

270-4 **Definition**

Titles in this series are assigned to academically qualified individuals who engage in teaching, research or other creative work, and University and public service to the same extent and at the same level of performance as those holding corresponding titles in the Professor series in the same department. Such assignments, however, shall be made only under conditions and restrictions (see APM - 270-16, 270-17, and 270-20) which serve to make a clear distinction between appointments in this series and appointments in the Professor series (defined in APM - 220). Professor in Residence titles are intended to be used for individuals supported by non-State funds.

270-8 **Types of Appointments**

- a. Titles (and ranks) in this series are:
  - (1) Instructor in Residence
  - (2) Assistant Professor in Residence
  - (3) Associate Professor in Residence
  - (4) Professor in Residence
- b. An *appointment* (as distinguished from a promotion) occurs when a person is employed in one of the four ranks above, if the individual's immediately previous status was:
  - (1) not in the employ of the University; or
  - (2) in the employ of the University but not with a title in this series.

A *transfer* is a type of new appointment for an individual whose last appointment was in a University of California title, usually a faculty title. Regular academic review is required. An affirmative action search may not be required. For example, a transfer may occur because an individual's duties change. On some campuses, a transfer is called a "change of series." See APM - 270-16-e.

- c. A *promotion* is an advancement from one rank to a higher rank within this series, usually the next rank as listed above.

- d. A *merit increase* is an advancement in salary step or to an above-scale salary rate without change of rank (see APM - 615).
- e. The term *reappointment* is used for the renewal of an appointment immediately following the ending date of the previous appointment in this series. A reappointment may or may not be accompanied by a promotion or a merit increase.

**270-10 Criteria**

A candidate for appointment or advancement in this series shall be judged by the same four criteria and standards of performance specified for the Professor series:

- a. Teaching
- b. Research and creative work
- c. Professional competence and activity
- d. University and public service

These criteria and standards are set forth in the *Instructions to Review and Appraisal Committees* (see APM - 210-1).

**270-16 Restrictions**

- a. An appointee holding a title in this series must either be a full-time academic employee of the University, with 100 percent of the employment allocated among one or more appointments to academic titles, or be certified by the Chancellor that his or her sole professional commitment is to the University. In either case, an appointee with a title in this series must be academically qualified to serve in a corresponding title in the Professor series in the same department, and must meet the criteria outlined in APM - 270-10.
- b. Limits on State Funding:  
  
Fifty percent or more of the base salary of the appointee shall come from funds other than General (State) funds, except that the Chancellor is authorized, under justifying circumstances, to fund more than 50 percent of the base salary from General (State) funds for a period normally not in excess of two years.

When an appointment in any title in this series is supported by General (19900) funds for more than 50 percent time (0.5 FTE), the total period of such appointment, in combination with appointments in the Adjunct Professor series supported by 19900 funds for more than 50 percent time shall not exceed eight years. In other words, there is a cumulative eight-year limit on State funding in the Adjunct Professor and Professor in Residence series. Exceptions to this provision are appointments as permitted pursuant to campus policies in the Neuropsychiatric Institutes at San Francisco and Los Angeles.

c. Limitation of Service:

Regardless of funding source, there is an eight year limitation of service for an appointee who holds the Assistant Professor in Residence title either alone or when combined with those titles listed in APM - 133-0-a.

d. To the extent that General (State) funds are used to support any part of the base salary of an academic appointee for service with a title in this series, the corresponding fractional part of a budgeted FTE shall also be used for the appointment.

e. Transfer of appointees to other titles:

(1) An appointee with a title in the Professor in Residence series may be appointed to the Professor series only following a competitive search. Under special circumstances, the Chancellor may grant an exception.

(2) Transfer of an Assistant Professor in Residence:

In cases where there has been a review of an Assistant Professor in Residence and the Chancellor has decided not to continue the individual's appointment in the Professor in Residence series, the individual may not be appointed to any faculty title for a period of five years.

