

CHAIRS OF ACADEMIC SENATE COMMITTEES
CHAIRS OF ACADEMIC DIVISIONS

Dear Committee & Division Chairs:

Attached please find the proposed final version of APM 240 (Deans) along with Interim Provost Pitts' cover letter to Council Chair Croughan and the Vice Chancellors, a summary of changes made since you reviewed the draft version earlier this year, and Council Chair Croughan's letter to Interim Provost Pitts relaying the Senate's comments from the systemwide review. In this second review, comments are requested only on the changes made in response to previous comments. The changes, which are explained in the summary, are relatively minor. Two versions of the proposed final policy are attached: the proposed final policy, and a version showing changes from the original APM 240 with strikeouts and underlines.

Although I am sending this policy to all committee and Division chairs, no committee or Division is obligated to opine, particularly if the committee chose not to opine during the original review. Those committees and Divisions that endorsed the draft policy in the first review will likely be able to determine from the summary whether they wish to review the revisions. This is the final review of the proposed policy.

Interim Provost Pitts requests that comments be submitted by June 30. This office will transmit all comments received by that date to the Provost's office. Thank you for your assistance.

Sincerely,
Martha

Martha Kendall Winnacker, J.D.
Executive Director, Academic Senate



OFFICE OF THE PROVOST AND EXECUTIVE VICE PRESIDENT --
ACADEMIC AFFAIRS

OFFICE OF THE PRESIDENT
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200

May 29, 2009

COUNCIL OF VICE CHANCELLORS
ACADEMIC COUNCIL CHAIR CROUGHAN

Re: Final Review of Proposed Revised Academic Personnel Policy – APM - 240 (Deans)

Dear Colleagues:

Here are revised drafts of proposed APM - 240 (Deans) for final review following analysis of comments submitted during system wide review. One copy shows underlines and strikeouts. The other is a clean copy.

Also attached is a summary of the principal themes, the related modifications, and the rationale for the revisions contained in the new draft.

Our goal is to finalize and issue the revised Deans policy by September 2009, following Regental review of the proposed Deans Salary Structure. Implementing guidelines will be issued at that time, including information on grandfathering Deans currently in the Senior Management Group (SMG) program.

Please forward your comments to Associate Director Janet Lockwood by June 30, 2009. Comments or questions may be sent by e-mail if you wish to Janet.Lockwood@ucop.edu or telephone (510) 987-9499.

Sincerely,

Lawrence H. Pitts
Interim Provost and Executive Vice President
Academic Affairs

Attachments

COUNCIL OF VICE CHANCELLORS
ACADEMIC COUNCIL CHAIR CROUGHAN
May 29, 2009
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cc: President Yudof
Executive Vice President Lapp
Senior Vice President Vacca
Vice President Duckett
Associate Vice President Nation
Vice Provosts – Academic Personnel
Academic Personnel Directors
University Policy Coordinator Capell
Executive Director Boland
Executive Director Larsen
Interim Executive Director Price
Executive Director Scott
University Counsel Van Houten
Associate Director Lockwood

240-4 **Definitions**

- a. An academic Dean ~~or Provost~~ is head of a Division, College, School, or other similar academic unit and has administrative responsibility for that unit. This assignment includes fiscal responsibility for the unit; responsibility for ensuring diversity of the faculty, students and staff, including maintaining an affirmative action program for faculty and staff recruitment and retention program consistent with University affirmative action policies, Regental policy and applicable law; and responsibility for ~~ensuring~~ that systemwide and local policies, including Academic Senate regulations, are observed.

- ~~b. A Divisional Dean is head of a Division of a College, School, or other similar academic unit and has administrative responsibility for that unit. A Divisional Dean may also head an intercollege/school division.~~

- b. As academic heads of their units, Deans are persons of scholarly and/or, professional accomplishment. The University encourages their continued engagement in scholarly, professional, and teaching activities, if possible and to the extent consistent with their decanal responsibilities, and it is therefore appropriate for time to be allotted to them to engage in these activities.

240-10 **Criteria for Appointment ~~and Evaluation~~**

Each Chancellor¹ shall develop ~~C~~criteria for appointment ~~and evaluation~~ of a Dean or Provost shall be developed by each Chancellor or designee.

¹ In accordance with APM - 100-6-d, the Chancellor may redelegate to a designee authority for implementing APM - 240.

240-14 **Eligibility**

- a. Except as specified in APM - 240, Deans are subject to all Academic Personnel policies.
- b. Acting and Interim Deans are subject to APM - 240 and to all Academic Personnel policies.
- c. A Dean with a concurrent title of Vice Chancellor and/or a Dean who reports solely to the Chancellor are subject to Senior Management Group policies.
- d. University Extension Deans and student affairs deans are not covered by this policy.

240-16 **Restrictions**

~~The following restrictions apply to the appointment of an academic Dean or Provost:~~

- a. ~~A Dean or Provost shall hold a concurrent University appointment in one of the following title series: Professor series, Professor in Residence series, or one of the equivalent ranks as defined by Regents' Standing Order 103.3. (See APM - 115) an Academic Senate faculty title or an equivalent title (See APM - 115, "Equivalent" Titles and Ranks).~~
- b. ~~An appointment to the position of Dean or Provost may shall be full time or part time. The personnel policies herein apply to all appointments, regardless of percent time. For Deans and Provosts appointed in the Senior Management~~

~~Program, the Personnel Policies for Senior Managers, also apply. (Personnel Policies for Staff Members, Appendix H)~~

240-17 **Terms of Service**

- a. Subject to APM - 240-20-a, appointments to the position of Dean shall normally be for a period of five years, subject to reappointment. The Chancellor may approve a shorter service period. Appointments shall be made on a fiscal-year basis.
- b. Appointment as Acting or Interim Dean may be made either on an academic-year or fiscal-year basis, as determined by campus need.

