April 29, 2025

TO: Deans, Department Chairs, Directors, Senate Faculty, Business Officers, and AP Staff

FROM: Leesa Beck, Assistant Vice Chancellor for Academic Personnel

RE: Issuance of Red Binder updates

A number of final revisions to the Red Binder, the campus Academic Personnel policy and procedure manual, have been posted on the Academic Personnel website, with an effective date of April 2025. A summary of all changes is listed below.

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

Summary of key changes:

I-4, I-43, II-9, II-11	Minor grammatical/clarifying updates
I-10	Clarifies that reconsiderations may not modify the original dept rec
I-15, II-12, III-7, V-2	Add misconduct disclosure to checklists
I-20	Emphasizes that BFB-G-13 only applies to procedure, not policy
I-22	Clarify that all reviewers, whether candidate or department suggested, should not be closely associated with candidate
I-26	Reminder that a separate Safeguard must be submitted for each department
I-33	Solidifies definition of Expanded Reviews
I-37	Allows appointment at overlapping step only if intercampus transfer
I-70, III-1	Benefits implications for all recall appointees; WOS research recall appointments will be restricted
II-4, IX-18	Add SET surveys as source of teaching evaluations
III-5	Add reference to APM for AULs
III-20, III-23, III-25	General updates to criteria, appointment terms, and appointment/reappointment procedures, including misconduct disclosure
VI-3, VI-8	Update leave accrual rates, add information about paid sick leave bank
VI-16 (new)	Negotiated Salary Program
VII-1, VII-4, VII-5, VII-7	Update EODP office name
VII-7	Update to recruitment EO/AA tagline

I-4 ELIGIBILITY, DEFERRAL AND MANDATORY REVIEW (Revised-6/24)

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 advancement in cases of exceptional merit nor does it preclude less rapid advancement. Service as an Assistant Professor, Assistant Teaching Professor (including time as an Acting or Visiting Assistant Professor), or Assistant Researcher (including time as a Visiting Assistant Researcher) is limited to 8 years. Service at the Associate Professor/Associate Teaching Professor/Associate Researcher and Professor/Teaching Professor/Researcher levels is unlimited.

II. Extensions of the 8-year limit for Assistant Professors, Assistant Teaching Professor, or Assistant Researchers

Under specific circumstances, an Assistant Professor, Assistant Teaching Professor, 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 (with the exception of <u>COVID related extension</u>) and requests may not be made after the tenure/SOE/Associate Researcher review has begun. Requests 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 their 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 their 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 their research activities. Supporting documentation must be provided with the request for extension.

When an extension of the tenure/SOE 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/SOE 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/SOE 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/Assistant Teaching Professor rank contains steps I-VI, although step I is not used at UCSB. The Associate Professor/Associate Teaching Professor rank contains steps I-V. The normal time of service at each step within the Assistant and Associate rank is 2 years, except for service at the overlapping steps of Associate Professor/Associate Teaching Professor IV and V (Red Binder I-37). The Professor/Teaching 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. Steps V+ and IX + act as overlapping steps (Red Binder I-37.) Eligibility for normal advancement occurs after the normal time of service at each step. Early advancements abbreviating normative time of review are only permitted at the rank of Assistant Professor/Assistant Teaching Professor in cases of promotion (see RB I-36 for guidance on expectations for acceleration) or in cases of lateral promotion/advancement from the overlapping steps of Assistant Teaching Professor V and VI, and Associate Professor/Associate Teaching Professor IV and V (see RB I-37 for important parameters governing advancement at the overlapping steps).

If the outcome of a merit review is no change in rank, step, or off-scale, the candidate will continue to be eligible for advancement in rank or step each year until the advancement in rank or step occurs. 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 are reviewed for merit advance every two to four years, depending on rank and step. 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/SOE Senate faculty member 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 appointees in the Research, Project Scientist, or Specialist series must state the reason for the deferral. The request along with the endorsement from the Chair or Director must be submitted via AP Folio.

Deferral requests made by Assistant Professors or Assistant Teaching Professors 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 6th year of service but may be deferred until the 7th year. The faculty member's deferral request along with the Chairperson's letter of recommendation must be submitted via AP Folio. Deferral beyond the 7th year will not be considered. The Formal Appraisal review may not be deferred, except in cases of extension of the tenure/SOE clock.

I-10 RECONSIDERATION (Revised-4/24)

After a decision has been announced in a personnel case, the departmental Chairperson may request a reconsideration of the decision. This course of action may be pursued only when there is <u>new</u> documentation relating to accomplishments already in place prior to the deadline for submission of materials (Red Binder I-2), or when the department can make a compelling argument that reviewing agencies neglected important features of the case. Evidence for the latter ground for reconsideration is most often provided by the candidate, based on the copy of non-confidential documents and the redacted copy of the confidential academic review records contained in the personnel review file received pursuant to APM 220-80-i. Chairpersons should avoid "routine" or "automatic" resubmission of requests for reconsideration.₇ and rReconsiderations may not be pursued to modify the original departmental recommendation. On the other hand, when a compelling argument for reconsideration. Reconsideration of a case must be requested and the review completed, prior to the submission of any subsequent personnel case.

Departmental practices are variable on the degree of consultation with the voting faculty necessary in a case for reconsideration. While a new vote on a case for reconsideration is desirable, it is not required. However, the voting faculty must be consulted, and the form of this consultation, as well as the comments expressed by voting faculty, are to be reported in the Chairperson's letter. The candidate has the same rights of access as in the original case. The Chair should ensure that any additional letter writers or faculty members expressing comments are not identified in the departmental letter except by means of a coded list appended to the departmental letter.

The reconsideration case will undergo the same review process as the original case, with the provision that no ad hoc committee review will take place during the reconsideration process. The policies and procedures in place at the time of the original review will apply to the reconsideration case.

Note: For guidelines concerning reconsideration of a terminal year appointment see Red Binder I-39.

I-15 DOCUMENTS TO BE SUBMITTED BY THE CHAIR <u>APPOINTMENTS</u>

(Revised 4/23)

All appointment cases are submitted via AP Folio.

I. Departmental Letter of Recommendation

Accurate and analytical letters of recommendation from the department are essential in the review process. See Red Binder I-35 for further detail of content of departmental recommendations

Are the start date, rank and step all clearly stated?

Is the recommended salary on the published salary scale?

Is the off-scale supplement correct (if applicable), per off-scale general policies (RB I-8)?

☐ Is a salary justification provided?

Is the actual vote included (e.g. 10(yes)-0(no)-0(abstentions)-3(not voting))? Is there an indication of how many were eligible to vote?

□ Is the letter an accurate, extensive, and **analytical** representation of the case?

If the case contains extramural letters, are letter writers identified **only** by coded list, with no identifying statements?

Are the candidate's qualifications, educational background, and area(s) of specialization all discussed?

Are all four areas of review covered: teaching, research, professional activity and university and public service?

II. Extramural Letters of Evaluation and List of Evaluators (Red Binder I-49) Extramural Letters

For tenured appointments, are there at least 6 letters?

For tenured appointments, are at least half of the letters from references chosen by the Chair/Dept independent of the candidate?

Have all letters been coded, on all copies?

If the letters were sent via email, is a copy of the email and any attachment included?

Sample Solicitation Letter(s) and/or Thank you letter(s) for unsolicited letters

Was the proper wording used in the letter (RB I-49 to I-50)?

Is a list of all informational items sent to referees (e.g. CV, Bio-Bib, publications sent, etc, per RB I-46-

VI) included? Is a copy of each item included as either part of the case or a one-of-a-kind item?

If different versions of either the letter or the materials went out, is a sample of each included?

List of Referees, including brief Biography and indicating who selected referees

Do the codes on the letters match the codes on the list and the codes used in the departmental letter?

Does the list clearly indicate if the referees were candidate, department or jointly selected?

Are the names of everyone who was asked to write included? For those who did not respond is a reason for no response listed?

III. Complete CV and Academic Biography Form

☐ Is the CV up to date?

☐ Is the Academic biography form complete, signed and dated?

IV. Copies of Publications

Has a representative sampling of publications been submitted?

- Have links to electronically submitted items been verified?
- If items cannot be submitted electronically, have arrangements been made with the Dean's office?
- V. Start-up Request Information (see RB I-18)

Have all start-up issues been addressed?

VI. Misconduct Disclosure and Release Form

Has the candidate submitted the Misconduct Disclosure Form?
 Has the candidate submitted the Authorization for Release of Conduct Information Form?

Other considerations:

- 1. If a search was conducted, the search report must be approved in UC Recruit before the appointment is submitted. If no search was done, a waiver must have been approved.
- 2. The Procedural Safeguard and Certification Statement is <u>not</u> used for new appointments. However, candidates for appointment, once appointed, do have the right to inspect non-confidential documents in their files and to have a redacted copy of the confidential academic review records contained in the personnel review file received pursuant to APM 220-80-i.
- 3. When putting forward a case for 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.

I-20 REMOVAL EXPENSES (Revised-10/24)

Removal expenses may be provided for certain new appointees to academic positions (APM 560-14). For those eligible, removal expenses are paid and taxed in accordance with University and IRS regulations. New appointees are encouraged to consult with their tax advisor regarding the impact of removal reimbursement. Any exceptions to policy, including full removal expenses, must be requested at the time of appointment.

Please note: references to UC Policy BFB G-13 only apply to *procedural and process* aspects of managing reimbursement of removal expenses. *Policies* described in BFB G-13 do not apply to academic employees.

UC Policy (one-half of the total cost)

University policy allows for coverage of one-half of the total eligible costs associated with a single move from one physical location, including the following:

- 1. Packing, freight and insurance of normal household goods (see definition below), when properly supported by invoices and/or receipts, in accord with Section V of UC Policy BFB-G-13: Policy and Regulations Governing Moving and Relocation.
- 2. Air coach transportation for the appointee and members of the household or an equivalent amount for other travel in accordance with standard airline fare policies and University travel regulation.
- 3. Meals en route for the appointee and members of the household in accordance with University travel regulations. If travel is by automobile, the cost of meals is an allowable expense only to the extent that might have been necessary if travel had been by air coach.

An appointee may have the total cost of removal of their personal library covered, but only if the library is to be made generally available to students and faculty; otherwise coverage is one-half of the total cost. It will be necessary for the involved appointee to secure from their moving company a breakout of the shipping costs for the portion of the shipment that is for library-related materials. Without this estimate, only 50% coverage will be allowed.

Household goods include: personal property such as furniture, clothing, musical instruments, household appliances, and other items which are usual and necessary for the maintenance of a household.

Full Removal

An exception to allow for full removal coverage may be requested by the Department at the time the start-up commitment is request. If full removal is provided, all reasonable removal costs will be covered for a single move, in accord with UC Policy BFB-G-13: Policy and Regulations Governing Moving and Relocation and subject to the following conditions.

Appointees receiving 100% removal will have travel for themselves and members of the household made on the lesser of one-way coach fare, or actual expenses (airfare or mileage reimbursement, temporary lodging, and meals en route) at UC allowable rates per G-28, Policy & Regulations Governing Travel and G-13, Policy & Regulations Governing Moving and Relocation. Receipts will be required. If, for personal reasons, an indirect route is traveled or the trip is extended, coverage shall be based only on such charges as would have been incurred by the usually traveled route. All appointees must purchase the least expensive air tickets to the Santa Barbara area.

