

**ANDERSON SCHOOLS OF MANAGEMENT
REVIEW OF ASSOCIATE PROFESSOR'S SABBATICAL**

UNIVERSITY OF NEW MEXICO

**Report 2004-12
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ABBREVIATIONS

Faculty Handbook	<i>Faculty Handbook</i> 1990 Edition
ASM	Anderson Schools of Management
Professor	Associate Professor
University	The University of New Mexico

EXECUTIVE SUMMARY

During an interview conducted for a prior review, *Improper Sabbatical Payments, Report 2003-10*, we were told there was another potential sabbatical policy violation. The potential violation involved a Professor who reportedly worked full-time throughout his sabbatical leave.

The University paid the Professor \$35,850 plus fringe benefits for his one-semester sabbatical leave when he was working full-time for another employer. Management should determine if the monies paid to the Professor for his sabbatical while working full-time for another employer should be repaid to the University.

OUTSIDE EMPLOYMENT AND SABBATICAL LEAVE POLICY VIOLATIONS [3]

The Professor worked full-time for another employer during his Spring 2000 sabbatical leave while also receiving full-time pay from the University. The Deputy Provost responded that the monies should be recovered and the Professor has been terminated.

INTRODUCTION

BACKGROUND

During an interview conducted for a prior review, *Improper Sabbatical Payments*, Internal Audit Report 2003-10, we were told there was another potential sabbatical policy violation. The potential violation involved a Professor who reportedly worked full-time throughout his sabbatical leave.

The *Faculty Handbook* 1990 Edition (Faculty Handbook) states, “The principle of sabbatical leave has been approved by the Faculty and the Regents of the University as a basic policy. Its main purpose is to encourage professional growth and increased competence among faculty members by subsidizing significant research, creative work, or some other program of study which is judged to be of equivalent value.”

The Professor was on sabbatical leave the second semester of the academic year 1999-2000. He retired on August 1, 2000 at the end of his sabbatical. From August of 2001 through July 2004, the Professor taught classes for ASM, first as a professor emeritus and then as a visiting associate professor. As of August 2004, the Professor is no longer employed by the University.

PURPOSE

The audit was conducted to determine whether an Anderson Schools of Management (ASM) Associate Professor’s (Professor) spring semester of 2000 sabbatical leave was in compliance with The University of New Mexico’s (University) policies and procedures.

SCOPE

This audit emphasized, but was not limited to, compliance with University policies and procedures governing the Professor’s sabbatical. We discussed the sabbatical with University management, faculty and staff and reviewed documents relating to the sabbatical. Our review was limited to the circumstances surrounding the Professor’s spring semester of 2000 sabbatical. We did not review the sabbatical process as a whole.

OBSERVATIONS, RECOMMENDATIONS AND RESPONSES

OUTSIDE EMPLOYMENT AND SABBATICAL LEAVE POLICY VIOLATIONS

The Professor worked full-time for another employer during his Spring 2000 sabbatical leave while also receiving full-time pay from the University.

There are two University policies involving additional compensation for faculty in the Faculty Handbook: “Sabbatical Leave Policy” and “Policy Concerning Outside Employment.” Neither of these policies allow for full-time employment outside the University.

The Professor did not disclose or receive approval for his outside employment, as required, on his Sabbatical Leave Form. Pursuant to the Request For Sabbatical Leave Form, faculty granted sabbatical leave may choose their compensation level based on the following three choices:

1. “sabbatical leave with full pay,
2. 2/3 pay,
3. 2/3 pay plus additional compensation... I plan to receive additional compensation beyond the University salary with which I am compensated under sabbatical policy. This additional compensation will not exceed the other 1/3 of my salary and my sabbatical plan, attached, states the source of funding and indicates how the compensated activity is consistent with the sabbatical program. I understand that compensation via grant or contract requires agency as well as UNM approval.”

The “Policy Concerning Outside Employment” allows faculty to spend the equivalent of one work day per week on outside employment during the faculty member’s contract period. This outside employment is allowed for faculty on sabbatical leave.

In the summer of 1999, the Professor requested approval from the Provost for “co-employment,” in excess of the one work day per week, with the University and another employer. The Professor’s request was denied. The Provost stated that the Professor could either change his employment status to less than full-time with the University or he must abide by the 39 days per contact year of outside employment allowed per the “Policy Concerning Outside Employment.”

As evidenced by his request for “co-employment” approval from the Provost and his completion of the Request for Sabbatical Leave Form, the Professor was aware of the restrictions and requirements imposed by the two policies but chose not to follow them.

The University paid the Professor \$35,850 plus fringe benefits for working full time on his sabbatical projects.

Recommendation 1

Management should determine if the \$35,850 salary plus fringe benefits the Professor received for services not rendered to the University should be recovered from the Professor.

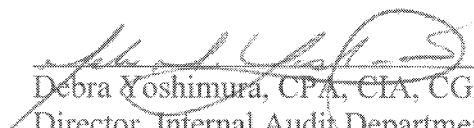
Response from the Deputy Provost:

Management agrees the \$35,850 salary plus fringe benefits the Professor received for services not rendered should be recovered. A claim has been made to Risk Management and they are following up. The Professor has been terminated from his employment at UNM.

CONCLUSION


The University paid the Professor \$35,850 plus fringe benefits for his one-semester sabbatical leave when he was working full-time for another employer. This is in violation of University policy. Management should determine if the monies paid to the Professor for his sabbatical while working full-time for another employer should be repaid to the University. On advice of University Counsel, we are referring this information to the UNM Police for their review for potential criminal statute violations.

APPROVALS



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Approved for Publication:



Chair, Audit Committee