



Memorandum

Office of the Provost

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TO: Senate

FROM: Angela Campbell, Associate Provost (Policies, Procedures & Equity)

SUBJECT: Proposed revision to the *Regulations on Sabbatic Leave for Tenure Track and Tenured Academic Staff*

DATE: February 17, 2016

DOCUMENT #: D15-37

ACTION REQUIRED: INFORMATION APPROVAL/DECISION

ISSUE Senate approval of an amendment to the *Regulations on Sabbatic Leaves for Tenure Track and Tenured Academic Staff*, proposed to clarify and broaden the application of Section 2.2.1.

BACKGROUND & RATIONALE The Regulations in question were last amended in fall 2014. The proposed amendment is relatively minor. It would allow academic staff to count as credited service toward a sabbatical up to two years served at another institution prior to joining McGill in a position considered equivalent to a tenure track or tenured academic position.

This amendment is warranted given that some members of the academic staff join McGill after holding positions elsewhere that, while not formally in the tenure stream, substantively mirror tenure track posts. Under the current Regulations, such time could not count as credited service, whereas up to two years of service in a tenure track or tenured position can be credited toward sabbatic leave eligibility at McGill.

PRIOR CONSULTATION MAUT, Secretary-General and Legal Services.

SUSTAINABILITY CONSIDERATIONS N/A

IMPACT OF DECISION AND NEXT STEPS Submission to the Board of Governors for approval on April 21, 2016.

MOTION OR RESOLUTION FOR APPROVAL *Be it resolved that Senate approve, and recommend to the Board of Governors for approval, the proposed change to the Regulations on Sabbatic Leaves for Tenure Track and Tenured Academic Staff as detailed in Appendix A.*

APPENDICES Appendix A: *Regulations on Sabbatic Leave for Tenure Track and Tenured Academic Staff* (with proposed amendment)

Regulations on Sabbatic Leaves for Tenure Track and Tenured Academic Staff

Last revised by:

Senate

November 19, 2014

Minute IIB3

Board of Governors

December 2, 2014

Minute 14.1

Full legislative history of this Policy appears at the end of the document.

SECTION 1. PURPOSE, SCOPE AND DEFINITIONS

Purpose

- 1.1 Sabbatic leave is an extended period of paid leave granted to tenured academic staff for the pursuit of academic scholarship intended to enrich the intellectual life of the University.

Through sabbatic leaves, the University provides eligible members of the academic staff with an opportunity to enhance their knowledge and ability to contribute to the future research and teaching activities of the University by devoting time to scholarly inquiry and writing, and/or the improvement of professional skills. Sabbatic leave may also be used by staff members to:

- i. obtain a fresh perspective on an old problem;
- ii. begin a new and promising line of research and scholarly activity;
- iii. enhance their knowledge of their subject, discipline, profession or professional practice in order to improve the performance of their academic duties.

During a sabbatic leave, the requirement of availability for normal academic duties at the University is waived.

Scope

- 1.2 These regulations apply to eligible full-time tenure track or tenured academic staff appointed in accordance with the *Regulations Relating to the Employment of Tenure Track and Tenured Academic Staff* or the *Regulations Relating to the Employment of Librarian Staff*.

These regulations do not apply to academic staff governed by the *Regulations Relating to the Employment of Contract Academic Staff* or by a collective agreement.

Definitions

- 1.3 For the purpose of these regulations, the following definitions shall apply:

- 1.3.1 “Academic Duties” are as defined in the *Regulations Relating to the Employment of Tenure Track and Tenured Academic Staff* or the *Regulations Relating to the Employment of Librarian Staff*.

- 1.3.2 “Academic Term” means the period starting from the 1st of September (Fall term) or starting from 1st January (Winter Term).

- 1.3.3 “Academic Year” means the period from the 1st of September to the 31st of August next following.

- 1.3.4 “Advisor” is as defined in the *Regulations Relating to the Employment of Tenure Track and Tenured Academic Staff* or the *Regulations Relating to the Employment of Librarian Staff*.

- 1.3.5 “Chair” means the Chair(s) of the Department(s) or the Director(s) of the Institute(s) or School(s) to which the staff member is appointed.

- 1.3.6 “Department” means departments, institutes, and schools.