Up to the time of the Chancellor's decision, an appointee may be transferred to other titles, with his or her consent, the recommendation of the department, and regular academic review. For restrictions on transfer to the Professor series, see (1) immediately above.

- (3) Transfer of an Associate Professor in Residence and a Professor in Residence:

The Chancellor may approve transfer of an Associate Professor in Residence or a Professor in Residence to other titles, with the individual's consent, the recommendation of the department, and regular academic review. For restrictions on transfer to the Professor series, see (1) immediately above.

#### 270-17 **Terms of Service**

- a. An appointment to the title of Instructor in Residence or Assistant Professor in Residence shall be made with a specified ending date. The appointee shall be advised by letter and/or on the appropriate campus approval document that the appointment is for a specific period and that the appointment *ipso facto* ends at the specified date.

- (1) **Instructor in Residence**

An initial appointment is limited to a one-year term. The appointment may be made for a shorter term. Reappointment for one additional term of not more than one year may be approved. Total University service as an Instructor in Residence may not exceed two years.

- (2) **Assistant Professor in Residence**

Each appointment and reappointment is limited to a maximum term of two years. The appointment may be made for a shorter term. Total University service with this title and those titles listed in APM - 133-0-a may not exceed eight years.

- b. An appointment to the title of Associate Professor in Residence or Professor in Residence may be made in two ways:

- (1) **With a specific ending date**

For an Associate Professor in Residence (Steps I, II, III), each appointment is limited to a maximum term of two years. For an Associate Professor in Residence (Steps IV and V) and for a Professor in Residence, each appointment period is limited to a maximum term of three years. These appointments may be made for a shorter term.

The appointee shall be advised by letter and/or on the appropriate campus approval document that the appointment is for a specified period and that the appointment *ipso facto* ends at the specified date.

Termination prior to the specified ending date of such appointments may be only for good cause and is subject to the provisions of Standing Order 103.9 (see APM - 270-20).

(2) **With no specific ending date**

It is recommended that such appointments be made only when there is a reasonable expectation of long-term funding.

The appointee shall be advised by letter and/or on the appropriate campus approval document that the appointment does not carry either tenure or security of employment.

For provisions concerning termination, see APM - 270-20-a.

- c. Rules concerning effective dates of appointments shall be as stipulated in APM - 200-17, except that an appointment period normally will coincide with the University's fiscal year of July 1 through June 30. The effective date of a promotion or merit increase is normally July 1. However, exceptions may be approved by the Chancellor, subject to the provisions of APM - 270-24-a(6) and -a(7).

270-18 **Salary**

- a. Appointments to titles in this series may be made with or without salary. For appointments with salary, the academic salary scales for the Professor series shall apply, subject to the terms of the compensation plan. All appointees, including those without salary, must be full-time in the service of the University or be certified by the Chancellor that his or her sole professional commitment is to the University (see APM - 270-16-a).
- b. The normal periods of service at each step in this series coincide with those of the Professor series as described in APM - 220-18-b.

270-20 **Conditions of Employment**

a. Expiration of an appointment and termination

(1) **Appointments with specific ending dates are subject to the following policies:**

- (a) An appointment to a title in this series with a specified ending date expires by its own terms on that date, and additional notice of the ending of the appointment is not required.

However, in cases when appointments have been renewed at least once and if the funding sources and campus procedures permit, it is desirable (but not required) that a reasonable period of notice be given:

- appointees who will have more than two years of service by the end of the current appointment might be given as much as 12 months' notice;
- appointees who will have at least one year of service and not more than two years of service by the end of the current appointment might be given six months' notice.

The Chancellor shall establish procedures for the review of cases when an appointee with between 1 and 2 years of service is given less than 30 days notice, and when an appointee with more than 2 years of service is given less than 60 days notice. The Chancellor may establish procedures that include notice periods greater than those mentioned above.

- (b) Non-reappointment of an Assistant Professor as a result of a personnel review:

When an Assistant Professor is not reappointed as a result of a personnel review, an individual who so requests in writing shall be given a written statement of the reasons for non-reappointment. The written statement shall be given to the individual before the specified ending date, whenever possible. The appointment, however, will expire on the specified ending date, regardless of such statement. See APM - 270-83 and -84.

