Chancellor
Associate Professor, Professor	Chancellor
Affiliated Appointments (0% or without salary)	Associate Vice Chancellor
Lecturer PSOE	Dean
Lecturer SOE, Sr. Lecturer SOE	Chancellor

**Merits**

On-Schedule Merit Cases (including decelerated in time)	Dean
Merit to Professor VI, to and within Above Scale	Chancellor
Other Merits	Associate Vice Chancellor
Formal Appraisal	Associate Vice Chancellor
Asst Prof deferrals	Dean

**Promotions**

Associate Professor, Professor	Chancellor
Lecturer SOE, Sr. Lecturer SOE	Chancellor
Deferral of tenure review	Dean

**Leaves**

Sabbatical within policy	Dean
Sabbatical - exceptions, any negative rec., no merit in past 5 years	Associate Vice Chancellor
Medical leaves within APM policy	Dean
All other leaves for up to one year, within policy	Dean
Active service/modified duties	Dean
Exceptions to policy	Associate Vice Chancellor
Leaves beyond one year	Associate Vice Chancellor

**ELIGIBILITY, DEFERRAL AND MANDATORY REVIEW**

(Revised 11/16)

**I. Service Credit**

Six months or more of service in any one fiscal year normally count as one full year of service for merit eligibility. Less than six months of service in any one fiscal year does not count. The normal period of service prescribed for each salary level does not preclude more rapid advance in cases of exceptional merit nor does it preclude less rapid advance. Service as an Assistant Professor (including time as an Acting or Visiting Assistant Professor) is limited to 8 years. Service at the Associate Professor and Professor levels is unlimited.

**II. Extensions of the 8- year limit for Assistant Professors, Lecturers with Potential Security of Employment, or Assistant Researchers**

Under specific circumstances, an Assistant Professor, Lecturer with Potential Security of Employment, or Assistant Researcher may request an extension of the 8-year limit. An individual may have no more than two extensions during the probationary period and requests may not be made after the tenure/SOE/Associate Researcher review has begun. Request for extension are to be addressed to the Associate Vice Chancellor for Academic Personnel, via the appropriate Chair, Director and Dean or other control point. Extensions of the clock may be requested for the following reasons:

- a. **Childbearing or Childrearing:** A request may be made to allow the employee to care for any child who is, or becomes part of the employee's family. The employee must be responsible for 50 percent or more of the care of the child. The birth or placement of more than one child at a time constitutes a single event of birth or placement.
- b. **Serious Health Condition:** A request may be made when the employee's ability to pursue his or her duties is significantly disrupted by a serious health condition or disability, by the need to care for a close family member who is seriously ill, or the death of a close family member. Supporting documentation must be provided with the request for extension.
- c. **Significant Circumstance or Event:** A request may be made when significant circumstances or events beyond the individual's control disrupt the individual's ability to pursue his or her duties. Examples include, the effects of a natural disaster or extraordinary delays in the provision of research resources committed to the individual which are necessary for his or her research activities. Supporting documentation must be provided with the request for extension.

When an extension of the tenure clock has been approved the individual should not be expected to have produced more or performed at a higher level than an individual who has not extended the tenure clock. The file is to be evaluated without prejudice as if the work were done in the normal period of service. Extension of the tenure clock does not delay eligibility for appraisal, merit, or promotion. However, the extension may be used as the basis of a request for deferral of any of these actions for a period equivalent to the extension.

**III. Regular Ranks, Steps, Normal Periods of Service**

The Assistant Professor Rank contains steps I-VI, although steps I and VI are not used at UCSB. The Associate Professor Rank contains steps I-V, although step V is not used at UCSB. The normal time of service at each step within the Assistant and Associate rank is 2 years, except for service at the special steps of Assistant Professor V and Associate Professor IV (Red Binder I-37). The Professor rank contains steps I- IX as well as Above Scale. Normal service at steps I-IV is 3 years. Service at step V and above may be for an indefinite time; however, normal service is 3 years at steps V through VIII and 4 years at step IX or Above Scale. Eligibility for normal advancement occurs after the normal time of service at each step. If not advanced in rank or step at that time, the candidate will continue to be eligible for the same advancement in rank or step each year until the advancement in rank or step occurs. Further advancement within step will only be allowed when the normative number of years at step have passed. Normal periods of service in other academic series are described in the Red Binder section covering the series.

#### **IV. Advancement Effective Dates**

The Office of Academic Personnel annually publishes promotion and merit eligibility lists for each department.

All merits and promotions will be effective July 1. It is possible, based on availability of funding, that payment for merits and promotions may be delayed. If this occurs, payment will be made retroactively at the time funds become available.

#### **V. Mandatory Five-Year Reviews**

Senate faculty and appointees to the Research, *Project Scientist, and Specialist* series must undergo a performance review at least once every five years, including an evaluation of the individual's record in all review areas. This review may not be deferred. Most *appointees in these series* ~~Senate faculty and Researchers~~ are reviewed for merit advance every two to four years, depending on rank and step. ~~Senate faculty and Researchers~~ *Appointees* eligible for merit advancement or promotion may request deferral of review, so long as the time period since their last review is not more than four years. Non-submission of materials will not constitute automatic deferral. If an individual does not turn in materials by the departmental due date, the department will conduct the mandatory review based on the materials available in the department as of the due date.

Faculty holding 100% administrative positions in the SMG program or covered by APM 240 or APM 246 are exempt from mandatory five-year reviews since they face a separate review policy.

#### **VI. Deferral of Review**

Deferral of non-mandatory reviews will be automatic if a tenured Senate faculty member *or appointee in the Research, Project Scientist, or Specialist series* does not submit materials by the departmental due date, and no case is forwarded by the department by the established submission deadline.

Deferral requests made by Assistant Professors or Lecturer with Potential Security of Employment must be accompanied by a letter of recommendation from the Chairperson that explains the reasons for the deferral and describes the progress that will be expected prior to the next review. Review for promotion to tenure or Security of Employment will normally take place by the end of the 6<sup>th</sup> year of service but may be deferred until the 7<sup>th</sup> year. The faculty member's deferral request along with the Chairperson's letter of recommendation must be submitted via AP Folio.

Deferral beyond the 7<sup>th</sup> year will not be considered. The Formal Appraisal review may not be deferred, except in cases of extension of the tenure clock.

I-8  
**OFF-SCALE SALARIES**  
(Revised 08/12)

**I. General Policies UCSB Minimum Scale Rate**

*As a result of salary increase programs, all academic employees must be paid at least at the UCSB minimum scale rate. The associated off-scale supplement assures equity among academic employees and with other UC campuses. An employee paid at UCSB Minimum Scale rate will be advanced to the Minimum Scale rate at the next step upon on-time advancement.*

**II. Off-Scale Appointments**

In instances of market pressures, efforts should be made to separate the issue of academically merited rank and step from the issue of the requisite salary needed to recruit ~~or retain~~ a member of the faculty. For those academic areas in which market pressures are a consideration, departmental recommendations for appointment should reflect (a) a recommended rank and step appropriate to academic and professional achievement; and (b) an appropriate off-scale together with documentation of the market conditions that justify it.

**III. Off-Scale Advancements**

*Off-scale supplements are retained in on-time advancements.* When properly justified, ~~appointment or an advancement to a position~~ with an increase in off-scale salary may be approved in situations which cannot properly be accommodated ~~through advancement in step only, at the regular steps.~~ For example:

- a) ~~competitive market considerations in appointment and retention cases;~~
- a) *a record of performance that exceeds that expected for a one-step increase but does not meet the expectations for a one-step acceleration.*
- b) *the record of performance does not justify advancement to the next step at the normative time but does represent a level of performance that supports a within-step increase.*
- b)c) recognition of special services or other achievements not normally recognized by on-schedule or accelerated step advancement;

*Red Binder I-36 provides further guidance regarding accelerated actions.*

- e) ~~consideration of salary equity in cases of appointment in a different title series.~~

For faculty already at Step IX, consideration for further merit increase within Step IX is reserved for cases of highly meritorious contributions to teaching, research, and service, which fully meet the performance expectations for faculty at the top step of the professorial ladder and which demonstrate progress towards eventual advancement to Above Scale status.

~~Normal merit increases may be proposed at the full dollar increment between the on-scale salary at the current step and the on-scale salary at the prospective step. The off-scale supplement can be increased or decreased at each merit review, based on performance.~~

A faculty member may receive no more than two within-step increases in the off-scale supplement. Additional off-scale increases may not be granted unless accompanied by advancement in rank or step.

~~At the time of a cost of living or range adjustment, academic employees with off-scale salaries will receive the same dollar increase in salary as someone on-scale at the same rank and step. In addition, when a person is appointed or advanced to an off-scale salary, the Chancellor may specify that the salary is to be unaffected by the first and/or any subsequent range adjustment.~~

**SENATE FACULTY APPOINTMENTS**

(Revised 4/15)

Senate faculty appointments may be made in academic departments or in programs. At UCSB, the term "program" is used not only in reference to those sequences of courses leading to degrees but also to those academic/administrative units that have not yet attained departmental status but "from which academic appointments and promotions are recommended to administrative officers" (Bylaw 55 of the Academic Senate). As such, the provisions of Bylaw 55 shall apply: <http://www.universityofcalifornia.edu/senate/manual/blpart1.html#bl55>

A faculty member's rights are vested in any department or program in which he/she holds a salaried appointment carrying Senate membership. Non-salaried affiliations in departments or programs do not carry with them voting privileges or other rights not explicitly made part of such appointment agreements. A brief description of types of appointments and rights follows.

A faculty member accepting transfer from one department or program to another relinquishes thereby his/her rights in the original department or program.

**I. Types Of Appointments**

1. Salaried appointments in a single department or program.
  - a. The appointment is in one department or program
  - b. The faculty member's voting rights are vested in the department or program.
2. Joint salaried appointments in departments or programs.
  - a. Each appointment carries with it a percent of full time and salary in each department or program.
  - b. The faculty member maintains voting rights in each department or program.
  - c. When a faculty member is being considered for a merit or promotion, each department or program must provide a recommendation.

A request for joint appointment, either at the time of initial appointment or related to a temporary or permanent transfer of FTE at a later date, should be discussed and voted upon by the faculty in both departments/programs. The request from both Chairs/Directors, should be sent via the Dean, to the Associate Vice Chancellor for Academic Personnel indicating the vote of the faculty, effective begin date, end date (if any), and percentage of time in each department. Each department is responsible for assuring that a partial FTE has been approved for use.