- 1.3.7 “Staff member” means a tenured or tenure track member of the academic staff.

SECTION 2. ELIGIBILITY

Criteria

- 2.1.1 To be eligible for sabbatic leave, staff members must meet the following conditions:
- i. be tenured;
 - ii. have accumulated, prior to the commencement of a sabbatic leave, a minimum of six (6) years of Credited Service;
 - iii. have filed a sabbatic leave report for the previous sabbatic leave, where applicable; and
 - iv. have satisfactorily discharged their academic duties over the six (6) years immediately preceding the application for sabbatic leave.
- 2.1.2 In the case of tenure track staff members who have not yet received a positive decision on tenure but who satisfy the years of Credited Service, the University may grant sabbatic leave conditional upon acquiring tenure.

Calculation of Credited Service

- 2.2.1 For the purposes of these Regulations, Credited Service shall be calculated as follows:
- i. a minimum of six (6) years of tenure track or tenured service at the University; or
 - ii. for the initial sabbatic leave request, the six (6) years of credited service may include up to two (2) years of service in a tenure track or tenured academic or librarian position or equivalent position, with such equivalency determined on a case-by-case basis by the Provost in consultation with the Chair and Dean, at another university immediately prior to joining McGill, provided such service did not lead to a sabbatic or equivalent leave at the prior university, or
 - iii. a minimum of six (6) years of tenure-track/tenured service at the University, including up to six (6) months of maternity leave, extended parental leave, or short-term disability leave.
- 2.2.2 Except as expressly provided in these regulations, credited service is set at zero after each sabbatic leave. Extra periods served prior to a sabbatic leave shall not count towards Credited Service for a subsequent sabbatic leave.
- 2.2.3 For a staff member granted two six-month sabbatic leaves, the period of Credited Service for the next sabbatic leave shall begin six (6) months following the termination of the first six-month leave.
- 2.2.4 The period of any leave of absence or long-term disability leave shall not count towards Credited Service for sabbatic leave consideration.

SECTION 3. LENGTH OF SABBATIC LEAVES

- 3.1 Sabbatic leaves shall be granted for either:
- i. one period of twelve (12) months, which period shall normally commence either on January 1 or September 1; or
 - ii. two (2) periods of six (6) months in different academic years, which periods shall normally commence either on January 1 or July 1.
- 3.2 If sabbatic leave is granted for less than a total of twelve (12) months the remaining months shall not be added, or carried forward, to a future sabbatic leave.
- 3.3 Notwithstanding section 3.1, professional development leave for periods of less than six (6) months may be granted to a staff member by the Chair or Dean. Leaves which exceed one month in total must be approved by the Provost.
- 3.4 Where, during the six (6) years immediately preceding a sabbatic leave application, a staff member has been granted one or more professional development leaves which exceed one month in total, the period of the professional development leave shall be deducted from the period of sabbatic leave for which the staff member may apply.

SECTION 4. PROCEDURES

Application forms

- 4.1.1 A staff member shall apply for a sabbatic leave by completing the Sabbatic Leave Application Form available from the Academic Personnel Office.
- 4.1.2 A staff member applying for two (2) six-month sabbatic leaves in consecutive Academic Years shall submit one application form.
- 4.1.3 A staff member applying for two (2) six-month sabbatic leaves in non-consecutive Academic Years shall submit a separate application for each leave.
- 4.1.4 Where a staff member is appointed in more than one department or faculty, the staff member's Sabbatic Leave Application shall be submitted by the staff member to all relevant Chairs and forwarded to the appropriate Dean or Deans.

Sabbatic leave plan and other documentation

- 4.2.1 A staff member shall provide a clear and concise sabbatic plan that outlines the scholarly activities planned for the sabbatic leave and how the leave will conform to the purpose of sabbatic leaves as set out in section 1. In particular the sabbatic plan shall address:
 - i. the academic goals or objectives planned for the sabbatic leave;
 - ii. the significance of the work planned and its relevance to the staff member's future academic duties, to the academic unit and/or the University; and
 - iii. the anticipated outcomes of the proposed sabbatic leave.
- 4.2.2 The staff member shall also submit:
 - i. a current curriculum vitae, including list of publications;
 - ii. a statement of the location(s) where the sabbatic leave is to be taken;
 - iii. letter(s) of invitation from the institution(s) the staff member plans to visit, if relevant;
 - iv. a copy of the Sabbatic Leave Report submitted following the preceding sabbatic leave, where applicable.