- (c) Termination prior to the specific ending date:

Termination prior to the specific ending date shall be only for good cause and is subject to the provisions of Standing Order 103.9.

- (2) **Appointments with no specific ending date are subject to the following policies:**

Except in instances of resignation or dismissal for good cause, termination of an appointment with no specific ending date is subject to the following:

- (a) Establishment of an ending date:

Written notice by the Chancellor of termination as a result of budgetary reasons, programmatic reasons, and/or lack of work serves to establish a specific ending date. Once a specific ending date has been established, appointments are subject to the provisions of Standing Order 103.9; termination before the specific ending date shall be made only for good cause and after the opportunity for a hearing before the properly constituted advisory committee of the Academic Senate.

Budgetary reasons include discontinuation of the funding for all or part of a program or project on which the appointee works and/or from which all or part of his or her salary is budgeted.

Programmatic changes include discontinuation of all or part of a program or project on which the appointee works.

Lack of work may be because of a change in the emphasis of an ongoing program or project, lack of funds, and/or the termination of an individual's appointment at a hospital affiliated or associated with the University.

Each appointee shall be notified in writing regarding this policy by the department chair or corresponding administrative officer at the time of appointment.

- (b) Order of termination:

The order of termination for appointees with the same rank who are supported from the same funding source in the same department,

unit, or project, shall be on the basis of special skills, knowledge, or ability essential to the operation of the department, unit, or project.

When there is no substantial difference in the degree of special skills, knowledge, or ability essential to the department, unit, or project, the order of termination shall be in inverse order of seniority. Seniority is defined as the number of months of full-time equivalent service with the University.

(c) Review procedures:

The Chancellor shall establish procedures for the review of a recommendation by a department or a division to terminate an appointee as a result of budgetary reasons, programmatic changes, and/or lack of work.

(d) Written notice of specific ending date:

The Chancellor shall provide the appointee with written notice of termination. If the funding source will permit, it is desirable that the written notice of termination take effect on June 30 of the next academic year and, in any event, not less than 30 days after notification. If the funding source for the appointment will not permit 30 days' notice, the University shall provide a minimum of 30 days' notice and, if necessary, use 19900 (State) funds for that period. Appropriate pay in lieu of notice may be given.

(e) Performance evaluation:

Upon receipt of notice of termination, the appointee may request in writing an evaluation of his or her academic achievements. Such an evaluation will serve to establish for the record an institutional assessment of the appointee's qualifications and performance independent of budgetary and programmatic reasons.

b. Dismissal for misconduct:

The Faculty Code of Conduct applies to appointees in this series.

c. Appointees in this series are members of the Academic Senate. See Standing Order 105.1(a).

- d. Neither tenure nor security of employment is acquired by appointment to a title in this series.
- e. An appointee with a title in this series is eligible for leave with pay under APM - 758 when the leave is in the interest of the University and to the extent that provision is available in the fund source(s) from which the salary is paid.

When the base salary of the appointee is supported wholly or partially by General (State) funds, leaves will be supported by General (State) funds in the same percentage of time. Each Chancellor shall establish campus procedures to provide for the administration of a leave program.

Appointees are not eligible for the sabbatical leave program as described in APM - 740.

#### 270-24 **Authority**

Authority to approve appointments, reappointments, merit increases, promotions, and terminations in this series, following appropriate review and subject to the restrictions in APM - 275-16 and 275-17, rests with the Chancellor except as noted in (a) below.

(a) **Professor in Residence at an above-scale salary:**

The Chancellor has authority to approve above-scale salaries up to and including the Regental compensation threshold. For salaries beyond the Regental compensation threshold, authority rests with The Regents on recommendation of the President, after appropriate review and as prescribed in Section 101.2(a)(1) of the Standing Orders of The Regents. (See also APM - 270-85.)

