

**Reference Number:** S99-018

**Senate Approval Date:** Friday, January 01, 1999

## LEAVES WITH PAY POLICY

#S99-18

(formerly A.S. Policy #S81-18)

At its meeting of May 11, 1999, the Academic Senate approved a revised policy on Leaves with Pay which was signed by the President with changes on August 31, 1999. The changes are indicated in ***bold italics*** and reflect independently developed administrative policy.

### A. Purpose and Types of

#### **Leaves With Pay**

##### **1. Purpose**

The purpose of the leave with pay is to enable a faculty member to undertake professionally related activities which cannot be undertaken in the course of the person's full-time university responsibilities. Such leaves should result in developing the skills, the understandings, and professional satisfactions of the individual, thereby benefiting the university.

The leave with pay shall be granted for the purpose of research, creative activity, general study and/or travel in connection with any of the above. Other purposes with potential for service to the university are equally appropriate. No one of the above mentioned purposes for a leave should be given priority.

##### **2. Types of Leaves Available**

There are two types of leaves available.

a. Sabbatical leaves may be granted for one semester with full pay; or for two semesters with half pay.

b. Difference in pay leaves may be granted for one semester at a difference in pay between the recipient's salary and the salary of instructor step 1; or for two semesters at a difference in pay between the recipient's salary and the salary of instructor step 1.

### B. Regulations and Procedures for Application

#### **1. Eligibility**

To be eligible for a paid leave, the applicant must have completed, by the time the leave period begins, at least six consecutive years of full time employment in the California State University and Colleges since the last paid regular leave and must have taught an average of one-quarter time for the totality of the qualifying period (not including creative/research leaves). (However, Section 43001 of Title 5 allows under specified conditions, a maximum of one year of authorized leave without pay to count as leave qualifying time.)

In conformity with the personnel rules adopted by the Board of Trustees in January 1962, this university recognizes that non-teaching, non-administrative academic personnel, including librarians and professional student affairs personnel, are eligible for leaves with pay. The university's policy shall be understood to prescribe that such personnel must be considered for leaves with pay on an equitable basis with teaching faculty as soon as a budget language makes the granting of such leaves possible.

#### **2. Deadlines**

The leave application is to be completed by the applicant and filed in the appropriate college office by the last working day in October for submission to the college or library Leaves With Pay Committee. The original copy of the application shall be forwarded to the Office of the Provost/Academic Affairs who will certify eligibility of the applicant and inform the college committee.

### C. Filing of Bond or Waiver of Bond

Final approval of leave of absence with pay will not be granted until the applicant has filed with the university a suitable bond indemnifying the State of California against loss in the event the faculty member fails to render one semester of service for semester of leave in the State University and Colleges following the leave of absence. The bond shall be in the amount of the total salary computed to become due the faculty member during the leave of absence. The bond will be exonerated if the failure of the faculty member to return and render the requisite service is caused by death, physical or mental disability, or dismissal for cause. The obligation to file a bond may be waived by the President after determining

that the interest of the state will be protected by a written agreement of the faculty member to return to the service of the State University and Colleges as required. Such agreement must be accompanied by a statement of attachable assets showing, to the satisfaction of the President, the faculty member's capacity to indemnify the state against loss in the event of failure, through personal fault, to fulfill the agreement. The statement of attachable assets will be filed in the Office of the Provost/Academic Affairs with the original applications. Copies of this statement will not be distributed to the college or department committees.

#### D. Guidelines and Procedures for Granting Leaves With Pay

##### 1. Criteria

a. The intellectual or creative significance of the proposed endeavor. No proposal shall be considered to be of lesser merit because the proposed activities bridge disciplinary lines as they are defined by the departmental/college structure of this university.

b. The importance and effectiveness of the proposed endeavor in furthering the applicant's professional development. This criterion may be satisfied in many ways including, but not limited to, producing benefits for instructional programs, enhancing the applicant's teaching competence, improving the intellectual and/or creative reputation of the university, and expanding the university's ability to serve the community.