3. Without salary appointments.  
Faculty who take on full time administrative positions or who are released to specific programs (KITP, Station Q) retain a without salary faculty appointment in their home department. Full voting rights are maintained in the department.

4. Affiliated status

A Senate faculty member who participates in instructional activities in a department or program in which he/she does not hold a salaried appointment may receive affiliated status in the host department or program.

- a. The faculty member has no voting rights in the host department or program.
- b. The host department or program is not required to vote on the affiliated faculty member's personnel case, but may be asked to provide a statement of departmental activities carried out under the affiliated status.
- c. An affiliated appointment with an indefinite end date may be terminated on the recommendation of a majority of the voting members of the department or program.

A request for affiliated appointment should be approved by the voting members of the host

department/program with the endorsement of the home department. The request from both Chairs should indicate an effective begin date and end date (if any) and should be submitted to the Associate Vice Chancellor for Academic Personnel, via the Dean.

Senate faculty from another UC campus may be given an affiliated appointment at UCSB. A request from the host department indicating the begin and end date of the appointment as well as the reason for the affiliation should be submitted to the Associate Vice Chancellor for Academic Personnel, via the Dean.

Affiliated appointments are not entered into the payroll system.

5. Other "Professor" titles

For appointments of Adjunct or Visiting Professors refer to Red Binder V-17 and II-28. For Emeriti appointments refer to Red Binder I-70.

## II. Appointment Criteria

All new appointments should be consistent with affirmative action guidelines (see Red Binder Section VII).

Non-tenured appointments are made in the expectation that the appointee will meet standards for a tenure appointment by the time that a promotion decision is due. Recommendations for non-tenure level faculty appointments must provide: a) clear evidence of potential excellence in both teaching and research; and b) clear evidence that the proposed appointment relates in a significant manner to established or projected programmatic needs of a department or unit.

Recommendations for tenure-level faculty appointments must provide: a) clear evidence of nationally recognized excellence in published research (or other creative work) as well as evidence of excellence in teaching; b) clear evidence that the proposed appointment is essential to an academic program of high quality and stature; and c) clear evidence of continuing scholarly productivity. For the level of excellence required for specific ranks and steps, consult APM 210-1 d. These criteria are also summarized in Red Binder I-40 through I-43. The difficulties of recruiting at this level of excellence require a considerable investment of time and energy in the recruitment process.

Departments should be prepared to engage in multiple-year searches in order to make the best possible appointments. The open provision for the recruitment will normally be available to the department for the duration of the search process, as long as funding continues to be available.

A recommendation for appointment must fully conform to the highest level of academic excellence and programmatic need. If, after rigorous review, significant and credible doubts exist about a candidate's academic qualifications, the appointment will not be approved.

Furthermore, it is strongly recommended that the Chair discuss the proposed rank, step, salary level, and start-up expenses of a new appointment with the Dean prior to submitting a recommendation for the appointment.

## III. Letter To Prospective Ladder Appointees

After discussion with the Dean as described in the preceding paragraph, the department may communicate to the candidate its intention to recommend an appointment.

The recommended wording for department letters to prospective ladder appointees is as follows:

I am happy to inform you that our Department of \_\_\_\_\_ intends to recommend you for appointment as \_\_\_\_\_ at a salary of \_\_\_\_\_, effective July 1, \_\_\_\_\_. As you know, appointments in the University of California are only made by the Chancellor of the campus after careful review of the departmental recommendation by the Chancellor, in consultation with reviewing agencies, including the dean of the College and the campus Committee on Academic Personnel, as necessary. Approval of departmental recommendations is not automatic, and departmental recommendations do not constitute actual offers. Following the review process, actual offers of appointment are extended by the Executive Vice Chancellor, Chancellor or Regents as appropriate.

## IV. AAU Deadlines

Department should be mindful of the AAU recruitment deadline of April 30 and the Intercampus deadline of April



1. Please refer to APM 500-16.

## V. Offer Deadlines

The department will be contacted by the College or Academic Personnel concerning the response deadline the department wishes to give to the candidate. It is the department's responsibility to notify the College and the Office of Academic Personnel when an offer has been either accepted or declined.

## VI. Other Deadlines

Departments should also take into consideration other guidelines established by organizations specific to their field (i.e., Council of Colleges of Arts and Sciences).

When making an offer to a non-resident alien (i.e. not currently a US Citizen or a Permanent Resident), the department is strongly encouraged to consult with the Office of International Students and Scholars at the time the offer is being considered to be assured that labor certificate processing deadlines are met.

## VII. Approval Authority

<u>Rank/Step</u>	<u>Authority</u>
Assistant Professor II, III, including Acting titles	Dean
Assistant Professor IV and V Associate Professor, Professor	Associate Vice Chancellor Chancellor
Affiliated Appointments (0% or without salary)	Associate Vice Chancellor
Lecturer PSOE	Dean
Lecturer SOE, Sr. Lecturer SOE	Chancellor

**CONFLICT OF COMMITMENT AND OUTSIDE PROFESSIONAL ACTIVITIES**

(Revised 11/15)

**General information**

APM 025 provides specific guidelines concerning potential conflicts of commitment that may arise when faculty participate in outside professional activity, both compensated and uncompensated. While there is great value in activities outside the University that advance and communicate knowledge, it is important that these activities not conflict with the faculty member's primary responsibility to the University.

Faculty members holding the following titles at 50% time or more are subject to APM 025 and are required to submit an annual report:

- Assistant Professor, Associate Professor, Professor
- The above titles when used with an Acting or Adjunct pre-fix
- Lecturer PSOE, Lecturer SOE, Senior Lecturer SOE

In addition, administrative officers who hold appointments in any of the above titles are subject to APM-025, regardless of the current percent of time in the academic appointment.

A full-time faculty member on a nine-month appointment may not engage in compensated outside professional activity for more than 39 days during the academic year. The 39-day limitation does not apply during periods of leave without pay, however prior approval of category I activity and reporting of category I and II activity is still required. Faculty receiving compensation from the University during the summer period (i.e. Summer Session teaching or research compensation) may engage in a maximum of one day per week of outside professional activity.

**Categories Of Outside Professional Activity**

Three categories of compensated outside activity have been defined, in terms of the extent to which they may raise a conflict of commitment. See APM-025 for a complete explanation of activity

Category I activities are likely on their face to raise issues of conflict of commitment. Such activities are **not allowed without prior approval** from the Chancellor or designee, and when approved are subject to the 39-day limit, and must be reported on an annual basis. Prior approval is required even if the activity will take place during a period of leave without pay. Category I activities include:

- Assuming an executive or managerial position in a for-profit or not-for-profit business.
- Assuming a founding or a co-founding role of a company.
- Administering a grant outside the University that would ordinarily be conducted under the auspices of the University.
- Establishing a relationship as a salaried an employee outside the University, including teaching or research at another institution.
- Other compensated professional activity that common sense and good judgment would indicate are likely to raise issues of conflict of commitment.

Category II activities are unlikely to raise issues of conflict of commitment. They are allowed without prior approval up to the 39-day limit and must be reported on an annual basis. Such activities include:

- Teaching for University Extension
- Testifying as an expert in administrative, legislative, or judicial hearings;
- Providing consulting services or engaging in professional practice as an individual, single- member professional corporation or sole proprietorship.
- Serving on the board of directors of an outside entity

- Providing workshops for industry
- Other compensated outside professional activity not mentioned in Category I or III that common sense and good judgment indicate are not likely to raise issues of conflict of commitment.

Category III activities are accepted as part of a faculty member's scholarly and creative work. Even if compensated they are allowed, and do not count towards the 39-day limit. Category III activities include:

- Serving on a committee, panel, or commission established by a governmental agency;
- Acting as a reviewer or editor for journal or book manuscripts.
- Serving as a committee member or an officer of a professional or scholarly society, or providing professional services to such societies.
- Participating in or accepting a commission for an artistic performance or event not sponsored by the University.
- Presenting an invited lecture or paper at a meeting.
- Developing scholarly communications, even when such activities result in financial gain.
- Accepting honoraria (other than those received for Category II activities) and prizes.

### **Prior approval requirements**

Request for approval to: (1) engage in Category I activities, or (2) involve a graduate student in outside professional activity must be submitted to the Department Chair by **June 30** for the upcoming academic year. Prior approval requests are submitted using the Prior Approval For Compensated Outside Activities form, (APM-025, appendix B). The request form is accessed by signing on to AP Folio, selecting the Outside Professional Activities link, and then the Prior Approval tab. The Department Chair will review the request within the context of departmental teaching demands, sabbatical leaves, other leaves, etc., and endorse or deny each request. The request will then be forwarded to the appropriate Dean for approval. If the faculty member, Department Chair and Dean agree, the Dean's decision will be final. In cases of disagreement, the Dean will consult with the Associate Vice Chancellor for Academic Personnel to reach a decision.

### **Category I exceptions**

Exceptions to engage in compensated teaching (with the exception of occasional lectures) or research at another institution while employed as a full time faculty member are not permitted without prior approval of the Executive Vice Chancellor. This restriction applies both during periods of paid service and periods of leave without pay.

### **Graduate Student involvement**

Before involving a student in an outside professional activity in which a faculty member has a financial interest, the faculty member must obtain prior written approval as described above. Involvement means any substantive activity, whether paid or unpaid. The campus [Policy on Conflict of Interest in Graduate Education](#) provides guidelines for such activity.

### **Reporting requirements**

All activity that is subject to the 39-day limit as described above must be reported on an annual basis. The annual report period is from July 1st to June 30th of each year. The Report of Category I and II Compensated Outside Professional Activities form (APM-025, appendix C) is to be used for reporting purposes. This report must be completed annually by each faculty member by September 15 of the calendar year. Faculty are to sign on to AP Folio and use the Outside Activities Reporting link, My APM-025 tab to complete the report. The Chair must review and approve each report. The Dean will review and approve the report of the Chair. The reports are considered to be non-confidential in nature and are subject to public inspection.

