

II-2.10-POLICY ON TRANSITIONAL TERMINAL LEAVE FOR FACULTY

(Approved by the Board of Regents, November 30, 1989; Amended, June 27, 2014)

I. PURPOSE

This policy is intended to establish and define the terms of a transitional terminal leave period which terminates on the effective date of a faculty member's separation from employment with the institution. Transitional terminal leaves are appropriate when beneficial to the institution and its programs.

II. TERMS

- A. The President may grant a transitional terminal leave, upon application by the faculty member, at the discretion of the institution and with the consent of the faculty member.
- B. Only tenured faculty members at the institution shall be eligible for transitional terminal leave. For the purposes of this policy, the term "tenured faculty" or "faculty member" shall include permanent status librarians.
- C. Unless otherwise provided in Section III.B, a faculty member, while on transitional terminal leave, shall:
 1. Remain an employee of his or her institution, and be subject to all policies of the Board of Regents and the institution;
 2. Receive a salary up to that which would have been accorded had he or she remained at the institution, consistent with Section III.A 1 or 2; and
 3. Retain eligibility for all benefits normally associated with full-time (or, where applicable, half-time) employment, with the exception of annual leave.
- D. As a condition to the grant of transitional terminal leave, the faculty member shall agree, in writing, to the conditions of the leave, waiving all claims arising out of her or his employment, other than those specified in this policy, and also waiving all claims to employment at the institution subsequent to the period of transitional terminal leave.

III. DUTIES AND DURATION

Depending upon the duties to be performed during transitional terminal leave, the transitional terminal leave period shall be of the following duration:

- A. Continued Performance of Duties During Transitional Terminal Leave: If the faculty member performs duties, as agreed upon and documented between the institution and the faculty member, at a level of at least 25% of the faculty member's full-time commitment over the prior 36 month (or as otherwise deemed by the Internal Revenue Service to constitute full-time employment) evenly throughout the entire terminal leave period, then transitional terminal leave may be granted:
 1. For twelve month faculty, with up to full pay for a period not to exceed twelve months, or with up to half pay for a period not to exceed twenty four months; or

2. For nine- and ten-month faculty, with up to full pay for a full academic year, or with up to half pay for two full academic years.
3. For faculty members employed on a part-time basis during the academic year preceding the transitional terminal leave, "full pay" means the full rate of pay earned for such part-time service, and half pay means half of the rate of pay earned for such service.

B. Duties not Performed During Transitional Terminal Leave: Consistent with applicable IRS requirements, if a faculty member does not meet the service requirement of Section III.A:

1. The duration of the faculty member's fully-paid transitional terminal leave will be limited to a period of time within 2.5 month of the end of the calendar year in which the faculty member and the institution entered into the transitional terminal leave agreement, using normal applicable payroll schedules.
2. The level of compensation shall be set as set forth in Section III.A.
3. The faculty member's active employment will cease effective on the beginning date of the transitional terminal leave period, as will eligibility for all benefits normally associated with employment.

IV. IMPLEMENTATION

Each institution shall develop procedures for implementation of this policy. These procedures shall be filed with the Chancellor.

Replacement for: BOT VII-G.6