Prospective employees should be aware that costs for the following cannot be covered:

• transport of trailers, boats, other motorized recreational vehicles, or more than two motor vehicles

- transport of belongings related to commercial enterprises engaged in by the employee
- transport of building materials
- transport of animals other than household pets
- assembly and disassembly of unusual items such as, but not limited to, satellite dishes, storage sheds or pool tables.
- Canned, frozen or bulk foodstuff.
- Plants

Advance approval will be required for coverage of costs associated with a move from more than one physical location (a staged move) or any other exception to policy.

Although the reimbursement policy outlined in UC Policy BFB G-13: Policy and Regulations Governing Moving and Relocation does not apply to academic employees, the procedures and processes in G-13 are applicable when managing academic employee removal expenses.

I-22

DEPARTMENTAL CHECKLIST FOR ACADEMIC ADVANCEMENT

(Revised-4/24)

This checklist is for the use of the Department Chair, and should not be submitted with the case.

The Department Chair has the responsibility to see that each of the following steps is completed at the appropriate time during any personnel review. A copy of this checklist must be given to the candidate at the beginning of their review.

All documents included in the case must be relevant to the action under consideration (APM 200-30) and must be in compliance with University and Campus policy and practice relating to confidentiality.

I. Notifying The Candidate

Note: These steps should be taken as soon as possible after receipt of the eligibility list in which the candidate's name first appears.

- 1) Inform the candidate of their eligibility for advancement or appraisal.
- 2) Inform the candidate of the UC criteria for advancement as set forth in Section 210- 1d and 220 of the APM. Include a full clarification of the concrete nature of materials relevant to those criteria, as commonly used in the candidate's department.
- 3) **Inform the candidate of the UC review process** as set forth in APM 210-1d and 220. Include in your description both the role and character of higher reviewing agencies and the department's own customary modes of proceeding. Provide candidate with a copy of the Procedural Safeguard Statement.
- 4) Inform the candidate of UC policy regarding academic personnel records as set forth in APM 160.
- 5) **Inform the candidate of any other issues relevant to his/her personnel case**. Be sure to provide an opportunity for the candidate to ask questions regarding any aspect of the review procedures and of their case in particular.
- 6) **Inform the candidate of the due date** for all pertinent information and material relevant to the criteria for advancement. Be sure to advise the candidate of the consequences of late submission of materials.
- 7) Inform the candidate if letters of evaluation are to be sought in their case and provide an opportunity for the candidate a) to suggest names of persons who might be solicited for such letters and b) to indicate in writing the names of persons who, for reasons set forth by the candidate (which may include personal reasons), might not be objective in their evaluation. Also inform the candidate that the names of scholars writing outside letters who were originally suggested by the candidate, together with any requests not to select a potential evaluator, will be made part of the review file, and that a reasonable request for exclusion of outside evaluators will in no way jeopardize the candidate's case. The candidate should also understand that though such requests are made and honored regularly, there may be occasions when proper evaluation requires that they not be honored. Finally, the candidate should know that both the evaluator's academic stature and the extent, if any, of their association with the candidate (personal or professional) will affect how the evaluation is weighted.
- 8) In compiling the list of outside reviewers, include a "reasonable number" (APM 220- 80c) of the candidate's nominees, together with a "reasonable number" of letters from scholars who are not-nominated by the candidate Chair/Department. and who These nominees should be individuals who have not been closely associated with them the candidate either as colleagues, friends, or collaborators in research. At UCSB, a "reasonable number" is interpreted to mean "half of the letters".

II. Developing The Recommendation

- 9) Solicit confidential extramural letters of evaluation in cases of promotion to tenure/SOE, promotion to Professor or Teaching Professor, or merit to Professor or Teaching Professor Above Scale.
- 10) **Include with the case a sample copy of the letter used to solicit extramural letters**, a list of the materials sent to the letter writers, and a copy of all items that were sent to the referees (e.g., C.V., bibliography, reprints, manuscripts, and so forth) if they are not already included with the case of one-of-a-kind materials.
- 11) Assemble all pertinent information (publications, teaching evaluations, solicited letters, etc.) in accordance with instructions set forth in the Red Binder sections related to specific actions. Be sure to include the total record of accomplishments appropriate to the review period.
- 12) Provide the candidate with an opportunity to inspect all <u>non-confidential</u> documents included in the review file. Candidates should be told that they have access to non- confidential material.
- 13) Provide the candidate with the opportunity to request a redacted copy of all confidential letters and documents included in the file without revealing the identity of the sources. One set of the redacted material must also be included in the file.
- 14) **Provide the candidate with an opportunity to include a written statement responding to or commenting upon material in the file**. This should be done in sufficient time to allow the candidate's response to be taken into account in the departmental letter.
- 15) Inform the candidate that, if at any later point new information is added to the file, they will be informed and given an opportunity to comment.
- 16) If an <u>ad hoc</u> review committee will be employed, explain the role and selection of this committee and the candidate's three options (Red Binder I-60).
- 17) Inform the candidate of their right to request a redaction of the ad hoc committee's letter and a copy of other reviewing agencies' reports from the office of Academic Personnel at the conclusion of the review process.
- 18) Consult colleagues in accordance with departmental practice and the rules of voting rights and eligibility established in By-Law 55. (http://www.universityofcalifornia.edu/senate/manual/blpart1.html#bl55)
- 19) Write a letter of recommendation in accordance with APM 220-80-e. Note in particular the requirement to present both supporting and opposing views. Be sure the letter is dated and signed.
- 20) Make the letter available for inspection by all departmental members eligible to vote on the case or by a departmental committee or group established in accordance with APM 220-80-e. At this point any eligible faculty member who voted with the minority may include a "minority opinion" letter if they feel that the Departmental letter does not adequately address the opinion of the minority vote. A minority opinion letter must be submitted by the end of the inspection period to ensure its consideration in the review process. All eligible faculty must be provided full access to this document. Any unresolved issues between the minority and majority opinions should be addressed in a Chair's confidential letter (Red Binder I-35)

III. Forwarding the Case

NOTE: These steps should be taken after the Departmental review of the case.

21) Inform the candidate orally or, if requested, in writing of the departmental recommendation, the

departmental vote, and of the substance of the evaluations under each of the applicable review criteria. Bear in mind that it is especially helpful for junior faculty to understand concerns regarding some particular aspect of their performance even if there was a strong vote of approval.

- 22) Inform the candidate of their right to request a copy of the letter setting forth the departmental recommendation, including any minority opinions. Identities of persons who were the sources of confidential documents are not to be disclosed and minority opinion letters should be provided in redacted format.
- 23) Inform the candidate of their right to make written comments, within 5 working days, to the Chair or directly to the Dean regarding the departmental recommendation. A copy of these comments will be included in the file. If the comments are directed to the Chair, they will be made available for review by the voting faculty. Any unresolved issues between the candidate and the department evaluation should be addressed in a Chair's confidential letter (Red Binder I-35). If the comments are directed to the Dean, they will be included in the file at the time of the Dean's review and will be made available to other reviewing agencies but not to the department.
- 24) Check that the case, as packaged, is complete and properly formatted (Red Binder I- 31 for Dean's Authority merits, Red Binder I-35 for Expanded Review advancements).
- 25) Have the candidate fill out and sign the Procedural Safeguard and Certification Statement online through AP Folio. Forward the case to the appropriate Dean's office.
- 26) If an ad hoc is required for promotion to tenure/SOE, a Chair's Recommendation for Department Representative memo should suggest up to three faculty members who are eligible to serve as departmental representative. The nominated faculty should: (1) have participated in the departmental review and voted on the case; (2) have familiarity with the research area of the candidate; and (3) be in residence during the quarter the case is likely to be considered. This memo is to be forwarded directly to the Associate Vice Chancellor of Academic Personnel and marked "Confidential." See Red Binder I-60 for sample memo format.

I-26

SENATE FACULTY ADVANCEMENT: PROCEDURAL SAFEGUARD AND CERTIFICATION STATEMENT

(Revised <u>2/23</u>)

Informational only: all safeguards are to be completed via AP Folio. Please note that a separate Safeguard statement must be submitted for each department in which the candidate holds a non-zero percent time appointment.

PRIOR TO DEPARTMENTAL REVIEW:

- 1. I was informed that I was to be reviewed for this personnel action and of the process as described in APM 160, 210-1 and 220, and was informed of relevant deadlines for submission of materials.
- 2. I had the opportunity to ask questions, supply information and evidence, and add material to my file in preparation for the review.
- 3. I was informed whether or not letters of evaluation were to be sought as part of this personnel action.
- 4. If letters were sought (e.g., for promotion, review for advancement to Professor Above Scale)
 - A. I had an opportunity to suggest names of evaluators; and
 - B. I had the opportunity to submit, in writing, names of persons who, for reasons set forth by me, might not provide objective evaluations.
- 5. If an Academic Senate <u>ad hoc</u> committee is to be appointed, I understand that I will be contacted by the Associate Vice Chancellor for Academic Personnel regarding my right to utilize either of the two options listed in Red Binder I-60.
- 6. I was informed whether or not there were confidential documents (i.e. external letters, minority opinion reports) in my department review file and of my right to review a summary of any such documents.

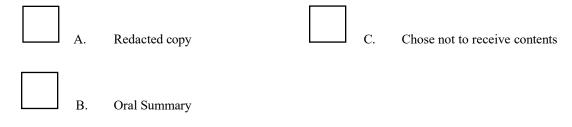


Yes, there are confidential documents in my file (proceed to #7)



No, there are not any confidential documents in my file (proceed to #8)

7. If yes to #6, I was provided the contents of the confidential documents (i.e. external letters, minority opinion reports) in my file by means of:



8. I had the opportunity to inspect all non-confidential documents in the review file.

9. I had the opportunity to provide a written statement in response to or comment upon all materials in the file.

FOLLOWING THE DEPARTMENTAL REVIEW PROCESS:

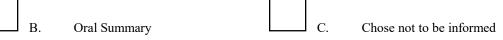
10. I was informed of the departmental recommendation and the substance of the evaluation under each of the applicable review criteria.



Copy of Departmental Recommendation



Copy of Departmental Recommendation



- 11. I was informed whether or not the department vote for the recommendation was unanimous or by a strong or a narrow majority.
- 12. I was informed of my right to make written comments, within 5 working days, to the Chair (or appropriate person) regarding the departmental recommendation. I was aware that these comments would be included in the file and made available to other voting faculty in the department.
- 13. I was informed of my right to make written comments regarding the departmental recommendation to the Dean and that these comments would be included in the file and available to other reviewing agencies outside of the Department.

I HAVE SUBMITTED THE FOLLOWING ADDITIONAL MATERIALS:

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Suggested names of evaluators (in accordance with 4A above).



Names of persons who might not provide objective evaluations (in accordance with 4B above).



A written statement in response to materials in the file (in accordance with 9 above).



A written statement about the departmental recommendation to the chair (in accordance with 12 above).



A written statement about the recommendation to the dean in accordance with 13 above.

