

Article 28: Special Educational Leave

“SPECIAL EDUCATIONAL LEAVE” means either:

A leave granted to a regular or probationary faculty member for the upgrading and development of skills or curriculum revision within programs and departments which need to respond to technological, institutional, or community changes. These leaves will be primarily educational, developmental or technical in nature. The leave will respond to the needs of a particular program and the individual faculty member’s teaching needs within a department.

Or, a leave granted to regular faculty members who have lost all or part of their contract load assignments due to the discontinuance of a certificate or major under District [Policy 3.6](#) and District [Procedure 3.6P](#) who are not reassigned as described in paragraph 28.12.A.

28.01 GENERAL PROVISIONS

- A. **Access to Special Educational Leaves:** The District agrees to make available Special Educational Leaves, as follows:
 - 1. Program and Resource Planning Process (PRPP): To be triggered by an annual program review procedure, which involves each department (through the chair of that department) and the appropriate supervising administrator.
 - 2. Loss of Regular Faculty Assignments under District [Policy 3.6](#) and District [Procedure 3.6P](#) (see section 28.12): For regular faculty members who have lost all or part of their contract load assignments due to the discontinuance of a certificate or major under District [Policy 3.6](#) and District [Procedure 3.6P](#): Program Review, Evaluation, Revitalization and Discontinuance, who are not reassigned as described in paragraph 28.12.A.
- B. **Supplemental to Sabbatical Leaves:** Special Educational Leaves will be considered distinct from Sabbatical Leaves and will not affect the number of Sabbatical Leaves granted.

28.02 NUMBER OF LEAVES: Academic Affairs will determine and recommend the number of leaves to the Superintendent/President and the Board of Trustees for Board action.

28.03 SELECTION FOR SPECIAL EDUCATIONAL LEAVES

- A. **District Initiated:** Academic Affairs will initiate specific proposals (see section 28.04) with participation of the individual and the department, and the plan will represent an effort to directly resolve a perceived program change, requirement, or future need.
- B. **Demonstration of Need:** Potential needs will be identified by various indicators, such as a Program and Curriculum Review.
- C. **Proposal Review**
 - 1. A review committee (see section 28.05) will review each proposal with the concerned department chair and faculty member involved.
 - 2. Academic Affairs will establish criteria for selection and time schedules.

28.04 SPECIAL EDUCATIONAL LEAVE PROPOSAL

- A. **Forms:** The Office of Academic Affairs will provide the forms on which the proposal will be submitted.
- B. **Content:** The proposal will include the following:
 - 1. A statement of the purpose and objectives to be undertaken.
 - 2. Methodologies and rationales.
 - 3. If for higher education, a course of study outline.
 - 4. A detailed course of action that is consistent with the statement of purpose and describes the nature of the leave.
 - 5. A summary statement that speaks to each of the following:
 - a. Purpose of the leave, including a statement of the department's need for the proposed activity.
 - b. Objectives of the leave, including an outline of changes planned upon return from the leave.
 - c. How the study or project will enhance the individual's worth and effectiveness in his or her work in the District.
 - d. How the study or project will benefit the students subsequently enrolling in his or her course upon returning from the Special Educational Leave.
 - e. How the study or project will benefit the faculty member's colleagues in the District.

28.05 SPECIAL EDUCATIONAL LEAVE REVIEW COMMITTEE: A committee consisting of an unaffected senator appointed by the Academic Senate, an unaffected department chair appointed by the department chairs, and a representative of Academic Affairs will review the proposal. The results of the review will be advisory to the Superintendent/President.

28.06 SPECIAL EDUCATIONAL LEAVE OPTIONS: Academic Affairs will determine and recommend the length of this leave to the Superintendent/President and Board of Trustees for Board action.

28.07 SERVICE AGREEMENT: The District and the individual faculty member involved will conclude a contract which specifies the specific terms under which the leave will be undertaken and other matters related thereto.

28.08 COMPENSATION

- A. **Amount:** Academic Affairs will determine and recommend the amount of compensation to the Superintendent/President and Board of Trustees for Board action.
- B. **Service Credit:** Individuals on leave will receive service credit for the entire period of the leave.
- C. **Retirement:** Both the employee and the District will make retirement contributions.
- D. **Benefits:** During the leave, all of the employee's benefits will be maintained at the same level of coverage and at the same level of cost sharing, if appropriate, as prior to the effective date of the leave.

