

ARTICLE 40

Sabbatical Leaves

40.1 ~~ELIGIBILITY and~~ PURPOSE

The purpose of a sabbatical leave is to provide time during which a faculty member will be able to complete a substantial project that will benefit the individual faculty member, the students, and the college (Ed Code 87767)

40.2 ELIGIBILITY

40.1.1 ~~Length of Service~~

An applicant for a sabbatical leave must have rendered at least six (6) years full-time service to the District **prior to the start of a sabbatical leave**. An applicant who has previously been awarded and taken a sabbatical leave must have rendered at least six (6) years full-time service to the District between the time they returned from the leave and the effective date of a subsequent leave. **(Ed Code 87768)**

40.1.2 ~~Computation of Length of Service~~

Unpaid leave shall not be included as service in computing the six (6) years of full-time service required.

Credit for one (1) academic year is earned when the member has worked seventy-five percent (75%) of the total number of teaching days in that academic year for more than sixty percent (60%) of the hours per week required for the member's full-time assignment.

40.1.3 ~~Purpose~~

~~The purpose of a sabbatical leave is to provide time during which a faculty member will be able to complete a substantial project that will benefit the individual faculty member, the students, and the college. A member should keep this purpose in mind while designing their projects and writing their proposals.~~

40.3 SABBATICAL LEAVE COMMITTEE

Implementation of the provisions of this article shall be the responsibility of the Sabbatical Leave Committee. Any problems in implementing this article shall be reported to the Associate Vice-Chancellor of Human Resources and to the ACE President, who shall consult in order to resolve the problems.

40.3.1 Membership

The Committee shall consist of one (1) administrator from West Valley College and one (1) administrator from Mission College, appointed by the respective President, and four (4) members appointed by the ACE Council, (two (2) from Mission College and two (2) from West Valley College), serving staggered three (3) year terms. A quorum shall be required for the committee

to act. The Associate Vice-Chancellor of Human Resources shall serve as an ad hoc consultant to the Sabbatical Leave Committee.

Members of the Committee shall not submit an application for sabbatical leave during their term of service on the Committee.

40.3.2 Committee Chairperson

The chairperson shall be elected from the members appointed by the Association. The chairperson shall be elected by a majority vote of the entire Committee and shall have served at least one (1) year before assuming the duties of the office.

40.3 EXTENT AND DISTRIBUTION OF LEAVES

40.4 NUMBER OF AVAILABLE LEAVES

Each year ~~there shall be a pool of the District shall provide funding for~~ eleven (11) semesters of sabbatical leaves **(in addition to any unused leaves carried forward from previous years).** ~~available for distribution.~~ The Sabbatical Leave Committee may recommend fewer than the number of sabbatical leaves available. ~~This decision will be based on the merit of the proposals received.~~ Sabbatical leaves which are not ~~distributed or~~ used **or are deferred** during a given year ~~may~~ **shall** be carried forward to the following year. ~~provided the~~ **The** total number of leaves **used** in any one year ~~does~~ **shall** not exceed fourteen (14) including those carried forward from previous years.

Normally, a faculty member shall apply for a leave to begin in the following academic year. However, at the time of application, a faculty member may request that their sabbatical leave start date be deferred a maximum of one academic year. No more than one-half of the number of new sabbatical leaves available can be granted a deferral during any application cycle.

Sabbatical leaves are awarded from a prioritized list of approved proposals prepared by the Sabbatical Leave Committee.

Should the number of deferral requests be exceeded before the total number of leaves available for distribution is reached, the applicant(s) shall be given the option to retract their deferral request and start their sabbatical the following academic year. The applicant may also choose to re-submit the entire application during the next application cycle.