REVIEWING AGENCY REPORTS

I request that copies of reviewing agency reports (Dean, CAP, ad hoc committee and any correspondence between them) be provided to me after the conclusion of my review.



I do not wish to receive copies of reviewing agency reports (Dean, CAP, ad hoc committee and any correspondence between them) at the conclusion of my review, but understand that I may request them at any time in the future.

CERTIFICATIONS

• I certify that I have filed annual reports on outside professional activities in accord with APM 025 for each year of the review period for this advancement action.

Reports for the 2017-18 year and earlier may be submitted via AP Folio at <u>https://ap.ucsb.edu/</u> Reports for the 2018-19 year and later may be submitted via OATS at <u>https://ucsb.ucoats.org/</u>

• I certify that my bio-bibliography update (bio-bib) is complete, accurate, up to date, and prepared in accord with Red Binder I-27 Instructions for Completion of the Bio-Bibliography.

SIGNED	DATED
PRINT NAME	DEPARTMENT

I-33 EXPANDED REVIEWS (Revised-4/24)

The following actions for advancement in the Professor and Professor of Teaching series require expanded review beyond the Dean:

- Formal Appraisal
- Terminal Appointments
- Promotion to Associate Professor or Associate Teaching Professor
- Promotion to Professor or Teaching Professor
- Merit to Professor/Teaching Professor Step VI
- Merit to or within Professor/Teaching Professor Above Scale
- Accelerated actions greater than one and one-half step
- Any other actions outside Dean's Authority parameters as defined in RB I-30

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/Teaching 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.

I-37 OVERLAPPING STEPS (Revised 4/24)

Steps V and VI of the Assistant Professors/Assistant Teaching Professor rank, Steps IV and V of the Associate Professor/Associate Teaching Professor, and steps V+ and IX+ of the Professor/Teaching Professor rank are overlapping steps in the sense that these steps may be utilized for advancement when a member of the faculty is eligible for promotion or career review, but whose established record of accomplishment has not yet attained sufficient strength to warrant the promotion or career review advancement. Placement on the overlapping steps may occur only when the expectations for a normative, one-step advancement (Red Binder I-36) have been met. Overlapping steps may not be used for new faculty appointments unless necessitated as part of a recruitment from another UC campus-

Service at the overlapping steps is in lieu of service at the corresponding next normal rank or step progression. Upon advancement to an overlapping step, the faculty member is eligible for review for promotion or career review each year until promoted or successful in the career review. If the promotion or career review occurs earlier than the normative time at step, the promotion or career advancement will be lateral with either no increase in salary or the associated \$100 increase on the ladder, consistent with the corresponding step. After a lateral promotion or career review advancement, eligibility for review will be determined based on the combination of years at the overlapping step and years at the new step.

Further advancement within the overlapping steps, for example from Associate Professor IV to Associate Professor V, will not occur at less than the normative time at step.

The <u>Overlapping Step Advancement Matrix</u> on the AP website provides a summary of advancement options for faculty at the overlapping steps and upon promotion in rank.

I-43 MERIT TO, OR WITHIN, PROFESSOR OR TEACHING PROFESSOR ABOVE SCALE (Revised 4/24)

Advancement to Professor Above Scale is reserved for scholars and teachers of the very highest distinction (1) whose research/creative activity and professional achievement is of sustained and continuing excellence and has attained national and international recognition (2) whose University teaching performance is excellent, and (3) whose University and public service is highly meritorious.

Advancement to Teaching Professor Above Scale is reserved for teachers of the highest distinction (1) whose contributions to University teaching and education outcomes are excellent; (2) whose work is of sustained and continuing excellence has attained national or international recognition and broad acclaim reflective of its significant impact on education within the discipline; and (3) whose service is highly meritorious.

Advancement to Above Scale may occur after at least four years of service at step IX at least normative time at the current step, with the individual's complete academic career being reviewed. Further advancement within Above Scale may occur after four years of service.

The level of performance required for merit increases is significantly higher at Above Scale than for advancement within the steps. When performance at Above Scale, or going to Above Scale, meets or exceeds these high standards, increases will be awarded in increment-based amounts consistent with those described in Red Binder I-36. Normal, one-increment advancement requires continued performance at levels commensurate with the expectations for an Above Scale Professor in all areas of review and must be justified by new evidence of merit and distinction appropriate to this highest level of the professoriate.

The Above Scale advancement increment is equivalent to 10% of the on-scale rate for step IX on the applicable salary scale, rounded to the 100's.

Merit from the overlapping step of IX+ may be a lateral change in step without an increase in salary if the advancement occurs prior to the normative time at step. See Red Binder I-37.

Professorial appointees who have attained Above Scale status may use the title "Distinguished Professor" as an honorary title. Teaching Professor appointees who have attained Above Scale status may use the title "Distinguished Teaching Professor" as an honorary title. Because these titles are honorific, they may not be used on legal documents such as contract and grant applications that require an official employment title. The title may be used for such purposes as correspondence, CV, or website listings. Faculty who retire at Above Scale status may use the title Distinguished Professor or Distinguished Teaching Professor emeritus/a.

I-70 PROCEDURE FOR RECALL OF SENATE FACULTY (Revised-4/24)

A Senate Faculty member who has retired may be recalled to active teaching duty for one quarter or more. Retired faculty may also be recalled for research activity. A faculty member may be recalled 90 days after the date of retirement, or after receipt of the first retirement payment, whichever occurs first. However, in no case may a faculty member be recalled sooner than 30 calendar days after the retirement date. Appointments may not exceed 43% time, alone or in combination with other recall appointments. Exceptions to this limit may be granted only by the Chancellor and will rarely occur. A faculty member considering returning on a recall basis in the quarter immediately following retirement should consult with the benefits office.

Requests for recall appointments are made using the Academic Recall Appointment Form.

I. Teaching appointments

The appropriate annual salary for the recall appointment is the annual rate at the time of retirement, range adjusted forward. A retired Senate Faculty member may be recalled to teach one quarter or more. If recalled for only one quarter, the appointment should be on a 9/9 basis. If the appointment is for one full year it may be made on a 9/12 basis. Appointments will be entered into UCPath using the Recall Teaching title.

II. Research appointments

A retired Senate Faculty member who is recalled to serve in an extramurally funded research capacity may be appointed as a Research Professor. These are normally year-to-year appointments. Appointments may also be made for shorter periods of time. The terms and conditions of employment for a faculty member who is recalled for research parallel those of a faculty member who is recalled to teach. In the event that a Senate Faculty member is recalled both to teach and for extramurally funded research in the same department for the same time period, the Research Professor title will be used. Requests for appointments as Research Professor may be sent directly from the employing unit to Academic Personnel. Paid appointments as Research Professor are made on an 11/12 rate. Without Salary Research Professor appointments will no longer be approved unless specifically required by a funding agency or similar.

The appropriate annual rate at the time of retirement, range adjusted forward, converted to an 11/12 basis (multiply the current 9/12 rate x 1.16). Appointments will be entered into UCPath using the Recall Faculty title.

III. Benefits

Starting July 1, 2025, retirees in recall appointments who meet eligibility criteria for medical benefits upon reemployment will have their UC retiree medical plan suspended, and will be offered <u>mid-level faculty/staff</u> <u>benefits coverage</u>. This applies to all recalled academic appointments, including unpaid (0% time) appointments.

III.IV. Administrative appointments

Recall appointments will be approved for administrative service only in rare and unusual circumstances and may be approved only by the Executive Vice Chancellor after consultation with the Associate Vice Chancellor for Academic Personnel. Terms of such appointments will be individually set based on the nature of the service. The Academic Personnel office should be consulted to determine the appropriate annualized salary rate. Appointments will be entered into UCPath using the Recall Faculty title.

IV.V. Approval authority

<u>Title</u>	Job Code	<u>Approval Authority</u>
Professor Emeriti Professor of Teaching Emeriti Associate Professor of Teaching Emeriti	1132 1621 1620	
Recall: teaching Recall: research Recall: teaching and research Recall: administrative	1700 (Recall-Teaching) 1702 (Recall-Faculty) 1702 (Recall-Faculty) 1702 (Recall-Faculty)	Dean Associate Vice Chancellor Associate Vice Chancellor Executive Vice Chancellor

II-4 PRE-SIX ACADEMIC REVIEWS (Revised-2/23)

This section applies to the Pre-Six Academic Review procedures conducted for Unit 18 faculty during their final year of a 2- or 3-year reappointment in the same department. The outcome of the review will determine whether the individual demonstrated teaching effectiveness. See Article 7A of the MOU.

Unit 18 faculty normally undergo the pre-six Academic Review during the final academic year of a multi-year appointment. *However, in accordance with the Transition Plan, Unit 18 faculty with 9 or more quarters as of July 1, 2022 must have their Academic Review conducted during the 2022-23 academic year.*

I. Requirements

Except for appointees affected by the Transition Plan guidance (above), consideration for reappointment will be triggered by submission of a Statement of Interest in Reappointment by the pre-six Unit 18 appointee. This statement, shall be submitted to the department chair in accordance with the deadlines below, or within 30 calendar days from the date the appointment letter is transmitted to the appointee, whichever is later.

Deadlines from Article 7A.J.1 apply to the final year of a reappointment:

	Initial Appointment	Multi-Year Appt – Final Year
9/12 appointment:	October 15	October 15
9/9 Fall appointment:	October 15	October 15
9/9 Winter appointment:	February 1	October 15
9/9 Spring appointment:	May 1	October 15

Per Article 7A.J.5, if an appointee fails to timely submit interest for reappointment or submits a written declaration of non-interest for the following academic year, the department, program, or unit shall not be obligated to conduct a Pre-Six Academic Review or consider them for subsequent appointments.

The request for reappointment consideration shall include the following, per Article 7A.J.2:

- 1. Affirmative statement of interest in reappointment
- 2. Up-to-date Curriculum Vitae
- 3. List of courses/other duties that the appointee is interested in
- 4. For each quarter of possible reappointment, the appointment percentage that the appointee would like to receive

The Statement of Interest in Reappointment is provided to the appointee along with the initial appointment approval letter.

II. Criteria

The Academic Review shall be made on the standard of teaching effectiveness, academic responsibility per Article 3 of the MOU, and other assigned duties.

Per <u>Article 7A.G</u>, instructional performance shall be evaluated according to the following criteria, as demonstrated by the materials in the review file:

- Dedication to and engagement with teaching;
- Command of the subject matter and continued growth in mastering new topics;
- Organizing and presenting course content effectively and with demonstrated learning outcomes;
- Setting pedagogical objectives appropriate to the course topic, level, and format;
- Responding to student work in ways commensurate with student performance, course topic, level, and format;
- Awakening in students an awareness of the importance of the subject matter;
- Inspiring interest in beginning students and stimulating advanced students to do complex work;

• Developing pedagogically effective assignments, lecture slides, lesson plans, exams, and/or other course materials and/or prompts for student work;

III. Documentation of Performance

Departments must provide at least 30 calendar days' notice in advance of the review and include timing, criteria, and procedures for the review. The review notice template on the AP website should be used:

- Lecturer under the Transition Plan (9+ quarters of service as of 7/1/22, review conducted during 2022-23: notice template
- Lecturer with < 9 quarters of service, review conducted during 2023-24: <u>notice template</u>

The Academic Review will be conducted by the department chair or equivalent, and will be based on material submitted by the appointee, and other material available to the chair. These include but are not limited to:

- A self-statement regarding the Unit 18 appointee's performance, teaching objectives, and teaching activities.
- Written assessments from classroom observations conducted by appointee colleagues or evaluators, if any.
- ESCIs and/or SET surveys and written student comments, provided that the quantitative measure in the student evaluation is not the sole criterion for evaluating teaching.
- In addition to the syllabi, up to six (6) additional materials relevant to effective teaching (e.g., pedagogical methods, student learning outcomes, assignments, lecturer slides, lesson plans, exams, and prompts for student work) to be included in the file. The University shall give such materials due consideration.

