

8.1.3 The content of material in personnel files shall not be subject to Article 19: Grievance and Arbitration Procedure of this Agreement, unless it evidences procedural violations.

8.1.4 The content of material in personnel files shall be subject to the Academic Due Process and Complaint Procedure of each college as such may exist.

ARTICLE 9: SABBATICAL LEAVE

9.1 DEFINITION

“SABBATICAL LEAVE” means a Board of Trustees authorized release of a full-time, regular faculty member from normal faculty duties in order to improve the faculty member’s individual effectiveness in accordance with the mission statement of the faculty member’s college. The sabbatical leave, upon approval by the Board of Trustees, is considered an official college requirement. (See Appendix D)

9.2 INTENT

Sabbatical leave is a privilege, not an earned right, accorded to qualified members of the faculty by the Board of Trustees for the purpose of professional improvement. The ultimate objective of the sabbatical leave is a contribution to the students, to the college, to the district, and to the faculty member's professional qualifications. The sabbatical project should reflect and contribute to the District goal “to employ faculty who bring to their department, division, and campus breadth and depth of knowledge, pedagogical effectiveness and life experiences that will enrich their disciplines and stimulate learning.” (Criteria for Faculty Evaluation –Article C-1)

When practical, faculty members are encouraged to engage in their sabbatical projects away from the local area where they may confront materials and points of view not readily available in this immediate area.

Because the intent of a sabbatical is to provide for professional growth and renewal, faculty members are strongly discouraged from participating in District activities for the duration of the sabbatical leave, except in the case of Option C (see Article 9.5.1).

9.3 SCOPE AND EXPECTATION

A sabbatical leave should incorporate the equivalent of six units of academic study per semester with time for renewal for the faculty member. The quality of the application, the sabbatical project itself, and the final report should represent a standard of scholarship appropriate to the applicant’s status as a tenured professor at the college.

Because the sabbatical leave represents a significant portion of a faculty member's load during a given evaluation cycle, the sabbatical and its report will be reflected in the next faculty evaluation.

9.4 TYPES OF SABBATICAL LEAVES

The professional improvement resulting from a sabbatical leave normally will be obtained through academic study, independent study, travel, professional growth/creative activity, or some combination of these as delineated below. (See Appendix D-1: Sabbatical Leave Application Instructions for more extensive descriptions of each type of leave and instructions for combining types of leave.)

A. Academic Study Leave

An Academic Study Leave is one during which the faculty member pursues a minimum of six (6) units each semester or the equivalent in an accredited institution of higher education.

B. Independent Study Leave

An Independent Study Leave includes any kind of project, or combination of projects, that can be described as individually designed work directly related to the present or prospective field of responsibility of the sabbatical leave applicant. The program must be at least equivalent in effort and content to the required units as described above. A complete plan for such project(s) must be approved and filed with the original application for leave.

C. Travel Leave

A Travel Leave is one during which the employee shall remain in travel status two (2) months for each semester of leave granted. Travel is intended to benefit the faculty member and the District in the same manner as the other approved categories.

D. Professional Growth/Creative Activity

A Professional Growth/Creative Activity Leave includes any combination of experiences that deepen the professional expertise of the applicant, usually by work in a related field. It can be any experience which would cause professional growth in the employee's specialty or techniques of teaching.

E. Combination of Above

Types of sabbatical leaves may be combined. One (1) calendar month of travel is considered as equivalent to three (3) semester units.

9.5 NUMBER OF LEAVES AND DURATION

Modesto Junior College faculty may be granted the equivalent of seven (7) full-time Sabbatical Leaves during each academic year. Columbia College faculty may be granted one and one-half (1.5) full-time equivalent Sabbatical Leaves during each academic year.

9.5.1 Three leave options are available:

Option A: A full-year sabbatical leave (Fall and Spring)

Option B: A one-semester sabbatical leave (Fall or Spring)

Option C: A “working sabbatical” – a one-semester sabbatical leave taken over two semesters (Fall and Spring)

9.5.2 Any portion of the faculty allocation for one college which is unused may be used by the other college contingent upon agreement by both College Presidents.