c. The applicant's background relevant to determining the applicant's ability to carry out the proposed project. This may include consideration of the applicant's professional background, of the applicant's prior interest and experience in the subject to which the project is devoted, and of the applicant's overall ability and reliability in planning and carrying out projects. Since professional development, as referred to in the above paragraph, is not restricted to development through research/publication activities, this criterion shall not be applied in such a way that applicants who have had prior opportunity for research/publications necessarily enjoy an advantage because of their greater experience.

d. The relative importance of the above criteria may be expected to differ from school to school. Therefore, when this policy is initially applied, each college or library Leave With Pay Committee, in conjunction with the college dean, shall specify the relative weighting of each criterion in the decision process. This information should be available in writing to all members of the college. The relative weightings of criteria for the college shall remain in place unless changed by the college/library Leave With Pay Committee in conjunction with the college dean or by a majority vote of those faculty members in the college who are eligible to vote for representatives to the Academic Senate. In case the relative weightings of criteria are changed, faculty members must be so notified in writing at least thirty days prior to the date on which applications for leaves with pay are due.

##### 2. Principles of Distribution Within the University

In no case shall the campus grant fewer sabbatical leaves than the number of leaves budgeted in the 1991-1992 CSU budget (27). Every effort will be made to increase the number of sabbaticals granted, in accordance with the budgetary resources of the University. No later than the date on which applications for leaves with pay are due in the college office, the Provost will determine the projected number of leaves with pay for the following year. The projected leaves will be distributed to the respective colleges and library according to the following principles and guidelines:

Sabbatical leaves will be granted based upon the intellectual or creative significance of the applications as established through elected peer review committees in the colleges and library and the university (see "D.1 Criteria" section). Sabbatical leaves will be granted by the President, following consideration of the recommendations from the College/Library Sabbatical Leave Committees and with the concurrence of the respective college dean, University Sabbatical Leave Committee, and the Provost. The principle of equitable and representative distribution of sabbaticals across colleges and the library will guide the allocation of leaves.

Candidates who hold joint appointments in more than one college or hold an appointment outside their home college will apply to, and be counted in the number of eligible faculty of the college in which they have accrued the majority of their instructional time or primary responsibilities which makes them eligible for a leave with pay. Candidates who have half-time appointments in two colleges will choose the college to which they apply and will be counted in the number of eligible faculty in that college. Allocation of sabbatical reimbursements to colleges will be made on a pro-rata basis depending on the faculty's time in each college, regardless of the college through which the joint appointee applies.

The President or his/her designee shall report to the Academic Senate the distribution of sabbatical leave awards on an annual basis.

##### 3. The College Committees

Each college and the library shall elect a Leave With Pay Committee composed of five tenured faculty members who are elected by majority vote of the college or library. No more than one faculty member shall come from one department or program, unless there are less than five departments or programs in the college or division. Initially three members shall serve for two years and two for one year to stagger the terms. Thereafter, each member shall be elected for a term of two years. The members of the college committee will elect a chair that will serve for one year.

##### 4. The University Sabbatical Committee

The University Sabbatical Committee (USC) shall consist of one tenured faculty representative elected from each college and library unit. Initially five USC members shall serve for one year and four members shall serve for two years to stagger the terms. Thereafter each elected USC member shall serve a two-year term.

Under Academic Senate supervision, USC shall meet in late October to elect a USC chair who will serve for one year. By early November, USC shall convene to review the applications and recommendations independent from the Office of the Provost. USC shall make independent recommendations, based on the stated policy criteria for granting sabbatical leaves, to the **Provost. The University Sabbatical Committee's recommendations and those of the Provost shall be forwarded by the Provost to the President for granting the final awards.**

#### 5. Procedure for Granting Sabbatical Leaves

The procedure for granting sabbatical leaves shall be implemented as follows:

Application

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College/Library Committee

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College Dean/Librarian

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**University Sabbatical Committee** Academic Affairs  
(Provost)

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Provost

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President

a. The college or library committee and the college dean/director each shall draw up a ranked list of all candidates for leaves with pay. The college/library committee and the college dean/director shall prepare rationales for each ranking. These rationales shall be preserved as information for the candidates, as evidence of the basis on which the college awards leaves with pay, and for purposes of appeals, adjudication, and grievances.

b. If the college/library committee and the college/library dean/director disagree in their rankings, they will attempt to work out their differences. The college/library committee and the dean/director must initially meet to discuss their rankings before submitting the recommendations to the next level of review. If agreement is not reached, the matter will go to adjudicative review by the University Sabbatical Committee.

c.