240-18 **Salary**

Deans are positioned uniquely within the University system to serve as senior scholarly and professional leaders, thus, a fair and competitive salary structure must acknowledge this duality of purpose, and attempt to achieve a balanced approach to decanal compensation. The full scope of decanal responsibilities must be considered in the context of a senior leader bridging the University's academic mission and administrative enterprise.

A Deans Salary Structure, consisting of salary bands, each with established minimum and maximum ranges, will be determined by the Office of the President. Salary will be constituted as a unit salary aligned with competitive market-based pay, and based on compensable factors.

During salary-setting, the Chancellor shall review a matrix of compensable factors included with the Deans Salary Structure. Compensable factors to consider and weigh to determine salary are: academic discipline; core functions of the job (size, scope, and complexity); market-based benchmarks; University faculty salary rank and step; strategic prioritization of the Campus, Division, College, School, or similar academic unit; and challenges unique to the history and character of the Campus, Division, College, School, or similar academic unit.

- a. ~~Authority to approve salaries for the appointment of Deans and Provosts is established in the Personnel Policies for Staff Members, Appendix H, Personnel Policies for Senior Managers.~~
- b. ~~Academic-year or fiscal-year annual salaries up to the Regental Compensation threshold for the appointment of Acting Deans and Acting Provosts are approved by the Chancellor. This figure will be indexed annually in accordance with the Consumer Price Index.~~
- c. ~~Guidelines for the compensation of Divisional Deans, Associate Deans, and Assistant Deans are presented in APM - 630.~~

a. **Determination of Salary**

- (1) **Dean Salary Range.** A salary range for Deans established and maintained by the Office of the President shall serve as a baseline for determining appointment salary. Adjustments to the salary range shall not automatically result in corresponding increases in individual salaries.
- (2) **Prior administrative experience.** Prior relevant administrative experience may be considered in determining appropriate salary.

- (3) **Market conditions and comparability.** To pay competitive total compensation in regional and national marketplaces, the Chancellor may consider external market comparability and other market-based conditions in determining an appropriate salary. Comparison institutions selected to address the needs of individual schools and/or disciplines shall be comparable in rank and stature to the University of California.
- (4) **Equity within the University of California System.** Comparisons with equivalent Dean positions and responsibilities within the University may be considered in determining an appropriate salary.
- (5) **Professorial salary.** To encourage service as Dean, the Dean's administrative salary shall at all times remain greater than his or her University of California professorial salary.

b. **Merit Increases**

- (1) **Basis for Merit Increase.** A Dean shall be eligible for consideration of an annual merit increase associated with the administrative salary in accordance with campus procedures and the availability of funding. The decanal administrative merit review criteria and procedure is separate and distinct from the academic merit review criteria and procedure established under APM - 615, Salary Increases/Merit.

Eligibility to offer administrative merit increases will be determined annually through the University of California budget process.

- (2) **Eligibility.** The Dean's appointment must take effect no later than April 1 to be eligible for an administrative merit increase during the subsequent merit cycle.

- (3) **Amount of Merit Increase.** The amount of a Dean's administrative merit increase shall be based upon the following factors:
 - (a) The Dean's annual assessment (see APM - 240-80).

 - (b) The Dean's current position within the salary range and his or her salary relative to comparable internal positions.

 - (c) The availability of approved merit increase funding.

c. **Equity or Retention Increases**

- (1) The Chancellor may approve a salary increase to correct a significant salary inequity in individual circumstances based on factors such as rapidly changing external market conditions or a disparity created by new appointees in the same or substantially similar Dean positions, either at the campus or within the University, who have comparable levels of skills and experience.

- (2) The Chancellor may approve a salary increase when a five-year review results in a recommendation to reappoint the Dean and identifies significant achievements and/or sustained excellent administrative performance beyond that which can be recognized in the annual merit process. A salary increase also may be justified at the time of reappointment if market conditions or internal equity factors have

changed since appointment, or if necessary to retain the Dean following a successful five-year review.

- (3) An equity or retention increase shall be effective on the same date as the administrative merit (normally October 1), to the extent possible. The merit increase shall be applied first, and any additional equity or retention increase shall be determined after applying the merit adjustment. An additional increase beyond the merit adjustment shall be provided only if the applied merit increase does not resolve the inequity or retention issue.
- (4) If a Dean receives an equity or retention increase in a fiscal year prior to the commitment of merit funding, the subsequent merit shall be calculated based upon the salary prior to any adjustment. A merit increase will only be applied if the merit calculation is more than the equity or retention increase.

d. Compensation for Appointment as Acting or Interim Dean

- (1) Administrative compensation shall be paid to an Acting Dean for assuming the responsibilities of an appointed Dean who is on an approved leave of absence or sabbatical leave for at least one term.
- (2) Administrative compensation shall be paid to an Interim Dean when the individual is serving as Dean on an interim basis when a new permanent Dean has not yet been named.
- (3) Compensation for an Acting or Interim Dean shall be set in accordance with normal campus practice.

