



OFFICE OF THE PROVOST AND EXECUTIVE VICE PRESIDENT
ACADEMIC AFFAIRS

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

June 8, 2015

**CHANCELLORS
LABORATORY DIRECTOR ALIVISATOS
ACADEMIC COUNCIL CHAIR GILLY
ANR VICE PRESIDENT ALLEN-DIAZ**

**RE: Issuance of Revised Section 080 of the Academic Personnel Manual (APM - 080),
Medical Separation**

Dear Colleagues:

I am formally transmitting the revised Section 080 of the Academic Personnel Manual (APM - 080), Medical Separation, which is effective July 1, 2015. Also attached is the Medical Separation Toolkit prepared for academic administrators involved in the process of medically separating an academic appointee. The policy and toolkit can be found online at <http://www.ucop.edu/academic-personnel/academic-personnel-policy/policy-issuances-and-guidelines/>.

Consultation Process

The systemwide consultation process engaged to revise APM - 080 consisted of three major reviews conducted over the past year: Management Consultation, Systemwide Review, and Final Review. Reviewers conveyed support during the comment periods; several offered recommendations during all three reviews, most of which have been incorporated in final language. Additionally, the policy and toolkit have been thoroughly vetted by Office of General Counsel.

Overview of Revisions

The purpose of APM - 080 is to provide a non-disciplinary method to medically separate a faculty member or other academic appointee who has exhausted eligible leave and who remains unable to perform the essential functions of his/her position or another vacant position on campus for which the appointee is qualified, with or without reasonable accommodation, due to a disability or medical condition. Revisions to the policy 1) bring APM - 080 into conformance with Regents Standing Order 101.1(b), Employment Status, 2) clarify authority to medically separate faculty with and without tenure or security of employment and appointees who are not members of the Academic Senate, and 3) update language so that it is congruent with the requirements of the Americans with Disabilities Act (ADA).

Summarized below are some of the recommendations from Management Consultation (April – June 2014), Systemwide Review (September – December 2014), and Final Review (March – April 2015) that have been incorporated in the revised policy:

- New language clarifies that all elements of the interactive process must be exhausted before the medical separation process is initiated.

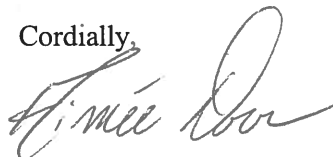
- If vested, the academic appointee may opt to retire rather than be medically separated and to receive disability income from the University of California Retirement Plan.
- As part of the interactive process, the Disability Management Officer (or equivalent) will determine whether there is an alternative vacant position on campus for which the employee is qualified and in which s/he can perform the essential functions of the position, with or without reasonable accommodation. "Another vacant position on campus" could refer to another faculty position or any other vacant position for which the employee is qualified. However the policy does not circumvent the normal application process and/or academic review process to determine if the appointee is qualified.
- The process regarding the interaction of the Department Chair, Dean, Disability Management Officer (or equivalent), and the Chancellor is streamlined.
- The process and timelines for tenured and untenured faculty are different. Prior to making a determination of medical separation for faculty with tenure or security of employment, the Chancellor must consult with the Chair of the Committee on Privilege and Tenure, in accordance with Regents Standing Order 101.1(b). If the Chancellor recommends separation for faculty with tenure or security of employment, the President and the Regents must approve the action. The Chancellor holds authority, without redelegation, to medically separate faculty who do not have tenure or security of employment.

Medical Separation Toolkit

The Medical Separation Toolkit is updated and reissued effective with the revised policy. The toolkit was developed two years ago in consultation with systemwide subject matter experts and the Office of General Counsel based on best practices collected from the campus Academic Personnel Offices. The toolkit is intended to serve as a reference manual to be employed by faculty and staff involved in the process of medically separating an academic appointee.

I wish to thank all members of the University community for their efforts to revise APM - 080. Your contributions are deeply appreciated.

Cordially,



Aimée Dorr, Provost
Executive Vice President for Academic Affairs

Attachments: APM - 080, Medical Separation
Medical Separation Toolkit

cc: President Napolitano
President's Advisory Group
Executive Vice Chancellors/Provosts
Vice President Duckett
Vice Provosts for Academic Affairs/Academic Personnel
Academic Personnel Directors
Executive Director Baxter
Executive Director Fox
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Executive Director Tanaka
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Policy and Compensation Analyst Fauroat
Policy Coordinator Trifonov
Analyst Jordan
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