



OFFICE OF THE PROVOST AND
EXECUTIVE VICE PRESIDENT FOR ACADEMIC AFFAIRS

OFFICE OF THE PRESIDENT
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July 17, 2026

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ACADEMIC COUNCIL CHAIR AHMET PALAZOGLU
ANR VICE PRESIDENT GLENDA HUMISTON

**Re: Issuance of Revisions to Academic Personnel Manual (APM) Section 500,
Recruitment – General**

Dear Colleagues:

I am formally issuing revised Academic Personnel Manual (APM) 500, Recruitment – General. The revised policy, effective immediately, may be found online on the [policy issuance webpage](#).

Background

These revisions implement California Senate Bill (SB) 791 and Assembly Bill (AB) 810, which added and amended Sections 92612.1 and 92612.2 of the California Education Code, effective January 1, 2025. The legislation requires the disclosure and consideration of specified misconduct findings during the hiring process for certain academic, athletic, and administrative positions. California Education Code Sections 92612.1 and 92612.2 require disclosure of specified misconduct findings, permit applicants to disclose if they have filed an appeal, and require release and verification procedures for certain positions during the hiring process.

California Education Code Sections 92612.1 and 92612.2 include the following requirements:

- Applicants who are identified as a finalist for an academic, athletic, or administrative position to disclose any final administrative or judicial decisions issued within the last seven years related to misconduct, including sexual harassment, as defined in the statute.
- Permit applicants to disclose if they have filed an appeal with the previous employer, administrative agency, or court, if applicable.
- If an applicant reaches the final stages of the application process, applicants for a tenure-track faculty position, tenured faculty position, athletic head coach position, athletic assistant coach position, athletic trainer position, or supervising athletic

trainer position are required to sign a release form that authorizes the release of information by the applicant's previous employers to the UC location concerning any substantiated allegations of misconduct so the UC location may evaluate the information with respect to the criteria for potential employment.

- If an applicant reaches the final stage of the application process, the law also requires UC locations to use the signed release form to engage in a reasonable attempt to obtain information from the previous employer concerning any substantiated allegations of misconduct.

Systemwide Academic Personnel, in partnership with the campuses and Systemwide Human Resources, distributed interim guidance to support implementation of these statutory requirements beginning October 10, 2024. Because the legislation became effective before final policy revisions could be completed through systemwide review, the interim guidance was updated periodically to support campus implementation pending issuance of the revised APM policy. The interim guidance remains in effect pending issuance of the revised implementation toolkit described below.

Systemwide Academic Personnel and Faculty Affairs and Academic Programs distributed the draft policy for systemwide review from March 11, 2025, through June 9, 2025. The revisions to APM - 500 implement the academic recruitment requirements applicable to academic appointees. Comments submitted as part of systemwide review generally supported the policy's compliance objectives, while raising concerns about a need for definitions in the policy, administrative effort associated with implementing the policy, scope of applicability, opportunity for applicants to respond, and privacy concerns.

Key Policy Revisions

The revised policy includes the following key provisions:

Misconduct Disclosure Form:

- All applicants who are identified as the finalist for positions in academic appointee titles are required to complete a misconduct disclosure questionnaire and disclose any final administrative or judicial decisions issued within the last seven (7) years from the date of submission of an employment application determining that the applicant committed misconduct, including sexual harassment. Applicants must be permitted to disclose if they have filed an appeal of a final judicial decision, if applicable.
- A campus may also elect to require misconduct disclosure questionnaires from all applicants who meet the minimum requirements of a recruitment. The campus may not obtain a misconduct disclosure questionnaire unless the campus determines that an applicant meets the minimum requirements for the position.
- In the event that an applicant discloses prior misconduct, the campus shall obtain a signed release form (see APM - 500-16.b.3) from the applicant before contacting the previous employer.

