

## Attachment 3a

### University Handbook, Section E: Leaves, Insurance, and Retirement Programs

Note: PPM in text below refers to KSU Policy and Procedures Manual, available in university offices and on line at <http://www.ksu.edu/policies/ppm/>.

#### Sabbatical Leave

**E1** Eligibility, leave lengths, terms. Sabbatical leaves shall be approved by the chief executive officer of each institution in accordance with Kansas Board of Regents policy. Sabbatical leave may be granted under the following conditions:

**E2** In strictly meritorious cases, a full-time faculty member on regular appointment at any of the Regents institutions of higher education who has served continuously for a period of six years or longer at one or more of these institutions, may, at the convenience of the institution and upon the recommendation of the provost and approval of the president of the institution, be granted a sabbatical leave. Sabbatical leaves are granted for purposes such as pursuing advanced study, conducting research studies, or securing appropriate industrial or professional experience. Leave will not be granted for a period of less than one semester nor for a period of more than one year, with reimbursement being made according to the following schedule:

- for nine-months faculty members, up to half pay for an academic year, or up to full pay for one semester.
- for 12-months faculty members, up to half pay for a full year (11 months), or up to full pay for a half year (five months).

**E3** Provided: Regular salary is defined as the salary being paid at the time the sabbatical leave begins. Outside grant funds received by the university in support of the individual's scholarly efforts during his/her sabbatical leave may be used for supplemental salary, but total sabbatical leave salary in these instances may not exceed his/her regular salary.

**E4** Provided further: That the number of faculty members to whom leave of absence with sabbatical pay is granted in any fiscal year shall not exceed four percent of the number of equivalent full-time faculty with rank of instructor or higher, or equivalent rank for the institution concerned for the fiscal year for which the leave of absence is granted.

**E5** And provided further: Faculty must agree to return to the service of the state institution granting the sabbatical leave for a period of at least one year (9 or 12 months depending on term of employment) immediately following the expiration of the sabbatical leave. Persons failing to return to the institution granting sabbatical leave shall refund all sabbatical pay. Those who fail to remain for the full one year of school service (9 or 12 months depending on annual term of employment) shall refund that portion of

their sabbatical pay as represented by the portion of the one year they fail to serve. (FS 11/9/99)

**E6** Deadline for application. Faculty members applying for a sabbatical leave must make formal application to their department administrator no later than November 1 of the year preceding that for which leave is requested. Applications must be submitted to the Office of the Provost by December 15. Exceptions to this deadline may be considered depending on the circumstances. To inquire about exceptions to these application deadlines, contact the office of the appropriate dean. Leaves will be considered on the basis of comparative merit, with the preference given to sabbatical leave requests for a full year at one-half pay.

**E7** Division of Human Resources will notify the department administrator, dean, provost, and controller in writing concerning faculty members who are leaving Kansas State University prior to completion of their one-year period of obligation. The Division of Human Resources will determine the duration of service performed after return from sabbatical leave, (summer school teaching is not credited toward completion of the 9-month, one-academic-year service requirement), calculate the amount to be repaid by the faculty member based on a standard formula, and notify the controller. The faculty member and the controller will establish a mutually agreed-upon repayment schedule whereupon payments will be remitted to the Kansas State University cashier. (Policy and Procedures Manual, Chapter 4865) (FS 11/9/99)

**E8** Faculty members seeking approval or who are approved for sabbatical leave should contact the Division of Human Resources to determine the appropriate health insurance plan coverage while on sabbatical leave.

**Leave Without Pay** (See **KSU Policy and Procedures Manual, Chapter 4865**) for further information, forms and related links).

**E10** General. Any authorized leave from university duties for purposes not directly a part of the university program and during which period the faculty or unclassified professional member does not receive university compensation constitutes a leave without pay. Such a leave requires the approval of the department head, dean, and provost and presupposes values in the leave related to the faculty or unclassified professional member's subsequent service to the institution. These reasons may be professional growth, significant public service, health, parental leave, or other acceptable purposes.

**E11** A leave without pay may be granted when such is judged by the unit head with concurrence of the dean and provost to be in the best interest of the university. The bases for granting this leave are many but do not include simply extending the probationary period to makeup for what clearly has been less than adequate prior performance. Such leave will not be regarded as a break in continuous service; however, such leave without pay will not count toward earning sabbatical leave. Scholarly leave which alters the faculty member's yearly appointment below any of the conditions set forth in [C84](#) will not count as part of the probationary period (see [C82.2](#), [C82.3](#)).

