

**WEST VIRGINIA
SECRETARY OF STATE**

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #5

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1997 JUL 10 PM 3:19

OFFICE OF THE SECRETARY OF STATE
STATE OF WEST VIRGINIA

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

AGENCY: STATE COLLEGE SYSTEM BOARD OF DIRECTORS TITLE NUMBER: 131

CITE AUTHORITY: WV Code 18B-1-6, 18B-7-2, 18B-1-9

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 Aug 9, 1997

John Raines

2.50

**TITLE 131
INTERPRETIVE RULE
STATE COLLEGE SYSTEM OF WEST VIRGINIA
BOARD OF DIRECTORS
SERIES 10**

FILED
JUL 10 PM 3: 20
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

TITLE : SABBATICAL LEAVE

SECTION 1. GENERAL

- 1.1 Scope - This rule specifies the eligibility, conditions, compensation, and obligations regarding the granting of sabbatical leave for faculty members in the State College System of West Virginia.
- 1.2 Authority - West Virginia Code § 18B-1-6, 18B-7-2, 18B-1-9
- 1.3 Filing Date - July 10, 1992
- 1.4 Effective Date - August 9, 1992
- 1.5 Repeal of Former Rule - Repeals and replaces Series 10 effective July 2, 1990.

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.

SECTION 3. ELIGIBILITY

- 3.1 Any person holding faculty rank is eligible for sabbatical leave after the completion of at least six years of full-time employment at the institution where presently employed. After completing a sabbatical leave, a faculty member shall not again be eligible until the seventh subsequent year. Separate summer school employment shall not be considered for sabbatical leave.

**SECTION 4. CONDITIONS GOVERNING the GRANTING
of SABBATICAL LEAVE**

- 4.1 The granting of sabbatical leave is not automatic, but shall depend on the merits of the request and on conditions prevailing in the colleges at the time. Sabbatical leave will be granted by the president of the institution and notification of such action communicated to the chancellor and kept on file in the chancellor's office. The chancellor shall provide an annual report to board members summarizing the number of sabbatical leaves granted by each institution during the previous year, the disciplines of the faculty members, and whether the leaves were for full salary for no more than half the contract period or for half salary for no more than the full contract period.
- 4.2 In consultation with the faculty, the presidents of the state colleges shall develop appropriate criteria for determining the usefulness of the proposed activity to the institution and equitable procedures and standards for processing applications for leaves.

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 Directors, the president shall so inform the chancellor.

SECTION 6. OBLIGATIONS of the FACULTY MEMBER

- 6.1 An applicant for a sabbatical leave shall submit to the president in writing a detailed plan of 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.

**TITLE 131
INTERPRETIVE RULE
STATE COLLEGE SYSTEM OF WEST VIRGINIA
BOARD OF DIRECTORS
SERIES 10**

FILED
1992 JUL 10 PM 3:20
OFFICE OF WEST VIRGINIA
GOVERNMENT SERVICES

TITLE : SABBATICAL LEAVE

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SECTION 6. OBLIGATIONS of the FACULTY MEMBER

- 6.1 An applicant for a sabbatical leave shall submit to the president in writing a detailed plan of 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 a written report of his/her scholarly activities while on leave.
- 6.5 A faculty member is obligated to return for a full year of service upon completion of the leave. Failure to return will obligate the faculty member to fully reimburse 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.

**TITLE 131
INTERPRETIVE RULE
STATE COLLEGE SYSTEM OF WEST VIRGINIA BOARD OF DIRECTORS**

**SERIES 10
POLICY REGARDING SABBATICAL LEAVE**

§131-10-1. General.

1.1. Scope. -- This rule specifies the eligibility, conditions, compensation, and obligations regarding the granting of sabbatical leave for faculty members in the State College System of West Virginia.

1.2. Authority. -- W. Va. Code 18B-1-6, 18B-7-2, 18B-1-9.

1.3. Filing Date. -- July 10, 1992.

1.4. Effective Date. -- August 9, 1992.

§131-10-2. 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.

§131-10-3. Eligibility.

3.1. Any person holding faculty rank is eligible for sabbatical leave after the completion of at least six years of full-time employment at the institution where presently employed. After completing a sabbatical leave, a faculty member shall not again be eligible until the seventh subsequent year. Separate summer school employment shall not be considered for sabbatical leave.

§131-10-4. Conditions Governing the Granting of Sabbatical Leave.

4.1. The granting of sabbatical leave is not automatic but shall depend on the merits of the request and on conditions prevailing in the colleges at the time. Sabbatical leave will be granted by the president of the institution and

notification of such action communicated to the chancellor and kept on file in the chancellor's office. The chancellor shall provide an annual report to board members summarizing the number of sabbatical leaves granted by each institution during the previous year, the disciplines of the faculty members, and whether the leaves were for full salary for no more than half the contract period or for half salary for no more than the full contract period.

4.2. In consultation with the faculty, the presidents of the state colleges shall develop appropriate criteria for determining the usefulness of the proposed activity to the institution and equitable procedures and standards for processing applications for leaves.

§131-10-5. 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. If a faculty member's salary is not paid wholly from state funds allocated by the Board of Directors, the president shall so inform the chancellor.

§131-10-6. Obligations of the Faculty Member.

6.1. An applicant for a sabbatical leave shall submit to the president in writing a detailed plan of 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 a written report of his/her scholarly activities while on leave.

6.5. A faculty member is obligated to return for a full year of service upon completion of the leave. Failure to return will obligate the faculty member to fully reimburse the institution for salary received during the period of the leave.

§131-10-7. 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.