

3344-11-09 Leave of absence (non-bargaining unit members only).

- (A) Leave of absences under this section are only those leaves taken by faculty members for professional purposes requiring that the faculty member miss assigned classes. Such leaves of absence fall into three categories: absences, short leaves, and extended leaves.
- (1) Absences lasting no more than one week and entail no cancellation or rescheduling of classes - Absences require no more than prior notification to the departmental chairperson or, in non-departmentalized colleges, the college dean, and are limited to a maximum of four absences per semester.
 - (2) Short leaves either last more than one week but no more than five weeks or require cancellation or rescheduling of classes - all short leaves require written permission of the departmental chairperson or, in non-departmentalized colleges, the college dean.
 - (3) Extended leaves last more than five weeks and shall be approved in accordance with paragraph (B)(4) of this rule. Extended leave includes the following paid and unpaid types of leave:
- (B) Leave with pay.
- (1) Types of leave:
 - (a) Military leave. As a general rule, faculty members who participate in military reserve programs should take their training during the summer months. Leave with pay shall be granted, however, to members of the national guard and other armed forces for thirty-one days each year.
 - (b) Judicial leave. Leave with pay is granted when a faculty member is called for jury duty or is subpoenaed to testify as a witness before any court or governmental hearing body. Service as an expert

witness shall be considered to be in the same category as consulting and shall be subject to the limitations, thereon, specified in rule 3344-11-11 of the Administrative Code.

- (c) Professional leave (non-bargaining unit members only). A full-time faculty member with at least seven academic years of teaching service at the university may be granted professional leave with pay for a period not to exceed one full academic year to engage in further education, research, or other programs of professional improvement that can contribute directly to the improvement and development of the faculty member and the university.

(2) Guidelines and definitions:

- (a) Eligibility.
 - (i) Completion of seven years of full-time academic service at Cleveland state university at the time of the initiation of the leave.
 - (ii) Tenure effective as of the date the professional leave becomes effective.
- (b) Definitions for eligibility.
 - (i) “Full-time faculty” defined as persons holding full-time faculty appointments in one or more academic departments or colleges, as specified in the faculty personnel policies.
 - (ii) “Academic years of teaching service” defined as two semesters of academic responsibilities (teaching, research, etc.) in a given calendar year. Years of partial service may accumulate to equal the equivalent of a

year of full-time service. Summer teaching for faculty on nine-month contract does not count toward the accumulation of years of service.

- (iii) Leave of absences from faculty assignments without pay that occur during the seven-year period do not count toward eligibility for professional leave. However, such leaves of absence shall not be considered to have substituted for faculty professional leave with pay as defined in these guidelines.
- (c) Period of leave and compensation. The period of professional leave for the non-bargaining faculty member who has completed at least seven full years of academic service may consist of one of the following:
- (i) One semester: 100 per cent of nine-month salary prorated for one semester.
 - (ii) Two semesters: 66.67 per cent of nine-month salary.
- (d) Summer term shall not normally be considered as available for a professional leave.
- (e) Other considerations.
- (i) Fringe benefits. For professional leaves of one semester, fringe benefits including retirement and insurance benefits shall continue at the normal level. For leaves of two semesters, all fringe benefits shall continue at the normal level with the exception of retirement benefits, the payment of which is based on actual dollars earned.

- (ii) Salary increments. Faculty members on professional leave shall be eligible for salary improvement for the following year in the same way as faculty members currently teaching on campus.
- (iii) Additional compensation during the period of leave. A faculty member on professional leave under this policy shall not hold a paid position, unless that position can be shown to assist the faculty member professionally. Should the faculty member hold such a paid position, however, the sum of the professional leave salary and additional funds in the form of grants, stipends, gifts, or pay shall not exceed the amount of the normally contracted salary, with the exception of such funds as are allocated in a grant for special expenses such as equipment, books, professional travel, etc.
- (iv) Released time or assigned duty. Professional leave taken as part of a faculty improvement program established under this rule shall not be deemed to be in lieu of released time or assigned duty in connection with a specific research, scholarly, or creative program.
- (v) Upon completion of professional leave, a faculty member begins accruing time toward eligibility for the award of their next professional leave as of the date of resuming their normal academic duties, unless the faculty member's leave was deferred under the provisions of paragraphs (B)(3)(e) and (B)(3)(i) of this rule. In that case, the eligibility for future professional leaves of those deferred shall be calculated from the point at which they would have returned from leave in their original proposal.

- (vi) The second and subsequent instances when a faculty member accepts a Fulbright scholarship or similar award within a seven-year eligibility cycle do not count toward eligibility for the next professional leave.
 - (vii) Professional leaves are contingent upon staffing, resources, and scheduling requirements. Colleges shall offer assurance that requested professional leaves can be accommodated at no additional cost.
 - (viii) To assure that the university shares in the benefits of the professional leave, faculty members taking professional leave agree to return to Cleveland state university for at least two semesters (excluding summer) after completing their professional leave or to refund the compensation paid by the university during the leave, unless this obligation is specifically waived or deferred by the university.
 - (ix) The instructional workload for a faculty member on one semester's leave shall be one-half of the target teaching load for the academic year in which the professional leave is taken.
- (3) Procedure for application and review.
- (a) Applications from faculty members seeking professional leave for the following academic year should be submitted to the department chair, or, in colleges that do not have departments, to the office of the dean, by November fifteenth. The proposal should include the following:
 - (i) An indication of the specific semesters for which the leave is requested;