The ranked list of applicants recommended by the College/Library Leave with Pay Committee and the dean/director will be forwarded to the University Sabbatical Committee **for review and recommendation to** the Office of the Provost/Academic Affairs. **Both the University Sabbatical Committee's recommendations and those of the Provost shall be forwarded by the Provost to the President for granting the final awards.** Leaves will be granted in conformity with the "Principles of Distribution" specified above.

d.

No one who is applying for a leave with pay may serve on any committee which makes recommendations for granting professional pay leaves.

#### 6. Guidelines and Procedures for Granting Difference in Pay Leaves

Difference in Pay Leaves may be granted to qualified faculty upon certification by the department chair (or equivalent) and by the dean of the availability of funding and of the capability of the department to maintain a quality program in the absence of the candidate for the Difference in Pay Leave. With the exception of the guidelines and procedure enumerated under the section entitled "Guidelines and Procedures for Granting Sabbatical Leaves" above, applicants for Difference in Pay Leaves shall follow all of the guidelines and procedures in this document including the procedures described below for the faculty members after granting the leave.

#### E. Procedures for Faculty Member After

##### **Granting Leave With Pay**

Once a Leave With Pay has been granted, the faculty member shall be obligated to honor the following procedures and requirements:

##### 1. Service required following Leave With Pay

An individual faculty member granted a leave with pay must return to the service of The California State University to render one term of service for each term of leave granted.

##### 2. Compensation to the state in the event of non-tenure or incomplete service to the university following leave

Faculty members must understand that failure to return to the university to honor the above obligation will result in forfeiture of bond or in a legal action on the part of the university to recover appropriate compensation. Such action will be waived, however, if failure of the employee to return and render the requisite services is caused by the death or physical or mental disability of the employee.

##### 3. Additional income while on Leave With Pay

The following regulations apply to permissible earned income while on Leave With Pay.

##### a. Full pay, one semester leaves.

Individuals on full pay, one semester leaves, are informed that during their periods of leave, only incidental outside earnings are permissible (incidental earnings which are incidental of the Leave With Pay project itself).

##### b. Differences in pay and half-pay academic year leaves.

Individuals on half-pay or difference in pay leaves for a full academic year should not accept other employment elsewhere, although they may receive a research grant or a Fulbright, etc., or may accept payment for expenses connected with the Leave With Pay project. However, the burden of proof should be on the individual to defend the exceptional circumstances and to demonstrate the worth of such employment. Individuals are not precluded from accepting any employment, but any such employment should be minimal and purely incidental to the Leave With Pay project. Those intending to earn additional income while on leave under this section must receive prior permission in writing from the Provost. No time or dollar values have been or will be established, but employment unrelated to the project and designed primarily to increase income is contrary to policy.

Faculty members who are interested in working rather than carrying out the provisions of the Leave With Pay requirements should request to go on leave without pay.

##### 4. Check out procedures for faculty members going on leave

a. Under normal circumstances, faculty members going on leave shall vacate their university office prior to departure. In the event the faculty member's pay leave is to be taken in the immediate vicinity of the university, the faculty member may petition for access to his/her office during the time of the leave. Permission to use the office will be given only if the candidate can demonstrate that such use does not inconvenience the regular programs of the university. These faculty members will be permitted to retain their keys.. Library privileges will also remain with the faculty member while he/she is on Leave With Pay.

b. Faculty members shall give written instructions to the departmental secretary concerning the disposition of mail.

##### 5. Submission of the Leave With Pay report upon return

The faculty member must submit to the University President the final report on his/her leave which should:

a. Certify to the completion of the project as originally proposed, or modified with approval.

b. Specify the manner in which the project benefits the university and its students.

c. Specify the value of the project to other institutions and/or the general welfare.

1. In addition to the final report, the faculty member must submit a 100 word abstract of his/her project for possible use in various university publications. Normally, this report is due in the sixth week of the semester

following the leave. It should be submitted through the department chair, the college/library dean/director and the Provost to the President.

\*\*APPROVED WITH CHANGES BY PRESIDENT CORRIGAN ON

AUGUST 31, 1999\*\*

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