IV. Review Procedure

Academic Reviews will be conducted such that the completed review can be submitted, along with reappointment paperwork, to the Dean's office no later than April 1.

Once all materials are assembled, the department chair or equivalent evaluates the case file and makes a determination of "teaching effectiveness" based on the criteria outlined in Article 7A.G (also enumerated in Section II above).

The department shall notify the Unit 18 faculty member of the outcome of the review within 20 calendar days from its completion and no later than March 31 in the second year of a two-year reappointment, or the third year of a three-year reappointment. A positive outcome is a finding of teaching effectiveness. If the outcome of the review is negative, finding that the Unit 18 faculty member did not demonstrate teaching effectiveness during the review period, the notification will include an explanation. The <u>outcome notice template</u> posted on the AP website should be used.

II-9 EXCELLENCE REVIEWS (Revised-6/24)

This section outlines the requirements for the Excellence Review, which determines a Unit 18 faculty's Continuing Status. See Article 7B and Article 43 of the MOU.

I. Eligibility

A Unit 18 faculty member shall be eligible for Excellence Review when:

- 1. The Unit 18 faculty is appointed for an 18th quarter of service in the same department and
- 2. Instructional need as defined in Article 7B.B exists in the 19th quarter

Excellence Reviews will be conducted by the department in response to the annual call issued by the Office of Academic Personnel. Excellence Reviews are to be submitted to the Dean's office based on the schedule provided by Academic Personnel so that the campus review process may be completed by the end of the 18th quarter of service.

The department shall notify the eligible Unit 18 faculty in writing no less than 45 days prior to the date by which the review materials must be submitted. The notification requirements are outlined in <u>Article 43.B.2</u> and the <u>notice</u> <u>template</u> on the AP website should be used.

II. Criteria

The standard for continuing status is demonstrated excellence in teaching, academic responsibility per Article 3 of the MOU, and other assigned duties.

Per <u>Article 43</u>, instructional performance shall be evaluated according to the following criteria, as demonstrated by the materials in the review file:

- Dedication to and engagement with teaching;
- Command of the subject matter and continued growth in mastering new topics;
- Organizing and presenting course content effectively and with demonstrated learning outcomes;
- Setting pedagogical objectives appropriate to the course topic, level, and format;
- Responding to student work in ways commensurate with student performance, course topic, level, and format;
- Awakening in students an awareness of the importance of the subject matter;
- Inspiring interest in beginning students and stimulating advanced students to do complex work;
- Developing pedagogically effective assignments, lecture slides, lesson plans, exams, and/or other course materials and/or prompts for student work

III. Documentation of Performance

The following review materials are required:

- Current CV or bio-bibliography
- A self-reflection/self-statement/self-evaluation of the candidate's performance, teaching objectives, and teaching activities
- ESCIs (Spring 2024 and earlier) or SET reports (Summer 2024 and later) and written student evaluations
- Term-by-term enumeration of the number and types of courses taught

• Solicited, confidential extramural letters of evaluation (see Section IV below)

See <u>Article 43.C</u> for other, optional review materials that may be submitted and used in the review.

IV. Extramural Evaluations

As part of the review file for the Excellence Review, departments must submit five or more letters of recommendation. Departments should strive to ensure that at least half the letters submitted with the case come from references chosen by the Chair in consultation with the department, but independent of feedback from the candidate and without consulting the candidate. These letters may be of two types:

- 1. Letters from extramural referees with knowledge of the candidate's professional status and teaching record including former students, and graduates who have achieved notable professional success since leaving the university, reviewers who can comment on the candidate's command of the subject and continuous growth in the subject field, or any appropriate referee with knowledge of the candidate's performance.
- 2. Letters from UCSB Senate faculty or Continuing Lecturers, external to the department, who have conducted peer review of the candidate's teaching. Peer evaluation may include such things as classroom visits or videotaping, commentary on course syllabi, reading assignments, and examinations. Qualitative descriptions and opinions are preferable to quantitative ratings or comparative rankings in peer evaluation of teaching.

Both types of letters are subject to the same redaction and confidentiality policies as extramural letters.

The candidate must be given the opportunity to suggest the names of persons who could be solicited for letters of evaluation, and also to indicate in writing the names of persons who, in the candidate's view, might not objectively evaluate the candidate's qualifications or performance for any reason (which may include "personal reasons"). The candidate should know that a request to exclude certain potential evaluators will become part of the review file and that such requests are made regularly and should in no way jeopardize the candidate's case. Furthermore, such requests are generally honored to the extent possible unless they interfere with proper evaluation.

The sample solicitation letter and confidentiality statement must be used when soliciting letters of evaluation (Red Binder I-49 and I-50). Additional wording may be added describing the criteria that are relevant in a particular candidate's case. If wording is added or changed, Academic Personnel must be consulted regarding the revised language prior to sending the solicitation letter.

V. Review Procedure

Excellence Reviews will be conducted by a departmental committee composed of academic appointees with sufficient knowledge in the field of expertise of the candidate. In addition, the department will make reasonable efforts to ensure that a qualified Unit 18 faculty member will participate in such review committees. All such service will be voluntary. If the review is conducted by an ad hoc committee rather than a standing departmental committee, the individual under review will be consulted concerning the Unit 18 faculty representation. If it is not practical to form a review committee within a department, the committee will be formed at the college level following established procedures.

Once all materials are assembled, and before the departmental review committee evaluates the file, the candidate will be provided an opportunity to inspect all non-confidential materials in the file, pursuant to <u>Article 10</u>. The candidate may also, at this time, request redacted copies of the confidential materials in the file. The candidate will then have 5 days from the date materials are received, to submit an optional written statement in response to or commenting upon the materials. This statement would be added to the review file.

The departmental review committee evaluates the case file and makes a preliminary recommendation. This preliminary recommendation should accurately reflect all committee views, including those of dissenting members.

The review committee will present its recommendation to the eligible Senate faculty within the department (voting faculty, as defined by the department's by-laws). The voting faculty will review the case file, discuss the committee's recommendation, vote on supporting the committee's recommendation, and provide additional analysis as appropriate. These comprise the department's final recommendation. Once the final department recommendation is complete, the candidate should be advised of the outcome and, upon request, provided a copy of the department letter. The candidate will have 5 days to submit an optional written statement in response to the departmental recommendation, which will be added to the file. The candidate will sign the Safeguard Statement within AP Folio, and the complete case file is sent to the office of the appropriate Dean.

The Dean of the appropriate college makes an analysis and recommendation based on the materials and recommendation submitted by the department. The case is then forwarded to the Associate Vice Chancellor (AVC) for Academic Personnel.

The AVC has approval authority for Excellence Review cases, and if they determine that additional review is necessary for proper evaluation, they may request that the Committee on Academic Personnel (CAP) review the case.

The final decision is based on the documentation presented in the departmental file, as well as the recommendations of the Dean and CAP (in those cases where CAP is asked to review).

If the candidate's performance is deemed excellent and they achieve Continuing status, they will first be moved to the salary point on Table 16 that corresponds to their current pre-six salary. A minimum of 2 salary points shall be awarded from there as a merit increase.

Requests for reconsideration of a final decision will be governed by Red Binder I-10.

II-11 PROMOTION TO SENIOR CONTINUING LECTURER (Revised-6/24)

This section outlines the requirements for the Promotion Review of a Continuing Unit 18 Lecturer to Senior Continuing Lecturer. See Article 7D and Article 43 of the MOU.

I. Eligibility

In order to be eligible for promotion to Senior Continuing Lecturer, a Continuing Lecturer must have received at least 2 consecutive positive merit reviews as a Continuing Lecturer in the same department. Upon the third normative merit review (minimum of 9 years after achieving Continuing status), a Continuing Lecturer may request a promotional review. This request must be submitted *in writing* to the department chair or equivalent.

II. Criteria

The standard for promotion to Senior Continuing Lecturer is demonstrated exceptional performance in assigned instructional duties, academic responsibility per Article 3 of the MOU, and other assigned duties. Evaluation of academic qualifications for promotion will be based on the candidate's broad-ranging instructional contributions and how they have greatly enhanced the academic mission of the University.

Length of service and continued excellent performance as a Continuing Lecturer alone are not justification enough for promotion.

Per <u>Article 43</u>, instructional performance shall be evaluated according to the following criteria, as demonstrated by the materials in the review file:

- Dedication to and engagement with teaching;
- Command of the subject matter and continued growth in mastering new topics;
- Organizing and presenting course content effectively and with demonstrated learning outcomes;
- Setting pedagogical objectives appropriate to the course topic, level, and format;
- Responding to student work in ways commensurate with student performance, course topic, level, and format;
- Awakening in students an awareness of the importance of the subject matter;
- Inspiring interest in beginning students and stimulating advanced students to do complex work;
- Developing pedagogically effective assignments, lecture slides, lesson plans, exams, and/or other course materials and/or prompts for student work; and
- Exceptional instructional performance would include introducing new teaching practices into the course(s)

III. Documentation of Performance

Once a Continuing Lecturer provides their written request to be considered for promotion, the department shall notify the candidate in writing, no less than 45 days prior to the date by which the candidate's review materials must be submitted to the department. The notification requirements are outlined in <u>Article 43.B.2</u> and the <u>notice template</u> on the AP website should be used.

The following review materials are required:

- Current CV or bio-bibliography
- A self-reflection/self-statement/self-evaluation of the candidate's performance, teaching objectives, and teaching activities
- ESCIs (Spring 2024 and earlier) or SET reports (Summer 2024 and later) and written student evaluations

- Term-by-term enumeration of the number and types of courses taught
- Solicited, confidential extramural letters of evaluation (see Section IV below)

See <u>Article 43.C</u> for other, optional review materials that may be submitted and used in the review.

The Senior Continuing promotional review will be based on performance since achieving Continuing Lecturer status.

IV. Extramural Evaluations

As part of the review file for promotion to Senior Continuing Lecturer, departments must submit five or more letters of recommendation. Departments should strive to ensure that at least half the letters submitted with the case come from references chosen by the Chair in consultation with the department, but independent of feedback from the candidate and without consulting the candidate. These letters may be of two types:

- 1. Letters from extramural referees with knowledge of the candidate's professional status and teaching record including former students, and graduates who have achieved notable professional success since leaving the university, reviewers who can comment on the candidate's command of the subject and continuous growth in the subject field, or any appropriate referee with knowledge of the candidate's performance.
- 2. Letters from UCSB Senate faculty or Continuing Lecturers, external to the department, who have conducted peer review of the candidate's teaching. Peer evaluation may include such things as classroom visits or videotaping, commentary on course syllabi, reading assignments, and examinations. Qualitative descriptions and opinions are preferable to quantitative ratings or comparative rankings in peer evaluation of teaching.

