



STATE OF WEST VIRGINIA
OFFICE OF THE GOVERNOR
CHARLESTON 25305

FILED
1992 FEB 24 PM 3:40
OFFICE OF THE GOVERNOR
STATE OF WEST VIRGINIA
DEPARTMENT OF POLICE

February 24, 1992

GASTON CAPERTON
GOVERNOR

The Honorable Ken Hechler
Secretary of State
State Capitol
Charleston, West Virginia 25305


Dear Secretary Hechler:

In the absence of a Secretary of Education and the Arts, I hereby grant consent as required pursuant to West Virginia Code §5-2-2 for the promulgation of the following rules by the Board of Trustees of the University System:

- (1) Amending Interpretive Rule Title 128, Series 10
Sabbatical Leave;
- (2) Amending Procedural Rule Title 128, Series 36,
relating to Academic Freedom, Promotion and Tenure,
Etc.; and
- (3) Amending Legislative Rule Title 128, Series 42,
Alcoholic Beverages on the Campuses.

A copy of each rule is attached.

Very truly yours,


Thomas A. Heywood
Chief of Staff

GC/lc

cc: Charles Manning
John Thralls
David Mohr
JoAnn Raines

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: SABBATICAL LEAVE

Type of Rule: Legislative Interpretive Procedural

Agency: University of West Virginia Board of Trustees Address: 1018 Kanawha Blvd. East
Charleston, West Virginia 25301

1. Effect of Proposed Rule	ANNUAL		FISCAL YEAR		
	Increase	Decrease	Current	Next	Thereafter
Estimated Total Cost	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Personal Services	N/A	N/A	N/A	N/A	N/A
Current Expense	N/A	N/A	N/A	N/A	N/A
Repairs and Alterations	N/A	N/A	N/A	N/A	N/A
Equipment	N/A	N/A	N/A	N/A	N/A
Other	N/A	N/A	N/A	N/A	N/A

2. Explanation of above estimates:

N/A

3. Objectives of these rules:

N/A

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

N/A

B. Economic Impact on Political Subdivisions; Specific Industries; Specific groups of citizens.

N/A

C. Economic Impact on Citizens/Public at Large.

N/A

Date: January 21, 1992

Signature of Agency Head or Authorized Representative



POLICY BULLETIN NO. 10

Policy Bulletin Number 10 establishes a uniform Sabbatical Leave Plan for higher education personnel.

The revisions to the existing policy bulletin grants institutional presidents approval authority with notification of such action to the Chancellor.

TITLE 128
INTERPRETIVE RULE
UNIVERSITY OF WEST VIRGINIA
BOARD OF TRUSTEES
SERIES 10

TITLE: SABBATICAL LEAVE

SECTION	DESCRIPTION	PAGE
1.	General	3
2.	Purpose	3
3.	Eligibility	3
4.	Conditions Granting the Governing Of Sabbatical Leave	4
5.	Compensation	4
6.	Obligations of the Faculty Member	4
7.	Obligations Of The Institution/System	5

TITLE 128
INTERPRETIVE RULE
UNIVERSITY OF WEST VIRGINIA
BOARD OF TRUSTEES
SERIES 10

TITLE: SABBATICAL LEAVE

SECTION 1. GENERAL

- 1.1 Scope - This policy establishes a uniform sabbatical leave plan for faculty members.
- 1.2 Authority - West Virginia Code, 18B-7-2, 18B-1-6
- 1.3 Filing Date -
- 1.4 Effective Date -
- 1.5 Repeal of Former Rule - Repeals and Replaces Policy Bulletin No. 10 dated July 29, 1985.

SECTION 2. PURPOSE

- 2.1 Sabbatical leave may be granted to a faculty member so that he/she may engage in research, writing, or other activity calculated to contribute to professional development and his/her usefulness to the college or university.

SECTION 3. ELIGIBILITY

- 3.1 Any person holding faculty rank is eligible for sabbatical leave after completion of at least six years of full-time employment in a faculty rank in one or more state colleges or universities institutions of the University of West Virginia System. After completing a sabbatical leave, a faculty member shall not ~~again~~ be eligible for another sabbatical leave until the seventh subsequent year of full-time employment. Separate summer school employment shall not be ~~considered~~ counted toward eligibility for sabbatical leave.

SECTION 4. CONDITIONS GOVERNING THE GRANTING OF SABBATICAL LEAVE

- 4.1 The awarding of sabbatical leave is not automatic but shall depend upon the merits of the request and on conditions prevailing in the ~~college and university~~ institution at the time. Sabbatical leave recommendations will be ~~presented approved by the president of the institution or his/her designated representative. to the Board of Regents for approval.~~ Each year the president will forward information on approved sabbatical leaves to the Board of Trustees.
- 4.2 In consultation with the faculty, ~~the presidents of the state colleges and universities~~ each president shall develop appropriate criteria for determining the usefulness of the proposed activity to the institution and equitable procedures and standards for processing applications for leave.

SECTION 5. COMPENSATION

- 5.1 A faculty member on sabbatical leave shall receive full salary for no more than one-half of the contract period or half-salary for no more than the full contract period. ~~If a faculty member's salary is not paid wholly from state funds allocated by the Board of Regents, the president shall so inform the board and justify his/her recommendation for a sabbatical under such circumstances.~~

SECTION 6. OBLIGATIONS OF THE FACULTY MEMBER

- 6.1 An applicant for sabbatical leave shall submit to the president or his/her designee in writing a detailed plan of the activity which he/she proposes to follow.
- 6.2 In accepting a sabbatical leave, a faculty member shall sign a statement indicating that he/she is aware of and agrees to all conditions of the leave as specified herein.
- 6.3 While on sabbatical leave, a faculty member may not accept remunerative employment without the written consent of the president or his/her designated representative. Fellowships, grants, assistantships, and similar stipends shall not be considered remunerative employment.

- 6.4 Upon completion of a sabbatical leave, a faculty member shall file with the president ~~of the college or university~~ or his/her designee a written report of his/her scholarly activities while on leave.
- 6.5 A faculty member is obligated to return for a full contract year of service upon completion of the leave. Failure to return will obligate the faculty member to ~~fully~~ reimburse fully the institution for salary received during the period of the leave.

SECTION 7. OBLIGATIONS OF THE INSTITUTION/SYSTEM

- 7.1 A faculty member's institutional position, status, and rank shall not be adversely affected solely by his/her absence while on sabbatical leave.