

## BILL ANALYSIS

Senate Research Center  
78R6185 MI-F

S.B. 1747  
By: Lucio  
Subcommittee on Higher Education  
5/1/2003  
As Filed

### DIGEST AND PURPOSE

Currently, faculty members in numerous institutions of higher education throughout Texas, are hired on nine month contracts. These contracts allow faculty members to accrue sick leave time that carries over from semester to semester, but do not permit faculty members to accrue personal leave time. As proposed, S.B. 1747 requires the governing board of each institution of higher education to adopt a policy permitting faculty to use five sick leave days as personal leave days in each academic year, and prohibits a faculty member from using sick leave days as personal leave days if at any time during the academic year the total number of sick leave days falls below 20.

### RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 51Z, Education Code, by adding Section 51.9615, as follows:

Sec. 51.9615. MINIMUM PERSONAL LEAVE FOR HIGHER EDUCATION. (a) Defines "faculty member" and "institution of higher education."

(b) Requires the governing board of each institution of higher education (IHE) to adopt a policy permitting faculty members to use five sick leave days as personal leave days in each academic year. Authorizes the governing board, in the policy, to permit faculty members to use more than five sick leave days as personal leave days in each academic year. Prohibits a faculty member from using sick leave as personal leave if at any time during the academic year the total number of sick leave days available to the faculty member falls below 20.

(c) Authorizes a policy adopted by the governing board of an IHE under this section to regulate a faculty member's use of sick leave as personal leave if the policy does not restrict the purposes for which the personal leave may be used.

(d) Requires the governing board to develop an appropriate form for the use of sick leave days as personal leave days.

(e) Prohibits a faculty member from carrying forward from one academic year to the next unused accumulated personal leave granted under this section.

(f) Requires the faculty member and the IHE to make every effort to provide without additional expense to the institution comparable instruction for any classes the faculty member may miss while taking personal leave under this section. Requires the institution to adopt a policy for recovering from the faculty member any expense incurred by the institution as a result of the faculty member's personal leave under this section.

(g) Provides that this section does not apply to an IHE that adopts a

comprehensive leave policy for faculty members and other employees as permitted by Section 51.961(f), as added by Chapter 118, Acts of the 77th Legislature, Regular Session, 2001.

SECTION 2. Provides that this Act applies beginning with the 2003-2004 academic year.

SECTION 3. Effective date: upon passage or September 1, 2003.