

3359-11-04 A faculty improvement program for faculty in the school of law.

(A) General statement.

The university of Akron is committed to the development of an academic community recognized for its achievement in contributing, transmitting and using knowledge and ideas. An essential means for the faculty periodically to enhance competence and widen professional activity is a faculty improvement program. The major purpose of this program is to promote the professional growth and new or renewed intellectual achievement of faculty in the school of law. Provision for improvement leave for all other faculty is set forth in the collective bargaining agreement between the university of Akron and the American association of university professors, the university of Akron chapter, which became effective in 2005.

(B) Eligibility.

- (1) Any full-time faculty member in the school of law with at least seven academic years of teaching service at the university of Akron may be granted professional leave for a period of not more than one academic year to engage in further education, research, or any other activity approved by the board. A full-time faculty member in the school of law is one whose full-time responsibilities are to the university of Akron and who holds the rank of instructor, assistant professor, associate professor, professor or distinguished professor.
- (2) If the faculty member in the school of law shows that the project is better served by dividing the leave over two academic years, the split leave may be permitted at the discretion of the president and the board provided that such an understanding is reached before the leave is approved.
- (3) A faculty improvement leave shall not be granted solely for the purpose of acquiring an advanced degree, becoming self-employed, or obtaining employment elsewhere.
- (4) A faculty member in the school of law who has completed a professional leave must complete another seven years of service at the university of Akron before becoming eligible for another grant of professional leave.
- (5) Professional leave taken as part of the faculty improvement program shall not be deemed to be in lieu of assignments in connection with a specific research, scholarly or creative program.

(C) Compensation and other benefits.

- (1) The university of Akron shall pay the faculty member in the school of law for or during a period of professional leave a salary not to exceed the amount that would have been paid to said faculty member for the performance of regular duties during

the period of the leave. For purposes of this provision, salary for the performance of regular duties shall include both base salary and such amounts as the faculty member receives, if any, in connection with being named a chair holder and/or for performing other assigned duties at the time the leave is granted, provided that during the period of leave the faculty member retains such chair holder designation and/or continues to perform such other assigned duties. A faculty member shall receive not less than full pay for one semester of professional leave. If the professional leave is for two semesters, the faculty member will receive one-half compensation for each of the two semesters. The salary paid for such leave may not be suitable for inclusion in a final average salary for retirement purposes.

- (2) No faculty member in the school of law shall, by virtue of being on professional leave, suffer a reduction or termination of regular employee retirement or insurance benefits or of any other benefit or privilege received as a faculty member at the university of Akron. Whenever such a benefit would be reduced because of a reduction in the faculty member's salary during the professional leave, the faculty member shall be given a chance to have the benefit increased to its normal level, in accordance with rules adopted by the board.

A person granted leave under the faculty improvement program will be considered as providing full-time service to the university during that period of leave, and shall be paid a salary and other benefits as provided for in this rule, but shall not be paid any additional stipend or other compensation by the university for any reason whatsoever during such period of leave. In addition no outside employment, whether for compensation or otherwise, shall be performed without the prior written approval of the dean, the senior vice president and provost and chief operating officer, the president, and the board of trustees. The salary will be subject to retirement deductions and other appropriate tax deductions.

- (3) No professional leave shall be granted that requires a compensating addition to the permanent faculty of the university. A fund will be established under the direction of the president of the university to receive monies from any person, foundation, corporation, political subdivision, or the federal government to support the faculty improvement program of the university of Akron. This fund shall be used to support the salaries of part-time, temporary, or visiting faculty hired on a temporary basis to assume the duties of the faculty member on leave; to provide for unusual expenses of the faculty member on leave when such expenses are more than the faculty member's regular salary could be expected to cover; and to provide for other expenses involved in the operation of the faculty improvement program. Recommendations for the expenditures of such funds shall be forwarded from the senior vice president and provost and chief operating officer to the president of the university for final action.

(D) Method of application and selection.

- (1) Application for professional leave, including the specific plan referenced below, which shall be submitted before November first of the academic year preceding the professional leave through the dean of the school of law to the provost, and will be accompanied by a statement as to how the faculty member's load is to be covered. The provost will submit to the president for review and transmission to the board those proposals, which are recommended for approval. At each level of the foregoing process, faculty review committees may be appointed when appropriate.
- (2) The leave is to be supported by a specific plan that shall evidence that the leave will increase individual effectiveness or produce academically or socially useful results. A leave may entail specialized scholarly activity or be designed to provide broad cultural experience and enlarged perspective. The specific plan submitted by faculty must ensure the productive results sought by the university.
- (3) If the faculty member's proposal is not approved, specific reasons for the disapproval shall be given in writing to the applicant by the provost.

(E) Accountability.

Faculty members in the school of law are expected to return to the university of Akron for at least one academic year after completion of their professional leave. At the completion of the professional leave, the faculty member shall submit to the senior vice president and provost and chief operating officer of the university a report detailing the accomplishments of the faculty member under this professional improvement program.

(F) Acceptance conditions.

Each proposal for faculty improvement leave in the school of law shall include the following statement subscribed to by the faculty member, indicating acceptance of the conditions for award of professional leave:

- (1) I have read and understand the faculty improvement rule, 3359-11-04, and agree to be bound by its terms in the event my leave proposal is granted.
- (2) In submitting my proposal for professional leave, I am representing that my request is solely for the purpose of obtaining a professional leave, and receiving the benefits of that leave as provided in rule 3359-11-04, and that I am not considering self-employment, employment by any company, governmental or other entity, or employment at any other institution of higher education, including any institution or entity at which I may spend some time during my faculty improvement leave.
- (3) I understand and agree that the grant of my faculty improvement leave by the university of Akron is based in significant part upon my promise to return to the

university of Akron upon completion of that leave and remain there for at least one full academic year. I understand and agree that should I decide to leave the university of Akron and accept another full-time position from a different employer, or become self-employed, before the end of one full academic year after completing my faculty improvement leave, I will repay prorata to the university that portion of my salary paid to me which I was on faculty improvement leave. I agree to make such repayment in full within thirty days of my separation from the university of Akron. I understand that the requirement of repayment shall not apply in the event of my retirement, death, or disability.

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