Both types of letters are subject to the same redaction and confidentiality policies as extramural letters.

The candidate must be given the opportunity to suggest the names of persons who could be solicited for letters of evaluation, and also to indicate in writing the names of persons who, in the candidate's view, might not objectively evaluate the candidate's qualifications or performance for any reason (which may include "personal reasons"). The candidate should know that a request to exclude certain potential evaluators will become part of the review file and that such requests are made regularly and should in no way jeopardize the candidate's case. Furthermore, such requests are generally honored to the extent possible unless they interfere with proper evaluation.

The sample solicitation letter and confidentiality statement must be used when soliciting letters of evaluation (Red Binder I-49 and I-50). Additional wording may be added describing the criteria that are relevant in a particular candidate's case. If wording is added or changed, Academic Personnel must be consulted regarding the revise language prior to sending the solicitation letter.

V. Review Procedure

Once all materials are assembled, and before the departmental review committee evaluates the file, the candidate will be provided an opportunity to inspect all non-confidential materials in the file, pursuant to <u>Article 10</u>. The candidate may also, at this time, request redacted copies of the confidential materials in the file. The candidate will then have 5 days from the date materials are received, to submit an optional written statement in response to or commenting upon the materials. This statement would be added to the review file.

The departmental review committee evaluates the case file and makes a preliminary recommendation. This preliminary recommendation should accurately reflect all committee views, including those of dissenting members. The review committee will present its recommendation to the eligible Senate faculty within the department (voting faculty, as defined by the department's by-laws). The voting faculty will review the case file, discuss the committee's recommendation, vote on supporting the committee's recommendation, and provide additional analysis as appropriate. These comprise the department's final recommendation. Once the final department recommendation

is complete, the candidate should be advised of the outcome and, upon request, provided a copy of the department letter. The candidate will have 5 days to submit an optional written statement in response to the departmental recommendation, which will be added to the file. The candidate will sign the Safeguard Statement within AP Folio, and the complete case file is sent to the office of the appropriate Dean.

The Dean of the appropriate college makes an analysis and recommendation based on the materials and recommendation submitted by the department. The case is then forwarded to the Associate Vice Chancellor (AVC) for Academic Personnel.

The AVC has approval authority for Senior Continuing Lecturer promotion cases, and if they determine that additional review is necessary for proper evaluation, they may request that the Committee on Academic Personnel (CAP) review the case.

The final decision is based on the documentation presented in the departmental file, as well as the recommendations of the Dean and CAP (in those cases where CAP is asked to review).

If a Continuing Lecturer is promoted to Senior Continuing Lecturer, a minimum of 3 salary points will be awarded. Once promoted, a Senior Continuing Lecturer will be eligible for merit review at least once every three years, and will continue to be reviewed under the standard of "exceptional".

If a Continuing Lecturer is not promoted to Senior Continuing Lecturer, the candidate will still be assessed for merit as a Continuing Lecturer under the standard of "excellent". A Continuing Lecturer may request another promotional review at their next normative merit review.

Requests for reconsideration of a final decision will be governed by Red Binder I-10.

II-12

PRE-SIX UNIT 18 FACULTY APPOINTMENT/REAPPOINTMENT CHECKLIST

(Revised <u>2/23</u>)

For All Appointments/Reappointments:

Departmental Recommendation (Lecturer and Supervisor of Teacher Education Appointment and Reappointment Form)

- □ Is the salary rate on the Unit 18 Faculty Pre-Six Year Lecturer salary scale (Table 15)?
- \Box Is the job code appropriate for the appointment?

	<u>9/9 pay basis</u>	<u>9/12 pay basis</u>
Lecturer	1632	1630
Supervisor of Teacher Education	2220	2220

- Does the assignment conform to the department's current Instructional Workload statement?
- □ Has Graduate Council approval been obtained for graduate level courses?
- $\hfill\square$ If the appointee concurrently holds another appointment, have you:
 - Identified this in the appointment form?
 - o Coordinated this Unit 18 appointment/assignment with the other department/campus?
 - Considered the impacts this appointment may have with respect to appointment averaging on this and the primary assignment (see RB II-1 and the Appointment Averaging <u>slides</u>)

For Initial Appointments:

- □ Is the appointment term limited to a maximum of 1 academic year?
- \Box Is an up-to-date CV included?
- □ Is a complete, signed, and dated UCSB Biography form included?
- Has the candidate submitted the Misconduct Disclosure Form?

2-year Reappointments

These reappointments follow an initial 1-year appointment

- □ Is the appointment term defined for 2 academic years, except where prescribed in RB II-2?
- □ Has the Pre-Six Assessment (see RB II-3) been conducted and the assessment feedback form included?
- □ Is the average appointment % time the same in Year 1 and Year 2 of the reappointment?
- □ Has a 1-salary-point salary increase been included?

3-year Reappointments

These reappointments follow the 2-year reappointment and subsequent 3-year reappointments (as applicable)

- □ Is the appointment term defined for 3 academic years, except where prescribed in RB II-2?
- □ Has the Pre-Six Academic Review (see RB II-4) been conducted?
- □ Have all the Academic Review materials (including the final outcome letter) been included?
- □ Is the average appointment % time the same in all 3 years of the reappointment?
- □ Has a 1-salary-point salary increase been included?

Supplemental Assignments

 \Box Is the job code appropriate for the appointment?

Supplemental Assignment9/9 pay basis9/12 pay basis16491648

□ Have you considered the impacts this assignment may have with respect to appointment averaging on this and the appointee's primary assignment? (see RB II-1 and the Appointment Averaging <u>slides</u>)

III-1 **TEMPORARY RESEARCH APPOINTMENTS General Information**

(Revised 10/24)

Titles in this section are to be used for individuals involved in research and do not have formal teaching responsibilities. Questions concerning the use of staff titles for individuals involved in research should be directed to Human Resources.

Policies

The campus policies for Discipline and Dismissal (Red Binder IX-20), Non-Senate Academic Grievances (Red Binder IX-25), and Layoff and Involuntary Reduction in Time (Red Binder IX-30) are applicable to non-represented appointees in this section. Represented appointees in these series are governed by the Memorandum of Understanding (MOU) between the University and the UAW (Academic Researchers Unit, RA) articles on Corrective Action and Dismissal (Article 6), Grievance and Arbitration Procedures (Article 7) and Layoff and Reduction in Time (Article 11).

The campus policy and procedures for recruitment are set forth in Red Binder Section VII.

Deadlines for submission of merit/promotion requests

All merits and promotions for individuals in the Professional Research, Specialist, and Project Scientist series will be effective July 1.

Requests for advancement must be submitted according to the following schedule:

Series	Submit to:	Due Date
Professional Research	D	
Academic Departments	Dean's Office	March 1
ORUs	Academic Personnel	March 1
Project Scientist; Asst, Assoc, Full Specialist	Academic Personnel	April 1

Service limitations and Appointment lengths

For all series, six months or more of service, with or without salary, in any fiscal year counts as one full year of service for advancement eligibility purposes.

Initial appointments for represented employees must be for a minimum of one-year, unless a shorter term may be justified based on the work, funding, or programmatic need. Reappointments for represented employees before the first advancement review must be for a minimum of one-year terms. Reappointments for represented employees following the first advancement review must be for a minimum of the normative time at rank and step.

Junior Specialists may not be appointed at this rank for more than three years.

For non-represented employees, appointments or reappointments are normally made for one year at a time.

All appointments are term appointments with a stated end date.

Appointees in research series (self-funded as a PI or Co-PI) may be placed on Short Work Break in accord with Red Binder VI-18 and the MOU.

No further notice of non-reappointment is necessary for appointments at less than 50% for any period of time, or for appointment of less than eight consecutive years in the same title or series.

Notice of non-reappointment must be given if the employee has served at 50% or more for eight or more consecutive years in the same title or series (APM 137-30) and Articles 21, 22, and 26 of the MOU. Written Notice of Intent not to reappoint must be given at least 60 days prior to the appointment's specified end date. The notice must state (1) the intended non-reappointment and the proposed effective date; (2) the basis for non-reappointment including copies of any supporting documentation; and (3) the employees right to respond within 14 days and the name of the person to whom they should respond. Within 30 days of the Notice of Intent, and after review of any response, the University will issue a written Notice of Action to the employee. Pay in lieu of notice may be given.

Recall appointments in any temporary research title may not exceed 43% time, alone or in combination with other recall appointments (see RB I-70). Appointments are requested using the <u>Academic Recall Appointment Form</u> and require approval by the Associate Vice Chancellor for Academic Personnel.- Recall appointments are to be entered into UCPath using the Recall Non-Faculty Academic title (3802 or 3812).

Without Salary Recall appointments will no longer be approved unless specifically required by a funding agency or similar.

Starting July 1, 2025, retirees in recall appointments who meet eligibility criteria for medical benefits upon reemployment will have their UC retiree medical plan suspended, and will be offered <u>mid-level faculty/staff benefits</u> <u>coverage</u>. This applies to all recalled academic appointments, including unpaid (0% time) appointments.

Titles not specifically discussed in the Red Binder may not be used without prior approval by the Academic Personnel Office and will be subject to campus practice and APM policy.

III-5 PROCEDURAL SAFEGUARD STATEMENT TEMPORARY ACADEMIC TITLES-(Revised-2/23)

Informational only: all safeguards are to be completed via AP Folio

PRIOR TO DEPARTMENTAL REVIEW:

- For non-represented appointees: I was informed that I was to be reviewed for this personnel action and of the process as described in APM 160, 310, 311, 330, 340, 365 and 375 as appropriate. For represented appointees: I was informed that I was to be reviewed for this personnel action and of the process as described in Memorandum of Understanding, Articles 21, 22, and 26 as appropriate.
- 2. I had the opportunity to ask questions, supply information and evidence, and add material to my file in preparation for the review.
- 3. I was informed whether or not letters of evaluation were to be sought as part of this personnel action.
- 4. If letters were sought (e.g., for promotion)
 - A. I had an opportunity to suggest names of evaluators; and
 - B. I had the opportunity to submit, in writing, names of persons who, for reasons set forth by me, might not provide objective evaluations.
- 5. I was informed whether or not there were confidential documents (i.e. external letters, minority opinion reports) in my department review file and of my right to review a summary of any such documents.



Yes, there are confidential documents in my file (proceed to #6)



No, there are not any confidential documents in my file (proceed to #7)

6. If yes to #5, I was provided the contents of the confidential documents (i.e. external letters, minority opinion reports) in my file by means of:



Redacted copy



Chose not to receive contents



Oral Summary

- 7. I had the opportunity to inspect all non-confidential documents in the review file.
- 8. I had the opportunity to provide a written statement in response to or comment upon all materials in the file.

