

Adopted 02/13/85

Guidance on General Assembly Candidacy and Membership

An employee elected to the General Assembly is presumed thereby to have created a conflict in time or interest that precludes continued employment with the University. That presumption is irrebuttable with respect to any semester during which the General Assembly is in session; thus, the employee either must resign from University employment or must seek and be granted a full leave of absence, without pay, for that semester, if such a leave is deemed practicable by the chancellor and the Board of Governors. By contrast, with respect to any semester during which the General Assembly is not in session, the presumption of conflict continues to be applicable, but that presumption may be rebutted through a showing by the employee that it is possible and practicable for the employee to discharge the non-session responsibilities of a member of the General Assembly and simultaneously perform satisfactorily all or a portion of the employee's University responsibilities; typically, an affected employee might request a partial leave of absence, without pay, during such a semester; it would be the responsibility of the chancellor and the Board of Governors to determine whether in fact such a leave would be practicable and ought to be granted (or should be denied, with the consequence that the employee would be required to resign). Thus, for each of the semesters falling within the two-year term of office holding, a separate timely petition referable to each would have to be submitted by the employee, in advance of the beginning of the semester, and acted upon ultimately by the Board of Governors. Similar presumptions apply to an employee who is a candidate for election to the General Assembly.

[This is a rewrite of Administrative Memorandum #214.]