40.3 LENGTH OF SABBATICAL LEAVES

40.5 LENGTH OF SABBATICAL LEAVES AND OBLIGATION UPON RETURN

~~Sabbatical leaves will be granted effective on the date of the beginning of a semester only unless otherwise approved by the Sabbatical Leave Committee.~~

40.5.1 There are three lengths of sabbatical leave. Members may only apply for one type at a time.

1. One semester on full salary.
2. Two semesters on one-half salary. A member ~~may have~~ **has** the option of requesting two non-sequential semesters rather than two consecutive semesters, but the two semesters must be taken within a three semester period.

3. Two consecutive semesters on full salary, ~~to be taken in the academic year immediately following approval.~~ **This type of sabbatical leave shall begin in a Fall semester unless otherwise approved by the Sabbatical Leave Committee.** Members electing this option are required to complete twice the amount of work as a one-semester sabbatical at full pay. ~~This provision will re-open in July 2006.~~

Sabbatical leaves shall be granted effective on the date of the beginning of a semester *only* unless otherwise approved by the Sabbatical Leave Committee.

40.5.2 Upon completion of the sabbatical leave, the member shall be reinstated in a position equivalent to that held by the member at the time the leave was granted, unless the member agrees in writing prior to the member's leave to any modifications in the member's duties. (Ed Code 87774)

40.5.3 As a condition to being granted a sabbatical leave, a member is obligated to render a period of service to the District which is equal to twice the period of the leave regardless of the compensation level of the leave. (Ed Code 87770) Banked load leave or approved unpaid leave may be used to interrupt, but not substitute for, any or all of the required service period.

~~40.4 — **COMPENSATION WHILE ON SABBATICAL LEAVE**~~

~~40.6 **COMPENSATION WHILE ON SABBATICAL LEAVE**~~

~~40.6.1 Salary~~

~~**Sabbatical Leaves Which Generate No Outside Income**~~

~~**Compensation** The salary of the member during the course of the sabbatical leave shall be ~~under~~ the same **amount the member would have been paid had the member not been on sabbatical leave.** ~~.compensation schedule employed while the member is on regular duty.~~ A work experience-type of sabbatical leave shall not be granted for gainful employment, although the member may accept a salary. The member's District sabbatical leave salary shall be reduced by the work experience salary. Any exceptions to this provision may be granted only on petition to the Chancellor. For members on study-type sabbatical leaves, the member's District sabbatical leave salary shall be reduced by the amount of any fellowship or assistantship. Any exceptions to this provision may be granted only on petition to the Chancellor.~~

~~**Sabbatical Leaves Which Generate Outside Income**~~

~~A sabbatical leave for work experience will not be granted for gainful employment, although a salary may be accepted. The salary from such sources plus the member's district sabbatical leave salary shall be reduced in the amount of that excess. Any exceptions to this provision may be granted only on petition to the Chancellor. Income from scholarships, fellowships, and assistantships, together with the sabbatical leave salary, shall not exceed the amount the member would have been paid had the member not been on sabbatical leave. Any exception to this provision may be granted only on petition to the Chancellor.~~

40.5 — BENEFITS WHILE ON SABBATICAL LEAVE

40.6.2 Benefits

During a one (1) semester **on full salary** sabbatical leave, a member shall receive all benefits normally accruing to the member, just as if the member were performing his/her full duties ~~on campus~~. During a two (2) semester **at on full pay salary** sabbatical leave, a member shall receive all benefits normally accruing to the member, just as if the member were performing his/her **full** duties ~~on campus~~. During a two (2) semester **at on** half salary sabbatical leave, a member shall receive all benefits **normally accruing to the member, just as if the member were performing his/her full duties**, except that their STRS ~~will~~ **shall** be reduced to equal the percent of full-time salary paid by the District. The member may arrange to reimburse the District the reduced STRS monies so that their retirement benefits remain as if they were performing their **full** duties ~~full time on campus~~.

40.6.3 Salary Payments (Ed Code 87770)

Compensation granted to the member on leave shall be paid in the same manner as if the member were teaching in the district, upon the furnishing by the employee of a suitable bond indemnifying the district against loss of the cost of the member's sabbatical leave in the event the member fails to render the agreed upon period of service (See 40.5.3) following the return of the member from the leave of absence. Such indemnifying bond shall be filed in Human Resources prior to the beginning of the member's leave and before any compensation shall be paid to the member under the terms of the sabbatical leave article.