e. **Additional University Compensation**

A Dean is compensated for full-time service. Additional University compensation is appropriate only in the following circumstances:

- (1) **Summer Research.** Deans may receive up to 1/12th payment for summer research based on their annual decanal salary. In such instances, accrued vacation will be used in proportion to the research days worked.
- (2) **Summer Session Teaching.** Deans may receive up to 1/12th payment for summer session teaching. In such instances, accrued vacation will be used in proportion to the teaching days worked.
- (3) **Additional Administrative Duties.** In exceptional circumstances, the Chancellor may assign a Dean to additional and temporary administrative duties within the University. In such cases, the campus may provide a stipend for the additional temporary administrative responsibilities.
- (4) **Acting or Interim Dean Appointments.** Academic-year Acting or Interim Dean appointees may receive administrative compensation for duties during the summer period. In combination with other University compensation for teaching and/or research duties, the total summer compensation may not exceed 3/9ths, exclusive of any stipends.

240-20 **Conditions of Employment**

- a. Individuals appointed to the titles of Dean, Acting Dean, or Interim Dean serve at the discretion of the Chancellor. The Chancellor may terminate the

appointment of a Dean at will at any time, after discussion with an appropriate group of the faculty as determined by the Chancellor and after consultation with the Academic Senate. If the Chancellor terminates the appointment of a Dean, it is not subject to grievance unless the reasons for the termination are unlawful or in violation of University policy.

- b. Termination of a Dean appointment does not terminate the underlying faculty appointment.
- c. Conflict of Commitment and Outside Professional Activities

A Dean may engage in outside activities as defined by and in accordance with APM - 025, Conflict of Commitment and Outside Activities of Faculty Members, with the following additional provisions:

- (1) A Dean may serve on no more than three for-profit external boards (not entities of the University of California) for which he or she receives compensation and for which he or she has governance responsibilities.
- (2) All outside professional activities, including compensated consulting activity, shall be reported annually to the Chancellor.
- (3) In accordance with APM - 025, Conflict of Commitment and Outside Activities of Faculty Members, a Dean may in each fiscal year engage in a maximum of forty-eight (48) calendar days of compensated outside professional activity, which includes the twelve days cited in (4) below.
- (4) A Dean may engage in compensated outside professional activity up to twelve (12) University workdays per fiscal year without deducting from

vacation leave balances. In excess of twelve (12) days, a Dean shall use accrued vacation leave for compensated outside professional activities.

240-24 **Authority**

a. ~~Appointment of a Dean or Provost:~~

The Chancellor has the authority to appoint and reappoint a Dean, or Provost including those serving in an interim or acting capacity, and to approve the Dean's appointment salary and appropriate salary increases up to the established maximum published in the Deans Salary Structure and in accordance with campus procedures. ~~The Chancellor, in consultation with the Academic Senate, shall appoint a committee to advise in the selection of a Dean or Provost. In cases when the Dean is the head of a school or college consisting of a single department, the faculty of the school or college shall also be consulted. In cases involving professional schools offering courses at the graduate level only, the faculty of the school shall be consulted.~~

b. For initial appointments and five-year reviews, the Chancellor, after consultation with the Academic Senate, shall appoint a committee to advise him or her. In all cases, the faculty of the respective Division, College, School, or other similar academic unit also will be consulted.

b. ~~Appointment of Acting Dean or Acting Provost:~~

~~The Chancellor has the authority to appoint an Acting Dean or Acting Provost in accordance with local campus procedures. The appointment of an Acting~~

~~Dean or Acting Provost shall be a temporary appointment normally for a period not to exceed twelve months.~~

c. The Chancellor shall report monthly and annually to the President any new appointees to the title of Dean or salary increases to existing appointees.

e. ~~Appointment of Divisional Dean, Associate Divisional Dean, Associate and Assistant Dean, Associate and Assistant Provosts:~~

~~Appointments of Divisional Dean, Associate Divisional Dean, Associate and Assistant Deans, Associate and Assistant Provosts, and acting appointments to those titles shall be made by the Chancellor upon the recommendation of the Dean or Provost under whom they serve and in accordance with specified campus procedures:~~

d. ~~Deans and Provosts~~ and acting appointments to ~~those~~ this titles title serve at the discretion of the Chancellor. The Chancellor may end the appointment of a Dean or Provost at will and at any time, after discussion with an appropriate group of the faculty determined by the Chancellor after consultation with the Chair of the Division of the Academic Senate.

e. ~~Divisional Deans, Associate Divisional Deans, Associate and Assistant Deans, and Associate and Assistant Provosts serve at the discretion of the Chancellor. The Chancellor, after consultation with the appropriate Dean or Provost, may end these appointments at will and at any time. In the case of a Divisional~~

~~Dean who heads an intercollege/school division, provisions for ending the appointment of a dean/provost apply. (See APM - 240-24-d.).~~

240-60 **Benefits and Privileges**

a. **Vacation Accrual**

- (1) Deans accrue and use vacation leave in accordance with APM - 730, Leaves of Absence/Vacation.
- (2) The Chancellor shall develop campus procedures for reporting vacation usage.
- (3) A Dean shall be granted no more than thirty (30) days in any academic year for the purpose of attending international conferences and related scholarly activities. For additional time off beyond thirty (30) days, a Dean shall be required to use accrued vacation. However, if the Dean does not have sufficient accrued vacation, the Chancellor may approve the additional time off as leave without pay.

b. **Medical Leave**

Deans do not accrue sick leave. However, Deans shall be granted paid medical leave for periods of personal illness, injury, or disability. See APM - 710-11, Paid Medical Leave for Academic Appointees Who Do Not Accrue Sick Leave.

c. **Sabbatical Leave Accrual**

- (1) Deans accrue sabbatical leave credit based on their faculty administrative appointment in accordance with APM - 740, Leaves of Absence/ Sabbatical Leaves.