- (ii) A plan that defines carefully and as completely as possible the purpose of the leave and specifies clearly its expected outcomes;
 - (iii) A description of any fellowship and/or grant pending or secured at the time of making application for professional leave; and
 - (iv) A current curriculum vitae.
- (b) The department chairperson or the dean of a college without departments shall initiate a review by a faculty committee of the proposals submitted. The primary criterion shall be the merits of the proposal, bearing in mind that the purpose of professional leave is to enable faculty members to engage in further education, research, or other program of professional improvement that can contribute directly to the improvement and development of the faculty member and the university. The faculty committee should also keep in mind the maintenance of departmental standards and responsibilities for all ongoing programs.
- (c) The department chairperson or the dean of a college without departments is responsible for making advance arrangements to provide adequate coverage for a faculty member on professional leave. Duties of persons on professional leave normally shall be assumed by the remaining faculty. If a faculty member is on leave with less than full salary, the remaining part of their budgeted salary may be used for (partial) replacement. No professional leave shall be granted that requires a compensating addition to the permanent faculty or staff.
- (d) In colleges having departments, applications supported by the department committee with a statement from the chairperson indicating how adequate coverage shall be provided for the faculty

member in their absence shall be forwarded by an appropriate departmental committee to the appropriate dean.

- (e) The dean shall initiate a review of all applications by a faculty committee. In this review, the quality of the proposal shall be the primary criterion. The committee should also bear in mind the necessity of providing adequate coverage for the faculty member in their absence and the necessity for maintenance of departmental and college standards and responsibilities of all ongoing programs. Deans shall assure that all leaves in the college are recommended on a “break even” or “no cost” basis to the college. Approved two-semester leaves may not subsequently be reduced to one-semester leaves, unless mutually agreed upon by the faculty member and the provost. If the number of proposals exceed the number that can be supported without additional, cost or if all applicants cannot be accommodated because of bona fide instructional obligations, then the dean may limit the number of proposals that are recommended by the college. In this case, the committee should prioritize the proposals with positive recommendations being determined in the following order:
- (i) First, faculty members who were denied leave due to funding shortfalls in the previous year;
 - (ii) Second, faculty members who have applied for a full-year leave;
 - (iii) Third, faculty members who have never had a professional leave;
 - (iv) Fourth, faculty members with the longest time since their last professional leave;

- (v) Fifth, faculty members with the longest continuous full-time service in the university.
- (f) After such priority lists are made, deans shall give timely notice to any faculty members whose leaves are at risk of being deferred.
- (g) Eligible faculty members who are asked to defer professional leave shall be accorded first priority in the following year. The eligibility for future professional leave of those deferred shall be calculated from the point at which they would have returned from leave in their original proposal.
- (h) In any event, the dean shall issue a statement indicating how adequate coverage can be provided for the faculty member in their absence as part of the dean's recommendation to the provost.
- (i) Faculty members whose application for a leave was deemed of acceptable quality but denied as a result of a funding shortfall on the college level may reapply the following year. Such applications shall be reviewed again by department and college-level committees and, if again found of acceptable quality, shall be funded – as long as the university can do so on a “break even” or “no cost” basis at the university level.
- (j) To be considered by the provost, applications from a college with departments shall include the recommendations of the applicant's departmental committee, the chairperson, the college committee, and the dean. Applications from a college without departments shall include recommendations of the applicant's college committee and the dean.
- (k) The provost shall, in turn, make recommendations on faculty professional leaves to the president. The president shall make recommendations to the board

of trustees for final approval at its April meeting, or earlier, if there is no April meeting.

- (1) Within ninety days of returning to university duties, a faculty member shall submit a written report of activities during the period of professional leave. The report should be submitted to the department chairperson or the dean of a college without departments, who shall comment upon the report in writing. The report and comments shall be forwarded simultaneously to the dean and/or the provost.

- (4) Other extended leaves.

Application procedures for other extended leaves shall be as above for professional leave with pay, except that the extent of information required may vary and the president may seek the advice of the appropriate committee of the faculty at their discretion.

- (C) Leave without pay.

- (1) Military service leave. In addition to the paid leave granted to members of the national guard and other armed forces for thirty-one days each year, unpaid leave shall be available during their term of active duty military service.
- (2) Special leave. Special leave without pay may be granted for study, research, professional employment, election or appointment to public office, or other personal reasons such as travel or rest. During a special leave, the faculty member may accept an appointment at another educational institution provided such an appointment is not in a regular tenure-track position. The university discourages requests for leaves to enter private business or practice, unless such request is considered by appropriate university personnel to be an opportunity to enhance and strengthen the professional development of the faculty member.

- (3) Special leaves are normally granted for a period of up to one year. An extension of up to one year may be granted only if it is shown that this would clearly benefit either the university or the professional career of the faculty member. Further extensions beyond a second year shall be granted only in rare instances such as an opportunity to engage in projects of unusual value to the faculty member and the university.
- (4) Periods of leave without pay may be credited as professional service in consideration of promotion, tenure, and increments according to the provisions of paragraph (F) of rule 3344-11-02 of the Administrative Code. University benefits may continue during a period of special leave, as permitted by law and with approval of the president, provided that the faculty member on special leave makes proper arrangements to pay any premiums on the continuing benefit programs.*
- (5) Family and Medical Leave Act of 1993 (FMLA):
- University benefits shall continue provided that a faculty member on leave makes proper arrangements for payment on premiums in all contributory benefit programs. Complete information on the FMLA can be obtained from the department of human resources development and labor relations.

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* Faculty members who do not carry their benefits while on leave need to make new application upon their return to resume benefit coverage.