- a. **The bond shall be exonerated once the member renders the required service to the District upon returning from the leave.**
- b. **The bond shall be defaulted if the member fails to render the required service to the District upon returning from the leave. The proceeds of the bond shall be divided by the member and the District in the same proportion as the actual amount of time served bears to the amount of time agreed upon.**
- c. **The bond shall be exonerated in the event the member fails to render the required service to the District due to death or physical or mental disability of the member.**

40.6 — TYPES OF SABBATICAL LEAVES

40.7 — TYPES OF SABBATICAL LEAVES

40.6.1 Sabbatical Leave for Study

40.7.1 Sabbatical Leave for Study

A member on sabbatical leave for formal study shall complete a minimum of nine (9) semester units or fourteen (14) quarter units of acceptable upper division or graduate work during each semester of their fully paid leave. ~~OR A~~ **a** minimum of twelve (12) semester units or eighteen (18) quarter units ~~are required for of~~ acceptable lower division work **during each semester of their fully paid leave**. These courses shall be taken only at institutions accredited by a **recognized regional (WASC equivalent)** accrediting agency.

Previous to such leave, the courses to be undertaken must be approved by the committee. **A list of preferred and alternative courses shall be part of the applicant's sabbatical proposal.**

~~40.6.2 Sabbatical Leave for Travel~~

40.7.2 Sabbatical Leave for Travel

Leave may be granted for travel if such travel has as its basic objective the specific enhancement of the member's teaching effectiveness or other service to the District. Members on sabbatical leave for travel shall remain in travel status for at least seventy-five percent (75%) of the teaching days each semester for which fully paid leave is granted.

Application for such leave shall include a general itinerary (which shall be considered to be some degree flexible) of the proposed travel, together with a statement concerning the proposed objectives of the travel. ~~Such travel must have as its basic objective the specific enhancement of the member's teaching effectiveness or other service to the District.~~

~~40.6.3 Sabbatical Leave for Work Experience~~

40.7.3 Sabbatical Leave for Work Experience

Leave may be granted for work experience in the field in which the member teaches or for **training provided** ~~study in schools maintained~~ by a business or industry.

A member granted a sabbatical leave for work experience shall work a minimum of 480 hours per semester.

~~40.6.4 Sabbatical Leave for Curriculum Development~~

40.7.4 Sabbatical Leave for Curriculum Development

Leave may be granted for curriculum work. Requests for sabbatical leave to develop curriculum must be accompanied by a needs assessment, letters of recommendation by the member's Department, Division Chair, and Vice-President. Such requests should also be accompanied by a statement from the Curriculum Review Committee that the proposal is in keeping with the committee's guidelines regarding course duplication/proliferation and other such items as the committee may feel are appropriate.

~~40.6.5 Sabbatical Leave for Other Scholarly or Creative Activities~~

40.7.5 Sabbatical Leave for Other Scholarly or Creative Activities

Proposals for other scholarly or creative activities must be submitted in sufficient detail to allow the committee to evaluate their merit and equate them to academic units of study.

~~40.6.6 Combined Leave Types~~

40.7.6 Combined Leave Types

Members may propose a combination of two or more of the aforementioned activities.

40.8 APPLICATION AND SELECTION PROCEDURES

40.8.1 Application Deadline

Sabbatical leave applications (APPENDIX) must be received in the Human Resources Department by the first Friday in December of the academic year immediately preceding the academic year for which leave is requested. The Sabbatical Leave Committee shall provide application instructions and evaluation criteria through publications and workshops.

At the time of application, the member's department chair or supervising administrator shall receive written notification that a member of the department has applied for a leave. This notification shall include the length and proposed dates of the leave. Such information is for institutional planning purposes and shall not influence the selection of the proposal by the committee.