28.09 SABBATICAL ELIGIBILITY

- A. **One Semester:** Semester-length (or greater) Special Educational Leaves will be considered equivalent to Sabbatical Leaves for the purposes of entitlement to future Sabbatical Leaves.
- B. **Less Than One Semester:** Special Educational Leaves of less than a semester in length will not be considered equivalent to a Sabbatical Leave.
- C. **Future Sabbatical Eligibility:** The return to full-time status following a semester-length (or greater) Special Educational Leave will initiate the beginning of a new six-year Sabbatical Leave eligibility cycle.

28.10 RETURN AGREEMENT

- A. **Salary:** An instructor granted a Special Educational Leave in accordance with provisions of the Education Code will receive full credit for advancement on the salary schedule.
- B. **Seniority:** An instructor granted a Special Educational Leave in accordance with provisions of the Education Code will receive full credit for advancement on the faculty seniority list.
- C. **Leave Report:** Within sixty (60) days following the completion of the Special Educational Leave, the individual will file a report with the department chair, Academic Affairs, and the Board of Trustees detailing the accomplishments of the leave and plans for implementation.
- D. **Implementation Report:** The department chair will file a report with Academic Affairs evaluating the result of the first year of implementation of the resulting new curriculum or programs, and the report will be presented to the Board of Trustees.

28.11 TIME SCHEDULE: All processes pertaining to this leave must be completed prior to the beginning of the fall or spring semester in which the leave is to be granted.

28.12 SPECIAL EDUCATIONAL LEAVE: LOSS OF REGULAR FACULTY ASSIGNMENTS UNDER DISTRICT POLICY 3.6 AND 3.6P

- A. **Regular faculty reassignment:** The Vice President of Academic Affairs/Assistant Superintendent (VPAA/AS), in consultation with the faculty member, the supervising administrator, and the department chair(s), may reassign a regular faculty member who loses all or part of his/her typical contract load in a certificate or major that has been discontinued under the provisions of District [Policy 3.6](#) and District [Procedure 3.6P](#): Program Review, Evaluation, Revitalization and Discontinuance. This reassignment will be based on the qualifications of the faculty member and the needs of the District.
- B. **Special Educational Leave**
 - 1. The District agrees to make available special educational leaves for regular faculty members who have lost all or part of their assignments due to the discontinuance of a certificate or major under District [Policy 3.6](#) and District [Procedure 3.6P](#) who are not reassigned as described in paragraph 28.12.A.
 - 2. These provisions apply to regular faculty contract load only and do not apply to hourly assignments for regular faculty.
 - 3. The proposed leave may be for the applicant's entire contract load or for part of the load.

28.12 C. Approval Process

1. An individual faculty member, in consultation with the AFA, will initiate the special educational leave proposal and submit it to the VPAA/AS.
2. The VPAA/AS will consult with the Ad Hoc Special Educational Leave Review Committee (described in paragraph 28.12.D below), and, following that dialogue, will forward to the Superintendent/President his/her recommendations.
3. The Superintendent/President will make a recommendation to the Board of Trustees.
4. The Board of Trustees makes the final decision to approve or not to approve the leave.

D. Special Education Leave Request: The faculty member will submit a proposal to the VPAA/AS that includes the items below.

1. A statement of how Policy 3.6/3.6P has resulted or may result in the reduction or elimination of the applicant's contract teaching assignment, excluding overload.
2. A list of options for reassignment within the department or in another department.
3. An explanation of how the studies undertaken during the leave will train or prepare the applicant to perform a different assignment and/or move into a different discipline/department.
4. Identification of a specific course of study or degree at specific educational institution(s), if the leave is for the purpose of further higher education in order for a faculty member to meet minimum qualifications in a different discipline.
5. A statement regarding the proposed duration of the leave and a date when the faculty member expects to return to full employment.
6. A statement regarding proposed compensation during the leave.

E. Special Educational Leave Review Committee: The VPAA/AS will assemble a review committee consisting of a faculty member appointed by the Academic Senate, a faculty member appointed by the AFA, and two representatives of Academic Affairs. The committee will consult with all department chairs whose departments will be impacted by a proposed leave and/or reassignment. The results of the review will be advisory to the VPAA/AS and the Superintendent/President.

F. Agreement

1. The applicant will sign a *Special Educational Leave Contract and Promissory Note* between the District and the applicant that specifies the terms under which the leave will be undertaken, the terms of compensation, the stipulations upon return, and the consequences for failure to fulfill the terms of the contract.
2. The Board of Trustees must approve the written and signed *Special Educational Leave Contract and Promissory Note* before the leave is taken.