

**NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**

# An Act

HOUSE BILL 23-1093

BY REPRESENTATIVE(S) McLachlan and Martinez, Bacon, Boesenecker, Brown, English, Epps, Garcia, Hamrick, Herod, Jodeh, Lieder, Lindsay, Lindstedt, Lukens, Mabrey, McCluskie, Michaelson Jenet, Ricks, Sharbini, Story, Titone, Velasco, Young;  
also SENATOR(S) Rich and Marchman, Bridges, Buckner, Exum, Fields, Ginal, Gonzales, Hansen, Jaquez Lewis, Moreno, Priola, Sullivan, Winter F.

CONCERNING PERMITTING HIGHER EDUCATION STAFF TO TAKE A SABBATICAL.

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

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

**23-5-123. Sabbatical leave - policy - production of records - legislative declaration - definition.** (1) The general assembly hereby recognizes the necessity of maintaining a high caliber of faculty AND STAFF within the state system of higher education and the importance of the faculty's AND STAFF'S contribution in delivering quality education within the state system of higher education. The general assembly recognizes that faculty AND STAFF sabbaticals play an important role in developing and

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

enhancing faculty OR STAFF expertise, thereby supporting faculty AND STAFF excellence in MANAGEMENT, teaching, and research. The general assembly also recognizes that a faculty OR STAFF sabbatical is a privilege, rather than a right, and should be granted only when it results in adding value to the institution, the students' education, and the state. The general assembly therefore declares that state-supported institutions of higher education should judiciously grant faculty AND STAFF sabbaticals that will improve excellence within the state system of higher education and will thereby benefit the state.

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

~~(b) Effective October 1, 1994, a governing board of an institution of higher education may not authorize a sabbatical or extended administrative paid leave for any person holding an administrative position at a state-supported institution of higher education; except that a governing board may, for a reasonable period of time, authorize administrative paid leave for disciplinary or investigatory purposes.~~

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

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

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

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

(e) A governing board OF AN INSTITUTION OF HIGHER EDUCATION may not grant a subsequent sabbatical to any faculty OR STAFF member who

does not meet the goals stated in the faculty OR STAFF member's sabbatical plan.

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

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

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

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

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

November 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

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Julie McCluskie  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Steve Fenberg  
PRESIDENT OF  
THE SENATE

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Robin Jones  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Cindi L. Markwell  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_  
(Date and Time)

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Jared S. Polis  
GOVERNOR OF THE STATE OF COLORADO