FOLLOWING THE DEPARTMENTAL REVIEW PROCESS:

9. I was informed of the departmental recommendation and the substance of the evaluation under each of the applicable review criteria by means of:



Copy of the departmental recommendation

<u> </u>	Oral Summary] _{C.}	Chose not to be informed

- 10. I was informed whether or not the department vote for the recommendation was unanimous or by a strong or a narrow majority.
- 11. I was informed of my right to make written comments, within five working days, to the Chair (or appropriate person) regarding the departmental recommendation. I was aware that these comments would be included in the file and made available to other voting faculty in the department.
- 12. I was informed of my right to make written comments regarding the departmental recommendation to the dean or AVC, as appropriate, and that these comments would be included in the file and available to other reviewing agencies outside of the Department

I HAVE SUBMITTED THE FOLLOWING ADDITIONAL MATERIALS:

Suggested nam	es of evaluators (in accordance with 4A above).
Names of perso 4B above).	ons who might not provide objective evaluations (in accordance with
A written states above).	ment in response to materials in the file (in accordance with 8
A written state accordance wit	ment about the departmental recommendation to the Chair (in the 11 above).
A written states with 12 above)	ment about the recommendation to the dean or AVC (in accordance

REVIEWING AGENCY REPORTS

I request that copies of reviewing agency reports, if any be provided to me after the conclusion of my review.

I do not wish to receive copies of reviewing agency reports, if any at the conclusion of my review, but understand that I may request them at any time in the future.

SIGNED	DATED

PRINT NAME _____ DEPARTMENT _____

III-7 DOCUMENTS TO BE SUBMITTED BY THE CHAIR <u>RESEARCH APPOINTMENTS</u>

(Revised <u>10/24</u>)

All appointment cases are to be submitted via AP Folio.

I.	 Department Letter: Accurate and analytical letters of recommendation from the department are essential in the review process. See Red Binder I-35 for further detail of content of departmental recommendations Are the dates of the appointment, rank and step all clearly stated? Is the recommended salary on the published salary scale? If a request is being made to use the Engineering scale in a non-Engineering unit (RB III-12 V, A, 2 and RB III-14 V, A, 2) is appropriate justification provided? Is the off-scale supplement correct (if applicable), per off-scale general policies (RB I-8-I)? If the salary is off-scale or above scale is it rounded to the nearest \$100? If a vote was taken, is the final departmental vote included (e.g. 10(yes)-0(no)-0(abstentions)-3(not voting))? Is there an indication of how many were eligible to vote? If no vote was taken, is the review procedure (i.e., committee, chair/director review) explained? Does the departmental letter, provide thorough description of the duties to be performed as justification for the rank, requested? Does the departmental letter provide an accurate, extensive, and analytical representation of the candidate's qualifications, justifying the proposed step and salary? If the case contains extramural letters, are letter writers identified only by coded list, with no identifying statements?
п.	 Extramural letters of evaluation and list of evaluators for appointment at the Associate and full level as appropriate for the series (See Red Binder III-12, III-14, III-16) Extramural Letters Are the required number of letters included, when appropriate (See RB III-12, III-14, III-16)? Are at least half of the letters from references chosen by the Chair/Dept independent of the candidate? Have all letters were sent via email, is a copy of the email and any attachment included? Are any anomalies in the composition of reviewers explained?
	 Sample Solicitation Letter(s) and/or thank you letter(s) for unsolicited letters Was the proper wording used in the letter (RB I-49 to I-50)? Is a list of all informational items sent to referees (e.g. CV, Bio-Bib, publications sent, etc, per RB I-51) included? Is a copy of each item included as either part of the case or a one-of-a-kind item? If different versions of either the letter or the materials went out, is a sample of each included? List of Referees, including brief Biography and indicating who selected referees (RB I-46-V)
	 Do the codes on the letters match the codes on the list and the codes used in the departmental letter? Does the list clearly indicate if the referees were candidate suggested, department suggested, or independently suggested by both? Are the names of everyone who was asked to write included? For those who did not respond is a reason for no response listed?
III.	Complete CV and UCSB Academic biography form Is the CV up to date?

Is the UCSB Academic biography form complete, signed and dated?

IV. Copies of publications

- Has a representative sampling of publications been submitted?
- Have links to electronically submitted items been verified?

If items cannot be submitted electronically, have arrangements been made with the Academic Personnel Office?

V. Misconduct Disclosure

Has the candidate submitted the Misconduct Disclosure Form?

Other considerations:

- 1. If a search was conducted, the search report must be approved in UC Recruit before the appointment is submitted. If no search was done, a waiver must have been approved.
- 2. The Procedural Safeguard Statement is <u>not</u> used for new appointments. However, candidates for appointment, once appointed, do have the right to inspect non-confidential documents in their files and to have a redacted copy of the confidential academic review records contained in the personnel review file received pursuant to APM 220-80-i.
- 3. When putting forward a case for 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.

III-20 RESEARCH ASSOCIATE AND RESEARCH FELLOW (Revised-2/21)

I. Definition

Research Associates and Research Fellows are non-salaried (without salary) appointments for scholars of distinction and visiting fellows whose main affiliation is elsewhere but who maintain a recognizable research affiliation with UCSB. Research Associates and Research Fellows may serve as Ceo-PI by exception. Please consult the Office of Research regarding the Co-PI exception process.

See APM 355 for System Wide policy on Non-Salary Research Positions.

II. Appointment Criteria

Appointments may be made as: Research Associate: Job code CWR 022 Research Fellow: Job code CWR 021

Appointees as Research Associate or Research Fellow must possess a Ph.D. or equivalent training in the field.

In addition:

- A. Appointees as Research Associate must have established a record of independent research.
- B. Appointees as Research Fellow need not have had experience as an independent researcher aside from the research done for the doctoral degree. Research Fellows will normally be visiting fellows from recognized fellowship programs or as traveling fellows-from other universities.

In limited circumstances, an individual who is establishing a research relationship with UCSB but is not yet funded, and for whom UCSB is the main affiliate, may be appointed as Research Associate or Research Fellow.

The Research Associate title may also be used for Senate faculty who have resigned but will continue to have grant funding at UCSB for a short period of time.

III. Terms of Appointment

Appointments and reappointments to these titles are for specified terms, not to exceed three years per appointment. There is no limit on the total length of appointment in the series.

IV. Appointment Procedure

Appointments are processed by submitting the <u>Contingent Workers Appointment Form</u>, a Patent Acknowledgement form, and an up to date UCSB Biography form to the Academic Personnel office. Departments should also ensure the candidate has submitted the Misconduct Disclosure Form prior to appointment. All appointments are to be entered into UCPath by the department.

V. Reappointment Procedure

Reappointments are processed by submitting the <u>Contingent Workers Appointment Form</u> and an up to date UCSB Biography form to the Academic Personnel office. All reappointments are to be entered into UCPath by the department.

↓.**VI**. Approval authority

All actions Department Chair or Director with post-audit by Academic Personnel

III-23

VISITING (RESEARCHER, PROJECT SCIENTIST, AND SPECIALIST) APPOINTMENTS (Revised-12/19)

I. Definition

The Visiting prefix is used to designate one who:

- 1. Is appointed temporarily to perform the duties of the title to which the prefix is attached; and
- 2. Is on leave from an academic or research position at another a non-UC educational institution-

See APM 230 for System Wide policy on Visiting titles.

II. Appointment Criteria

The Visiting prefix may be used with titles in the Professional Research series, Project Scientist, or Specialist series.

The criteria for evaluation shall be the same as for the corresponding regular title. Because the appointment is temporary, reasonable flexibility may be employed in the application of these criteria. Care should be taken to inform the appointee of the provisions of IV below.

III. Term of Appointment

Each appointment or reappointment with a Visiting prefix shall not exceed one year. With the exception below, the The total period of consecutive service with a Visiting title shall not exceed two years.

Visitors in the Specialist series who are enrolled in a degree-granting doctoral program or the equivalent at a non-UC educational institution are limited to a one year appointment, with no extensions, reappointments, or exceptions.

If the appointee is later considered for transfer to a corresponding appointment in the regular series, the proposal for such transfer shall be treated as a new appointment subject to full customary review.

IV. Compensation

Appointments will normally be paid, but may be made on a without salary basis in limited circumstances. For paid appointments the salary for a visiting position is negotiated. While the salary does not have to be on-scale on the corresponding regular series scale, the salary may not be below the minimum rate for the rank. For example, a Visiting Researcher may not be paid below the non-represented Researcher Step I UCSB minimum rate. Because these salaries are negotiated on an individual basis, they are not subject to range adjustments. For travel expense reimbursement, see APM 230-20h.

Without salary appointments may be appropriate when an individual is visiting UCSB but is being funded through either their home institution or some other external agency.

V. Appointment process

Requests for Visiting appointments should be prepared using the <u>Visiting (Researcher, Project Scientist,</u> and Specialist) Appointment Form. A UCSB Biography form and a CV must also be submitted. Departments should also ensure the candidate has submitted the Misconduct Disclosure Form prior to appointment.

VI. Restrictions

Neither tenure nor security of employment is acquired, although eligible service as a Visiting Assistant Researcher will count towards the University's eight-year limit (APM 133).

VII. Approval Authority

Action

Authority

All actions

Associate Vice Chancellor for Academic Personnel

III-25 WITHOUT SALARY VISITORS

(Revised <u>6/20</u>)

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.

See APM 430 for System Wide policy on Visiting Scholars and Other Visitors.

II. Appointment Criteria

- A. Appointments may be made as:
 - Visiting Scholar: Job Code CWR015 Visitor (Graduate Student): Job Code CWR003 Visitor (Undergraduate): Job Code CWR016
- B. A Visiting Scholar must possess an appropriate terminal degree (e.g., PhD) 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.
- C. The appointment must serve an academic purpose for the unit in which the individual is appointed.

The appointment must serve an academic purpose for the unit in which the individual is appointed.

III. Terms of appointment

- A. Appointments may be made for short periods not to exceed up to one year (12 months), and more typically, for six months or less, 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 should may be asked to provide evidence, appropriate to the duration of the appointment, of adequate support from external sources.
- C. Visitors are ineligible for salary or wages, but they -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 <u>Contingent Workers Appointment Form</u>, a Patent Acknowledgement form, and an up to date UCSB Biography form to the Academic Personnel office. Departments should also ensure the candidate has submitted the Misconduct Disclosure Form prior to appointment. -All appointments are to be entered into UCPath by the department.

VI. Approval authority

<u>Action</u> All Actions <u>Authority</u> Department Chair or Director with post-audit by Academic Personnel

V-2 DOCUMENTS TO BE SUBMITTED BY THE CHAIR <u>ACADEMIC COORDINATORS</u>

(Revised $\frac{5}{24}$)

All appointments and advancements are to be submitted via AP Folio

APPOINTMENTS

I.

Departmental Letter of Recommendation

- Accurate and analytical letters of recommendation from the department are essential in the review process. See Red Binder I-35 for further detail of content of departmental recommendations:
- Are the dates of the appointment, rank and step all clearly stated?
- ☐ Is the recommended salary on the published salary scale?

II. Complete CV and UCSB Academic biography form

- Is the CV up to date?
- ☐ Is the UCSB Academic biography form complete, signed and dated?
- Have all links to supporting documents been verified?

III. Job Description

Does the job description addressed program scope and complexity, degree of independence, budgetary responsibility, level of professional accomplishment required and scope of impact on the campus mission (See APM 375, Appendix A)?