- (2) Deans continue to accrue sabbatical leave credit beyond the established limits set forth in APM - 740-16-a for the duration of the Dean appointment.

d. **Administrative Leave**

When approved by the Chancellor, an administrative leave may be granted during appointment as Dean in accordance with APM - 758, Leaves of Absence/Other Leaves With Pay.

e. **Transition Leave**

- (1) A Dean may be eligible to take a transition leave immediately following the conclusion of the appointment to provide an opportunity to redirect his or her primary efforts to scholarly activities.

- (2) Paid transition leave requires a corresponding deduction of sabbatical leave credits and is subject to the terms and conditions described in APM - 740, Leaves of Absence/Sabbatical Leaves.

- (3) Transition leave shall be paid at either the current administrative or faculty rate contingent upon when sabbatical leave credits were accrued. The salary rate for that portion of the leave compensated at the administrative salary rate is ineligible for any increase. The faculty salary rate is subject to any change that may result from salary scale adjustments or academic personnel review during the period of the leave.

If sabbatical leave credits are exhausted before the conclusion of a transition leave period, the Chancellor may approve a leave with pay at

the faculty salary rate through the conclusion of the transition leave period. The individual is required to fulfill a return to active University service requirement (as stated in APM - 740-16-d) equal to the total period of the transition leave.

Sabbatical leave credits do not accrue during transition leave periods. Sabbatical leave credit accrual resumes upon return to University faculty service.

- (4) The combined total of transition leave and sabbatical leave taken during administrative service within the last five years may not exceed one year (12 months).

240-80 **Review Procedures**

This section of policy formalizes review procedures for the administrative portion of a Dean's duties. The administrative review procedures are separate and distinct from the formal academic review procedures governing the underlying faculty appointment as described in APM - 210, Review and Appraisal Committees, and APM - 220, Professor Series.

a. **Annual Assessment**

The Chancellor shall conduct an annual assessment for each Dean. The Chancellor shall communicate the key components of the assessment to each Dean.

a. **b. Five-Year Review and Reappointment**

(1) The Chancellor shall conduct a five-year A performance review for each academic Deans and Provosts shall be conducted no later than the fifth year of service and at five-year intervals thereafter to determine whether reappointment to another term is warranted. In each case involving the five-year review of a Dean ~~or Provost~~, the Chancellor, ~~in~~ after consultation with the Academic Senate, shall appoint an advisory committee to review the Dean's performance and accomplishments ~~of the Dean or Provost~~. The advisory committee shall report its findings to the Chancellor.

(2) The Chancellor shall develop the criteria and procedures for conducting five-year Dean reviews.

b. ~~The Chancellor or designee shall develop guidelines for the review of Divisional Deans, Associate Divisional Deans, Associate and Assistant Deans, and Associate and Assistant Provosts.~~

240-4 **Definitions**

- a. An academic Dean is head of a Division, College, School, or other similar academic unit and has administrative responsibility for that unit. This assignment includes fiscal responsibility for the unit; responsibility for ensuring diversity of the faculty, students and staff, including maintaining an affirmative action recruitment and retention program consistent with University affirmative action policies, Regental policy and applicable law; and responsibility for ensuring that systemwide and local policies, including Academic Senate regulations, are observed.
- b. As academic heads of their units, Deans are persons of scholarly and/or, professional accomplishment. The University encourages their continued engagement in scholarly, professional, and teaching activities, if possible and to the extent consistent with their decanal responsibilities, and it is therefore appropriate for time to be allotted to them to engage in these activities.

240-10 **Criteria for Appointment**

Each Chancellor¹ shall develop criteria for appointment of a Dean.

240-14 **Eligibility**

- a. Except as specified in APM - 240, Deans are subject to all Academic Personnel policies.
- b. Acting and Interim Deans are subject to APM - 240 and to all Academic Personnel policies.
- c. A Dean with a concurrent title of Vice Chancellor and/or a Dean who reports solely to the Chancellor are subject to Senior Management Group policies.
- d. University Extension Deans and student affairs deans are not covered by this policy.

¹ In accordance with APM - 100-6-d, the Chancellor may redelegate to a designee authority for implementing APM - 240.

240-16 **Restrictions**

- a. A Dean shall hold a concurrent University appointment in an Academic Senate faculty title or an equivalent title (See APM - 115, "Equivalent" Titles and Ranks).
- b. An appointment to the position of Dean shall be full time.