Deadlines

- 4.3.1 By October 1 the staff member shall forward to the Chair, the Dean of a Faculty without departments or the Dean or Director of Libraries a duly completed sabbatic leave application Form requesting leave for the following academic year.
- 4.3.2 By October 20 the Chair shall forward the staff member's sabbatic leave application to the Dean, along with the Chair's written recommendation.
- 4.3.3 If a deferment or denial of the application is to be recommended, the Chair shall first consult with the staff member.
- 4.3.4 By November 15, the Dean shall forward to the Provost the staff member's sabbatic leave application, together with the Chair's and Dean's written recommendations.
- 4.3.5 If a deferment or denial of the staff member's application is to be recommended, the Dean shall first consult with the Chair, where appropriate, and the staff member.
- 4.3.6 By January 15 the Provost shall notify the staff member if tending to a negative decision with respect to that staff member's application, so that additional consultations may occur with the staff member, the Chair and the Dean.
- 4.3.7 By January 31 following submission of the application, the Provost shall notify the staff member of the final decision.
- 4.3.8 In the case of a negative decision, the Provost shall provide substantive written reasons consistent with these regulations.
- 4.3.9 A staff member consulted in accordance with these regulations shall have the right to be accompanied by an Advisor.

SECTION 5. GRANTING OF SABBATIC LEAVES

- 5.1 Sabbatic leaves are granted on a discretionary basis in accordance with the academic objectives and financial exigencies of the University. The Provost shall give careful consideration to each application according to the criteria set out in these regulations.
- 5.2 Notwithstanding section 5.1, after six (6) years of Credited Service a sabbatic leave shall not normally be denied or deferred unless:
- i. a staff member has not fulfilled one or more of the eligibility requirements; or
 - ii. the teaching, research, or service function of the staff member's unit will be severely disrupted by the proposed leave.
- 5.3 As a sabbatic leave is viewed as an investment by the University in the future of the staff member, a sabbatic leave shall not be approved in conjunction with a retirement or phased retirement.

SECTION 6. DEFERMENT OF SABBATIC LEAVE

Scheduling

- 6.1 The sabbatic leave schedule for an academic unit shall protect its undergraduate and graduate teaching programs and its graduate and postdoctoral supervision practices. The schedule shall provide for an equitable distribution of academic duties amongst other staff in the unit to replace the normal activities of staff members on sabbatic leave. Each staff member's application shall be evaluated in such a framework and staff members shall cooperate in the process.

Deferment at the University's request

- 6.2.1 A staff member who has met the eligibility requirements for leave may be requested to defer a sabbatic leave or application for leave because:
- i. the teaching, research, or service function of the staff member's unit will be severely disrupted;
 - ii. the Chair and/or Dean are unable to provide an adequate sabbatic leave schedule for the unit;
or
 - iii. of financial or other administrative reasons.
- 6.2.2 The deferral shall be duly documented and the period of the deferral shall be counted as Credited Service towards the next sabbatic leave. Where a sabbatic leave has already been approved, the deferral shall be accompanied by a written commitment for sabbatic leave at a future date.

Deferment at the staff member's request

- 6.3.1 A staff member, once approved for sabbatic leave, may, for good and valid reasons, request a deferral of that leave by giving the Chair, Dean, and Provost at least three (3) months written notice prior to the commencement of the leave. Only in truly exceptional circumstances will a deferral request be considered with shorter notice.
- 6.3.2 The deferral shall be duly documented. The period of the deferral shall not be counted as Credited Service towards the next sabbatic leave.

Other conditions

- 6.4 Short or long term disability leave taken by a staff member during the period of a sabbatic leave shall not give rise to a right to an extension, deferral or postponement of the sabbatic leave.

SECTION 7. PAYMENT

Salary and benefits

- 7.1 The University shall pay staff members on sabbatic leave their full salary as well as the University's normal share of the employee benefits.

Application of salary policy

- 7.2 During the sabbatic leave, staff members shall be eligible for annual salary increments in accordance with University salary policy as set from time to time.

