



OFFICE OF THE VICE PROVOST --
ACADEMIC PERSONNEL

OFFICE OF THE PRESIDENT
1111 Franklin Street, 11th Floor
Oakland, California 94607-5200

August 31, 2012

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

Dear Colleagues:

**Re: Systemwide Review of Proposed Revised APM - 700, Leaves of Absence/General,
Presumptive Resignation**

Enclosed for Systemwide Review are proposed revisions to APM - 700, Leaves of Absence/General. The proposal is responsive to campus requests to address the need for a presumptive resignation policy.

This policy is proposed to address circumstances under which an academic appointee chooses not to return to his/her University appointment following the expiration of a leave of absence, or if he/she chooses to be absent from that appointment without obtaining approval for a leave. The presumptive resignation policy is designed to prompt an appointee under these circumstances to take affirmative steps to counter the University's presumption that the appointee's intention is to resign the University appointment.

The policy is intended to address resignation from an appointment due to absence from duty: it does not address dismissal procedures; it does not apply when it is established that an academic appointee is

absent due to intersession, illness, injury or disability; and it does not address disciplinary matters or academic competency matters.

Key concepts in the policy cover advance written notice of the intent to presume resignation as well as the appointee's right to respond to the notice, to return to service, to appeal any decision, and to request a hearing before the appropriate governing body. The appointee continues on pay status during the notice period, and pay status terminates on the response deadline date.

The proposed policy applies to academic- and fiscal-year faculty and academic appointees. Absence from duty is defined as a period of thirty (30) days following the expiration of an approved leave or 30-day absence from academic duty without approval. Instances of neglect of academic duty that do not meet this standard will be handled according to applicable academic personnel policies, including but not limited to APM - 015, The Faculty Code of Conduct, APM - 016, University Policy on Faculty Conduct and the Administration of Discipline, APM - 150, Non-Senate Academic Appointees/Corrective Action and Dismissal, and APM - 075, Termination for Incompetent Performance.

Proposed draft language describes the process of providing written notice by which the campus would implement good faith efforts to locate the absent appointee, the content of such notice, to whom the appointee would respond, and the date the response is due. It requires that the Chancellor confer with the

Chair of the Privilege and Tenure Committee should a faculty member fail to respond to the initial written notice within sixty (60) days. Communications between the Chancellor and the Privilege and Tenure Committee Chair must be documented.

Systemwide Review is a public review distributed to the Chancellors and Executive Vice Chancellors requesting that they inform the general University community, affected employees and unions about the policy proposals. Systemwide Review also includes a mandatory, three-month full Senate review.

Employees should be afforded the opportunity to review and comment on the revisions, which are available online at: <http://www.ucop.edu/acadpersonnel/apm/review.html>. Enclosed is a model communication which can be used to inform non-exclusively represented employees affected by these proposals.

This letter and enclosures anticipate that you will begin Systemwide Review of the proposed draft and submit comments no later than **November 30, 2012**. Please send comments on the proposed policy to ADV-VPCARLSON-SA@ucop.edu. Questions may be directed to Janet Lockwood at Janet.Lockwood@ucop.edu or (510) 987-9499.

Sincerely,



Susan L. Carlson
Vice Provost
Academic Personnel

Enclosures: *Draft revised policy APM - 700*
Model Communication

cc: President Yudof
Chancellors
Provost Dorr
Executive Vice President Brostrom
Senior Vice President Vacca
Vice President Beckwith
Vice President Duckett
Vice Provosts – Academic Personnel
Academic Personnel Directors
Executive Director Fox
Executive Director Rodrigues
Executive Director Tanaka
Executive Director Winnacker
Deputy General Counsel Birnbaum
Senior Counsel Van Houten
Systemwide Policy Director Capell
Assistant Director Ernst
Manager Lockwood
Human Resources Analyst Bello
Senior Administrative Analyst Rupert
Administrative Officer Abbott