240-17 **Terms of Service**

- a. Subject to APM - 240-20-a, appointments to the position of Dean shall normally be for a period of five years, subject to reappointment. The Chancellor may approve a shorter service period. Appointments shall be made on a fiscal-year basis.
- b. Appointment as Acting or Interim Dean may be made either on an academic-year or fiscal-year basis, as determined by campus need.

240-18 **Salary**

Deans are positioned uniquely within the University system to serve as senior scholarly and professional leaders, thus, a fair and competitive salary structure must acknowledge this duality of purpose, and attempt to achieve a balanced approach to decanal compensation. The full scope of decanal responsibilities must be considered in the context of a senior leader bridging the University's academic mission and administrative enterprise.

A Deans Salary Structure, consisting of salary bands, each with established minimum and maximum ranges, will be determined by the Office of the President. Salary will be constituted as a unit salary aligned with competitive market-based pay, and based on compensable factors.

During salary-setting, the Chancellor shall review a matrix of compensable factors included with the Deans Salary Structure. Compensable factors to consider and weigh to determine salary are: academic discipline; core functions of the job (size, scope, and complexity); market-based benchmarks; University faculty salary rank and step; strategic prioritization of the Campus, Division, College, School, or similar academic unit; and challenges unique to the history and character of the Campus, Division, College, School, or similar academic unit.

a. **Determination of Salary**

- (1) **Dean Salary Range.** A salary range for Deans established and maintained by the Office of the President shall serve as a baseline for determining appointment salary. Adjustments to the salary range shall not automatically result in corresponding increases in individual salaries.
- (2) **Prior administrative experience.** Prior relevant administrative experience may be considered in determining appropriate salary.
- (3) **Market conditions and comparability.** To pay competitive total compensation in regional and national marketplaces, the Chancellor may consider external market comparability and other market-based conditions in determining an appropriate salary. Comparison institutions selected to address the needs of individual schools and/or disciplines shall be comparable in rank and stature to the University of California.
- (4) **Equity within the University of California System.** Comparisons with equivalent Dean positions and responsibilities within the University may be considered in determining an appropriate salary.
- (5) **Professorial salary.** To encourage service as Dean, the Dean's administrative salary shall at all times remain greater than his or her University of California professorial salary.

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- (1) **Basis for Merit Increase.** A Dean shall be eligible for consideration of an annual merit increase associated with the administrative salary in accordance with campus procedures and the availability of funding. The decanal administrative merit review criteria and procedure is separate and distinct from the academic merit review criteria and procedure established under APM - 615, Salary Increases/Merit.

Eligibility to offer administrative merit increases will be determined annually through the University of California budget process.

- (2) **Eligibility.** The Dean's appointment must take effect no later than April 1 to be eligible for an administrative merit increase during the subsequent merit cycle.

- (3) **Amount of Merit Increase.** The amount of a Dean's administrative merit increase shall be based upon the following factors:
 - (a) The Dean's annual assessment (see APM - 240-80).
 - (b) The Dean's current position within the salary range and his or her salary relative to comparable internal positions.
 - (c) The availability of approved merit increase funding.

c. **Equity or Retention Increases**

- (1) The Chancellor may approve a salary increase to correct a significant salary inequity in individual circumstances based on factors such as rapidly changing external market conditions or a disparity created by new appointees in the same or substantially similar Dean positions, either at the campus or within the University, who have comparable levels of skills and experience.
- (2) The Chancellor may approve a salary increase when a five-year review results in a recommendation to reappoint the Dean and identifies significant achievements and/or sustained excellent administrative performance beyond that which can be recognized in the annual merit process. A salary increase also may be justified at the time of reappointment if market conditions or internal equity factors have changed since appointment, or if necessary to retain the Dean following a successful five-year review.
- (3) An equity or retention increase shall be effective on the same date as the administrative merit (normally October 1), to the extent possible. The merit increase shall be applied first, and any additional equity or retention increase shall be determined after applying the merit adjustment. An additional increase beyond the merit adjustment shall be provided only if the applied merit increase does not resolve the inequity or retention issue.
- (4) If a Dean receives an equity or retention increase in a fiscal year prior to the commitment of merit funding, the subsequent merit shall be calculated based upon the salary prior to any adjustment. A merit increase will only be applied if the merit calculation is more than the equity or retention increase.

d. **Compensation for Appointment as Acting or Interim Dean**

- (1) Administrative compensation shall be paid to an Acting Dean for assuming the responsibilities of an appointed Dean who is on an approved leave of absence or sabbatical leave for at least one term.
- (2) Administrative compensation shall be paid to an Interim Dean when the individual is serving as Dean on an interim basis when a new permanent Dean has not yet been named.
- (3) Compensation for an Acting or Interim Dean shall be set in accordance with normal campus practice.

e. **Additional University Compensation**

A Dean is compensated for full-time service. Additional University compensation is appropriate only in the following circumstances:

- (1) **Summer Research.** Deans may receive up to 1/12th payment for summer research based on their annual decanal salary. In such instances, accrued vacation will be used in proportion to the research days worked.
- (2) **Summer Session Teaching.** Deans may receive up to 1/12th payment for summer session teaching. In such instances, accrued vacation will be used in proportion to the teaching days worked.
- (3) **Additional Administrative Duties.** In exceptional circumstances, the Chancellor may assign a Dean to additional and temporary administrative duties within the University. In such cases, the campus may provide a stipend for the additional temporary administrative responsibilities.
- (4) **Acting or Interim Dean Appointments.** Academic-year Acting or Interim Dean appointees may receive administrative compensation for duties during the summer period. In combination with other University compensation for teaching and/or research duties, the total summer compensation may not exceed 3/9ths, exclusive of any stipends.

