

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 23-0187.01 Michael Dohr x4347

HOUSE BILL 23-1093

HOUSE SPONSORSHIP

McLachlan and Martinez,

SENATE SPONSORSHIP

Rich,

House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING PERMITTING HIGHER EDUCATION STAFF TO TAKE A**
102 **SABBATICAL.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Current law allows higher education faculty to take a sabbatical if the governing board of the institution where the faculty member works approves the sabbatical. The bill extends sabbatical opportunities to the staff of an institution of higher education.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

HOUSE
2nd Reading Unamended
February 10, 2023

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 23-5-123, **amend** (1)
3 and (2); and **add** (4) as follows:

4 **23-5-123. Sabbatical leave - policy - production of records -**
5 **legislative declaration - definition.** (1) The general assembly hereby
6 recognizes the necessity of maintaining a high caliber of faculty AND
7 STAFF within the state system of higher education and the importance of
8 the faculty's AND STAFF'S contribution in delivering quality education
9 within the state system of higher education. The general assembly
10 recognizes that faculty AND STAFF sabbaticals play an important role in
11 developing and enhancing faculty OR STAFF expertise, thereby supporting
12 faculty AND STAFF excellence in MANAGEMENT, teaching, and research.
13 The general assembly also recognizes that a faculty OR STAFF sabbatical
14 is a privilege, rather than a right, and should be granted only when it
15 results in adding value to the institution, the students' education, and the
16 state. The general assembly therefore declares that state-supported
17 institutions of higher education should judiciously grant faculty AND
18 STAFF sabbaticals that will improve excellence within the state system of
19 higher education and will thereby benefit the state.

20 (2) (a) ~~On or before October 1, 1994,~~ The governing board of each
21 state-supported institution of higher education shall have in place and
22 shall enforce policies regarding faculty AND STAFF sabbaticals, including
23 but not limited to the policies specified in this subsection (2).

24 (b) ~~Effective October 1, 1994, a governing board of an institution~~
25 ~~of higher education may not authorize a sabbatical or extended~~
26 ~~administrative paid leave for any person holding an administrative~~
27 ~~position at a state-supported institution of higher education; except that~~

1 ~~a governing board may, for a reasonable period of time, authorize~~
2 ~~administrative paid leave for disciplinary or investigatory purposes.~~

3 (c) A governing board may not grant a sabbatical for any faculty
4 OR STAFF member more often than once every seven years.

5 (d) Prior to taking a sabbatical, a faculty OR STAFF member shall
6 submit to the governing board of the institution that employs the faculty
7 member a detailed sabbatical plan that:

8 (I) Specifies how the sabbatical activity will result in the faculty
9 OR STAFF member's professional growth, how it will enhance the
10 institution's reputation, ~~and~~ HOW IT WILL ENHANCE the students'
11 educational experience at the institution, and how it will increase the
12 overall level of knowledge in the faculty OR STAFF member's area of
13 expertise; AND

14 (II) Specifies the goals that the faculty member OR STAFF MEMBER
15 will achieve while on sabbatical.

16 (e) A governing board OF AN INSTITUTION OF HIGHER EDUCATION
17 may not grant a subsequent sabbatical to any faculty OR STAFF member
18 who does not meet the goals stated in the faculty OR STAFF member's
19 sabbatical plan.

20 (f) The governing board of each institution shall approve any
21 sabbaticals taken by faculty OR STAFF at the institution in advance. In
22 approving a sabbatical, the governing board OF EACH INSTITUTION shall
23 consider the quality of the faculty OR STAFF member's proposed activities
24 while on sabbatical, the individuals who will be involved in such
25 activities, and the benefits to be received from such activities by the
26 faculty OR STAFF member, the institution, and the students at the
27 institution.

1 (g) Upon completion of a sabbatical, the faculty OR STAFF member
2 shall submit a final sabbatical report to the governing board of the
3 institution that employs the faculty OR STAFF member, including a
4 summary of the faculty OR STAFF member's activities while on sabbatical
5 and the benefits derived by the faculty OR STAFF member. Final sabbatical
6 reports need not include specific details of the faculty OR STAFF member's
7 research conducted while on sabbatical. Final sabbatical reports are open
8 records pursuant to section 24-72-203 ~~C.R.S.~~, and ~~may~~ MUST not be
9 included in the faculty OR STAFF member's personnel file.

10 (h) Each participant in the sabbatical process ~~is responsible for~~
11 ~~ensuring~~ SHALL ENSURE that each sabbatical meets the requirements of
12 this section and any other requirements that may be included in the
13 appropriate governing board's sabbatical policy. Each governing board
14 shall specify a mechanism to hold each participant in the sabbatical
15 process accountable for meeting the sabbatical policy requirements.

16 (4) FOR PURPOSES OF THIS SECTION, "STAFF" MEANS AN EMPLOYEE
17 WHO SERVES IN A MANAGEMENT POSITION OR SIMILAR CAPACITY,
18 INCLUDING A DIRECTOR UP TO A VICE PRESIDENT.

19 **SECTION 2. Act subject to petition - effective date.** This act
20 takes effect at 12:01 a.m. on the day following the expiration of the
21 ninety-day period after final adjournment of the general assembly; except
22 that, if a referendum petition is filed pursuant to section 1 (3) of article V
23 of the state constitution against this act or an item, section, or part of this
24 act within such period, then the act, item, section, or part will not take
25 effect unless approved by the people at the general election to be held in
26 November 2024 and, in such case, will take effect on the date of the
27 official declaration of the vote thereon by the governor.