I-33  
**EXPANDED REVIEWS**  
(Revised 4/15)

The following actions *for advancement in the Professorial or Lecturer SOE series* require expanded review beyond the Dean:

Formal Appraisal

Terminal Appointments

Promotion to Associate Professor

Promotion to Professor

Merit to a special step

Merit to Professor Step VI

Merit to or within Professor Above Scale

All accelerated actions (including an increase in the off-scale supplement)

Reduction in off-scale supplement

All Expanded Review cases will be subject to review by the Committee on Academic Personnel. The Chancellor will have final approval authority for all promotions, advancement to Professor VI and advancement to or within Above Scale. The Associate Vice Chancellor for Academic Personnel will have final approval authority for all other Expanded Review cases.

Senate members serving on the Committee on Academic Personnel will have Expanded Review actions reviewed by a shadow CAP instead of the current membership of CAP.

III-8  
**TYPES OF REVIEW**  
(Revised 5/16)

On-time merit advancement

A merit action is considered on-time when the departmental recommendation is for a normal advance in step that does not increase or decrease the off-scale salary supplement and does not involve a special step or mandatory review. For individuals paid at the UCSB minimum rate, on-schedule advancement will be to the next step at the UCSB minimum rate

On-time merit advancement at the Assistant and Associate levels occurs after two years at step, and at the Full level after three years at step.

The Associate Vice Chancellor for Academic Personnel has approval authority for all advancement actions.

Other reviews

**I. Accelerated actions**

Departments should not hesitate to propose accelerated advancement to reward cases of superior performance. Early advancement to the next step or rank is the appropriate form of acceleration. The addition of, or an increase in, off-scale supplement will also be considered an acceleration. Departments should review candidates performing at a superior level in advance of their normal eligibility for merit increase or promotion.

**II. Decelerated actions**

A case will be considered decelerated if the candidate has been at the current step for longer than the normal years at step. The departmental letter should give an explanation for the deceleration.

**III. Promotion to the Associate level**

Professional Research Series:

The principal criterion for promotion to Associate Researcher is superior intellectual attainment in research or other creative achievement. The most useful critical assessment of "superior intellectual attainment" must come primarily from those who are established figures in the field, primarily from colleagues in the department as well as faculty in comparable departments and programs nationally and internationally. (In this connection, departments may wish to provide an operational interpretation of the phrase "superior intellectual attainment" which they consider appropriate to the particular discipline or subject-area). Candid, thorough, documented and concise assessment on this level is clearly essential if reviewing agencies are to perform their proper analytical and evaluative task. Furthermore, it is essential that a candidate's performance be measured by the highest standards of excellence that are currently recognized by a given intellectual discipline or subject-area. The level of research independence expected for promotion to Associate Researcher is equivalent to the expectation of research independence for a ladder faculty member being promoted to Associate Professor. Promotion to Associate Researcher will normally take place at the beginning of the seventh year of service and must occur no later than the end of the eighth year of service.

Project Scientist and Specialist Series:

Advancement from Assistant Project Scientist to Associate Project Scientist requires competency and an expanding level of independence. Advancement from Assistant Specialist to Associate Specialist requires the candidate to provide independent input into the planning and execution of the research and have a record of academic accomplishments.

**IV. Promotion to Full**

Professional Research Series:

Promotion to Researcher requires an accomplished record of research that is judged to be excellent within the larger discipline or field. Superior intellectual attainment, as evidenced in research or other creative achievement, is an indispensable qualification for advancement to Researcher.

Project Scientist and Specialist Series:

Advancement to Project Scientist requires competency and an expanding level of independence. Advancement to Specialist requires the candidate to provide considerable independent input into the planning and execution of the research and have a significant record of academic accomplishments.

V. **Merit to a special step.**

Assistant Researcher V, Associate Researcher IV, Assistant Project Scientist V and Associate Project Scientist IV are "special" steps in the sense that these steps may be utilized for advancement when a candidate shows clear evidence of completed work that is likely to lead to promotion in the near future when published, but whose established record of accomplishment has not yet attained sufficient strength to warrant promotion. Service at the special steps is in lieu of service at the first step of the next rank. Once advanced to a special step, the normal progression is for promotion to the next rank. Further advancement within the special step will happen only in very rare and unusual circumstances. Upon advancement to a special step, the candidate is eligible for promotion the following year. If promoted earlier than the normal years at step for Step I of the higher rank, promotion should be lateral and eligibility for future merit will be determined based on the combination of years at the special step and years at Step I at the higher rank.

VI. **Merit to or within Above Scale**

Advancement to Above Scale is reserved for scholars of the highest distinction whose work has received international recognition. Advancement to Above Scale will normally occur after at least four years of service at the highest step within the full level rank of the series with the individual's complete academic career being reviewed. The guidelines for Senate Faculty increase to and above Scale (Red Binder I-43) apply to Researcher above scale actions. Criteria for Above Scale advancements for Project Scientists and Specialists shall be consistent with the criteria established for each series.

VII. **Mandatory reviews**

**Researchers Appointees** at all levels must undergo a performance review at least once every five years. This review may not be deferred. Non-submission of materials by the candidate will not constitute automatic deferral in the case of a mandatory review. If a Researcher does not turn in materials by the departmental due date, the department will conduct the review based on the materials available in the department as of the due date.

Professional Research Series only:

VIII. **Terminal Appointments**

If, during a review of an Assistant Researcher, a preliminary decision is made for a terminal appointment, the procedures outlined in Red Binder I-39 must be followed. Appropriate notification and opportunity for response must be provided.

IX. **Merit to Researcher VI**

Advancement to Researcher VI is based on evidence of highly distinguished scholarship. In addition, great distinction, recognized nationally or internationally in scholarly or creative achievement is required for merit to Researcher VI. This is a career review and therefore is based on a review of the individual's entire academic career.

III-14  
**PROJECT SCIENTIST SERIES**  
(Revised 5/16)

**I. Definition**

The titles in this series are given only to those who make significant and creative contributions to a research or creative project. Appointees may be ongoing members of a research team, or may contribute high-level skills to a specific project for a limited time. Demonstrated capacity for fully independent research or research leadership as required in the Researcher series are not required in this series. However, a broad range of knowledge and competency and a higher level of independence than appointees in the Specialist series are expected. See APM 311 for System Wide policy on Project Scientists. See Red Binder III-23 for procedures for Visiting appointments in this series.

**II. Ranks and Steps**

- A. Assistant Project Scientist I – V (Step V is considered a “special step”)
- B. Associate Project Scientist I – IV (Step IV is considered a “special step”)
- C. Project Scientist I –IX

The normal time of service at each step within the Assistant and Associate rank is 2 years, except for service at the special steps of Assistant Project Scientist V and Associate Project Scientist IV (Red Binder I-4, II). Within the Project Scientist rank normal service at Steps I-IV is 3 years. Service at Step V and above may be for an indefinite time: however, normal service is 3 years at Steps V through VIII and 4 years at Step IX and within Above Scale. Eligibility for normal advancement occurs after the normal time of service at each step. If not advanced in step at that time, the candidate will continue to be eligible each year until advancement in step occurs.

**III. Appointment and Advancement Criteria**

The candidate must possess a doctorate or its equivalent at the time of initial appointment. The candidate will be judged based on the following criteria:

- A. Demonstrated significant, original, and creative contributions to a research or creative program or project
- B. Professional competence and activity

University and public service are encouraged but not required.

**IV. Term of Appointment**

- A. Appointments or reappointments may be for up to two years at a time at the Assistant Project Scientist and Associate Project Scientist level and for up to three years at a time at the Project Scientist level if guaranteed funding is available.
- B. There are no limits on service at any level in this series.

**V. Compensation**

- A. A. Individuals appointed to this series are compensated on the salary scales established for the Project Scientist series on a fiscal year (11 months) basis. The Economics/Project Scientist salary scale will be used when either:
  - 1. The unit is an Engineering unit (departments and research units reporting to the Dean of Engineering) or the Department of Economicsor:

2. The unit is multi or interdisciplinary and includes both engineering or economics and other disciplinary activity (for example: CNSI, ICB, MATP). In this case two additional criteria must be met: a) The individual's background and training is in engineering or economics, and b) The project with which the individual is associated is an engineering or economics project.

When option #2 is used, the justification for use of the Engineering scale must be clearly stated in the departmental appointment recommendation

- B. Salaries are subject to range adjustment.
- C. Each source which provides compensation for service in this series must permit research.
- D. Off-scale salaries are allowed within the same limits and policies as ladder faculty off-scale salaries. (Red Binder I-8)

## VI. Requests for Appointment and Advancement

### Appointment

Appointment cases are to be submitted via AP Folio and using the checklist of documents to be submitted by the Chair for appointments (Red Binder III-7). Particular attention should be paid to assuring the department provides justification for the level of appointment and analytical evaluation of the candidate and his or her accomplishments.

### Reappointment

Reappointments are to be submitted via the reappointment and modification module of AP Folio. The timing of the reappointment will be based on the original start date of the appointment and/or the availability of funding.

### Advancement: Merit and Promotion

Advancement cases are to be submitted via AP Folio and using the checklist of documents to be submitted by the chair for research reviews (Red Binder III-9). All advancement actions are based on the individual's achievements. Normal advancement will occur after 2 years at step at the Assistant or Associate level and after 3 years at the Full Project Scientist level steps I-VIII and after 4 years at step IX or within Above Scale. Any advancement requested prior to that time will be considered an acceleration and must be justified as such. Merit increases are based on the academic record since the time of last review while promotions are based on the career academic record.

All merits and promotions will be effective July 1. Completed cases must be submitted to the Academic Personnel Office by **April 1**, preceding the effective date. Cases received after the due date will be returned to the Department and will not be processed. A missed deadline may not be used as justification for retroactivity in a future review. Deferral will be automatic if a Project Scientist does not submit material by the departmental due date and no case is forwarded by the department.

*Appointees in the Project Scientist series must undergo a performance review at least once every five years, including an evaluation of the record in all review areas. This review may not be deferred. If the candidate does not turn in materials by the departmental due date, the department will conduct the review based on the materials available in the department as of the due date.*

### **Chair/Director Letters of Recommendation**

The Chair/Director's letter of recommendation for appointment or advancement should include an evaluation of the candidate's record in all review areas (see III Appointment and Advancement Criteria, above). Each unit should establish set procedures for evaluation of Project Scientist appointments and advancements and development of the letter of recommendation. While review done solely by the Director or PI is acceptable at the Assistant Project Scientist level, a fuller review, including input from other equal or higher ranking individuals in the unit is preferable for Associate Project Scientist and Project Scientist level actions. Red Binder I-35 provides additional guidance on developing the letter of recommendation.



