

AACR 6

Office of the President
May 3, 2011

Members, Board of Trustees:

PROPOSED AMENDMENT TO GOVERNING REGULATIONS:
FACULTY ENTREPRENEURIAL LEAVE

Recommendation: that the Board of Trustees receive the attached revision of *Governing Regulation, Part X*, relating to faculty leaves of absence for preliminary consideration. The proposed revision creates an entrepreneurial leave for faculty employees who wish to take time off from their University position to pursue entrepreneurial activities.

Background: The University encourages faculty employees to engage in entrepreneurial activities and supports the efforts of faculty who wish to commercialize their discoveries. Therefore, the pursuit of entrepreneurial endeavors is a valid reason for establishing an entrepreneurial leave. Faculty employees desiring to take entrepreneurial leave must submit a proposal through the regular leave approval process. The leave must be recommended by the faculty employee's unit administrator and approved by the dean of the college and the Provost. Entrepreneurial leaves will be reported to the Board of Trustees.

The revision to GR X has been reviewed and endorsed by the University Senate. The provost of the University supports this revision. A revised copy of the relevant section of GR X, Leaves of Absence, is attached. Proposed additions are underlined; proposed deletions are lined through.

Action taken: Approved Disapproved Other _____

Governing Regulation X

(d) Leaves of Absence

(i) Sabbatical Leave

The purpose of sabbatical leave is to provide opportunities for study, research, creative effort, improvement of instructional or public service capabilities and methods, and related travel in order that the quality of each recipient's service to the University may be enhanced.

Faculty members who have full-time tenured appointments in the regular, special title, extension, or librarian series with the rank of assistant professor (or librarian III) or higher, are eligible for sabbatical leaves after six (6) years of continuous service in the rank of instructor (or librarian III) or higher at the University, or for sabbatical leaves under a different option after three (3) years of continuous service. All such sabbatical leaves shall be approved by the President or the President's designee.

After six (6) years of continuous eligible service, a faculty member may apply for one (1) year's sabbatical leave (academic year for appointees on academic year, ten-month, or eleven-month assignments) at one-half salary or six (6) months' sabbatical leave (academic semester for appointees on academic year, ten-month, or eleven-month assignments) at full salary. After three (3) years of continuous eligible service, an appointee may apply for six (6) months' sabbatical leave (academic semester for appointees on academic year, ten-month, or eleven-month assignments) at one-half salary. Normally "continuous service" is interrupted by a sabbatical leave; that is, no service prior to a sabbatical leave may be credited toward eligibility for future sabbatical leave. However, in the event that it becomes necessary for an individual to postpone a sabbatical leave at the request of and/or for the benefit of the University or one of its educational units, the period of postponement shall be counted as part of the six (6) years of service necessary for the individual to again become eligible for sabbatical leave. The request for and/or agreement that the sabbatical leave be postponed shall be made in writing by the dean, and be approved by the Provost. The request or agreement shall specify the period of postponement and the reason for it. In no case shall cumulative sabbatical leave be granted for a single period longer than one (1) full year at full salary.

Sabbatical leave shall not be used as a means of augmenting personal income. A recipient may not accept gainful employment during a sabbatical leave (for an individual on an academic year assignment basis, this does not include the period of May 16 through August 15; for an individual on a ten-month or eleven-month assignment basis, this does not include the period of vacation and the one (1) or two (2) months outside the assignment period each fiscal year; for an individual on a twelve-month assignment basis, this does not include the one-month vacation period) except as follows:

A fellowship, grant-in-aid, or government-sponsored exchange lectureship may be accepted for the period of the leave if acceptance shall promote the purpose of the leave and is approved by the President or the President's designee.

For those on one-year sabbatical leave, additional salary not to exceed one-half of the regular academic salary may be accepted for (1) work performed during the sabbatical leave on research

projects administered by the University with funds from government or private grants or contracts when the terms of the grant or contract authorize the usage of such funds, and when the work to be performed is significantly related to the studies planned for the leave; (2) work on a research grant at another university; (3) research work in a government laboratory; or (4) work as a research professor or associate in another university. Any such arrangements pursuant to this paragraph must be approved by the President or the President's designee.

In neither of the above instances shall a recipient's total income attributable to a sabbatical leave project exceed the individual's regular academic salary. Sabbatical leave shall be granted with the understanding that the recipient, following the sabbatical leave, will continue service at the University for at least one (1) academic year.

(ii) Temporary Disability Leave

Temporary Disability Leave (TDL) may be granted to faculty members by the Provost. Eligible faculty members who are totally disabled are entitled to six (6) months' TDL with pay. TDL with pay for more than six (6) months requires approval by the Board of Trustees.

(iii) Leaves With Pay

Upon the recommendation of the appropriate administrative officers and approval of the Provost, a faculty member may be granted leave of absence with pay for a period not to exceed thirty (30) days for the purpose of permitting an appointee to attend a professional meeting, serve temporarily with an outside agency, serve in the military forces of the United States, or for other good cause. Such leaves of absence with pay for more than thirty (30) days require approval of the Board of Trustees.

(iv) Leaves Without Pay

Upon the recommendation of the appropriate administrative officers and approval of the Provost, a member of the faculty may be given a leave of absence without pay. Ordinarily such leave shall not be granted for a period in excess of one year (12 months). However, such leave may be extended on application and approval by the appropriate administrative officers. The best interests of the University shall be a major consideration in granting an extension of any such leave. Leaves of absence without pay are not normally credited toward eligibility for sabbatical leave. However, exception may be made when the leave enhances the value of the individual to the University, e.g., a leave to accept a fellowship or a grant, service for professional organizations, etc. In no case shall the leave of absence without pay be considered as an interruption of continuous service.

(v) Educational Leave

To pursue an advanced degree at the University of Kentucky in accordance with these *Governing Regulations*, Part X.C.6, faculty members may request half-time or more leave, with proportional reduction in salary. If such educational leave for faculty development is recommended by the dean and approved by the Provost, the faculty members shall be entitled to normal faculty benefits and privileges during the period of temporary change in status. Although a period of educational leave shall not be credited toward eligibility for sabbatical leave, it shall not be

considered as an interruption of continuous service. Also, for non-tenured faculty members, such a period of educational leave shall not be counted as probationary period service.

(vi) Scholarly Fellowship Leave

To accept a scholarly fellowship which allows a faculty member to pursue a program of research, and which the funding agency will not process through the University, faculty members may request leave with partial pay. If such leave is recommended by the dean and approved by the Provost, the faculty member shall be entitled to normal faculty benefits and privileges during the period of temporary change in status. Time spent on scholarly fellowship leave shall apply toward eligibility for sabbatical leave and count as probationary period service unless the University in granting the leave and the individual accepting it agree to the contrary.

(vii) Entrepreneurial Leave

The University encourages faculty employees to engage in entrepreneurial activities and strives to support the efforts of faculty who wish to commercialize their discoveries. Therefore, the pursuit of entrepreneurial endeavors is a valid reason for application for a faculty leave of absence.

The request for entrepreneurial leave, submitted by the faculty person to his or her unit administrator, shall be accompanied by a completed and signed "Entrepreneurial Leave" form and all attachments. The Entrepreneurial Leave form enumerates the terms and conditions of such leaves. The unit administrator shall review the proposal and forward the materials to the dean of the college along with their recommendation. The dean shall forward his or her recommendation to the Provost for approval. Entrepreneurial Leaves shall be reported to the Board of Trustees.