- (b) An initial appointment or subsequent reappointment of any person after his or her retirement may be made only on a year-to-year basis and with specific approval of the Chancellor.
- (c) The Chancellor's authority as stipulated above extends to the approval of promotions and merit increases having effective dates other than July 1.
- (d) The Chancellor's authority as set forth above also extends to the retroactive approval of appointments, promotions, and merit increases (that is, with the beginning date of service prior to the date of actual approval).

**270-80 Review Procedures**

The provisions of APM - 220-80-c, -d, -e, -f, -g, -h, -i, -j, and 220-84-b apply to appointees in this series.

**270-81 Procedure for Appointment and Reappointment of an Instructor in Residence**

The general provisions of APM - 220-80, as listed in Section 270-80, apply here. In addition:

- a. Final decisions on appointment or reappointment are made by the Chancellor.
- b. The Chancellor shall give written notification to the candidate of the final decision to appoint or reappoint as Instructor. The ending date of an appointment shall be clearly shown on the appropriate campus approval document that effects the action.
- c. The Chancellor shall inform the Instructor in Residence in writing of the nature and conditions of the appointment.

**270-82 Procedure for Appointment or Reappointment to the Rank of Assistant Professor in Residence**

The general provisions of APM - 220-80, as listed in APM - 270-80, apply here. In addition:

- a. The Committee on Academic Personnel shall be consulted in these cases, unless the Chancellor and the Committee on Academic Personnel have explicitly agreed to waive Committee on Academic Personnel review. A review committee shall be appointed if the Chancellor or the Committee on Academic Personnel requests it. On the basis of the recommendations and evidence provided and any additional information obtained, the review committee shall prepare and submit its comments and recommendation to the Chancellor.
- b. The final decision is made by the Chancellor. The Chancellor shall give written notification to the candidate of the final decision concerning the candidate's appointment or reappointment. The ending date of an appointment or reappointment shall be clearly shown on the appropriate campus approval document that effects the action.

- c. The Chancellor shall inform the Assistant Professor in Residence in writing of the nature and conditions of the appointment or reappointment.

270-83 **Procedure for the Formal Appraisal of an Assistant Professor in Residence**

Formal appraisals of Assistant Professors in Residence shall be made in order to arrive at preliminary assessments of the prospects of candidates for promotion as well as to identify appointees whose records of performance and advancement are below the level of excellence desired for continued membership in the faculty. The general provisions of APM - 220-80, as listed in Section 270-80, apply here. In addition:

- a. Normally each Assistant Professor in Residence shall be appraised well in advance of possible promotion (usually two and one-half years before the anticipated effective date of the promotion). A case of initial appointment from outside the University, with anticipation of promotion within two or three years after appointment, would call for an exception to the general rule. Each Assistant Professor in Residence shall be appraised no later than the first half of the appointee's sixth year of service in the University with the title Assistant Professor in Residence or with this title in combination with the titles listed in APM - 133-0-a. Earlier appraisals are permissible. Subject to these guidelines and restrictions, each Chancellor shall establish general schedules and rules for the timing of formal appraisals on the respective campus.

No formal appraisal is required if, prior to the normal occurrence of an appraisal, the Assistant Professor in Residence is being recommended for promotion to take effect within a year, has given written notice of resignation, or has been given written notice of non-reappointment or terminal appointment.

- b. Except in situations in which the Chancellor and the Committee on Academic Personnel have explicitly agreed to waive Committee on Academic Personnel review, the Committee on Academic Personnel shall be consulted in appraisals.

An *ad hoc* review committee shall be appointed if the Chancellor or the Committee on Academic Personnel so determines. On the basis of its study of all available information, the review committee shall submit a report to the Chancellor stating whether there is evidence of achievement and promise sufficient to justify the Assistant Professor in Residence's continued candidacy for eventual promotion. If the review committee finds that the

evidence does not justify the continued candidacy, it shall recommend non-reappointment or terminal appointment consistent with the limitations of service in APM - 133-0. The report of the *ad hoc* review committee shall then be considered by the Committee on Academic Personnel and the Chancellor. See APM - 220-80-g.