### **Bio-Bibliography**

It is the responsibility of each Project Scientist to maintain an up to date bio-bibliography (bio-bib). The bio-bib should contain information ending at the campus cut-off date of January 31, or the date established by the candidate's department if an earlier date has been established. Information that falls beyond that date will not be considered in the review. Bio-bibs must follow the bio-bib template available in the Forms section of the Academic Personnel web-site, and the instructions in Red Binder I-27 excluding the Teaching section.

### **External Evaluation**

External letters of evaluation are normally required in cases of: appointment as Associate Project Scientist, appointment as Project Scientist, promotion to Associate Project Scientist, and promotion to Project Scientist. A minimum of four letters at the Associate level, and six at the Full Project Scientist level should be included. Due to the nature of Project Scientist positions, it is possible that in some cases solicitation of internal letters of evaluation are more helpful. Internal evaluators are defined as external to the employing unit, but internal to UCSB. In these cases, the decision to solicit from internal sources should be clearly discussed in the departmental letter. Reviewing agencies reserve the right to request that additional letters be solicited in any appointment or advancement case if it is determined that more information is necessary to support the proposed action.

When letters are solicited either externally or internally, the sample letter for solicitation of extramural evaluators (Red Binder I-49) is to be used, with the following wording inserted as appropriate:

\_\_\_\_\_ is being considered for (an appointment/promotion to) Associate Project Scientist/Project Scientist in the (department/unit). Appointment (or Promotion) to Associate Project Scientist/Project Scientist within the UC system requires evaluation in the areas of: 1) Demonstrated significant, original, and creative contributions to a research or creative program or project, 2) Professional competence and activity. [Sample wording for evaluation request: e.g., I would greatly appreciate your evaluation of \_\_\_\_\_'s work.]

In rare circumstances it may be appropriate to waive the requirement for letters of evaluation. Requests to waive letters must be submitted to the Associate Vice Chancellor for Academic Personnel prior to submission of the appointment or promotion case.

## **VII. Approval Authority**

### Action

All actions

### Authority

Associate Vice Chancellor for Academic Personnel

III-16  
**SPECIALIST SERIES**  
(Revised 5/16)

**I. Definition**

The Specialist series is used for academic appointees who engage in specialized research, professional activity, and University and/or public service, and who do not have any teaching responsibilities. See APM 330 for System Wide policy on Specialists.

**II. Ranks and Steps**

- A. Jr. Specialist I-II
- B. Assistant Specialist I - III
- C. Associate Specialist I - IV
- D. Specialist I - V

**III. Appointment and Advancement Criteria**

Appointees to the Specialist series are expected to use their professional expertise to make scientific and scholarly contributions to the research enterprise of the University and to achieve recognition in the professional and scientific community. Specialists may participate in University and/or public service depending upon funding source and the duties of the position.

The following qualifications are general guidelines for each rank:

**Junior Specialist:** Appointees should possess a baccalaureate degree (or equivalent degree) or have equivalent research experience. Appointees at this level enable research as part of a team

**Assistant Specialist:** Appointees should possess a master's degree (or equivalent degree) or have five years of experience demonstrating expertise in the relevant specialization. Appointees at this level enable research as part of a team and may provide some independent input into the planning and execution of the research.

**Associate Specialist:** Appointees should possess a master's degree (or equivalent degree) or have five to ten years of experience demonstrating expertise in the relevant specialization. Appointees normally provide considerable independent input into the planning and execution of the research, have a record of academic accomplishments, including contributions to published research in the field, and a demonstrated record of University and/or public service.

**Specialist:** Appointees should possess a terminal degree (or equivalent degree) or have ten or more years of experience demonstrating expertise in the relevant specialization. Appointees normally provide considerable independent input into the planning and execution of the research, have a significant record of academic accomplishments, including contributions to published research in the field, and a demonstrated record of University and/or public service.

Specialists appointed into the series prior to July 1, 2015 are not subject to the degree and experience requirements listed above.

In judging a candidate for appointment or promotion to a position in this series, the following criteria are provided as guidelines and may be used flexibly where deemed necessary.

- 1. Performance in research in the defined area of expertise and specialization.
- 2. Professional competence and activity.
- 3. University and public service

**IV. Term of Appointment**

- A. There are no limits on service at any level in this series.
- B. Appointments may be made for up to one year at a time at the Junior Specialist Rank, for up to two years at a time at the Assistant and Associate Specialist rank, and for up to three years at a time at the full Specialist rank.

## V. Compensation

- A. Individuals appointed to this series are compensated on the salary scales established for the Specialist Series on a fiscal year (11 month) basis.
- B. Off-scale salaries are allowed within the same limits and policies as ladder faculty off-scale salaries. (Red Binder I-8)
- C. Salaries are subject to range adjustment.
- D. Each source that provides compensation for service in this series must permit research.

## VI. Requests for Appointment and Advancement

### Appointment

Appointment cases are to be submitted via AP Folio and using the checklist of documents to be submitted by the Chair for appointments (Red Binder III-7). Particular attention should be paid to assuring the department provides justification for the level of appointment and analytical evaluation of the candidate and his or her accomplishments.

### Reappointment

Reappointments are to be submitted via the reappointment and modification module of AP Folio. The timing of the reappointment will be based on the original start date of the appointment and/or the availability of funding.

### Advancement: Merit and Promotion

Advancement cases are to be submitted via AP Folio and using the checklist of documents to be submitted by the chair for research reviews (Red Binder III-9). All advancement actions are based on the individual's achievements. Normal advancement will occur after one year at step at the Junior level, two years at step at the Assistant and Associate level and after three years at the Full Specialist level, steps I-IV, and after four years at step V and within Above Scale. Any advancement requested prior to that time will be considered an acceleration and must be justified as such. Merits are based on the academic record since the time of last review while promotions are based on the career academic record. Advancement to Above Scale status involves an overall career review and requires work of sustained and continued excellence with national or international recognition, outstanding professional achievement, and highly meritorious service. See Red Binder I-43 for further guidance regarding Above Scale status.

All merits and promotions will be effective July 1. Completed cases must be submitted to the Academic Personnel Office by **April 1**, preceding the effective date. Cases received after the due date will be returned to the Department and will not be processed. A missed deadline may not be used as justification for retroactivity in a future review. Deferral will be automatic if a Specialist does not submit material by the departmental due date and no case is forwarded by the department.

*Appointees in the Specialist series must undergo a performance review at least once every five years, including an evaluation of the record in all review areas. This review may not be deferred. If the candidate does not turn in materials by the departmental due date, the department will conduct the review based on the materials available in the department as of the due date*

### **Chair/Director Letters of Recommendation**

The Chair/Director's letter of recommendation for appointment or advancement should include an evaluation of the candidate's work and an evaluation of the candidate's contributions to the group effort, if

relevant. In addition to the foregoing, recommendations for promotion must provide documentation of the scientific, technical, or otherwise creative contributions of the candidate (as contrasted to contributions to a group effort). Each unit should establish set procedures for evaluation of Specialist series appointments and advancements and development of the letter of recommendation. While review done solely by the Director or PI is acceptable, a fuller review, including input from other equal or higher ranking individuals in the unit is preferable.

**Bio-Bibliography**

It is the responsibility of each Specialist to maintain an up to date bio-bibliography (bio-bib). The bio-bib should contain information ending at the campus cut-off date of January 31, or the date established by the candidate's department if an earlier date has been established. Information that falls beyond that date will not be considered in the review. Bio-bibs must follow the bio-bib template available in the Forms section of the Academic Personnel web-site, and the instructions in Red Binder I-27 excluding the Teaching section.

**External Evaluation**

While extramural letters of evaluation are not required for appointment, promotion, or advancement to Above Scale in the Specialist series they may, in some cases, be helpful in evaluating the candidate's record. When letters are solicited, the sample letter for solicitation of extramural evaluators (Red Binder I-49) is to be used, with the following wording inserted as appropriate:

\_\_\_\_\_ is being considered for (an appointment/promotion to) Associate Specialist/Specialist in the (department/unit). Appointment (or Promotion) to Associate Specialist/Specialist within the UC system requires evaluation in the areas of: 1) specialized research, 2) professional competence and activity, 3) university and public service. [Sample wording for evaluation request: e.g., I would greatly appreciate your evaluation of \_\_\_\_\_'s work.]

Reviewing agencies reserve the right to request that letters be solicited in any appointment or advancement case if it is determined that more information is necessary to support the proposed action.

**VII. Approval Authority**

Action

All actions

Authority

Associate Vice Chancellor for Academic Personnel

**III-25**  
**WITHOUT SALARY VISITORS**  
~~(01/14)~~

**I. Definition**

A person on **temporary** leave from a non-UC academic appointment, other employment, or student enrollment at a non-UC institution or entity may be appointed as a Without Salary Visitor. Appointees to this title participate in short-term educational, research, or other academic projects under the supervision of an academic appointee.

**II. Appointment Criteria**

A. Appointments may be made as:

Visiting Scholar: Title Code 3299

Visitor (Graduate Student): Title Code 3730

Visitor (Undergraduate): Title Code 3731

B. A Visiting Scholar must possess an appropriate terminal degree or equivalent experience. A visitor (Graduate Student) and Visitor (Undergraduate) must be enrolled in a degree granting program or equivalent at a non-UC institution of higher education. The appointment must serve an academic purpose for the unit in which the individual is appointed.

C. Visitors doing work that fits the criteria of another academic title (i.e. Visiting Project Scientist, Visiting Researcher, etc.), should be appointed into that title on a without salary basis.

**III. Terms of appointment**

A. Appointments may be made for up to one year and are self-terminating. Because appointments are intended to be short-term, reappointments should be rare.

B. Service as a Visitor does not constitute employment status or student status at the University. Visitors are bound by all rules and policies of the University of California.

**IV. Compensation**

A. Appointees in these series are not eligible for compensation via the payroll system.

B. Visitors must be self-supporting, and may be asked to provide evidence, appropriate to the duration of the appointment, of adequate support from external sources.

C. Visitors may be eligible for reimbursement of expenses as outlined in the Business and Finance Bulletin G-28 or for supplementary support in the form of a cost of living allowance.