**E11.1** A leave without pay for up to three years may be granted by the President of Kansas State University when such is judged to be in the best interest of the institution.

Any extension of a leave without pay beyond the three years requires the approval of the Board of Regents. Documentation of extraordinary circumstances, furnished by the President of Kansas State University, is required for the Board of Regents review.

**E12 Eligibility.** To qualify for leave without pay, the faculty or unclassified professional member's name must appear on a budget line in the budget; or, if employed after the budget is prepared, must be listed in the annual budget when it is prepared for the following academic year. This must be indicated at the time of the original appointment. Individuals not listed in the regular budget are not eligible for leave without pay.

**E13 Nine-month appointments.** Faculty or unclassified professionals who have regular nine-month appointments and are not appointed for summer school or other summer appointment, or who do not elect to take their salary in 12 equal installments, shall be placed on involuntary leave without pay for the summer (June, July, and August).

Faculty or unclassified professionals who hold term nine-month appointments who are not appointed for the summer, and have a contract for the following academic year, may be placed on leave without pay for the summer (June, July, and August).

**E14 Procedures and conditions for voluntary leave.** A signed Memorandum of Agreement is required for faculty or unclassified professionals who seek leave without pay. A signed copy of this form must be forwarded by the department head to the Division of Human Resource. A duplicate copy must be given to the faculty or unclassified professional member and the dean of the college.

**E15** Faculty and unclassified professionals covered by the State Health Insurance Plan who will be on leave without pay are to contact the Division of Human Resources to arrange coverage and a premium remittance schedule.

**E16** In cases where faculty and unclassified professional members receive less than a full-time leave without pay their eligibility for health insurance shall be determined by and be in accord with the policies, rules, and regulations of the State Employees Health Insurance Commission. (BOR 1/17/79)

**Sick Leave** (See **KSU Policy and Procedures Manual, Chapter 4865** for further information, forms and related links).

**E20** Each faculty and unclassified professional, both salaried and hourly, excluding those on a temporary appointment, earns and accumulates sick leave upon employment. The maximum sick leave credit a faculty or unclassified member may accrue in any pay period is 3.7 hours. There is no limit to the amount of sick leave which may be accumulated.

**Family and Medical Leave Act (FMLA)** (See **KSU Policy and Procedures Manual, Chapter 4865** for further information, forms and related links).

**E31** The Family and Medical Leave Act (FMLA) entitles eligible faculty and unclassified professional members to up to twelve weeks of unpaid leave for the birth, adoption or foster placement of a child; for a serious health condition of the faculty or unclassified professional; or for a faculty or unclassified professional member to care for his or her family member with a serious health condition. (Policy is published in the Policy and Procedures Manual, [PPM])

**Shared Leave Policy (BOR 1-27-94)** (See **KSU Policy and Procedures Manual, Chapter 4865** for further information, forms and related links).

**E32** All faculty and unclassified professionals who accumulate sick leave and have completed six months of continuous service shall be eligible for participation in the shared leave program. The purpose of the program is to provide income protection for faculty or unclassified professionals who cannot perform regular work duties and have exhausted all forms of paid leave. The shared leave program is a means to transfer sick leave to another qualifying faculty, unclassified professional or classified employee experiencing a serious, extreme or life-threatening illness, injury, impairment or physical or mental condition which has caused, or is likely to cause, the person to take leave without pay or terminate employment, either personally or by a family member. Faculty and unclassified professionals may only donate accrued sick leave hours. Faculty and unclassified professionals who want to donate sick leave must have a sick leave balance of at least 480 hours after the donation is made, unless the employee donates sick leave at the time of separation from service.

**Vacation Leave** (See **KSU Policy and Procedures Manual, Chapter 4865** for further information, forms and related links).

**E40** The university expects that each member of the faculty or unclassified professionals will take an adequate vacation each year in order to refresh and to prepare himself or herself for the duties of the coming year.

**E41** Vacation leave should be arranged in advance with the approval of the member's department head and dean. Every effort will be made to accommodate the personal wishes of the faculty or unclassified professional member.