40.8.2 Selection Process

Applications for sabbatical leave shall be reviewed by the committee. All applications shall be anonymous at this stage of the review process. The committee shall develop a prioritized list of approved applicants by the end of the first week of the Spring semester, using the following criteria:

- 1. Applicant's Proposed Contributions--Approximately seventy percent (70%) of the total available points shall be judged based upon rationale/need and implementation plan.**
- 2. Applicant's Past Contributions--Approximately twenty-five percent (25%) of the total available points shall be based upon the applicant's past contributions to students, the colleges and the District above and beyond those expected of a professional (i.e., professional activities required as part of a full-time member obligation to the District) or compensated by stipend or release time. Such contributions may include, but are not limited to, scholarship, leadership and contribution to the arts.**
- 3. Other Factors— Approximately five percent (5%) of the total available point shall be based on the member's length of service to the district, the distribution of sabbatical leaves among various departments, the needs of the individual applicant, and/or the number of prior sabbaticals awarded the member.**

Upon completion of this phase of the selection process, the list shall be sent to the Human Resources Department for forwarding to the college Vice Presidents of Instruction/Student Services, the college Presidents, Chancellor and the Board of Trustees. At this time the committee shall inform the applicants of the committee's recommendations.

40.8.3 Final Selection

The Board of Trustees shall take action on the applications by the first board meeting in March preceding the school year for which leave is being applied. Action of the Board shall be transmitted to the applicant by the Chancellor/designee.

40.8.4 Unused Sabbatical Leaves

Should a recipient of a sabbatical leave be unable to use the leave, the Board of Trustees shall be so notified by the Chancellor. A leave shall be granted to the next recommended candidate, if available.

40.8.5 Unsuccessful Candidates

Applicants whose proposals are not approved are encouraged to submit new proposals in the following academic year. Applicants are encouraged to contact the Sabbatical Leave Committee for suggestions on submitting a new proposal.

40.8.6 Board of Trustees Authority

Compliance with the requirements of this article does not imply automatic granting of sabbatical leave. The final decision rests solely with the Board of Trustees.

~~40.7 REPORTING UPON COMPLETION OF SABBATICAL LEAVE~~

40.9 REPORTING UPON COMPLETION OF SABBATICAL LEAVE

~~40.7.1 Compliance Reports~~

40.9.1 Compliance Reports

A written compliance report shall be filed with the Sabbatical Leave Committee by the fifth Friday of the semester of a member's return to duty. **The compliance report shall consist of the end products indicated in the proposal and documentation demonstrating that the member has completed all tasks delineated within the proposal.**

The Committee ~~will~~ **shall** review the report for compliance with the member's proposal. Unsatisfactory reports **shall will** be returned to the member for revision. Revised reports must be received by the committee within thirty (30) days of their return to the member. Extensions to those deadlines may be granted by the committee. Such extensions can only be granted in writing upon receipt of a written request from the member.

Failure to meet compliance deadlines shall result in the matter being referred to the ~~Director~~ **Associate Vice-Chancellor** of Human Resources. Any faculty member who is granted a sabbatical leave shall, as part of the application for the leave, give the District written consent to withhold salary (**Note, the current form needs to be revised to include this consent**) in accordance with the provisions of this section, if the necessary compliance reports have not been filed and accepted by the Committee by the established deadline.

Failure to meet either of the above deadlines ~~will~~ **shall** result in the District withholding ten (10%) of the member's pay until the committee certifies that all requirements have been met, or having failed conclusively to meet the requirements, the member must return the entire cost of the sabbatical leave.

~~40.7.2 **Compliance Communication**~~

40.9.2 Compliance Communication

The member's President, Vice-President, or Division Chair shall assist the leave recipient in sharing with the appropriate segment of the college community the experience of the leave.