9.5.3 An unused slot may be used for a “retraining” sabbatical recommended to the committee by the college president, with the consent of the participating faculty member.

9.5.4 Any leave not granted by a college may be added to its allocation for the subsequent year.

9.6 COMPENSATION

The faculty member’s salary will be reduced during the course of the sabbatical. District compensation will be as follows:

Option A: 70% of the regular annual contract salary

Option B: 85% of the regular salary for the semester on leave and 100% for the other semester

Option C: 92.5% of the regular annual contract salary

9.6.1 **Use of Banking to augment District support:** A sabbatical leave recipient may increase his/her sabbatical leave compensation to an amount equal to his/her regular contract salary by utilizing the banking provisions of Article 10 as follows:

Option A: Use banked hours equivalent to 30% of each semester.

Option B: Use banked hours equivalent to 15% of the semester on leave.

Option C: Use banked hours equivalent to 15% of one semester.

Services to meet this obligation also may be met during the year immediately following a sabbatical.

9.6.2 **Continuation of Benefits:** The District shall continue health and welfare fringe benefit contributions and the faculty member will earn step and column increases per usual Human Resources procedures. At the faculty member’s direction, the

District shall provide retirement system contributions as though the faculty member were in full-pay status.

- 9.6.3 **Additional Earnings:** While on sabbatical leave, a faculty member shall not receive combined compensation in excess of his/her regular contract salary, plus such reasonable and necessary expenses caused by the sabbatical leave activity as tuition, books and supplies, fees, travel costs, and additional living expenses.

Faculty members may request an overload assignment while on sabbatical. A form is provided (see Appendix D-5) to supply a rationale for the request, which must be approved by the immediate administrator, vice president, and college president. Faculty members on a “working sabbatical” (Option C) do not need to complete this request form.

The District and the Association recognize that faculty members often serve as authors, consultants, artists, and other independent roles in addition to their role in the District. This section shall not restrict a faculty member from earning additional compensation from activities participated in during the term of the sabbatical leave that are unrelated to the stated purpose of the sabbatical leave.

Income derived from leave-related activities after the term of the sabbatical leave shall not be restricted by the application of this section. (See District Procedure 2710 – Intellectual Property and Copyright and Article 28.3)

9.7 ELIGIBILITY

Status: Only a tenured faculty member is eligible for sabbatical leave. Tenured faculty members on less than full-time contract (in excess of 60% assignment) are eligible for sabbatical leave based on their average contract during the previous six (6) years.

Eligibility for First Sabbatical: A faculty member shall not be eligible for a sabbatical leave until he/she has completed six (6) full years of bargaining unit service.

Eligibility for Subsequent Sabbaticals: Years of service toward the next sabbatical begin upon the completion of the previous sabbatical, except in the following two cases:

1. If the college president delayed the granting of the previous sabbatical leave, service years are counted from the time when the previous sabbatical leave would have ended had it not been delayed. (See Article 9.11)
2. If the previous sabbatical leave report was not submitted by the due date, service years are counted from the end of the semester in which the report was submitted. (See Article 9.22.3)

The faculty member is eligible for a one-semester sabbatical following three (3) full years of additional service after either a one-semester or a full-year sabbatical leave is completed.

The faculty member is eligible for a full-year sabbatical following six (6) full years of additional service after a one-year sabbatical or three (3) full years of additional service after a one-semester sabbatical is completed.

9.8 APPLICATION PROCESS

9.8.1 **Confer with Supervisor:** Prior to submitting the sabbatical leave application, the applicant is expected to confer with his/her immediate supervisor regarding the sabbatical leave proposal, and to resolve any potential impact due to the applicant's absence. The immediate supervisor may provide suggestions for improvement or modification of the sabbatical proposal.

The immediate supervisor's signature is required on the Application Cover Sheet to acknowledge that this consultation has taken place. However, the immediate supervisor is prohibited from withholding this signature if his/her suggestions or requests are not followed.

9.8.2 **Verify Eligibility with Human Resources:** It is the responsibility of the faculty member to obtain the endorsement of the District Human Resources office verifying eligibility for the sabbatical of the duration requested.