**V. Appointment Procedure**

Appointments are processed by submitting a [Visitor appointment letter](#), signed Patent Acknowledgement form, and an up to date UCSB Biography form to the Academic Personnel office.

**VI. Approval authority**

Action

All Actions

Authority

Department Chair or Director with post-audit by Academic Personnel

IV- 10  
**GRADUATE STUDENT RESEARCHER**  
(Revised 05/14)

**I. Definition**

A Graduate Student Researcher is a registered UC graduate student who performs research related to the student's degree program in an academic department or research unit under the direction of a faculty member or Principal Investigator. Graduate Student Researchers are selected for high achievement and promise as creative scholars; they may collaborate in the publication of research results as determined by supervising faculty members. Graduate Student Researchers may not be assigned teaching, administrative or general assistance duties.

**II. Appointment Criteria**

Appointment to the Graduate Student Researcher title requires the following:

1. The appointee is a registered UC graduate student.
2. The work performed may contribute to the educational objectives of the student; and/or
3. The student functions as an active collaborator and/or fundamental contributor to the intellectual content of the research.

The criteria for appointment to each of the steps listed below are provided as guidelines for departments. Departments may make appointments at higher or lower steps as long as all GSRs in the department are treated consistently. In the absence of departmental step criteria, the following serve as guidelines for appointments to the various steps:

- |           |   |
|-----------|---|
| Step I    | Pre-Masters degree, with no previous GSR experience.  |
| Step II   | One year's graduate work completed  |
| Step III  | Post-Masters degree, or completion of at least two academic years of full-time graduate degree work at UCSB |
| Step IV   | Post-Masters degree plus completion of at least one year RA/GSR   |
| Step V    | Advancement to doctoral candidacy   |
| Step VI-X | Advancement to doctoral candidacy plus at least two years RA/GSR experience                                 |

The appointee to this title must hold a BA/BS degree, must be a full-time registered graduate student, and must have a grade point average of 3.0 or above.

Appointment should be made using the following titles and title codes:

~~Title code 3276 (Graduate Student Researcher - Partial Fee Remission): single or multiple GSR appointments that when combined total 100-139 hours (25% - 34% in GSFR.)~~

Title code 3284 (Graduate Student Researcher- Full Tuition and Full Fee Remission): single or multiple GSR appointments that when combined total 140 hours or more (35% or higher in GSFR.) Appointment during the academic year. *The level of tuition and fee remission will be determined based on the total percentage and/or hours worked in titles eligible for remission.*

Title code 3266 (Graduate Student Researcher- No Remission): Appointments during the summer.

**III. Term of Appointment**

Employment is limited to a maximum of 50% time, either in graduate student researcher positions alone, or in combination with any other appointment at the University. (100% employment is permissible during off-quarter periods and during summer break.)

Department chairs may approve exceptions up to 75% time. Employment beyond 75% must be approved by the Dean of the Graduate Division.

An appointment to this title may be for a period of one year or less and is self-terminating. The employee must be informed of the following:

*"This appointment is contingent on the appointee being a registered graduate student in good standing for the duration of the appointment".*

#### **IV. Process for Appointment**

Departments are encouraged to provide the GSR with a letter from the Department Chair that includes, but is not limited to: employment title, begin and end dates, rate of pay, percentage time of appointment, and self-termination language. A copy of the letter should be placed in the employee's personnel file.

#### **V. Approval Authority**

<u>Action</u>	<u>Authority</u>
All normal actions	Department Chair
Exceptions:	
Employment up to 75% time	Department Chair
Employment in quarters 13-15	Department Chair
All other exceptions	Prior approval from Dean, Graduate Division

VI-1  
**LEAVES OF ABSENCE**  
(Revised 5/16)

Policies on Leaves of Absence for both academic-year and fiscal-year appointees are outlined in APM 700 – 760 and the applicable memorandum of understanding for represented employees. The following contains procedures on the Santa Barbara campus relating to these policies.

**I. General**

- A. Specific regulations have been established by The Regents and the President on certain types of leaves of absence. These are:
- Sabbatical Leave (APM 740)
  - Sick Leave (APM 710)
  - Family and Medical Leave (APM 715)
  - Vacation (APM 730)
  - Holidays (APM 720)
  - Leave to attend Professional Meetings (APM 752)
  - Miscellaneous Leaves (APM 750, 751, 758, 759)
  - Parental Leave, Childbearing and Active Service Modified Duties (APM 760)
- B. Because academic-year appointees are expected to be present from the beginning of the Fall quarter through the end of the Spring quarter, any appointee returning after the beginning of the Fall quarter or leaving before the end of the Spring quarter, should apply for a leave of absence in accordance with the applicable policy.
- C. All faculty (Senate and non-senate) must submit their leave request to the Department Chair at least 45 days in advance of the begin date of the pay period of the quarter in which the leave is to be taken, unless circumstances beyond the control of the faculty member make this impossible. Requests for sabbatical leaves must be submitted three months in advance of the begin date of the pay period for the leave. Appointees in other titles are encouraged to submit leave requests as early as possible.
- D. Leave requests for periods of more than seven calendar days (other than vacation and sick leave for those in accruing titles) must be forwarded to the Dean or *Associate Vice Chancellor for Academic Personnel* ~~control point~~ for approval, accompanied by a memo from the Department Chair or Director endorsing the leave (see IV below). Leave requests for more than 30 days also require input into the payroll system. **NOTE:** A leave without salary must be entered into the payroll system regardless of the length of the leave.
- E. Senate faculty requesting a leave that will involve category I outside professional activities (Red Binder I-29) must also request prior approval of the category I activities via AP Folio.*
- F. All academic employees are covered by FML, CFRA and FEHA. In most cases university policy provides greater coverage than that required by State and Federal law. Please see the appropriate APM sections, as listed above, or memorandum of understanding article for information concerning coordination of University policy and State and Federal Law. FML will normally run concurrently with other approved leave.

**II. Leaves and the Eight Year Probationary Period; Assistant Professors, Lecturers PSOE, and Assistant Researchers**

- A. Childbearing, Parental Leave or a combination of both, of one quarter or more whether with or without salary, is automatically excluded from service toward the eight-year probationary period. The employee (Assistant Professor, Lecturer PSOE, or Assistant Researcher) must inform the Department Chair in writing within one quarter of the completion of the leave, if he/she wishes the time to be included as service toward the eight-year period. It should be noted that this is considered time excluded from the clock and the employee should not be expected to produce any



additional materials/ publications because of the lengthening of the probationary period. Any materials/publications that are produced, however, should be considered in the next appropriate review.

- B. Periods of Active Service-Modified Duties are included as service toward the eight-year probationary period.
- C. With the exception of Childbearing or Parental Leave as noted in A. above, periods of leave, either with or without salary, are included as service toward the eight-year period. Exception may be granted only if requested in conjunction with the original leave request, or in the case of sick leave, within one quarter or semester after the leave is taken. The Associate Vice Chancellor for Academic Personnel, after consultation with the Committee on Academic Personnel, may determine that the activity undertaken during the course of the leave is substantially unrelated to the individual's academic career.
- D. For purposes of review for advancement or promotion accomplishments produced during the leave period will be considered as part of the total record, but the period of extension shall be excluded when evaluating the rate of research or teaching performance.

**III. Leaves and Sabbatical Leave Accrual**

- A. Sabbatical leave credit is not accrued during a period of leave with or without pay. Credit will accrue if an absence is for less than one-half of a quarter.
- B. Sabbatical leave credit will accrue during a period of Active Service-Modified Duties when the duties are equivalent to at least 50% of normal duties. When such is the case, the Chairperson's endorsement of a period of Active Service-Modified Duties should include a statement to that effect.
- C. Sabbatical leave credit is not accrued during periods of service when more than 50% of the appointment is paid from extramural grant funding. Payment from extramural funding requires appointment in a Research title that does not allow accrual of sabbatical leave credit.

**IV. Approval Authority**

**Faculty (Senate and Non-Senate)**

<i>Medical leaves within APM policy</i>	<i>Dean</i>
<i>All other leaves for up to one year, within policy</i>	<i>Dean</i>
<i>Active Service Modified Duties</i>	<i>Dean</i>
<i>Exceptions to policy</i>	<i>Associate Vice Chancellor</i>
<i>Leaves beyond one year</i>	<i>Associate Vice Chancellor</i>

**Senate Faculty**

<i>Sabbatical within policy</i>	<i>Dean</i>
<i>Sabbatical - exceptions, negative rec., 5 years no-change</i>	<i>Associate Vice Chancellor</i>

**All other Academic Appointees**

<i>Leaves covered by vacation and/or sick leave</i>	<i>Department Chair or Director</i>
<i>Active Service Modified Duties</i>	<i>Associate Vice Chancellor</i>
<i>Leaves not covered by vacation and/or sick leave</i>	<i>Associate Vice Chancellor</i>
<i>Exceptions to policy</i>	<i>Associate Vice Chancellor</i>

**IV. Chair's/Director's Request For Leave Approval Sample Letter**

Date

TO: Dean/Associate Vice Chancellor for Academic Personnel

FROM: Department Chair/Director

RE: Request for \_\_\_\_\_ Leave during 20\_\_-20\_\_ for \_\_\_\_\_  
(Type of Leave) (Name)

I endorse the request of \_\_\_\_\_ for a \_\_\_\_\_ leave  
(Name) (Type of Leave)  
for the period of \_\_\_\_\_ through \_\_\_\_\_ [for the \_\_\_\_\_ quarters.] A  
(Date) (Date) (Fall/Winter/Spring)  
copy of the written request is attached. \_\_\_\_\_ will return from the leave on  
(Name)

\_\_\_\_\_  
(Date)

The purpose of the leave is to \_\_\_\_\_  
(Explanation)

- For sabbatical leave include the location while on leave, collaborator, if applicable, source and amount of financial support while on leave, sabbatical leave credits to be used and sabbatical leave credit balance, as well as any request for forfeit or liens of sabbatical leave credits).

\_\_\_\_\_ will receive \_\_\_\_% income from UC during the period of the leave (or will be without salary),  
(Name) (percent)  
\_\_\_\_\_ 's assigned courses will be covered by \_\_\_\_\_  
(Name) (Name)

- **If PI on a grant include:** He/She is a Principal Investigator of a grant and appoints Professor \_\_\_\_\_ as a substitute for the period with approval of the sponsoring agency. (Name)

I request your approval of this leave.