Effective September 21, 2006, the following exempt and non-exempt unclassified employees, excluding those on a temporary appointment, earn and accumulate vacation leave:

- a. employees appointed to a regular full-time, twelve month unclassified position;

- b. employees appointed to a regular full-time, less than twelve month unclassified non-instructional position;
- c. employees appointed to a less than full-time, twelve month position; and
- d. employees appointed to a less than full-time, less than twelve month non-instructional position. (BOR 9/210/06)

Faculty and unclassified professionals appointed on a nine month basis do not earn vacation leave

**E48** Reporting leave. For faculty or unclassified professionals on split appointments, leave must be reported by the department which is responsible for the greater portion of the appointment time, or if the person's appointment is split evenly, by the department where the person receives his or her paycheck.

**Military, Jury Duty, and Funeral/Bereavement Leave** (See **KSU Policy and Procedures Manual, Chapter 4865** for further information, forms and related links).

**E50** Faculty or unclassified professionals who are members of a reserve component of the military service of the United States shall be granted leave of absence with pay for active duty for a period, or periods, not to exceed 15 working days in any calendar year.

**E51** Leave with pay is provided for faculty and unclassified professional members absent because of jury duty. (See [D44](#).)

**E52** Leave with pay may be granted to a faculty or unclassified professional upon the death of a close relative. Such leave shall in no case exceed six working days. The faculty or unclassified professional member's relationship to the deceased and necessary travel time shall be among the factors considered in determining the amount of funeral or bereavement leave to be granted. It is recognized that legitimate needs to attend to funeral matters, either for a relative or other person, may not be covered specifically in this statement. In these cases, appropriate arrangements may be made with the faculty or unclassified professional member's immediate supervisor. (FSM 11-12-85)

**Legal and Officially Observed Holidays** (See **KSU Policy and Procedures Manual, Chapter 4865** for further information, forms and related links).

**E60** New Year's Day, Martin Luther King Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, Christmas Day, and other days designated by the governor as days on which state offices are closed, occurring within the period of a faculty or unclassified professional member's vacation or sick leave days. If a holiday falls on a Saturday, the preceding business day is officially observed holiday; if a holiday falls on Sunday, the following business day is the officially observed holiday. No request for leave is necessary on legal or officially observed holidays. The governor may designate, in a particular year, additional days on which state offices are to be closed in observance of a holiday or a holiday season.

The Governor may designate a discretionary day for observance of a religious holiday or other special day. To be eligible for a discretionary holiday, a faculty or unclassified professional must be eligible for either the State of Kansas group health insurance program or the KPERs retirement plan and be employed by the State of Kansas for at least six continuous months. The purpose of the discretionary holiday is to give eligible faculty or unclassified professionals a day for observance of a religious holiday or special occasion. Eligible twelve month faculty and unclassified professionals appointed to a regular position of 1,000 hours or more are authorized a discretionary holiday with pay. Eligible faculty and unclassified professionals shall receive hours equal to the number of hours the person is regularly scheduled to work for a discretionary holiday. Example: a faculty or unclassified professional working half time would receive a four-hour discretionary holiday. The discretionary holiday must be taken during the pay periods specified by the Governor each calendar year. The discretionary holiday cannot be carried over to the following year. Also, a faculty or unclassified professional may not be paid for the discretionary holiday in lieu of taking the time off. All hours of the discretionary holiday must be taken on the same day and may not be taken in increments. (HRC 7-17-2003)

Nine month faculty or unclassified professionals are not eligible for the discretionary holiday.

Twelve month faculty or unclassified professionals are not eligible for any holiday on which school is in session.

### **Terminal Leave**

**E70** The effective date of resignations, including any accumulated annual leave, shall be determined at the convenience of the university. The date when earned terminal annual leave begins shall be the date beyond which, in the opinion of the university, the person's services are no longer needed.

**E71** Credit for unused annual leave. Twelve month faculty and unclassified professional members terminating employment at the university, except for retirement, will be paid unused earned annual leave up to a maximum of 22 working days (176 hours) as terminal leave.

**E72** Death benefits. Salary is paid up through the date of death. The estates of deceased faculty and unclassified professional employees receive payment for earned annual leave through the date of death, as authorized by current Kansas Board of Regents policy for separated employees.

**Health and Life Insurance** (See **KSU Policy and Procedures Manual, Chapter 4820** for further information, forms and related links).