9.8.3 **Complete the Sabbatical Leave Application,** consisting of the following required items:

1. The completed Sabbatical Leave Application **Cover Sheet** (Appendix D).
2. An **Abstract** of the Sabbatical Leave Proposal
3. A **Proposal for Leave Activities**
4. A **Proposal for Evidence of Completion**

Instructions for each of these items are included in Appendix D1: Sabbatical Leave Application Instructions

9.8.4 **Submit the Sabbatical Leave Application** to the chairperson of the appropriate college Sabbatical Leave Committee prior to the end of the tenth week of Fall semester.

9.9 SABBATICAL LEAVE COMMITTEE

A Sabbatical Leave Committee will be established at each college by the Yosemite Faculty Association. The committee shall review sabbatical leave applications then rank and recommend eligible candidates for sabbatical leave. Faculty members currently serving on the Sabbatical Leave Committee are not eligible to apply for a sabbatical leave during their term of service.

9.10 SUBMISSION TO COLLEGE PRESIDENT AND VICE PRESIDENT(S)

By the third Friday of January, the Sabbatical Leave Committee will submit to the president and appropriate vice president(s) copies of the recommended applications, together with a clearly delineated ranking of those applications. The president shall confer with the appropriate vice president(s) and, if necessary, the faculty members' immediate supervisors and/or the Sabbatical Leave Committee regarding the applications as well as their impact on college programs.

9.11 ONE YEAR DELAY: When multiple sabbatical leave applications from a department are recommended by the Sabbatical Leave Committee, or when an applicant is the sole faculty member in a department, the president, in consultation with the appropriate vice president and the faculty member's immediate supervisor, may delay the granting of a sabbatical leave for a period of not more than one year if it is determined that taking the sabbatical leave will be severely detrimental to the program.

Leaves delayed in this way will be automatically placed on the approved list for the next year and will become one of the granted leaves for that year. If not taken in that year, the faculty member must reapply as in the regular process.

Years of service toward the faculty member's next sabbatical will be counted from the time when the original sabbatical leave would have ended, not from the conclusion of the delayed leave.

When the delay causes the availability of an additional sabbatical leave for the current year, the president shall refer to the ranked list of applicants and, if necessary, contact the chairperson of the Sabbatical Leave Committee to announce a Late Sabbatical Leave. (See Article 9.16)

9.12 SUBMISSION TO CHANCELLOR

The president shall forward the committee recommendations to the chancellor prior to February 1 with his/her written comments.

9.13 REJECTION BY CHANCELLOR

Should the chancellor choose not to forward a Sabbatical Leave Committee recommendation to the Board of Trustees, he/she will notify the committee in writing of his/her action and reasons thereof.

9.14 ACTION BY TRUSTEES

The action of the Board of Trustees shall be transmitted to the committee and its recommended candidates prior to April 1.

9.15 ANNOUNCEMENT OF GRANTED LEAVES

The actions of the Board of Trustees shall be announced to the faculty at large by the president of the Association, or designee.

9.16 WITHDRAWAL

If, before the leave begins, a sabbatical leave recipient determines that he/she will not be able to take the Leave as granted, he/she should notify the college president at the earliest possible time and withdraw from the leave. The college president will notify the Sabbatical Leave Committee that a late sabbatical has become available. The faculty member is then free to reapply the following year.

9.17 LATE SABBATICAL LEAVES

If sabbatical leaves become available after the candidates are announced, the appropriate college Sabbatical Leave Committee shall be notified so that additional candidates may be considered and/or recommended by such committee. Every attempt will be made to grant the late sabbatical leave to the next person in the ranked list of recommended applicants.

9.18 CERTIFICATION OF INTENT TO RETURN

Upon accepting a sabbatical leave, the faculty member shall certify to the District his/her intention to return to the position classification with the District for a period twice the time of the leave granted. Should the faculty member not return to the District, he/she shall agree to repay the District the full amount received, plus full fringe benefits and retirement contributions (if any) paid by the District. Should the faculty member return for a portion of the required period, the payment will be reduced proportionately.

9.19 AMENDMENTS TO THE ORIGINAL PROPOSAL

Changes to the original proposal shall, to the extent practicable, be submitted to and approved by the college president in advance.