- For sabbatical leave requests include: Attached you will find a list of other faculty on approved leave during the period.)
- **For leaves involving category I outside professional activities include: \_\_\_\_\_ has received approval to engage in category I outside professional activities during the period of the leave.**

Attachment(s): (written request for leave and list of other faculty on leave during the period.)

VI-4  
**CHILDBEARING LEAVE AND PARENTAL LEAVE**  
(Revised 5/16)

- A. *Academic appointees are eligible for childbearing and parental leave as guaranteed by applicable state and federal law, including but not limited to, the Federal Family and Medical Leave Act (FMLA), the California Family Rights Act (CFRA), and the California Fair Employment and Housing Act (FEHA). In addition, the University provides leave benefits as follows:*
- B. An academic appointee who accrues sick *or vacation* leave shall be granted childbearing leave with full pay to the extent of her sick *or vacation* leave *credit balance*. ~~Childbearing leave may be may also be covered as a Family and Medical Leave (APM 715). Family and Medical leave, if applicable, will normally run concurrently with approved childbearing leave.~~
- C. An academic appointee who does not accrue sick leave and who has served in her title or any faculty title for at least one year will receive full pay for up to 6 weeks during the period of time she is unable to assume her normal University obligations due to the birth of a child.
- D. An academic appointee who does not accrue sick *or vacation* leave and who has served in her title for less than one year will receive full pay for approximately the period that would be accrued during the appointment in accordance with the accrual rates in APM 710-18. If additional time is needed, leave without pay will be granted for the necessary period. However, members of the Academic Senate will be covered by B) above, regardless of length of service.
- E. Academic appointees are eligible for parental leave for purposes of carrying out childbearing and/or childrearing responsibilities. Whenever possible, parental leaves should be requested at least three months in advance. Parental leave without pay may be granted for up to one year to any academic appointee for the purpose of caring for a child. Normally, this unpaid leave, when combined with childbearing leave and/or Active Service Modified Duties, shall not exceed one year for each birth or adoption. A leave cannot be approved beyond the end date of the appointment.
- F. ~~The Requests for childbearing leave *or parental leave must be submitted via the Department Chair or Director to the Dean or Associate Vice Chancellor for Academic Personnel for approval. A childbearing leave request should include a statement of the projected delivery date. The period of the leave may be adjusted as necessary after approval.*~~
- G. Represented academic employees are eligible for childbearing leave to the extent allowed in the appropriate memorandum of understanding and applicable state and federal law.

VI-5  
**ACTIVE SERVICE- MODIFIED DUTIES**

(Revised 5/16)

- A. Periods of Active Service-Modified Duties, with pay, shall be granted on request to any academic appointee who is responsible for 50 percent or more of the care of an infant for the period before and/or immediately following a birth, or adoption of a child under age five, in order that the parent can prepare and/or care for the infant or young child. Active Service-Modified Duties is not a leave, but rather a reduction of duties. Eligibility for Active-Service Modified Duties will normally extend from 3 months prior to 12 months following the birth or placement. The period of Active-Service Modified Duties must be concluded within 12 months following the birth or placement. During this period normal duties shall be reduced. For represented non-senate faculty, the accommodation may involve the assignment of additional resources. Duties to be assumed during this period shall be arranged between the Department Chairperson and the appointee.
- B. For appointees who do not accrue sick leave, periods of Active Service-Modified Duties at full pay shall be granted upon request.
- C. For appointees who accrue sick leave, periods of Active Service-Modified Duties shall be granted upon request. Sick leave shall be used in proportion to the reduced work-load. If sick leave credit has been exhausted, there shall be an appropriate reduction in pay.
- D. Requests for periods of Active Service-Modified Duties must include a written statement by the academic appointee certifying that she/he has 50 percent or more of the responsibility for the care of an infant or young child. In addition, a statement describing the modified duties must be included with the request and is subject to the approval of the appropriate Dean *or the Associate Vice Chancellor for Academic Personnel*.
- E. An individual other than the birth mother will be eligible for up to 12 weeks (one quarter) of Active Service-Modified Duties for each birth or adoption. The birth mother will be eligible for up to two quarters of Active Service-Modified Duties, or childbearing leave plus Active Service-Modified Duties. Extension beyond the normal limits requires approval by the Associate Vice Chancellor for Academic Personnel and will be approved only in exceptional circumstances.

VI-7  
**OTHER LEAVES**  
(Revised 5/16)

- A. An academic appointee may be granted a leave with or without pay to attend a professional meeting or for University business. If the leave is for seven calendar days or less, APM 752 or applicable memorandum of understanding articles apply and the Department Chair or Director has authority. If the leave is without pay, the leave must be entered into the payroll system.
- B. Leaves of 8 or more calendar days are covered by APM 758 and 759 and applicable memorandum of understanding articles. *Leaves not covered by vacation or sick time require approval of the appropriate Dean or the Associate Vice Chancellor for Academic Personnel.* Applications for such leave are made by written statement from the ~~faculty member~~ *employee* and endorsement by the Department Chair or Director. Leaves of more than 30 calendar days must be entered into the payroll system.
- C. Academic employees may be granted up to a one-year leave of absence without salary for professional development or personal reasons upon approval of the appropriate Dean or *the Associate Vice Chancellor for Academic Personnel.*
- D. Extension of a leave of absence beyond one year, whether with or without pay is not automatic and is granted only when there is a clear benefit to the campus. If an academic employee member accepts an academic or professional position elsewhere, the presumption is that additional leave will not be granted. Leaves that extend beyond one year require approval of the Associate Vice Chancellor for Academic Personnel.
- E. Lecturers in the SOE series are eligible for Educational Leave. Educational Leave is granted for the purpose of allowing Lecturers in the SOE series to engage in intensive programs of study and/or professional development, thus to become more effective teachers and scholars and to enhance their services to the University. Leave credit accrual and usage will follow the policies for accrual and use of Sabbatical Leave credits (Red Binder VI-2) Leave credit will accrue at the rate of one credit per quarter of service at 50% time or more in a qualifying title (Professor or Lecturer SOE series appointments). Nine credits will be required to support one full quarter of leave. A return to University service, equal to the time period of the leave, will be required. Failure to return to service will create an obligation on the part of the lecturer to refund the entire salary received during the leave. The process to apply for a leave as well as reporting requirements will be the same as for ladder faculty sabbatical leaves (Red Binder VI-2)
- F. Special Research leaves may be granted to allow a faculty member to accept a fellowship from an external agency. Such fellowships normally require a full release from Professorial responsibilities. In situations where the funding agency pays the faculty member directly, the faculty member will be put on a leave without salary with a dos code of LNS in payroll. In situations where the funding is administered through UCSB, the faculty member will be put onto a Professional Researcher appointment (9/12 basis) at a percentage that reflects the percentage of full salary that will be covered by the fellowship with a dos code of LWS in payroll.

If the faculty member is receiving a supplement to the leave in exchange for sabbatical leave credits, that portion of pay will be reflected on the Professorial appointment with a dos code of SLN in payroll. Faculty should be aware that not all fellowships include funding for benefits and should consult with the College prior to the period of the fellowship to determine the best options for their situation. The College providing the supplement may require a return to UCSB service, similar to the return to UC service required for sabbatical leaves.

VI-10  
**ADDITIONAL COMPENSATION**  
(Revised **5/16**)

**General Policies**

Reference: APM 660

Additional compensation is any compensation, paid to an academic appointee by the University in excess of their full-time salary. The term "University" includes all campuses within the UC system. The term "additional compensation" refers only to compensation paid through the University payroll system and is not used to refer to compensation for employment outside of the University.

Additional compensation during the Summer quarter is allowed for academic appointees paid on a 9/12 basis. This is possible because the individual works for the University from September through June, but receives 12 paychecks spread over the year. If they do additional work for the University during the Summer, they can be paid additional money. They will continue to receive their regular pay as well as the additional compensation. All ladder rank faculty, as well as those in the Visiting Professors, Adjunct Professors, and Lecturer SOE series are eligible to earn additional compensation. Non-Senate faculty (Lecturer, Supervisor of Teacher Education, etc.) may also earn additional compensation subject to Article 37 of the Memorandum of Understanding. Additional compensation payments for research activities are made at the 1/9th rate based on the annual salary at the time of the activity. Additional Compensation payments for Summer Session teaching are made on a flat rate basis. The total additional compensation during the summer may not exceed the equivalent of **3/9ths of the faculty member's annual salary.**

Additional compensation during the academic year is allowed only for duties not directly related to the individual's recognized University duties. Examples of this include department chair stipends, Extension teaching, lectures given on other UC campuses and faculty consulting.

Additional compensation for fiscal year academic employees is generally not allowed, with the exception of some types of honoraria and Summer Session teaching.

Red Binder VI-14 and VI-17 provide further detail regarding specific types of additional compensation.

Other than the specific types of service covered by policy and applicable bargaining agreements, Academic appointees may not be employed beyond 100%.

Additional compensation for the summer period is calculated using the "Daily Factors 19-day Chart (Red Binder VI-12). The chart is used to determine the percentage of time and effort equivalent to the number of summer days worked. Each day during the summer can only be used once and the total percent time for each day may not exceed 100%.

Summer additional compensation may only be paid during the designated summer period. This is the time period from the day following the last day of final exams in the spring, through the last day before classes start in the fall. The dates represent the available days in each month of the summer period. This information will be updated on an annual basis. Actual days to be used will be representative of the dates of service.

Dates for 2016 Additional compensation

Dates for 2017 Additional compensation

<u>Month</u>	<u>Number Of Days</u>	<u>Percent time</u>	<u>Month</u>	<u>Number Of Days</u>	<u>Percent time</u>
June 13-30	14	.7368	June 19-30	10	.5263
July 1-31	21	1.1053	July 1-31	21	1.1053
Aug. 1-31	23	1.2105	Aug. 1-31	23	1.2105
Sept. 1-16	12	.6316	Sept. 1-22	16	.8421

VI-17  
**OTHER ADDITIONAL COMPENSATION**  
(Revised 11/15)

**I. Summer Session teaching**

Reference: APM 661-14

Faculty may receive additional compensation for teaching Summer Session classes. The Summer Session's staff performs the payroll transaction, rather than departments. **NOTE:** These payments count towards the 3/9ths maximum that may be earned during the summer.

