

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #5

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

**NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE
OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW**

UNIVERSITY OF WEST VIRGINIA
AGENCY: BOARD OF TRUSTEES TITLE NUMBER: 128

CITE AUTHORITY: WV Code 18B-7-2, 18B-1-6

RULE TYPE: PROCEDURAL _____ INTERPRETIVE X _____

EXEMPT LEGISLATIVE RULE _____
CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

AMENDMENT TO AN EXISTING RULE: YES x, NO _____

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 10

TITLE OF RULE BEING AMENDED: SABBATICAL LEAVE

IF NO, SERIES NUMBER OF NEW RULE BEING ADOPTED: _____

TITLE OF RULE BEING ADOPTED: _____

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE
EFFECTIVE DATE OF THIS RULE IS May 4, 1992

Jo Ann Raines

2.60

SERIES NO. 10

FILED

1992 APR -3 PM 3: 47

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

SECRETARY OF STATE

The revisions to the existing rule 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 rule 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 - April 3, 1992
- 1.4 Effective Date - May 4, 1992
- 1.5 Repeal of Former Rule - Repeals and Replaces Series 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 institutions of the University of West Virginia System. After completing a sabbatical leave, a faculty member shall not be eligible for another sabbatical leave until the seventh subsequent year of full-time employment. Separate summer school

employment shall not be 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 institution at the time. Sabbatical leave recommendations will be approved by the president of the institution or his/her designated representative. Each year the president will forward information on approved sabbatical leaves to the Board of Trustees.
- 4.2 In consultation with the faculty, 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.

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 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 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.



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help we can get)

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TO: Pam Steelhammer

AGENCY: Board of Trustees

FROM: JUDY COOPER, DIRECTOR, ADMINISTRATIVE LAW DIVISION

DATE: December 11, 1992

THE ATTACHED RULE FILED BY YOUR AGENCY HAS BEEN ENTERED INTO OUR COMPUTER SYSTEM. PLEASE REVIEW, PROOF AND RETURN IT WITH ANY CORRECTIONS. IF THERE ARE NO CORRECTIONS, PLEASE SIGN THIS MEMO AND RETURN IT TO THIS OFFICE. YOU WILL BE SENT A FINAL VERSION OF THE RULE FOR YOUR RECORDS.

PLEASE RETURN EITHER THE CORRECTED RULE OR THIS FORM WITHIN TEN (10) WORKING DAYS OF THE DATE YOU RECEIVED THIS REQUEST. CALL IF YOU HAVE ANY QUESTIONS.

SERIES: 10 TITLE: 128 Board of Trustees

* THE ATTACHED RULE HAS BEEN REVIEWED AND IS CORRECT.

SIGNED: _____

TITLE OF PERSON SIGNING: _____

DATE: _____

* THE ATTACHED RULE HAS BEEN REVIEWED AND NEEDS CORRECTING. THE CORRECTIONS HAVE BEEN MARKED.

SIGNED: Pamela G. Steelhammer

TITLE OF PERSON SIGNING: Assistant to the Chancellor

DATE: March 3, 1993

NOTE: IF YOU ARE NOT THE PERSON WHO HANDLES THIS RULE, PLEASE FORWARD TO THE CORRECT PERSON.

**TITLE 128
INTERPRETIVE RULE
UNIVERSITY OF WEST VIRGINIA
BOARD OF TRUSTEES**

**SERIES 10
SABBATICAL LEAVE**

§128-10-1. General.

1.1. Scope. -- This rule establishes a uniform sabbatical leave plan for faculty members.

1.2. Authority. -- W. Va. Code §§18B-7-2, 18B-1-6

1.3. Filing Date. -- April 3, 1992

1.4. Effective Date. -- May 4, 1992

§128-10-2. 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.

§128-10-3. 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 institutions of the University of West Virginia System. After completing a sabbatical leave, a faculty member shall not be eligible for another sabbatical leave until the seventh subsequent year of full-time employment. Separate summer school employment shall not be counted toward eligibility for sabbatical leave.

§128-10-4. 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 institution at the time. Sabbatical leave recommendations will be approved by the president of the institution or his/her designated

representative. Each year the president will forward information on approved sabbatical leaves to the Board of Trustees.

4.2. In consultation with the faculty, 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.

§128-10-5. 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.

§128-10-6. 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 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 reimburse fully the institution for salary received during the period of the leave.

§128-10-7. 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.