

## SETTLEMENT AGREEMENT

In an effort to promote amicable employer-employee relations and in full settlement of the AFT Local 1904's (herein "the Union") November 16, 2020 contract grievance regarding sabbatical leave procedures, Montclair State University (herein "the University") and the Union (hereinafter, "the parties") hereby agree to the following:

- I. Article XXVII [Sabbatical Leaves] of the State-Union Agreement and the duly negotiated Local Selected Procedures Agreement ("LSPA") Articles 1, 8, and 21, except as amended below, govern the procedures for faculty and librarian sabbatical leave.
- II. The Union agrees that an online system, currently Interfolio, may be implemented by the University to streamline the submission of faculty and librarian Sabbatical leave applications.
- III. The Parties mutually agree that should the University determine that Interfolio or the online system, for sabbatical leave application submission need to be replaced or upgraded, including online forms, the University shall notify the Union of the proposed changes at least ninety (90) days prior to the implementation. Should any of the proposed changes include items subject to negotiation, the University may not implement the changes until such time as the parties mutually agree.
- IV. The Parties agree that the LSPA, Article 1.3 University-Wide Committees [Sabbatical Review Committee] shall remain in effect.
- V. The Parties agree that the LSPA, Article 21, Appendix II [Criteria for Sabbatical Leaves] shall be eliminated.
- VI. The Parties mutually agree that for Academic Year 2021-2022 the following sabbatical leave procedures will apply, on a non-precedential basis, in lieu of the procedures provided in LSPA Article 8:

### 8.1 Online System for Sabbatical Application Submissions, Reviews, and Responses

The University has implemented Interfolio as the online system for sabbatical application submissions, reviews, and responses. Should the University determine that the online system needs to be replaced or upgraded, including online forms, the University shall notify the Union of the proposed changes at least ninety (90) days prior to the implementation. Should any of the proposed changes include items subject to negotiation, the University agrees to not implement the changes until such time as the parties mutually agree on said changes.

### 8.2 Sabbatical Application Evaluation Criteria

The established sabbatical leave application criteria shall be published on the University's website and will remain in effect until such time as the criteria are revised by the University. In the event that the criteria are revised, the University will notify the Union of the revised criteria at least one-hundred and eighty (180) days in advance of the application deadline for which the revised criteria would apply.

### 8.3 Applicant Submission

- 8.3.1 Applications will be provided to candidates on or before the date stated in the University administrative calendar. Application materials, including a current curriculum vitae, the sabbatical proposal, a copy of the proposal and final report from the applicant's last sabbatical leave (if applicable), and any supplemental documentation, should be uploaded to the online system.
- 8.3.2 At any time during the following review process, an applicant may withdraw the application for a sabbatical leave and remove it, including any reviews completed, from the online system.

### 8.4 Peer Review Committee "PRC" Review

- 8.4.1 A Peer Review Committee shall be established for the first level of reviewing and recommending proposals for sabbatical leave. The members and length of term of office of the PRC will be determined at the department, school, or library level by democratic process, except that no department chairperson or school director may serve, and all of the PRC must be tenured. No candidate for sabbatical may participate in the sabbatical procedures in the PRC, but may serve with regard to other personnel decisions. In the event that a department, school, or library decides that an insufficient number of eligible members is available for requisite personnel actions, it may request that additional members be selected from other departments within the College/School or the University. These requests shall be submitted to the designee of the VPAA for review and written approval. No person may serve at more than one level of review and recommendation for any personnel action.
- 8.4.2 The Peer Review Committee (PRC) shall review and recommend proposals for a sabbatical leave at the departmental level in each College and School and in the Library. The PRC shall review applications and all materials submitted by an applicant in order to determine whether or not the application meets the criteria to be recommended for a sabbatical leave. The PRC shall write a brief narrative evaluating each application and either recommend or not recommend the applicant. The recommendation and written narrative will be sent to the applicant via the online system.
- 8.4.3 If the PRC identifies a potential issue related to the timing of the leave, the committee will meet with the applicant(s) involved informally to resolve the issue by adjusting the length or the term requested.
- 8.4.4 Within two (2) working days of receiving a recommendation from the PRC, the applicant may either meet with the chair/head of the committee and/or submit a written response via the online system. The purpose of the response shall be limited to clarification of material already included in the application.
- 8.4.5 Within two (2) working days of receiving the applicant's response, the PRC shall either forward its original recommendation or provide an amended recommendation to the applicant via the online system.
- 8.4.6 The PRC will forward to the Department Chair, School Director, or Library PRC Chair the application and all associated documents for the applicant(s) via the online system.

8.5 Department Chair, School Director Review, or Library PRC Chair

- 8.5.1 The chair/director of each department/school, and of the library, will review each application and all materials submitted by the applicant, the recommendation and written narrative of the PRC and any responses, and will evaluate on the basis of the established criteria and make a recommendation. In the event that a librarian applies for sabbatical and does not belong to a department, the library PRC will designate another, tenured librarian to perform this level of review and recommendation. The recommendation and a brief written narrative will be sent to the applicant via the online system.
- 8.5.2 Within two (2) working days of receiving the recommendation from the chair/director, the applicant may meet with the chair/director and/or submit a written response via the online system. The purpose of the response will be limited to clarification of material already included in the application.
- 8.5.3 Within two (2) working days of receiving the applicant's response, the chair/director shall either forward its original recommendation or provide an amended recommendation to the applicant via the online system.
- 8.5.4 If the chair/director identifies a potential issue related to the timing of the leave, the chair/director will meet with the respective PRC and the applicant(s) involved in an effort to resolve the issue. If the issue is not resolved, the chair/director will inform the Dean in writing.
- 8.5.5 The Department Chair, School Director, or Library PRC Chair will forward to the Dean the application and all associated documents for the applicant(s) via the online system.