Summer Session payments are always calculated based on the 6/30 pay rate rather than the 7/1 pay rate. The DOS code **SSC** is used for individuals who are *eligible for UC retirement contributions on Summer Session earnings, already University employees*. Days used for summer session payments may overlap days used for other types of summer compensation; however, the 3/9ths maximum may not be exceeded.

The DOS code **SST** is used for individuals *who are not eligible for UC retirement contributions on Summer Session earnings, are only employed with Summer Session*. This is not considered additional compensation.

Full time fiscal year employees wishing to teach Summer Session classes may not earn additional compensation. The regular employment must be reduced to accommodate the Summer Session teaching so that total employment does not exceed 100% time.

**II. University Extension**

Reference: APM 662, appendix B-2

Faculty may teach courses through University Extension. These payments count towards the 3/9ths maximum that may be earned during the summer if the teaching takes place during the summer months. If a faculty member is earning 3/9ths from other sources during the summer, they may in addition earn compensation from University Extension equal to one day a week during the period in which additional compensation may be paid. During the academic year, payments are subject to the University limits relating to outside professional activities (Red Binder I-29). The DOS code **UNX** is used for current University faculty who are teaching as additional compensation.

The DOS code **ACX** is used for individuals who only teach through Extension. This is not considered additional compensation.

**III. Faculty consultant services**

Reference: APM 664

A faculty member may receive additional compensation for consulting on projects conducted under the auspices of the University if the consulting does not fall within the normal duties of the individual. The rate is negotiated, but may not exceed the daily rate plus 30%. The additional 30% is in consideration of the fact that no benefits are paid on the salary. If payment is to come from a grant, the grant should first be reviewed to assure that consultant payments are allowed. Payments are allowed during both the academic year and the summer months. During the summer the compensation counts toward the 3/9ths limit. For academic-year employees the daily rate is figured by dividing the annual salary by 171. For fiscal-year 11-month employees the daily rate is figured by dividing the annual salary by 236.

The payment is made as a flat dollar amount using the DOS code of **FCA**.

**IV. University awards**

When University awards such as the FCDA and Regents' Fellowships are granted, the Department will be instructed as to the proper payment methodology. The DOS code of **ACM** will be used for percentage based (1/9<sup>th</sup>) awards, and the DOS code of **AMN** will be used for flat rate awards.

## **V. Department Chair and Director stipends**

Department Chairs and Directors are paid a monthly stipend with a DOS code of **STP** on an 11/12 basis at the rate approved by the Executive Vice Chancellor. Red Binder V-31 provides further detail regarding part-time administrative appointments. Chair and Director stipends paid during the summer months do not count towards the 3/9ths limit.

## **VI. Start-up and retention research support**

Research support from state or gift funds, usually associated with start-up or retention packages, is to be paid using the Daily Factors 19-day chart consistent with the methodology for summer research payments from extramural sources (see Red Binder VI-14).

## **VII. Dean's summer research compensation**

In accord with Red Binder V-28 III D. Deans may be paid summer research funds in exchange for vacation time. Payments are to be made using the Dean title code, the 1/12<sup>th</sup> rate as the distribution rate, and the DOS code of **AFR**.

## **VIII. Honoraria**

Academic employees may receive honoraria for work related to University-sponsored conferences and panels, or creative work unrelated to the primary job responsibilities. Honoraria may not be paid using State funds. When work of this type is performed at a different UC campus, the payment is processed via an intercampus payment (see Red Binder VI0-15). When the work is performed at UCSB, it may be paid through the payroll system as an honoraria, using the DOS code of **HON**. One-time honoraria payments are allowable up to \$1,500 per event, and up to \$3,000 by exception, requiring the approval of the Associate Vice Chancellor for Academic Personnel.

## **VIII. Other Summer Additional Compensation**

Occasionally payment for other non-teaching, non-research work may be appropriate. In such cases the Academic Personnel office should be consulted to determine the appropriate title code and DOS code to be used.



VII-1  
**POLICIES ON OPEN RECRUITMENT FOR ACADEMIC APPOINTMENTS**  
(Revised 5/16)

It is the policy of the University of California not to engage in discrimination against any person seeking employment with the University. In addition, it is the policy of the University to undertake affirmative action, consistent with its obligations as a Federal contractor. Conducting open searches for employment positions supports the University of California in fulfilling its requirements under federal and state laws. The University of California Affirmative Action Guidelines for Recruitment and Retention of Faculty, Office of the President, Academic Advancement, are available at:  
<http://policy.ucop.edu/doc/4000376/NondiscrimAffirmAct>

An open recruitment is required for all academic positions unless the recruitment is exempt under the specific criteria listed in section II below.

**I. Recruitment types and requirements**

As appropriate, a Department will recruit both within and outside the workforce to obtain diverse pools of qualified applicants. For Senate faculty the level of position advertised is based on the level of search approved by the Executive Vice Chancellor. Non-Senate searches may be at a specific rank or at open rank.

External Recruitments are open to all applicants and are listed in various off-campus publications and the UC Recruit job board. Typically, external recruitments generate the largest and most diverse applicant pools consistent with the campus commitment to equal opportunity and diversity.

In some unique situations, an internal recruitment may be utilized so long as it is consistent with equal employment and affirmative action objectives and results in a diverse pool of qualified applicants. Internal recruitment requests require consultation, prior to the beginning of the recruitment, with the Office of Equal Opportunity & Discrimination Prevention and Academic Personnel.

Recruitments may be conducted in the following ways:

One-time recruitment: The recruitment is advertised for the duration of the recruitment for a specific position or positions. Most often the one-time recruitment will be for a single hire, however occasionally a single recruitment may yield multiple hires. This may be either the result of multiple positions being available at the beginning of the search, or may occur through a special request to make multiple hires. Requests to make multiple hires from a Senate Faculty search originally designated as a single hire will be initiated by the Department Chair and submitted to the Executive Vice Chancellor via the Dean. The Dean will be asked to provide additional information concerning the FTE to be used for the additional hire, and the Executive Vice Chancellor will consult with the Academic Senate as appropriate. Requests to make multiple hires from a non-senate search originally designated as a single hire are to be addressed to the Associate Vice Chancellor for Academic Personnel.

Standing pool recruitment: A standing pool recruitment may be used to fill multiple positions at various times for temporary research or teaching positions. Pooled recruitments may be advertised for no longer than one year. All standing pool recruitment advertisements must be terminated on October 31, annually. New advertisements may begin after November 1 of each year. This is to ensure compliance with federal data reporting requirements.

**II. Exemptions from Open Recruitment Policies**

- A. Appointment to temporary academic administrator positions by individuals already holding an academic appointment
- B. Recall appointments
- C. Visiting appointments in the Professor, Researcher, or Project Scientist series. The individual must be a “true visitor” i.e. on leave from or retired from an equivalent position at another academic institution.
- D. Appointees within Unit 18, who have previously undergone open recruitment in the same department for a Unit 18 position without a significant break in service.

- E. Positions requiring student status, e.g. teaching assistant, graduate student researchers or trainee status, e.g. Postdoctoral Scholars.
- F. A modification of the current position from one Senate series to another (i.e. Lecturer SOE to Professor) or one non-senate research series to another (i.e. Project Scientist to Researcher) assuming the original appointment had either an open search, an approved waiver or is exempt from search due to without salary status.
- G. Without salary appointments.

Although open recruitment is not required in the above situations, a department may choose to conduct a search. When a search is conducted, all appropriate policies and procedures must be followed.

### III. Search waivers

An open recruitment, available to all qualified applicants, is a preferred hiring mechanism since it provides substantial assurance of compliance with University policy and the quality of the individual offered a position. However, special circumstances may on occasion justify a waiver of the search requirement.

#### A. Non-Senate Titles

1. Emergency Hire: Unexpected circumstances result in insufficient time to recruit: ( e.g., unexpected illness, leave of absence of faculty, emergency research need.) Waivers will be granted with a specific end date.
2. Spousal or Domestic Partner Hire: the hire of a spouse or domestic partner in order to initially hire or retain a Senate faculty member. Waivers will be granted for the duration of employment in the job series.
3. PI/Co-PI/Leadership Status: the proposed appointee is the principal investigator, co-principal investigator of a grant/contract, or has been named in the grant/contract for a specific leadership role. Supporting documentation must be available in the departmental file and may be requested as necessary. Waivers will be granted for the duration of the contract or grant.
4. Continuation of Training: the proposed appointee is currently a graduate student researcher or postdoctoral scholar at UCSB and will remain for a short period to complete a research project begun while in the current status. Waivers may not be granted for longer than one year.
5. Research Team: the proposed appointee is part of an existing research team of a new faculty member relocating from another academic institution and will be continuing in the same capacity in the lab. The waiver is valid for the duration of appointment in the same title within the same team.

*Consistency with the criteria above does not guarantee a waiver will be granted.*

*Search waiver requests are initiated by the department through UC Recruit.*

~~To request a search waiver, the department prepares a memo addressing the following:-~~

- ~~• Which category of waiver is being requested.~~
- ~~• Describe the reason for the request.~~
- ~~• Indicate the intended duration of the waiver.~~

~~The request is submitted to the Director of Equal Opportunity & Discrimination Prevention.~~ The Director of Equal Opportunity & Discrimination Prevention will provide information regarding the impact of the proposed hire on affirmative action goals and the Campus Affirmative Action Plan. The request will then be forwarded to reviewed by the Dean or Associate Vice Chancellor with approval authority for the requested action. If the request is approved, the department may then submit an appointment case. If the request is denied, an open search will be required. ~~A copy of the Equal Opportunity report will be provided to the department along with the approval or denial.~~

An existing waiver with an end date may be extended if the appointment continues to meet the criteria under which the waiver was originally granted. The request to extend the waiver may be included with the reappointment request and must specify the new end date.