**E80** Health insurance. The State of Kansas provides benefits-eligible faculty and unclassified professional a number of health care programs. The type of health insurance

program available is based upon the negotiated contract between the State of Kansas Health Care Commission and the individual health care provider companies. Generally, these include such programs as: medical care; dental care; pharmaceutical; vision care; and mental health. Participation in any of these health care programs is optional for the faculty or unclassified professional member.

Eligibility for participation in these programs is dependent upon the faculty or unclassified professional member's appointment status. For faculty and unclassified professionals, it is an appointment to either a full-time (1.0 FTE) or part-time (.5 FTE or more) in a regular position for at least 90 calendar days or more.

**E82 Supplemental Life Insurance** (See KSU Policy and Procedures Manual, Chapter 4820 for further information, forms and related links). Benefits-eligible faculty or unclassified professionals have the option to purchase supplemental term life insurance. There are two supplemental plans available that allow for the premiums to be paid through payroll deduction. These are:

1. KPERS Optional Group Life Insurance (OGLI), and
2. Teachers and Employees Association (TEA) of Kansas State University.

Both of these life insurance plans are available to the faculty or unclassified professionals as an optional election.

**E84 Insured death benefit** (See KSU Policy and Procedures Manual, Chapter 4820 for further information, forms and related links). Faculty and unclassified professionals, who are eligible for or participating in the KPERS or Kansas Board of Regents retirement plans, are provided an insured death benefit at no cost to the faculty or unclassified professional. Coverage commences upon appointment to a benefits-eligible position. Upon the death of the faculty or unclassified professional, regardless of cause, the insured death benefit provides the faculty or unclassified professional member's named beneficiary 150% of the faculty or unclassified professional member's annual rate of compensation.

**E85 Employment-connected accidental death benefit** (See KSU Policy and Procedures Manual, Chapter 4820 for further information, forms, and related links). This employment-connected accidental death benefit is provided to all faculty and unclassified professional staff who are participating in the Kansas Board of Regents mandatory retirement plan. Kansas State University pays the premium for this employment-connected accidental death benefit.

**E87 Disability income benefit** (See KSU Policy and Procedures Manual, Chapter 4820 for further information, forms and related links). Faculty and unclassified professionals, who are eligible for or participating in the Kansas Public Employees Retirement System (KPERS) or the Kansas Board of Regents retirement plan, are provided a disability income benefit at no cost to the person. Coverage commences upon appointment to a benefits eligible position. The disability income benefit is 60% of the

faculty or unclassified professional member's current annual rate of compensation on the date such disability commenced, payable in equal monthly installments, reduced by any Social Security Administration primary disability or retirement benefit, or any workers' compensation benefit, and by any other disability benefit from any other source by reason of employment, subject to a minimum disability income benefit of \$100.00 per month and a maximum disability income benefit of \$5,000 per month.

Disability income benefits will not begin until after a 180-calendar day waiting period from the last day the employee was physically at work.

**E91** Unemployment insurance (See **KSU Policy and Procedures Manual, Chapter 4820** for further information, forms and related links). Unemployment insurance is a program that provides temporary, weekly unemployment payments to qualified unemployed workers. Unemployed workers must meet specific eligibility requirements in order to receive this benefit. Unemployment insurance pays benefits to qualified workers until they are recalled by the employer; until they find jobs for which they are reasonably suited in terms of training, past experience, and past wages; or until they reach the maximum benefit payable.

Kansas State University, as an employer, participates in this program; however, the State of Kansas Division of Human Resources administers it.

**E92** Workers' compensation (See **KSU Policy and Procedures Manual, Chapter 4820** for further information, forms and related links). All faculty and unclassified professionals at Kansas State University, including student employees, are provided workers' compensation coverage for work related accidents or occupational diseases arising out of or in the course of performing the duties of their employment, regardless of where the situation occurs. The burden of proof for establishing a right to an award of compensation shall be on the claimant.

All on-the-job accidents and injuries must be reported, upon occurrence, to the Division of Human Resources within 3 working days of the accident/injury.

### **Retirement Programs**

**E100** Faculty and unclassified professionals not holding tenure may continue their employment in accordance with expected standards of performance until any age. Faculty and unclassified professionals who have retired from the university are eligible for appointment to new or vacant positions without regard to their retirement status. (FSM 4/10/90)

### **Social Security**

**E110** Faculty and unclassified professional of the university are, with some exceptions, in the Old Age and Survivors and Disability Insurance System. Benefits provided by the Social Security System are income retirement allowance, disability and life insurance



payments, and certain medical services under the Medicare amendments. Specific information concerning individual cases may be obtained from the Social Security Branch Office.