Release Form:

- Applicants who are identified as the finalist for tenure-track/tenured positions or positions in the Professor of Teaching Series are required to sign a release form authorizing the release of information by the applicant's previous employers to the University concerning any substantiated allegations of misconduct in order to permit the University to evaluate the released information with respect to the criteria for potential employment. When the finalist reaches the final stages of the recruitment process for the intended position, the campus shall engage in a reasonable attempt to obtain information from the previous employer, in accordance with local implementation procedures.
- A campus may request a release form from all applicants of a recruitment. When the finalist reaches the final stages of the recruitment process for the intended position, the campus may use the release form to engage in a reasonable attempt to obtain information from the previous employer, in accordance with local implementation procedures.
- In the event that a previous employer discloses misconduct, the campus shall follow up with the applicant to give that individual an opportunity to respond.

Local Implementation Procedures:

- Vice Provosts/Vice Chancellors who oversee academic personnel are responsible for developing implementation procedures for the confidential management and tracking of misconduct disclosure questionnaires and release forms, as well as confidential decision-making and communication processes involving applicants, previous employers, and University administrators. Local implementation procedures shall include a process for reviewing disclosed misconduct and providing applicants an opportunity to respond to information obtained through the disclosure and release processes. Local implementation procedures shall establish when, during the final stages of the recruitment process, the campus will engage in reasonable attempts to obtain information from the previous employer for the finalist. In order to protect a candidate's privacy, the misconduct disclosure questionnaire and any information pertaining to prior misconduct must be treated as confidential, retained per local procedures, and disposed in accordance with University of California records retention policy.
- Following systemwide review, the policy was also revised to improve clarity, consistency, and implementation by:
 - Adding a Definitions section that includes statutory and implementation definitions previously incorporated in interim guidance, including the following:
 - "Appeal" means a request for review of a Final Administrative Decision or Final Judicial Decision through an employer, administrative agency, court, or other authorized review process.

- “Final Administrative Decision” means a final written determination by a previous employer as to whether a candidate committed Misconduct. Examples of a final administrative decision include but are not limited to a determination by a decisionmaker (employer or state or federal agency) following a final investigative report and the subsequent hearing, or the imposition of employment discipline or corrective action related to the candidate’s Misconduct. If an applicant has filed a timely grievance or Appeal, a decision is considered final only after the grievance or Appeal process has concluded.
- “Final Judicial Decision” means a final determination of a matter submitted to a court regarding the applicant’s Misconduct that is recorded in a judgment or order of that court, excluding criminal conviction history.
- “Finalist” means an applicant or other individual (identified through a recruitment process or through a search waiver) who is the provisionally selected candidate being considered for appointment in the position.
- “Misconduct” means any violation of the policies governing employee conduct at the applicant’s previous place of employment, including, but not limited to, violations of policies prohibiting sexual harassment, sexual assault, or other forms of harassment or discrimination, as defined by the employer.
- “Substantiated Allegation” means an allegation that has been sustained based upon a burden of proof of at least a preponderance of the evidence.
- Adding clarification for when a misconduct disclosure questionnaire is not required, including:
 - reappointment in the same academic title where the candidate previously satisfied the misconduct disclosure requirement and an additional disclosure is not required under applicable law, University policy, or local implementation procedures;
 - movement between Teaching Assistant and Graduate Student Researcher appointments within the same hiring unit; or
 - other appointments identified in local implementation procedures where the applicant has previously satisfied the misconduct disclosure requirement, and an additional disclosure is not required under applicable law or University policy.
- Clarifying that local implementation procedures must include processes for reviewing disclosed misconduct, providing applicants with an opportunity to respond to information obtained through the disclosure and release processes, and determining when, during the final stages of the recruitment process, campuses

will engage in reasonable attempts to obtain information from the previous employer.

To support implementation, the interim systemwide toolkit will be revised and reissued following issuance of the policy. The updated toolkit will include revised guidance, modifications to the misconduct disclosure questionnaire, and updates to the frequently asked questions to reflect the final policy revisions and provide additional implementation guidance.

I wish to thank all members of the University community who participated in the consultation of the revisions to this important APM policy. Your contributions are deeply appreciated.

Sincerely,



Katherine S. Newman
UC System Provost and
Executive Vice President for Academic Affairs

UC Berkeley Chancellor's Distinguished Professor
of Sociology & Public Policy

cc: President Milliken
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