IV. Supportive and other documentation

Has a representative sampling of supporting documentation been submitted?

Has the candidate submitted the Misconduct Disclosure Form?

Other considerations:

- 1. If a search was conducted, the search report must be approved in UC Recruit before the appointment is submitted. If no search was done, a waiver must have been approved.
- 2. The Procedural Safeguard Statement is <u>not</u> used for new appointments. However, candidates for appointment, once appointed, do have the right to inspect non-confidential documents in their files and to have a redacted copy of the confidential academic review records contained in the personnel review file received pursuant to APM 220-80-i.
- 3. When putting forward a case for 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.

MERITS AND PROMOTIONS

I.

Departmental letter of recommendation

Accurate and analytical letters of recommendation from the department are essential in the review process. See Red Binder I-35 for further detail of content of departmental recommendations:

- Is the letter an accurate, extensive, and **analytical** representation of the case?
- If there is a recommendation for an acceleration, are the reasons for the acceleration specifically stated?
- In the case of a negative departmental recommendation, is the basis of the recommendation clearly documented?
- Is all relevant information from the Departmental letter accurately entered on the case up-load screen?

II. Updated CV or Bio-bib

☐ Is the CV up to date?

Is the Bio-Bib in the proper format?

Is the Research section a cumulative list of publications (or creative activities) with a line drawn
separating all new items from where the bio-bib from the last review case had ended?

Are the numbers the same as in the previously submitted bio-bib, and have items previously listed as "In Press", "Submitted" been accounted for?

Are all items, including "In Press", "Submitted", and "In Progress" properly numbered?

Have all links to supporting documents been verified?

III. Job Description

Is an updated job description included if there have been changes since the last review?

If there have not been changes in the job description, does the departmental letter state that fact?

IV. Safeguard Statement (RB III-5).

The candidate must sign an on-line safeguard which will be forwarded with the departmental recommendation. If it is difficult or impossible to obtain this document, the Chairperson should explain the situation and indicate in what manner they have attempted to meet the requirements outlined in the form.

- Has the candidate signed the safeguard statement? The case may not be forwarded until the candidate has signed.
- ☐ If there are confidential documents (e.g. letters of evaluation), the appropriate box under #5 and #6 should be checked.
- Are copies of everything the candidate has provided, or been provided, included with the case (e.g. redacted letters, list of potential evaluators)?

IV. Supportive documentation

Has a representative sampling of supportive documentation been submitted?

VI-3 SICK LEAVE (Revised-2/24)

Academic appointees do not accrue sick leave credit with the exception of certain groups listed below, in APM 710-14, or the applicable Memorandum of Understanding (MOU) for represented academic employees. Academic appointees who accrue sick leave shall maintain proper records to show accrual and usage of sick leave credit. In the case of illness of faculty (as defined in APM 110 F (15) who do not accrue sick leave, leave with pay up to the maximums described in APM 710-11 a and b may be approved by the Dean. Leaves in excess of the APM maximums require approval of the Associate Vice Chancellor for Academic Personnel.

A. The following are eligible to accrue sick leave credit-provided the appointment is at fifty percent or more time:

- Professional research series
- Specialist series
- Project Scientist series
- Librarian series
- Associate and Assistant University Librarians
- Continuing Educator
- Academic Coordinator
- B. Appointees who accrue sick leave accrue at the rate of one working day per month for full-time service, including periods of leave with pay other than terminal vacation. Accrual for part time employees is based on the percent time on pay status during the month. See RB VI-8 for accrual codes.
- C. Accrued sick leave is to be used in keeping with normally approved purposes including personal illness; medical appointments, childbearing and childrearing (see APM 715 and 760), or disability, as defined in APM 710-20, or the applicable MOU.
- D. Faculty who do not accrue sick leave may apply for medical leave as follows:-
 - If appointed for one year or more the appointee may apply for up to one quarter of leave with pay due to personal illness at a time. A physician's statement assessing the prognosis for return to duty may be requested prior to approval of the leave. Should the illness require an extension beyond the initial quarter of leave with pay, a physician's statement must be provided with the request for extension. Exceptions beyond the APM maximums will be considered on an individual basis. At no time may paid medical leave exceed three consecutive quarters.
 - If appointed for less than one year, the appointee may apply for paid leave due to personal illness for approximately the period that would be accrued during the appointment in accord with the accrual rates in APM 710-18.
- E. Academic appointees who do not accrue sick leave will be provided a paid sick leave bank of 6 days per calendar year. The bank is pro-rated according to appointment percent time. Unused days expire each December 31, and a new bank of 6 days will be available each January 1. This sick leave bank is distinct and separate from paid medical leave as provided by APM 710 or the MOU.
- F. Accrued sick leave or the sick leave bank may also be used for medical appointments or to care for an appointee's ill child, parent, spouse, domestic partner, sibling, grandparent, grandchild, or designated person, as purposes defined in APM 710-20, APM 715-0, or the applicable MOU. Faculty who do not accrue sick leave may request up to one quarter of leave with pay for the care of a family member or other designated person as defined in APM 710-20.
- G. Sick leave that is granted for a serious health problem, or to care for a parent (including parent-in-law), child, spouse, domestic partner, grandparent, grandchild, sibling, or other designated person with a serious health

problem may also be covered as a Family and Medical Leave (FML) and/or under California Family Rights Act (CFRA), as applicable (see APM 715 or the applicable MOU.) Family and Medical leave will normally run concurrently with approved sick leave.

H. Represented academic employees are eligible for medical leave to the extent allowed in the appropriate MOU and applicable state and federal law.

VI-8 ACADEMIC LEAVE ACCRUAL RATES (Revised 5/24)

Type of Appointment	Accrual Rate per month *		
Appointments made on an academic year basis:			
Academic Coordinators (9/9)	No vacation, 8 hours sick leave		
Academic Coordinators (9/12)	No vacation, 8 hours sick leave only during the 9 months of service		
All other academic year appointment	No vacation, no sick leave		
 Appointments made on a fiscal year basis (other than GS Less than 6 months, less than 50% time Less than 6 months, 50% time or more 6 months or more, less than 50% time Less than 6 months, any % time 6 months or more, 50% time or more 	SR) No vacation, no sick leave No vacation, 8 hours sick leave No vacation, no sick leave No vacation, 8 hours sick leave 16 hours vacation, 8 hours sick leave		

Graduate Student Researchers:	PTO per Article 23 of the MOU
Postdoctoral Scholars:	12 days sick leave, 24 days PTO per 12-month appointment

* Prorated when less than full time

VI-16 NEGOTIATED SALARY PROGRAM (Revised XX/XX)

The Negotiated Salary Program (NSP, see APM - 672) provides a mechanism for Senate faculty members (Professor series and Teaching Professor series) with at least a 50% appointment, to augment their compensation on a temporary basis by voluntarily contributing external funding resources towards their total UC salary. The amount of negotiated salary has a cap of 30% of the base salary in effect as of July 1, and the negotiated increment is effective for a one-year period corresponding with the University fiscal cycle of July 1 through June 30. Participating faculty are required to generate their additional negotiated income. Only contract or grant funds and other non-state-appropriated funds may be used to support the program.

The participating faculty member must maintain expected teaching, research, and service activities, commensurate with rank/step and department. There can be no teaching buyouts for any faculty member participating in this program. Additional compensation for a faculty member may not be at the expense of support of graduate students and postdocs. Rather, additional external funding must be obtained to support participation.

Participation in the NSP is not granted as a matter of individual right. Faculty participants in the NSP must be in Good Standing as outlined in the Campus Implementation Procedures, make significant contributions to the mission of the University, meet all other conditions of the campus's implementation plan, and be approved for participation. NSP participants remain subject to all UC policies and must comply with all reporting obligations.

Individuals in the Senior Management Group (SMG), those who are full-time Deans (as defined by APM - 240), or those who are full-time faculty administrators (as defined by APM - 246) are not eligible to participate in the NSP.

Full details regarding eligibility criteria, Campus Implementation Procedures, and required forms can be found on the Negotiated Salary Program tab under Compensation and Benefits on the AP website: https://ap.ucsb.edu/compensation.and.benefits/negotiated.salary.program/

VII-1 POLICIES ON OPEN RECRUITMENT FOR ACADEMIC APPOINTMENTS (Revised-10/24)

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 <u>all academic positions</u> unless the recruitment is exempt under the specific criteria listed in section II below.

These laws expand pay equity and pay transparency by requiring California employers to disclose pay scales and prohibiting employers from seeking or relying on applicants' salary history information, including compensation and benefits, in the recruitment process. These laws further safeguard the right of all persons to obtain and hold employment without discrimination based on specified characteristics or status, and they are intended to address inequity in pay practices based on gender, race, color, religion, sex, national origin, disability, age, protected veteran status, gender identity, or sexual orientation.

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.

<u>External Recruitments</u> 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 PreventionEqual Opportunity and Policy Compliance office and Academic Personnel.

Recruitments may be conducted in the following ways:

<u>One- time recruitment:</u> 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.

<u>Standing pool recruitment:</u> A standing pool recruitment may be used to fill multiple positions at various times for research or teaching positions.

• Pre-six Unit 18 Lecturer standing pool recruitment advertisements must be terminated on March 31, annually. New advertisements may begin after April 1 of each year.

- Researcher title standing pool recruitment advertisements may be set to open on any date but must have a final date no longer than one year (365 days) from the open date. New advertisements may begin after the close of the previous pooled search. Departments are encouraged to initiate their replacement search plans in advance of their existing pool closure dates to allow for adequate processing time.
- These search time limits help 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, Specialist, or Project Scientist series. The individual must be a "true visitor" i.e. on leave from (or for the Professorial series only, 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 break in service due to non-reappointment. See RB II-1.
- 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 the Professorial series to the Teaching Professor series or one non-senate research series to another (e.g. 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.

If an individual being considered for a search waiver is already a current UC employee represented by a collective bargaining unit, please consult with Academic Personnel and Labor Relations before proceeding with a request.

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 using one of the appropriate categories as listed above.

The Director of Equal Opportunity & Discrimination PreventionPolicy Compliance 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 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.

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 they 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 hires 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 using the appropriate category of the three listed above. Departments may not select "Other."

The department memo 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 will be routed to the Dean for review. As part of their 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 PreventionPolicy Compliance, the Council on Planning and Budget, and the Committee on Academic Personnel prior to making a final decision. The Director of Equal Opportunity & Discrimination PreventionPolicy Compliance 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. In certain cases, Tthe Committee on Academic Personnel will provide an initial assessment of the candidate's qualifications for an academic senate position. If the request is denied, an open search will be required.

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 due to 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.

VII-4 PROCEDURES FOR RECRUITMENT OF SENATE FACULTY AND OTHER PERMANENT ACADEMIC APPOINTMENTS

(Revised $\frac{4}{23}$)

Before initiating a search, the department chair should review Red Binder I-14 Faculty Appointments, and I-13 Retention of Academic FTE. The department must have an allocated FTE and prior approval from the Executive Vice Chancellor to recruit for the position. For other permanent academic positions (i.e. Librarians) appropriate approval for the use of the FTE must have taken place.