40.10 UNCONTROLLABLE INTERRUPTIONS

Members' sabbatical leave programs which are interrupted by events beyond the member's control may be extended to permit successful completion. Interruptions would include events such as member illness, injury, or substantial changes in the conditions directly affecting the sabbatical plan. The member shall notify the committee and Human Resources of such a request by certified or registered mail within fifteen (15) days of such an event. The committee may require whatever information deemed necessary to make a recommendation to the Chancellor. The granting of the extensions to accommodate such events shall be at the sole discretion of the Chancellor.

40.11 CHANGES TO ORIGINAL PROPOSAL

Changes to approved proposals generally are not considered unless the proposal cannot otherwise be completed because of unusual or unforeseen circumstances (also see Article 40.10).

Any requests for change to an approved proposal must follow these guidelines:

- 1. Proposed changes in content or type of leave shall be submitted in writing to the chair of the sabbatical leave committee before beginning the leave or before changing activities if the leave is already in progress.**
- 2. Changes shall be approved by the committee chair or designee and the Associate Vice-Chancellor of Human Resources. The request shall go back to the entire committee for consideration if either party disapproves, or if the change involves the type of leave or if the change is major.**

40.12 GRIEVABILITY

No grievance may be filed or processed in regard to any decision of the Sabbatical Leave Committee on this sabbatical article process, other than failure to follow the process established.

~~40.8 — CONTINUED EMPLOYMENT STATUS~~

~~40.8.1 District Obligation Upon Return From Leave~~

~~At the expiration of the sabbatical leave, the member shall be reinstated in a position equivalent to that held by the member at the time the leave was granted, unless the member agrees in writing prior to the member's leave to any modifications in the member's duties.~~

~~40.8.2 Member's Obligation Upon Return From Leave~~

~~As a condition to being granted a leave, a member is obligated to render a period of service to the District which is equal to twice the period of the leave regardless of the compensation level of the leave.~~

~~The member must furnish a bond indemnifying the Board of Trustees against loss of the cost of the member's sabbatical leave in the event the member fails to render service which is equal to twice the period of the leave following his/her return from sabbatical leave. Such indemnifying bond shall be filed in Human Resources prior to the beginning of the member's leave and before any compensation shall be paid to the member under the terms of the sabbatical leave article.~~

~~40.8.3 Requirement for Bond~~

~~The member must furnish a bond indemnifying the Board of Trustees against loss of the cost of the member's sabbatical leave in the event the member fails to render service which is equal to twice the period of the leave following his/her return from sabbatical leave. Such indemnifying bond shall be filed in Human Resources prior to the beginning of the member's leave and before any compensation shall be paid to the member under the terms of the sabbatical leave.~~

~~40.9 — UNCONTROLLABLE INTERRUPTIONS~~

~~Members' sabbatical leave programs which are interrupted by events beyond the member's control may be extended to permit successful completion. Interruptions would include events such as member's illness, injury, or substantial changes in the conditions directly affecting the sabbatical plan. The member must notify the committee and Human Resources of such a request by certified or registered mail within fifteen (15) days of such an event. The committee may require whatever information deemed necessary to make a recommendation to the Chancellor. The granting of extensions to accommodate such events will be at the sole discretion of the Chancellor.~~

~~40.10 — SELECTION GUIDELINES FOR DETERMINING PRIORITY~~

~~The Sabbatical Leave Committee will provide application instructions and evaluation criteria through publications and workshops. Applications will be evaluated based on the following criteria:~~

~~40.10.1 Applicant's Proposed Contributions~~

~~Priority in the selection of applicants for sabbatical leave shall be given based on the value of the leave to students, the member and the college. Approximately~~

seventy percent (70%) of the total available points will be based upon the stated purpose, rationale/need and implementation plan.

40.10.2 Applicant's Past Contributions

Approximately 25% of the total available points will be based upon the applicant's past contributions to students, the colleges and the District above and beyond those expected of a professional (i.e., professional activities required as part of a full-time member obligation to the District) or compensated by stipend or release time. Such contributions may include, but are not limited to, scholarship, leadership and contribution to the arts.