- c. The Chancellor shall make the final determination concerning the outcome of an appraisal, taking into account all the available evidence and the recommendations made in the course of the appraisal.
- d. The Chancellor shall inform the chairperson, through the Dean or Provost, of any decision and of any information or advice resulting from the appraisal that the Chancellor may think helpful to the chairperson or the appointee.

270-84 **Procedure for Non-Reappointment of an Assistant Professor in Residence for Academic Reasons**

The general provisions of APM - 220-80, as listed in Section 270-80, apply here. In addition:

- a. A proposal not to reappoint an Assistant Professor in Residence may originate with the department chairperson as a result of departmental review during consideration of reappointment. In this event, the case shall be reviewed in accordance with the provisions of APM - 270-82.
- b. During a review of a formal appraisal, or consideration of reappointment or promotion of an Assistant Professor in Residence, if the Academic Vice Chancellor's (or designee's) preliminary assessment is to make a terminal appointment, is not to reappoint or promote, or is contrary to the departmental recommendation, the department chair and the candidate shall be notified of this in writing by the Academic Vice Chancellor. The candidate also shall be notified of the opportunity to request access to the records placed in the personnel review file subsequent to the departmental review in accordance with APM - 160-20-c. When the candidate is provided copies of such records, the department chair also shall be provided with copies of the extradepartmental records. The candidate and the chair, after appropriate consultation within the department, shall then have the opportunity to respond in writing and to provide additional information and documentation. The candidate may respond either through the department chair or directly to the Academic Vice Chancellor. The personnel review file, as augmented by the added material, shall then be considered in any stage of the review process as designated by the Academic Vice Chancellor before a final decision by the

Chancellor is reached. The Chancellor's final decision to make a terminal appointment, or not to reappoint or promote, shall not be made without the appropriate preliminary assessment notification process and opportunity to respond being provided to the candidate as specified herein.

- c. The Chancellor is responsible for a decision not to reappoint or to make a terminal appointment of an Assistant Professor in Residence. This authority may not be redelegated. The Chancellor shall, through the Dean or Provost, inform the chairperson of a decision not to reappoint. The Chancellor shall provide a written statement to the individual advising of the outcome of the personnel review. Provisions regarding notice requirements are in APM - 270-20-a.
- d. Each Chancellor is authorized to establish guidelines for responding to requests for written statements of reasons for non-reappointment subject to these conditions:
  - (1) no written statement shall be furnished except in response to a request in writing from the appointee; and
  - (2) when a written response is provided, it shall be given by the Chancellor.

**270-85 Procedure for Appointment or Promotion to the Rank of Associate Professor in Residence or Professor in Residence**

The general provisions of APM - 220-80, as listed in Section 270-80, apply here. In addition:

- a. With a recommendation for promotion, the following information shall be included in the chairperson's detailed statement:
  - (1) the nature and extent of the faculty member's responsibilities in teaching and in supervision of individual students over a specified period of years;
  - (2) the nature and extent of the faculty member's research, professional competence and activity, University and public service; and
  - (3) current biographical and bibliographical information.
- b. An *ad hoc* committee shall be appointed in accordance with the provisions of APM - 220-80-g, and it shall carry out its duties as therein specified.

- c. The Chancellor makes the decision as to appropriate action on the basis of the accumulated evidence and recommendations and in accordance with the provisions of APM - 220-80-g, -h, -i, -j.
- d. The Chancellor is authorized to approve above-scale salaries up to and including the Regental compensation threshold.

In a case involving appointment or advancement to above-scale salary beyond the Regental compensation threshold (see Section 101.2(a)(1) of the Standing Orders of The Regents), if the Chancellor supports the appointment or advancement, the recommendation shall be sent to the President, with supporting material. If the President endorses the proposal, the President will forward the proposal to The Regents. Upon Regental approval, the President will notify the Chancellor of The Regents' action and the Chancellor will notify the appointee.

270-96 **Reports**

See APM - 200-96.