240-20 **Conditions of Employment**

- a. Individuals appointed to the titles of Dean, Acting Dean, or Interim Dean serve at the discretion of the Chancellor. The Chancellor may terminate the appointment of a Dean at will at any time, after discussion with an appropriate

group of the faculty as determined by the Chancellor and after consultation with the Academic Senate. If the Chancellor terminates the appointment of a Dean, it is not subject to grievance unless the reasons for the termination are unlawful or in violation of University policy.

- b. Termination of a Dean appointment does not terminate the underlying faculty appointment.
- c. Conflict of Commitment and Outside Professional Activities

A Dean may engage in outside activities as defined by and in accordance with APM - 025, Conflict of Commitment and Outside Activities of Faculty Members, with the following additional provisions:

- (1) A Dean may serve on no more than three for-profit external boards (not entities of the University of California) for which he or she receives compensation and for which he or she has governance responsibilities.
- (2) All outside professional activities, including compensated consulting activity, shall be reported annually to the Chancellor.
- (3) In accordance with APM - 025, Conflict of Commitment and Outside Activities of Faculty Members, a Dean may in each fiscal year engage in a maximum of forty-eight (48) calendar days of compensated outside professional activity, which includes the twelve days cited in (4) below.
- (4) A Dean may engage in compensated outside professional activity up to twelve (12) University workdays per fiscal year without deducting from vacation leave balances. In excess of twelve (12) days, a Dean shall use accrued vacation leave for compensated outside professional activities.

240-24 Authority

- a. The Chancellor has the authority to appoint and reappoint a Dean, including those serving in an interim or acting capacity, and to approve the Dean's appointment salary and appropriate salary increases up to the established maximum published in the Deans Salary Structure and in accordance with campus procedures.
- b. For initial appointments and five-year reviews, the Chancellor, after consultation with the Academic Senate, shall appoint a committee to advise

him or her. In all cases, the faculty of the respective Division, College, School, or other similar academic unit also will be consulted.

- c. The Chancellor shall report monthly and annually to the President any new appointees to the title of Dean or salary increases to existing appointees.
- d. Deans and acting appointments to this title serve at the discretion of the Chancellor. The Chancellor may end the appointment of a Dean or Provost at will and at any time, after discussion with an appropriate group of the faculty determined by the Chancellor after consultation with the Chair of the Division of the Academic Senate.

240-60 **Benefits and Privileges**

a. **Vacation Accrual**

- (1) Deans accrue and use vacation leave in accordance with APM - 730, Leaves of Absence/Vacation.
- (2) The Chancellor shall develop campus procedures for reporting vacation usage.
- (3) A Dean shall be granted no more than thirty (30) days in any academic year for the purpose of attending international conferences and related scholarly activities. For additional time off beyond thirty (30) days, a Dean shall be required to use accrued vacation. However, if the Dean does not have sufficient accrued vacation, the Chancellor may approve the additional time off as leave without pay.

b. **Medical Leave**

Deans do not accrue sick leave. However, Deans shall be granted paid medical leave for periods of personal illness, injury, or disability. See APM - 710-11, Paid Medical Leave for Academic Appointees Who Do Not Accrue Sick Leave.

c. **Sabbatical Leave Accrual**

- (1) Deans accrue sabbatical leave credit based on their faculty administrative appointment in accordance with APM - 740, Leaves of Absence/Sabbatical Leaves.

- (2) Deans continue to accrue sabbatical leave credit beyond the established limits set forth in APM - 740-16-a for the duration of the Dean appointment.

d. **Administrative Leave**

When approved by the Chancellor, an administrative leave may be granted during appointment as Dean in accordance with APM - 758, Leaves of Absence/Other Leaves With Pay.

e. **Transition Leave**

- (1) A Dean may be eligible to take a transition leave immediately following the conclusion of the appointment to provide an opportunity to redirect his or her primary efforts to scholarly activities.
- (2) Paid transition leave requires a corresponding deduction of sabbatical leave credits and is subject to the terms and conditions described in APM - 740, Leaves of Absence/Sabbatical Leaves.
- (3) Transition leave shall be paid at either the current administrative or faculty rate contingent upon when sabbatical leave credits were accrued. The salary rate for that portion of the leave compensated at the administrative salary rate is ineligible for any increase. The faculty salary rate is subject to any change that may result from salary scale adjustments or academic personnel review during the period of the leave.

If sabbatical leave credits are exhausted before the conclusion of a transition leave period, the Chancellor may approve a leave with pay at the faculty salary rate through the conclusion of the transition leave period. The individual is required to fulfill a return to active University service requirement (as stated in APM - 740-16-d) equal to the total period of the transition leave.

Sabbatical leave credits do not accrue during transition leave periods. Sabbatical leave credit accrual resumes upon return to University faculty service.

- (4) The combined total of transition leave and sabbatical leave taken during administrative service within the last five years may not exceed one year (12 months).

