



CHAIR, ACADEMIC SENATE  
RIVERSIDE DIVISION  
UNIVERSITY OFFICE BUILDING, RM 225

JOSE WUDKA  
PROFESSOR OF PHYSICS AND ASTRONOMY  
RIVERSIDE, CA 92521-0217  
TEL: (951) 827-5538  
E-MAIL: JOSE.WUDKA@UCR.EDU

November 26, 2012

Robert Powell, Chair, Academic Council  
1111 Franklin Street, 12th Floor  
Oakland, CA 94607-5200

Dear Bob:

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

The Executive Council reviewed the proposed APM 700 addition to the Academic Personnel Manual; the committees on Academic Freedom, Charges, Faculty Welfare, Privilege and Tenure, and Rules & Jurisdiction also commented on the proposal. The responses were all positive and we recommend adoption with two proposed changes:

1. That the Chancellor should not merely notify P&T (700-30.c), but await their comments before acting.
2. That the policy be extended to cover circumstances that do not correspond to illness or incapacity, but that nonetheless prevent the academic appointee from responding to the University (e.g. foreign detention or kidnapping). Though such cases might be rare, there is no reason not to extend the policy to cover them. To this end we offer the following modifications:

Below the second bullet point on p. 3, add a third point reading:

**Circumstances known to the University which furthermore make it impossible for the appointee to communicate with the University.**

Elsewhere in the document, add the following

**An appointee who can prove that the cause for his or her separation under this rule is due to an inability to communicate within the required time-frame resulting from extraordinary circumstances beyond his or her control, shall be entitled to reinstatement.**

Sincerely yours,  
Jose Wudka  
Professor of Physics & Astronomy and Chair of the Riverside Division

CC: Martha Kendall Winnacker, Executive Director of the Academic Senate  
Cynthia Palmer, Director of UCR Academic Senate office



November 16, 2012

TO: Jose Wudka, Chair  
Riverside Division Academic Senate

FR: Thomas Morton, Chair  
Committee on Academic Freedom

RE: Proposed revision of APM700

At its meeting on November 14, UCR's Committee on Academic Freedom discussed concerns regarding APM700, particularly with regard to the possibility that it might serve to disincline faculty from pursuing field work that entails a risk of being kidnapped or held incommunicado. For that reason, the committee voted to endorse the proposal transmitted by UCR's Committee on Faculty Welfare in its memo dated November 8, that APM700-30 be expanded so as to expedite restoration of UC employment (along with salary and service credit) to faculty held against their will and presumed to have resigned under the terms of the proposed wording of APM700.



November 2, 2012

To: Jose Wudka, Chair  
Riverside Division of the Academic Senate

From: Timothy Close, Chair  
Committee on Charges

**Re: Systemwide Review of APM 700**

The Committee on Charges reviewed the revisions to APM 700 and has no concerns related to the charge of the Committee.

 UNIVERSITY OF CALIFORNIA | **Academic  
Senate**  
**Committee on Faculty Welfare**

November 8, 2012

To: Jose Wudka  
Chair, Riverside Division Academic Senate

From: Irving G. Hendrick  
Chair, Committee on Faculty Welfare

Re: Review of Proposed Changes to APM 700

The Committee on Faculty Welfare appreciates the need for the University to discontinue the appointments of faculty and other academic employees who, while able to communicate their intentions, consciously leave their positions without notifying their departments or other appropriate officers of their intention. Under such circumstances, the time periods, review procedures, and rights of appeal stated in APM 700 appear fair and appropriate. We do, however, offer the suggestion that a time line of conditions, consequences and next steps would make the policy clearer.

Beyond that, we can imagine certain conditions that may warrant the full reinstatement of the employee without the need for an elaborate system of administrative and committee review and appeals procedures. In particular, it is possible that conditions other than physical illness, injury, or disability might preclude a faculty member from communicating his or her intentions. An example of such a situation might be involuntary detention. Such extraordinary conditions could arise from foreign travel or field work in a remote location. Should such improbable conditions be shown to exist, we would wish that Section 700-30 be expanded to include such exceptions to the policy.

 UNIVERSITY OF CALIFORNIA | **Academic  
Senate**  
**Committee on Privilege and Tenure**

October 26, 2012

To: Jose Wudka  
Chair, Riverside Division Academic Senate

From: Helen Henry  
Chair, Committee on Privilege and Tenure

Re: Systemwide Review of Changes to APM 700

The Committee on Privilege and Tenure has considered the proposed revision to APM 700 - the policy of presumptive resignation - at its October 15 meeting. We note that there is a provision for the Chancellor to notify and receive a response from our Committee prior to making the final determination on whether an appointee will be considered to have resigned. Furthermore, a member of the Academic Senate who has been deemed to have resigned can appeal the decision before P&T. With these provisions in place, we believe the policy is a sound one and support it.

 UNIVERSITY OF CALIFORNIA | **Academic Senate**  
**UCRIVERSIDE**  
**COMMITTEE ON RULES AND JURISDICTION**

October 3, 2012

To: Jose Wudka, Chair  
Riverside Division Academic Senate

From: Ziv Ran, Chair  
Committee on Rules and Jurisdiction

**Re: Systemwide Review of APM 700**

The proposed changes are about situations where the University may infer a resignation, absent an explicit one. Broadly, we feel the changes are necessary and appropriate. However, we think the situations under purview must be narrowed to take into account the case of circumstances, either known or unknown to the university at the time, that make a resignation inference invalid.

Specifically, we propose

1. Below the second bullet point on p. 3, add

**•Circumstances known to the University which furthermore make it impossible for the appointee to communicate with the University.**

2. Elsewhere in the document, add the following

**An appointee who can prove that the cause for his or her separation under this rule is due to an inability to communicate within the required time-frame resulting from extraordinary circumstances beyond his or her control, shall be entitled to reinstatement.**