Research grant

- 7.3.1 To the extent that income tax regulations allow, staff members may request that a portion of their salary be made available as a research grant rather than salary during the period of sabbatic leave. In this case, the staff member's salary shall be reduced by the amount of the research grant and all contributory costs of benefits, paid by the staff member and the University, shall be pro-rated accordingly.
- 7.3.2 The staff member shall make a written request and provide the University with a description of the research project and activities to be funded by the research grant.
- 7.3.3 It is understood that the University makes no representation as to legitimacy of any deductions that the staff member may seek to claim as expenses in carrying out the work. It is entirely the staff member's responsibility to make the necessary disclosures and to comply with all applicable income tax requirements in respect of any such deductions.

Other sources of income

- 7.4.1 A staff member on sabbatic leave may not hold employment with another employer.
- 7.4.2 Consistent with the foregoing, a sabbatic leave is not intended to allow a staff member to assume a salaried position elsewhere. A staff member wishing to do so shall apply for a leave of absence without pay.
- 7.4.3 Staff members shall disclose in sufficient detail on the Sabbatic Leave Application any remuneration to be received while on sabbatical (such as honoraria, professional fees, cost of living allowances, fellowships and research stipends) and shall report to their Dean and the Provost all income received during the sabbatic leave which was not previously disclosed.

SECTION 8. OBLIGATIONS ON COMPLETION OF SABBATIC LEAVES

Return to service

- 8.1.1 Immediately following a period of sabbatic leave, the staff member shall return to active service with the University, exercising full academic duties. Where the staff member was granted a 12 month sabbatic leave, the staff member shall provide a period of service of one year, encompassing at least two full academic terms. Where the staff member was granted a six month sabbatic leave, the corresponding period of service shall encompass at least one full academic term.
- 8.1.2 A staff member who does not return from sabbatic leave at the end of the approved period shall be deemed to have resigned from the University. Within three (3) calendar months of the end of the sabbatic period, the staff member shall reimburse the University in full for the cost of salary and benefits received during the sabbatic leave.

Sabbatic leave report

- 8.2.1 Within six (6) months of return from sabbatic leave, the staff member shall submit a Sabbatic Leave Report to the Chair, with a copy to the Dean and the Provost. This report shall describe the sabbatic experience in terms of its fulfillment of the Sabbatic Plan.
- 8.2.2 If two six-month leaves are taken in non-consecutive academic years, the staff member shall submit a report following each six-month sabbatic leave.

SECTION 9. LEAVES FOR ACADEMIC ADMINISTRATORS

- 9.1 Notwithstanding any other provisions of these regulations, a staff member who accepts to serve as a senior academic administrator shall, at the time of appointment, determine with the Provost or, where appropriate, the Principal, arrangements for leave and/or credited service relating to the period of the administrative appointment.

SECTION 10. ANNUAL REPORT TO SENATE

- 10.1 The Provost shall report annually to Senate and the Board of Governors on the number of sabbatic leaves that have been applied for and approved and the numbers of staff members currently on sabbatic leave.

SECTION 11. APPLICABILITY OF OTHER UNIVERSITY POLICIES

- 11.1 Staff members on sabbatic leave remain employees of the University. Except as provided in Section 1, staff members are subject to, and shall comply with, all University regulations, policies and guidelines as may exist from time to time.

SECTION 12. STANDING COMMITTEE ON SABBATIC LEAVES

- 12.1 A Standing Committee on Sabbatic Leaves, composed of two persons named by the McGill Association of University Teachers and two named by the Principal, with a Chair selected by the named members, is responsible for the administration of the present regulations.

Legislative History

Approved:

Senate	May 14, 2003	Minute 6
Board of Governors	May 26, 2003	Minute 8

Amendments:

Senate	May 25, 2005	Minute 11
Executive Committee	June 20, 2005	Minute 6
Senate	April 18, 2007	Minute 6
Executive Committee	June 5, 2007	Minute 13
Senate	May 19, 2010	Minute IIB.6
Board of Governors	May 25, 2010	Minute 9.2.4
Senate	September 22, 2011	Minute IIB7
Board of Governors	September 27, 2011	Minute 6
Senate	November 19, 2014	Minute IIB3
Board of Governors	December 2, 2014	Minute 14.1