As soon as it becomes apparent to the faculty member that a portion of an approved leave must be significantly modified, altered, amended, or removed, the faculty member must provide a written rationale for the change, including an explanation of how the modifications maintain the integrity of or are equivalent to the original proposal and listing proposed evidence of completion for the modifications.

When circumstances do not allow for advanced request and/or approval, the faculty member shall submit the request as soon as reasonably practicable

The faculty member's written rationale and the president's written approval must be included in the sabbatical leave report. The president shall not unreasonably withhold approval of reasonable requests.

9.20 EXTENUATING CIRCUMSTANCES

If extenuating circumstances significantly delay leave activities or make it impossible for the faculty member to complete the sabbatical, the faculty member must meet with the college president and a representative of the Association to determine an appropriate leave of absence or other mutually agreed upon solution. (See Article 11 for other leaves of absence available.)

9.21 NON-COMPLETION OF PROPOSAL

9.21.1 **Interim Reports:** During the course of the sabbatical leave, the college president may request interim reports from the faculty as deemed necessary.

If the college president determines that the faculty member is not carrying out the approved sabbatical leave proposal, the faculty member shall be contacted and granted ten days to respond to the evidence.

If a response deemed satisfactory cannot be obtained by the college president, the president, in consultation with the Association, shall recommend to the chancellor that the sabbatical leave be terminated and that the employee be ordered back to a regular district assignment. Economic sanctions may be levied up to and including reimbursement to the District of sabbatical leave compensation received.

9.21.2 **Final Report:** After completion of the sabbatical leave, if the college president finds that the approved activities and/or report have not been satisfactorily completed, suggestions for improvement may be made in consultation with the Association. These may include an extension of time (at the recipient's own expense) to complete specific performance objectives as stated on the approved or modified application. If the suggestions are not implemented, economic sanctions may be levied, up to and including full reimbursement to the District of sabbatical leave compensation.

9.22 REPORT OF SABBATICAL LEAVE

9.22.1 The **purpose** of the sabbatical leave report is to demonstrate compliance with the approved Sabbatical Leave Proposal and/or its approved amendments (see Article 9.19).

9.22.2 **The Sabbatical Leave Report** consists of the following required items:

1. The completed Sabbatical Leave Report **Cover Sheet** (Appendix D-4)
2. A one-page **Summary** of the Sabbatical Leave Report for distribution to the members of the Board of Trustees.
3. A **Report on Leave Activities**

4. Evidence of Completion

5. A copy of the **Sabbatical Leave Application** (for use as a reference when reviewing the Report)
6. The faculty member's written rationale and the president's written approval of any **Amendments** to the original proposal.

Instructions for each of these items are included in Appendix D3: Sabbatical Leave Report Instructions

9.22.3 **Due Date:** The sabbatical leave report must be submitted to the chairperson of the Sabbatical Leave Committee no more than 45 calendar days after the beginning of the semester immediately following such leave. Failure to submit the report by the due date will extend the years of service needed before the next sabbatical. (See Article 9.7)

9.22.4 The chairperson of the Sabbatical Leave Committee shall transmit the report to the appropriate college vice president within five working days of the due date. The vice president will review the report and forward it to the college president within ten days.

9.22.5 The college president, in consultation with the vice president, shall determine if the report meets the established requirements. If it does not, the president shall meet with the faculty member to convey suggestions for improvement. A YFA representative should be present at this meeting. The meeting should result in a specific list of improvements that must be made and a reasonable timeline for their completion.

If the report meets the established requirements, the college president shall submit his/her recommendation and the accompanying report to the chancellor.

9.22.6 The chancellor will present the summary and his/her recommendation at a subsequent meeting of the Board of Trustees. The sabbatical leave recipient may be invited to be present to supplement the written summary in person.

9.22.7 A copy of the final, signed (by Chancellor), and approved Sabbatical Leave Report Cover Sheet will be placed in the faculty member's personnel file and a second copy will be given to the faculty member for his/her own records. The Chancellor's office will forward a copy of the final, signed report to the office of Human Resources to be placed in the faculty member's personnel file to be used by Human Resources staff members in verifying the eligibility date for a subsequent sabbatical.