**Contributing Programs at K-State (See KSU Policy and Procedures Manual, Chapter 4810 for further information, forms and related links).**

**E120** Kansas Board of Regents Mandatory Retirement Plan. All faculty and unclassified professionals employed .5 FTE or more for at least 90 calendar days or more, except those Cooperative Extension employees covered by a federal retirement plan, are eligible and shall participate in the Kansas Board of Regents Mandatory Retirement Plan. Any faculty or unclassified professional member who is employed at least .25 FTE and who has entered into a reduced service program agreement is eligible and shall participate in the Kansas Board of Regents Mandatory Retirement Plan.

All eligible faculty and unclassified professionals shall begin participation in and make contributions to the Kansas Board of Regents Mandatory Retirement Plan on the first day of the pay period coinciding with or next following the completion of a one year waiting period in an eligible category.

The one year waiting period may be waived if faculty or unclassified professional:

1. has participated in a retirement program resulting from employment with an institution of higher education located in the United States to which employer contributions were made for at least one year (365 days) within the five-year period immediately preceding employment with Kansas State University; or
2. has participated in a State of Kansas mandatory retirement plan (other than the Kansas Board of Regents Mandatory Retirement Plan) for at least one year (365 days), including time in a waiting period, within the five-year period immediately preceding employment with Kansas State University.

To document such covered employment, new faculty or unclassified professionals must have the "Documentation of Service for Immediate Participation in Regents Retirement Program" form, PER-33, completed by the former institution and forwarded to the Division of Human Resources.

The participants in the Kansas Board of Regents Retirement Plan currently contribute 5.5% of gross earnings for the purchase of these retirement annuities and Kansas State University currently contributed 8.5%. These amounts are statutory, as set by the Kansas Legislature. Participant contributions will be made on a tax-deferred basis under an agreement for salary reduction executed in accordance with Section 403(b) of the Internal Revenue Code.

The Kansas Board of Regents has selected Teachers Insurance and Annuity Association - College Retirement Equities Fund (TIAA-CREF), and ING Financial Advisors to

provide investment options to participants in the Kansas Board of Regents Mandatory Retirement Plan.

Only one investment provider can be selected for use by a faculty or unclassified professional at a time.

Each retirement account is immediately vested; however, cash withdrawals are prohibited while employed.

There is no mandatory retirement age. For purposes of eligibility for certain statutory retirement benefits, retirement may be no earlier than the 55th birthday. Faculty and unclassified professionals who retire at age 55-59 must have ten years of service in a benefits eligible position at a Kansas Board of Regents institution of higher education. There is no minimum service requirement at age 60 or older.

**E122** Voluntary tax sheltered annuities. (See **KSU Policy and Procedures Manual, Chapter 4820** for further information, forms and related links). The Kansas Board of Regents has authorized faculty and unclassified professionals the option of requesting to have their salaries reduced and to place the amount of reduction into a voluntary tax sheltered annuity contract. Any tax sheltered annuities purchased must be by payroll deduction and executed in accordance with section 403(b) of the Internal Revenue Code.

Any person who is employed at least .5 FTE or more for at least 90 calendar days or more is eligible to participate.

The maximum amount that may be tax-deferred is limited by the Internal Revenue Code.

**Phased Retirement Program (BOR 9/94, K.S.A. 74-746 as amended)** (See **KSU Policy and Procedures Manual, Chapter 4820** for further information, forms and related links).

**E140** This program is available to faculty and unclassified professionals who are benefit eligible, have attained the age of 55, and have completed 10 years of full time service with one or more of the Kansas Board of Regents educational institutions. The program provides a faculty and unclassified professional member the opportunity to phase retirement over a selected period of time not to exceed 5 years.

The participant's appointment must be at least .25 FTE. The participant's salary is reduced but benefits (health insurance, death and disability coverage, employer retirement plan contributions) remain at the full time rate. Tenure is not affected. Participants must retire at the end of the agreement period.

Request to enter the Voluntary Phased Retirement Program must be mutually agreed upon by the faculty or unclassified professional member and the appropriate institutional officers.