## **B. Senate Faculty**

1. Partner Hire: the hire of a partner in order to initially hire or retain a Senate faculty member. In such cases, the partner should have a record and credentials that provide evidence he or she would likely be among the top candidates if an open search had been conducted.
2. Exceptional Opportunity: an unusual opportunity to hire an individual who has qualifications that are so uniquely outstanding as to justify the waiver. In all these cases the candidate would be on the short list of top candidates if a full search were conducted, and the individual would be highly sought after by peer institutions. Examples would include an internationally recognized leader in a particular field (e.g., a Nobel Laureate or a Pulitzer Prize winner), an exceptional scholar who would make special contributions to diversity in a particular program or field; or a highly sought after individual who is on the market for a very limited time period. Exceptional Opportunity are normally expected to be at the Full Professor level, but under exceptional circumstances, justified by compelling reasons, they may be at a lower level.
3. President's Postdoctoral Fellowship Recipients: the proposed hire is a current or former recipient of a UC President's or Chancellor's Postdoctoral Fellowship.

Consistency with the criteria above does not guarantee a waiver will be granted.

*Search waiver requests are initiated by the department through UC Recruit.*

~~To request a search waiver,~~ The department prepares memo ~~addressing~~ *must address* the following:

- Which category of waiver is being requested.
- The departmental vote on the request for a waiver.
- A report of the departmental discussion of three major issues: 1) the candidate's qualifications; 2) the candidate's programmatic fit within the departmental academic plans; and 3) the source of the FTE and the impact of the appointment on the departmental FTE plan
- In the case of an Exceptional Opportunity request, an explanation why it is not possible to consider the candidate as an applicant in an open search (for example, the individual under consideration is available only for a limited period of time.)

~~Requests for search waivers are directed to the Executive Vice Chancellor, via the Dean.~~ *Requests will be routed to the Dean for review.* As part of his or her recommendation, the Dean should address the items outlined in #3 above, as well as the programmatic and budgetary impact within the department and on a divisional or college wide basis. If the Department has not identified an FTE, the Dean must do so. The Executive Vice Chancellor will consult with the Director of Equal Opportunity & Discrimination Prevention, the Council on Planning and Budget, and the Committee on Academic Personnel prior to making a final decision. The Director of Equal Opportunity & Discrimination Prevention will provide information regarding the request in the context of the Campus Affirmative Action Plan and placement goals. The Council on Planning and Budget will provide guidance regarding resource allocation for the position. The Committee on Academic Personnel will provide an initial assessment of the candidate's qualifications for an academic senate position. If the request is approved, the department may submit an appointment case. If the request is denied, an open search will be required. *A copy of the Equal Opportunity report will be provided to the department along with the approval or denial.*

In recruitments that are limited to either the Assistant or Associate level, if a candidate is promoted to a higher level at their home institution while the search is in progress, or an appointment at a higher rank is justified by the need to make a competitive recruitment offer (such as a competing offer at a higher rank) the department may request permission to allow appointment at the next highest rank. The request will be forwarded from the department, via the Dean, and Associate Vice Chancellor for Academic Personnel, to the Executive Vice Chancellor. If the request is approved, the department may then submit the appointment case with a request for the higher rank. Additional external evaluation may be required to support the higher rank appointment.

IX- 25  
**PROCEDURES FOR NON-SENATE ACADEMIC GRIEVANCES**

(Revised 10/10)

Sources: APM 140 - General University Policy Regarding Academic Appointees, Non-Senate Academic Appointees/Grievances

This policy applies to all academic appointees who are not members of the Academic Senate, except those appointees covered by a Memorandum of Understanding or employed as a Postdoctoral Scholar. Student academic employees not covered by an MOU may only grieve matters related to their academic appointment.

Grievance Liaison: The Office of Employee & Labor Relations shall serve as the liaison office for any grievance proceedings conducted under APM 140 and Red Binder IX-25.

Step I Informal Grievance Resolution

During the informal stage the grievant tries to resolve the issue through discussion with the supervisor or other responsible administrator whose action is being grieved. Both the grievant and departmental personnel are urged to consult with the Office of Employee & Labor Relations for assistance in resolving the problem informally. If a grievance alleges sexual harassment, *the matter will be referred to the Title IX Office and the grievance will be placed in abeyance pending review by that office. grievant may elect to substitute the campus Sexual Harassment complaint Resolution Procedure for Step I.*

Step II Formal Review of Grievance

- 1) A formal grievance must be filed in writing with the grievance liaison within 30 calendar days of the date the grievant knew or could be expected to have known of the event causing the grievance. Informal review does not extend the time limit for formal filing unless a written exception is granted by the grievance liaison.
- 2) The grievance must include the following information:
  - a) If alleging that a specific act was arbitrary or capricious, the specific administrative act must be identified along with a description of how the act was arbitrary or capricious.
  - b) If alleging that a violation of applicable University rules, regulations or Academic Personnel policies occurred, identify the section and specific provision alleged to have been violated and how those provision were violated;
  - c) The name of the person alleged to have carried out the act or violation of rules, regulations or policy
  - d) The date of the act or violation.
  - e) How the grievant was adversely affected;
  - f) The date of any attempted ~~at~~ informal resolution and identity of the individuals involved; and
  - g) The remedy requested.
- 3) After receiving the written grievance, the grievance liaison will determine if the grievance is complete, timely, within the jurisdiction of APM-140, and contains sufficient facts to support the grievance. Within 10 calendar days of receipt the grievance liaison will inform the grievant of the acceptance of the grievance.

If the grievance liaison informs the grievant that additional information is needed, the grievant will have ten calendar days to provide the information. When the information provided by the grievant is complete, the grievance liaison will notify the grievant in writing that the formal grievance process has commenced. All further time limits are based on that date.

The grievance may be dismissed if the grievant fails to provide the requested additional information, or if the grievance is untimely or outside the jurisdiction of APM-140. If the grievance is dismissed at this stage the grievance liaison will provide the grievant with a written explanation of the basis for the dismissal.

- 4) The grievance liaison will forward the grievance immediately to the appropriate department chair or comparable authority who, after appropriate review, shall render a decision on the grievance within 30 calendar days and submit it in writing to the grievance liaison. The written decision should be addressed to the grievant. The response must include the reasons for the decision and must also inform the grievant of the right to appeal the decision to Step III.
- 5) The grievance liaison will forward the decision immediately to the grievant, with copies to the respective dean and department chair.

### Step III Administrative Review or Hearing

A grievance that is not resolved at Step II may be appealed for resolution at Step IIIa or Step IIIb, but not both, depending on the issues of the grievance. Matters not eligible for a hearing, such as matters involving title or salary, are handled through administrative review (Step IIIa). Only allegations of violations of certain academic personnel policies or terms and conditions of employment are subject to a hearing (see below). The grievance liaison shall determine whether Step IIIa or Step IIIb is the appropriate route to take.

#### Step IIIa Administrative Review

- 1) Appeal to Step IIIa must be in writing and must be received by the grievance liaison within 15 calendar days of the date the Step II response was issued or due, whichever comes first. The appeal must specify the unresolved issues and the remedy requested.
- 2) The grievance liaison will forward the grievance to the Associate Vice Chancellor for Academic Personnel or designee for review within 7 calendar days.
- 3) The Associate Vice Chancellor shall provide a written decision to the grievant within 30 calendar days following receipt of the appeal to Step IIIa. The decision shall include the reasons for the decision if the decision of the Step II review is rejected or modified and a statement that the decision is final.

#### Step IIIb Hearing

- 1) The appeal to Step IIIb must be received by the grievance liaison within 15 calendar days of the date the Step II response was issued or due, whichever comes first. The appeal must be in writing and must set forth the unsolved issues and remedy requested.
- 2) Only appeals alleging of violations of the following may be submitted to the hearing officer.
  - Nondiscrimination (APM 035)
  - Layoff and Involuntary Reduction in Time (APM 145)
  - Corrective Action (Censure, Suspension, Demotion)
  - Dismissal
  - Procedural irregularity in personnel review process
- 3) Within 7 calendar days from receipt of the written request, the grievance liaison will determine whether the appeal has identified an issue eligible for hearing consideration. If the appeal has not identified an issue eligible for a hearing consideration, the grievance liaison will inform the grievant and submit the appeal for determination under Step IIIa. If the appeal is eligible for hearing consideration the request will be forwarded to the Associate Vice Chancellor for Academic Personnel.
- 4) The grievant may elect that the grievance be heard by: either a University hearing officer or a non-University hearing officer. Election shall be in writing and shall be final.
  - (a) University Hearing Officer

The grievance liaison will maintain a current list of three to five individuals who have agreed to serve as a hearing officer. These individuals will be faculty or other non-student academic appointees who have a practical understanding of academic employer-employee relationships and academic personnel policies. The list will be made available to the grievant prior to deciding whether to select a University or non-University hearing officer. The parties will arrange alternately to strike names, and the person whose name remains will become the University hearing officer.

(b) Non-University Hearing Officer:

If the grievant elects a hearing before a non-University hearing officer, the grievance liaison will request from the American Arbitration Association a list of five names. Upon receipt, the parties will arrange alternately to strike names, and the person whose name remains will become the non-University hearing officer.

Whenever possible the hearing officer will be selected within 45 calendar days from receipt of the grievant's election of hearing officer and within 60 calendar days of the date of the selection of the hearing officer a hearing date will be scheduled.

- 5) In advance of the hearing, the parties shall attempt to stipulate in writing issues to be submitted for review at the hearing. If the parties cannot agree on the issues, the hearing officer shall define them.
- 6) Each party shall, upon request, provide the other with copies of material to be introduced at the hearing and names of witnesses who will testify on the party's behalf. To the extent possible, such materials and names shall be exchanged at least 10 calendar days prior to the hearing.
- 7) The hearing officer shall convene a hearing in which each party shall have the opportunity to present evidence and cross-examine witnesses. The hearing shall be closed and confidential.
- 8) The hearing shall be tape recorded unless both parties agree in advance to share the costs of a stenographic record.
- 9) The hearing officer shall provide the Associate Vice Chancellor with a written statement of findings and recommendations within 30 calendar days of the close of the hearing.

The hearing officer shall not substitute his/her judgment for the academic judgment of a peer review committee or administrative officer, nor shall the hearing officer be empowered to evaluate the academic qualifications or competence of academic appointees.

- 10) The Associate Vice Chancellor shall issue a final written decision within 30 calendar days of receipt of the findings or recommendations of the hearing.
- 11) The Associate Vice Chancellor shall provide to the grievant a copy of the findings and recommendations of the hearing officer, and a statement of the reasons if the recommendations of the hearing officer are rejected or modified.