9.22.8 Copies of all approved sabbatical leave reports shall be filed in the appropriate college library.

9.23 RETURN ASSIGNMENT

At the expiration of the sabbatical leave, a faculty member's assignment will be made on the same basis as if the faculty member had been on campus for the duration of the sabbatical leave. The appropriate administrator will make an effort to consult with the faculty member on sabbatical leave regarding the assignment he/she will have upon return to campus.

ARTICLE 10: BANKING LEAVES FOR YCCD FACULTY

10.1 GUIDELINES EARNING LEAVE CREDIT

- 10.1.1 A faculty member must request in writing the banking option for a particular term and indicate that the credit is to be applied to a banking leave.
- 10.1.2 The maximum credit that could be earned in any term is six (6) hours. Faculty may bank a total of 9 hours per year. Classes which meet for more than three hours per week may be partially banked and partially reimbursed.
- 10.1.3 Full-time leaves will require an earned credit equivalent to a faculty member's full load.
- 10.1.4 No more than an amount equivalent to a faculty member's semester load may be accumulated. When that point is reached, banking is no longer an option for that faculty member until that credit has been used.

10.2 USING LEAVE CREDIT

A Banking Review Committee will be established at each college. Their members will include two faculty appointed by YFA, two faculty appointed by the respective college's Senate, and two administrators appointed by the YCCD.

Using the following guidelines, these committees will review the entire set of requests to ensure compliance and equity and will make recommendations to the President, who will review these and forward them to the Chancellor for final approval.

- 10.2.1 The maximum number of banking "credits" used by all faculty during any one year is limited to 15 FTEs at MJC and 3 FTEs at Columbia.
- 10.2.2 A leave may be requested in partial increments.
- 10.2.3 The Banking Review Committee will ensure that:
 - a. The request has been reviewed and commented upon by the faculty in the program area affected and representatives of the administration.
 - b. The banking leave will not adversely affect the program/service area.
 - c. That approved sabbatical leave requests in that program area have been given priority.

10.2.4. Once a leave is requested, reviewed, and approved, it will be honored on a first-come, first-served basis. In the event of "ties," a lottery system will be used. Waiting lists may be established and carried forward to succeeding years so appropriate planning can occur.

10.2.5 Cashing Out Banked Hours

- a. Banked hours remaining on the books at the time of separation from the District will be "cashed out." Banked hours may not be cashed out for any other reason.
- b. The dollar amount to be cashed out at time of separation from the District will be calculated using the certificated overload hourly schedule in effect at the time the hours were banked.

10.3 OTHER BANKING ISSUES

10.3.1 It is understood that the administration reserves the right to determine how a position left vacant by a banking leave will be replaced. In general, this will be with part-time staff.

10.3.2 While a faculty member is on a banking leave, that time period does not count toward eligibility for a sabbatical leave.

ARTICLE 11: LEAVES OF ABSENCE

11.1 Faculty members on a paid leave of absence, unless otherwise provided herein, shall receive wages, fringe benefit coverage, and retirement credit, the same as if they were not on leave. Faculty members who begin an unpaid leave during any pay period shall receive their fringe benefit (health and welfare) coverage for the balance of that pay period. Thereafter, they shall be allowed to remain on continued coverage pursuant to the terms of the insurance plan at their own expense, provided they make advance payment of the premium in a manner established by the District.

Part-time contract (probationary) or tenured (regular) faculty members serving 67% or more of a full load shall be entitled to leaves of absence to that portion of the leave as their contract relates to that of a full-time contract (probationary) or tenured (regular) faculty member. Contract (probationary) or tenured (regular) faculty members either full or part-time employed less than a full year will receive that portion of applicable leaves as their length of service relates to a full year.

"Member(s) of the immediate family" as used in this Article shall mean mother, father, husband, wife, domestic partner (see 14.6.5), son, daughter, brother, sister, grandfather, grandmother, grandchild, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, foster parent, step parent, step children, foster children, children of domestic partner or any relative living in the immediate household of the faculty member.