The following steps are to be taken by the Department:

A. Recruiting

- 1. Form a search committee.
- 2. Determines the length of the recruitment period.
- 3. In consultation with appropriate control points, determines the expected salary or budgeted range that the department reasonably expects to pay see Guidelines for the Application of SB 1162 and AB 168 on AP website.
- 4. Determines the publications or recruitment sources to be used. Advertising through the JobElephant service is highly recommended to assure Labor Certification requirements are met should the eventual hire be a non-US citizen. If JobElephant is not used, the department should consult with the Office of International Students and Scholars at <u>oiss@sa.ucsb.edu</u> to assure current Labor Certification requirements are met.
- 5. Sets a realistic deadline for applications so that campus Equal Opportunity & Affirmative Action policy and procedures can be carried out without undue pressures. The advertising period should be long enough to provide the opportunity to attract a reasonable number of applicants and a diverse pool. Permanent positions must be advertised for at least 30 days.
- 6. Follows established departmental and campus procedures and review criteria for the application process.
- 7. Completes the Recruitment Plan in UC Recruit. The Recruitment Plan contains all relevant information on how the position will be advertised, how the applicants will be evaluated, and the efforts that will be made to ensure equal employment opportunity and to reach a diverse applicant pool in which women and minorities are represented.
- 8. Submits the Recruitment Plan in UC Recruit for review and approval by the Department Chair, the Office of Equal Opportunity & Discrimination PreventionEqual Opportunity and Policy Compliance office, the Dean, and Academic Personnel.
- 9. Publishes the recruitment in UC Recruit after the Recruitment Plan is approved.
- Places any additional approved advertisements for the position, including required EO/AA and SB 1162 language, as specified in Red Binder VII-7. Retains all copies of advertisements as they appear in publications and on-line, including the duration of advertisements.
- 11. Performs all other good faith recruitment efforts to increase the diversity of the pool.

B. Processing Applications and Interviewing

- 1. After the close date, reviews the quality of application materials. When an applicant pool does not contain sufficiently qualified people to fill a vacancy, it may become necessary to extend or reopen a search. The department is responsible for repeating the requisite steps as necessary.
- 2. Consults with the Dean's office to schedule the Dean review of the applicants. College requirements may vary.

- 3. Generates the Short List Report in UC Recruit and submits for approval in UC Recruit by the Department Chair, Equal Opportunity & Discrimination PreventionEqual Opportunity and Policy Compliance, and the Dean.
- 4. Upon receiving the approval of the Short List Report, contacts prospective candidates and invites them to campus for an interview. Additionally, ensures that the proposed interview schedule is appropriate and that it is applied uniformly to all candidates. Departments may reimburse candidates for interview travel and related expenses in accord with IRS regulations and University travel policies. Under exceptional circumstances, if funding is available, a candidate who has accepted an offer may be reimbursed for a single house hunting trip in accord with IRS regulations and University travel policies.

C. Search Report and Hiring Proposal

- 1. Once a potential hire has been identified, completes the sections labeled "Search Report" in UC Recruit.
- 2. Updates applicant's status in UC Recruit and enters disposition reasons for all applicants including those who were interviewed but were not selected for the position.
- 3. Generates Search Report in UC Recruit and submits for approval by the Chair, Dean, and Equal Opportunity & Discrimination PreventionPolicy Compliance.

VII-5 PROCEDURES FOR RECRUITMENT OF **TEMPORARY ACADEMIC POSITIONS** (Revised $\frac{4}{23}$)

The following steps are to be taken by the Department:

A. Recruiting

- Form a search committee, if appropriate. If a committee is formed, it must include one academic employee designated as the departmental equity/diversity advisor.
- Determines the length of the recruitment period. 2.
- Determines the publications or recruitment sources to be used. 3.
- 4. In consultation with the appropriate control point, establishes the expected salary or budgeted range that the department reasonably expects to pay - see Guidelines for the Application of SB 1162 and AB 168 on AP website.
- 5. Sets a realistic deadline for receiving applications so that campus Equal Opportunity & Affirmative Action policy, and procedures may be carried out without undue pressures. The advertising period should be long enough to provide the opportunity to attract a reasonable number of applicants and a diverse pool. In no case may a recruitment run less than two weeks.
- 6. Follows established departmental and campus procedures and review criteria for the application process.
- 7. Completes the-Recruitment Plan in UC Recruit. The Recruitment Plan contains all relevant information on how the position will be advertised, how the applicants will be evaluated, and the efforts that will be made to ensure equal employment opportunity and to reach a diverse applicant pool in which women and minorities are represented.
- 8. Publishes the recruitment in UC Recruit after the Recruitment Plan is approved.
- 9. Places any additional approved advertisements for the position, including required EO/AA and SB 1162 language, as specified in Red Binder VII-7. Retains all copies of advertisements as they appear in publications and online, including duration of advertisements.
- 10. Performs all other good faith recruitment efforts to increase the diversity of the pool.

B. Processing Applications and Interviewing

- 1. When an applicant pool does not contain sufficiently qualified people to fill a vacancy, it may become necessary to extend or reopen a search. The department is responsible for repeating the requisite steps as necessary.
- 2. Updates the applicant's status in UC Recruit.
- 3. Contacts prospective candidates and invites them to campus for an interview. Additionally, ensures that the proposed interview schedule is appropriate and that it is applied uniformly to all candidates. Departments may reimburse candidates for interview travel and related expenses in accord with IRS regulations and University travel policies. Under exceptional circumstances, if funding is available, a candidate who has accepted an offer may be reimbursed for a single house hunting trip in accord with IRS regulations and University travel polices.

C. Equal Opportunity Hiring Proposal

1. Once a potential hire has been identified, completes the sections labeled "Search Report" in UC Recruit.

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- 2. Updates the applicant's status in UC Recruit and enters disposition reasons for applicants including those who were interviewed but were not selected for the position.
- 3. Generates Search Report in UC Recruit and submits for approval by the Chair, Dean, and Equal Opportunity & Discrimination PreventionPolicy Compliance.

VII-7

SUPPLEMENTAL INFORMATION ON ACADEMIC ADVERTISING

(Revised <u>6/24</u>)

I. General

The Office of Equal Opportunity & Discrimination PreventionEqual Opportunity and Policy Compliance office, whether the advertising source is free or for a fee, must approve all academic advertisements.

Responsibility for the cost and placement of ads with vendors, distribution of advertisement flyers, etc., is the responsibility of each hiring department. Deans or control points may allocate funds to departments for the purpose of advertising. Costs beyond those allocations are the responsibility of the department.

All academic position advertisements are posted on UC Recruit.

II. Basic Elements of an Advertisement

- 1. Name of campus department and the academic program where the vacancy is located
- 2. Job Number-Assigned by UC Recruit at the time the search plan for the position is created.
- 3. Expected recruitment type (external or internal search)
- 4. Expected hire type (single, multiple, or pooled recruitment)
- 5. The level of the position if determined (e.g., Assistant, Associate, Open). For Senate faculty positions the level of the position listed in the ad must reflect the approved level of the provision.
- 6. The area of specialization/research–Preference or emphasis for a particular area of specialization can also be included. For Senate faculty positions the area must reflect the approved area of the provision.
- 7. The expected start date of the position (e.g., effective July 1, 2022; or effective 2022-23)
- 8. The expected salary or budgeted range that the department reasonably expects to pay, per newly updated SB 1162 guidelines see <u>Guidelines for the Application of SB 1162 and AB 168</u> on AP website.
- 9. Requirements-List any educational or other academic degree requirements if applicable. Care should be taken to clearly identify required basic qualifications from additional or preferred qualifications for the position.
- 10. Specify what constitutes a complete application. Departments may wish to request items such as the following:
 - a curriculum vita
 - statement of research interests
 - samples of published work
 - number of references required and the manner by which a letter of recommendation is obtained.
- 11. Specify a deadline for receiving applications. Whenever possible, Senate faculty searches should set an application deadline between November 15 and December 31. Application deadlines later than February 1 should be avoided when anticipating a July 1 start date. Departments should be mindful of the Intercampus deadline of April 1 (APM 510).
- 12. The following must be included in each ad:

- The pay scale the department reasonably expects to pay (\$X-\$Y) must be included in all job postings in UC Recruit and shared with any third parties engaged to assist with job postings, as applicable.
- "The University is especially interested in candidates who can contribute to the diversity and excellence of the academic community through research, teaching and service as appropriate to the position." In addition, tThe advertisement must end with: "The University of California is an Equal Opportunity/Affirmative Action Employer. All qualified applicants will receive consideration for employment without regard to race, color, religion, sex, sexual orientation, gender identity, national origin, disability-status, age, protected veteran status, or any other characteristic protected by lawprotected status under state or federal law." For the University of California's Affirmative Action Policy please visit: <u>https://policy.ucop.edu/doc/4010393/PPSM-20</u>. For the University of California's Anti Discrimination Policy, please visit: <u>https://policy.ucop.edu/doc/1001004/Anti-Discrimination.</u>"
- As a condition of employment, you will be required to comply with the <u>University of California</u> <u>Policy on Vaccination Programs</u>, as may be amended or revised from time to time. Federal, state, or local public health directives may impose additional requirements.

IX-18 Academic Personnel Records Retention (Revised-11/16)

The following guidelines are based on the University of California Records Disposition Schedule, available on-line at http://www.policy.ucsb.edu/information/rec-mgmt/

 The Academic Personnel Office is the office of record for personnel files of all academic employees other than the following:

 Series
 Office of record

 Librarians
 Library

 Teaching Assistants, Readers, Graduate Student Researchers
 Department*

*Employment files and student academic files should be maintained separately.

I. Retention of files

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Documents are to be maintained as follows:

Personnel files*:

Senate faculty: Academic Personnel maintains files for Senate faculty indefinitely. If a Department or College is keeping a secondary file, that file must be maintained until the employee separates from the University.

Non-Senate Academics: Academic Personnel, as the office of record, maintains files for 5 years after separation. Departments must retain files until the employee separates from the University.

*Items that are stored electronically in AP Folio and are accessible to the department or college do not need to be separately maintained in the department or college.

Applicant files

UC Recruit is the file of record for applicant files. Departments do not need to maintain hard copy of applicant files.

Faculty appointment cases that are put forward for review, but are ultimately unsuccessful recruitments will be maintained by Academic Personnel for 3 years.

Teaching evaluations (student comments and ESCIs/SET surveys) are to be maintained for the longer of:

- 1) until used in a review file, or
- 2) as long as a need is present

II. Equal Opportunity/Affirmative Action Obligations

The United States Department of Labor sets forth specific obligations as an equal opportunity/affirmative action employer. In general, any personnel or employment record must be kept a <u>period of not less than three years from the date of the making of</u> the record or personnel action involved, whichever occurs later. Such records include, but are not necessarily limited to, records pertaining to hiring, assignment, promotion, demotion, transfer, lay off or termination, rates of pay or other terms of compensation, and selection for training or apprenticeship, and other records having to do with requests for reasonable accommodation, the results of any physical examination, job advertisements and postings, applications and resumes, tests and test results, and interview notes. In the case of involuntary termination of an employee, the personnel records of the individual shall be kept for a period of not less than two years from the date of the termination.

The requirements of this section shall apply only to records made or kept on or after December 22, 1997.