40.10.3 Length of Service

A total of 5% will be awarded based on the following:

- A. Length of service to the District.
- B. Distribution of sabbatical leaves among various departments.
- C. Needs of the individual applicant.
- D. Number of prior sabbaticals

40.11 SABBATICAL LEAVE COMMITTEE

40.11.1 Implementation

Implementation of this policy shall be the responsibility of the Sabbatical Leave Committee. The Director of Human Resources shall serve as an ad hoc consultant to the Sabbatical Leave Committee. Any problems in implementing this article shall be reported to the Director of Human Resources and to the ACE President, who shall consult in order to resolve the problems.

40.11.2 Committee Membership

The Committee shall consist of one (1) administrator from West Valley College and one (1) administrator from Mission College, appointed by the respective President, and four (4) members appointed by the Association, (two (2) from Mission College and two (2) from West Valley College), serving staggered three (3) year terms. A quorum shall be required for the committee to act.

40.11.3 Committee Member Application

Members of the Committee shall not submit an application for sabbatical leave during their term of service on the Committee.

40.11.4 Committee Chairperson

The chairperson shall be elected from the members appointed by the Association. The chairperson shall be elected by a majority vote of the entire Committee and shall have served at least one (1) year before assuming the duties of the office.

40.12 SELECTION PROCEDURES

40.12.1 Application Deadline

Sabbatical leave applications must be received in the Human Resources Department by the first Friday in December of the academic year immediately preceding the academic year for which leave is requested.

At the time of application, the member's department chair or supervising administrator will receive written notification that a member of the department has applied for a leave. This notification will include the length and proposed dates of the leave. Such information is for institutional planning purposes and shall not influence the selection of the proposal by the committee.

40.12.2 Selection Process

Applications for sabbatical leave will be reviewed by the committee. All applications will be anonymous at this stage of the review process. The committee will develop a prioritized list of approved applicants, using the criteria outlined in 40.10, by the end of the first week of the spring semester. Upon completion of this phase, the list will be sent to the Human Resources Department for forwarding to the college Vice Presidents of Instruction/Student Services, the college Presidents, Chancellor and the Board of Trustees. At this time the committee will inform the applicants of the committee's recommendations.

40.12.3 Final Selection

The Board of Trustees will take action on the applications by the first board meeting in March preceding the school year for which leave is being applied. Action of the Board will be transmitted to the applicant by the Chancellor/designee.

40.12.4 Unused Sabbatical Leaves

Should a recipient of a sabbatical leave be unable to use the leave, the Board of Trustees will be so notified by the Chancellor. A leave will be granted to the next recommended candidate, if available.

40.12.5 Unsuccessful Candidates

Applicants whose proposals are not approved are encouraged to submit new proposals in the following academic year.

40.12.6 Board of Trustees Authority

Compliance with the requirements of this policy does not imply automatic granting of sabbatical leave. The final decision rests solely with the Board of Trustees.

40.13 CHANGES TO ORIGINAL PROPOSAL

Changes to approved proposals generally are not considered unless the proposal cannot otherwise be completed because of unusual or unforeseen circumstances (also see 40.9).

Any requests for change to an approved proposal must follow these guidelines:

- A. Proposed changes in content or type of leave must be submitted in writing to the chair of the sabbatical leave committee before beginning the leave or before changing activities if the leave is already in progress.
- B. Changes must be approved by the committee chair or designee and the Director of Human Resources. The request will go back to the entire committee for consideration if either party disapproves, or if the change involves the type of leave or if the change is major.
- C. If the member fails to comply with the above guidelines, the result may be loss of pay and/or other disciplinary action.

Applicants must take the sabbatical leave during the academic year(s) indicated in their sabbatical application. Applicants who are unable to do so will forfeit the sabbatical leave and it will be granted to the next recommended candidate, if any.

40.14 GRIEVABILITY

No grievance may be filed or processed in regard to any decision of the Sabbatical Leave Committee on this sabbatical article process, other than failure to follow the process established.