240-80 **Review Procedures**

This section of policy formalizes review procedures for the administrative portion of a Dean's duties. The administrative review procedures are separate and distinct from the formal academic review procedures governing the underlying faculty appointment as described in APM - 210, Review and Appraisal Committees, and APM - 220, Professor Series.

a. **Annual Assessment**

The Chancellor shall conduct an annual assessment for each Dean. The Chancellor shall communicate the key components of the assessment to each Dean.

b. **Five-Year Review and Reappointment**

- (1) The Chancellor shall conduct a five-year review for each Dean to determine whether reappointment to another term is warranted. In each case involving the five-year review of a Dean, the Chancellor, after consultation with the Academic Senate, shall appoint an advisory committee to review the Dean's performance and accomplishments. The advisory committee shall report its findings to the Chancellor.
- (2) The Chancellor shall develop the criteria and procedures for conducting five-year Dean reviews.

Summary of Changes to Proposed Draft APM - 240

Philosophy

Reviewers asked that the philosophy of the policy be made clear: Are the primary duties of a Dean those of a senior faculty member appointed to an administrative role, or primarily those of an administrator with an underlying faculty appointment? Those who commented diverged in opinion whether the former or the latter definition should guide the policy.

The University of California recognizes the unique role of a Dean as the academic leader of a Division, College, School, or other similar academic unit, with senior-level administrative responsibility for the operations of the academic enterprise. Not surprisingly, there are sections within the policy that weigh either the academic or the administrative responsibilities and standards to which a Dean is held accountable. The policy acknowledges that single elements of this *dual role*, by nature of the position, cannot be circumscribed perfectly. The policy attempts to achieve balance in matters of accountability, performance standards, compensation, and benefits for those who are willing to serve in this significant, demanding, and pivotal role and to encourage senior, outstanding scholars to accept vital leadership positions.

Definition – APM - 240-4

Reviewers noted that Deans are responsible for affirmative action in employment practices under the terms of Executive Order 11246, and the responsibilities of UC in its role as a federal contractor. The proposed draft revision incorporates language recommended by the UC Affirmative Action/Equal Opportunity and Diversity Officers Group and endorsed by the UC Committee on Affirmative Action and Diversity (UCAAD).

Eligibility – APM - 240-14

Comments indicated questions when identifying Deans who would be eligible for governance under Academic Personnel policy. Generally, the intent of the policy is to reserve eligibility for those Deans appointed to degree-granting divisions, colleges, schools, or other similar academic units. A Dean with a concurrent title of Vice Chancellor and/or a Dean who reports solely to the Chancellor are subject to Senior Management Group (SMG) policies. Deans who are not covered by APM - 240 are those holding a working title, rather than formal payroll title of Dean, University Extension Deans, and Student Affairs Deans.

Salary – APM - 240-18

Some reviewers proposed a salary-setting methodology comprised of the individual's professorial salary, plus summer ninths if applicable, plus a stipend. This methodology disadvantages faculty positioned at lower ranks and steps. Modeling showed that a stipend scale would have to be extremely high to raise salaries to a level matching a Dean's responsibilities and comparable positions at other universities.

Further analysis led to an approach comprised of a unit salary aligned with competitive market-based pay, to reflect the responsibilities of Dean, rather than the individual's academic reputation. A proposed three-tiered scale, pending Regental approval, will provide greater flexibility to accommodate a discipline-specific orientation, and individual or campus differences within an academic discipline. Current Deans' salaries, available data from the traditional Comparison 8 institutions, and available data from the Comparison 26 institutions used by the SMG Program were considered as market benchmarks to develop the proposed salary scale.

Substantially similar jobs should be classified in the same tier. The Chancellor will determine salary based on the appropriate tier plus an analysis of Compensable Factors that include academic discipline; market; the size and scope of the job; and the complexity of responsibilities.

The administrative merit program is separate from the faculty merit program. The Office of the President will determine annually whether an administrative merit program may be established. Chancellors retain the flexibility to supplement funding for administrative merits.

The proposed draft policy adds as acceptable additional compensation payments for teaching summer session courses subject to the terms and conditions described in APM - 662.

To insure accountability and reporting, APM - 240-24-c adds provisions requiring Chancellors to report monthly and annually to the Office of the President any new decanal appointments or any salary increases for existing appointees.

Outside Professional Activities – APM - 240-20-c

Reviewers were supportive, although not unanimous, of a Dean's ability to participate in compensated outside activities, for up to 48 days total, the same maximum allowance offered to fiscal-year faculty. Deans must use accrued vacation leave for any outside compensated activities in excess of 12 days, which are counted as part of the 48-day maximum allowance.

Administrative Leave – APM - 240-60-d

The draft policy has been revised to specify that administrative leave may be granted in accordance with the APM - 758, which includes a return to service and repayment provisions. Sabbatical credits are forfeited during the administrative leave and do not accrue during the period of leave.

Sabbatical and Transition Leave – APM - 240-60-c and -e

Not surprisingly, these sections of policy generated a vigorous divergence of opinion related to the eligibility of Deans for sabbatical and/or transition leave, and the appropriate rate of pay. The intent of the policy is to compromise between those opining that sabbatical and transition leave should be paid at the faculty salary rate, and others opining that the salary rate should be based on the administrative pay rate. The policy requires manual calculation of the pay rate based proportionately on the dates leave credits were accrued.

New language has been inserted to confirm the return of service requirement and repayment provisions described in APM - 740-16-d.