8.6 Dean's Review

- 8.6.1 The dean will review each application and all materials submitted by the applicant, the written narrative of the PRC and any responses to the recommendation of the PRC from the candidate, and the written narrative of the Chair/Director and any responses to the recommendation of the Chair/Director from the candidate in order to determine whether the application meets the criteria to be recommended for a sabbatical leave. The dean shall then write a brief narrative evaluating each application on the basis of the established criteria and either recommend or not recommend. The dean's recommendation and written narrative will be sent to the applicant via the online system.
- 8.6.2 Within two (2) working days of receiving the recommendation from the dean, the applicant may meet with the dean and/or submit a written response via the online system. The purpose of the response will be limited to clarification of material already included in the application.
- 8.6.3 After receipt and review of the candidate's response or a meeting with the candidate, the Dean shall either forward their original recommendation or provide an amended recommendation to the applicant via the online system. The dean will forward the application, their narrative, and all associated materials to the University Sabbatical Review Committee, via the online system.
- 8.6.4 If the dean identifies a potential issue related to the timing of the leave, the dean will meet with the PRC and the applicant(s) involved in an effort to resolve the issue. If the issue is not resolved, the

dean will so inform the Provost in writing.

#### 8.7 University Sabbatical Leave Committee Review

8.7.1 The University Sabbatical Leave Committee (SRC) will review all sabbatical applications and, on the basis of the established criteria, will score each applicant on a scale of 0 through 10, with 10 being highest, on each criterion. The Committee will then rank- order the applicants on the basis of the scores. To the extent that two or more applications are equally meritorious, the time since the last sabbatical leave will be used to determine the order in which applications are ranked. The Committee will then determine which among the applications are recommended (meet criteria) and which are not recommended (do not meet the criteria).

8.7.2 The Committee will inform each applicant of its recommendation via the online system and, if recommended, the rank assigned by the Committee out of the total number of recommended applicants. If an application has not been recommended, the Committee will provide to the applicant a brief written narrative setting forth the basis for its negative recommendation.

8.7.3 Within two (2) working days of receiving the recommendation from the SRC, the applicant may submit a written response via the online system. The purpose of the response will be limited to clarification of material already included in the application.

8.7.4 After two (2) working days of notifying all applicants, the University Sabbatical Leave Committee will use the online system to forward to the Provost all complete sabbatical applications and associated documents as well as a list of the recommended applications and their rankings, and an alphabetical list of applicants not recommended and their associated written narratives.

#### 8.8 Provost Review

8.8.1 After considering the materials submitted by the applicants and evaluations provided by all preceding reviewers, the Provost will either recommend or not recommend each application.

8.8.2 If the Provost determines that a recommended/ranked application from among those forwarded by the Sabbatical Review Committee does not meet the criteria set forth by the University, the reason(s) for that determination will be provided in a written narrative, via the online system, to the applicant.

8.8.3 Within two (2) working days of receiving a negative recommendation from the Provost, the applicant may request to meet with the Provost and/or provide a written response. Within two (2) working days of the meeting, the Provost, will notify the applicant, via the online system, of the final recommendation.

8.8.4 If the Provost determines that applications they have evaluated as meritorious from a single department/program in any one year would be precluded from a positive recommendation for sabbatical leave only because of the timing of the leave, and the dean has not thoroughly addressed this criterion in his/her evaluation, the Provost will consult with the chair/director and dean to explore the possibility, if any, of resolving the situation. Such exploration does not bind the University to approve all affected applications.

8.8.5 The Provost will use the online system to forward the complete application materials, including their recommendations and written narratives, if any, to the President and the Chair of the University Sabbatical Review Committee, via the online system, and to forward to each applicant the recommendation and written narrative, if any.

8.9 President’s Review: Final Recommendations

8.9.1 The President will review each application and all materials submitted by the applicant, including the recommendations and written narratives, and will evaluate on the basis of the established criteria and make a recommendation to the Board of Trustees for final approval.

8.10 Sabbatical Leave Report

Within four weeks after returning to the University, faculty members and librarians receiving a sabbatical leave will submit a summary of the activities or project accomplishments during the sabbatical indicating how their goals were met. This summary shall be submitted by email to the Provost and a copy will be uploaded to the online system by the Provost's Office. At the time of application for the next sabbatical, or any time preceding, the faculty member or librarian may submit one or more updates with respect to outcomes/results emanating from the previous sabbatical leave realized later than four weeks after returning to the University.

VII. Upon full and final execution of this Settlement Agreement, and on the understanding that the parties will re-negotiate sabbatical leave procedures prior to the next academic year, and that all future sabbatical procedure updates will be mutually agreed upon prior to implementation, the Union hereby withdraws, with prejudice, its grievance dated November 16, 2020.

IX. The parties agree that this Settlement Agreement shall not be cited in any other forum except to enforce the provisions herein.

X. This Settlement Agreement shall not serve to amend, modify or change the existing terms of parties’ Collective Negotiated Agreement.

Agreed By:



Montclair State University  
October 20, 2021

Date



David L. Vernon

Montclair State University  
October 20, 2021

Date



AFT Local 1904  
19 October 2021

Date