Review Procedures – APM - 240-80

Reviewers requested clarification related to the administrative review process and the faculty review process. The revised draft language intends to emphasize the distinction between a personnel action covering administrative responsibilities and that which is related to the faculty review procedures described in APM - 210 and APM - 220. The annual review of a Dean is related to the Dean's administrative duties, distinct from his/her role as a faculty member. The Chancellor retains the discretion to define and to conduct an annual administrative review.

The academic personnel review process concerns the role of the individual as a faculty member and is not expected to be adjusted, or relaxed, for academic advancement.

Transition Issues

Lastly, reviewers were concerned about benefits offered currently to Deans under the SMG program. Existing benefit terms will be grandfathered for Deans who are removed from the SMG program and placed under the Academic Personnel program. The Senior Management Supplemental Benefit Program will remain in place for those Deans with tenured academic appointments who were appointed Dean prior to July 1, 1996. Deans removed from the SMG program and placed within the Academic Personnel program would be subject to the same APM - 025 rules as other faculty with additional provisions described in APM - 240.



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April 2, 2009

**INTERIM PROVOST LAWRENCE PITTS
UNIVERSITY OF CALIFORNIA**

Re: Proposed revisions to APM 240 (Deans)

Dear Larry:

I am writing to convey responses to the proposed revisions to APM 240 from all ten divisions and five systemwide committees (UCAAD, UCAP, UCCC, UCFW, UCPB). Three respondents (UCM, UCSF, UCFW) approved the amendments as written. The remaining divisions and committees support the aim of the proposed changes but could not endorse them as written, either requesting revisions or rejecting them. While most respondents support the principle that deans are *academic* leaders, they identified tensions in the way that the policy addresses deans' administrative and academic roles. Their main objections relate to compensating deans on a basis significantly different from that used for faculty compensation, and to the balance between the administrative and scholarly roles of a dean.

On compensation, committees and divisions urged: (1) that deans should be treated like other faculty members and not be eligible for annual merit reviews and salary increases (UCB, UCI, UCLA, UCPB, UCSC); (2) that deans should be compensated at their faculty base salary with stipends or off-scale supplements to recognize their administrative service (UCLA, UCPB, UCSC, UCSD); (3) that the same Comparison 8 institutions should serve as a benchmark to set deans' salaries as for other faculty members (UCI, UCPB, UCSC); and (4) that deans on sabbatical or transition leaves should receive salaries based on their faculty, not administrative, appointments, since they are engaged in scholarly activities (UCLA, UCPB, UCR).

On the balance between the administrative and scholarly roles of a dean, there was significant concern that the proposed policy changes could undermine a dean's ability to be an effective administrator by overemphasizing scholarship. Specifically, (1) there are no provisions for determining the appropriate amount of time deans should spend on scholarly activities or identifying who has the authority to approve such choices (UCPB); and (2) the amount of time allotted to deans for engaging in scholarly or professional activity is overly generous—up to ninety days per year (UCI, UCPB, UCSC, UCLA).

The need for deans to be reviewed in their dual roles generated suggestions that: (1) a clear distinction should be made between administrative performance reviews and academic reviews of deans' scholarly productivity (UCD, UCAP); (2) clarification and guidance should be provided about the scholarly expectations of a dean and how to evaluate research productivity or teaching performance in reviews of deans (UCSC); and (3) the policy should state explicitly that merit reviews of deans should not relax standards for academic productivity in consideration of the demands of their administrative duties (UCB, UCAP). The policy should include language that specifies that reappointment should be based on "distinguished or highly meritorious performance" (UCSD). In addition, the APM should state explicitly that the faculty of the division should be consulted on reappointments (UCI, UCLA, UCPB) and performance reviews of deans (UCLA), such as is done with stewardship reviews for deans.

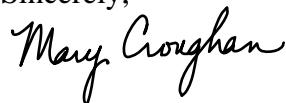
Some respondents also commented that the policy should preserve the flexibility to structure deanships to meet campus needs, and therefore wished to retain provisions allowing part-time appointments on an exceptional basis (UCB, UCPB) and the ability for a divisional dean also to be the head of an intercollege or school division (UCB). UCCC and UCLA questioned the rationale for removing the statement that deans and provosts serve at the discretion of the Chancellor.

UCAAD and UCSB both opposed the elimination of the term "affirmative action" in reference to the recruitment and retention of faculty. UCAAD notes that since the University is a federal contractor, it must comply with federal affirmative action laws in its employment practices, and therefore this deletion should be reviewed by UC counsel.

Finally, some divisions expressed concern about how this policy either pertains to or does not address other titles with similar functions. UCPB suggests that a review of policies governing the appointment, compensation and review of associate deans should be undertaken, while UCSB urged that a policy for provosts should be approved as soon as possible, since provosts are no longer included in APM 240. UCSB also worried that the inclusion of department chairs may inappropriately professionalize them and "dilute the academic nature of these positions," and questioned why deans of University Extension are excluded from the policy. Finally, the Senate hopes to see future policy revisions with regard to health sciences deans.

This summary is not exhaustive of the Senate's comments; other, more technical issues and questions are contained in the attached responses. Please do not hesitate to contact me if you have any questions.

Sincerely,



Mary Croughan, Chair
Academic Council

Copy: Patricia Price, Interim Executive Director, Academic Personnel
Janet Lockwood, Associate Director, Academic Personnel
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