

Management, Supervisory and Confidential Personnel

**SABBATICAL LEAVE**

It shall be the policy of the Chula Vista Elementary School District to consider granting sabbatical leaves to employees who qualify under the following regulations:

1. Purpose of Sabbatical Leave

The sabbatical leave shall be granted for the purpose of providing opportunity for professional growth in line with the improvement and enrichment of the educational programs offered to the students in the Chula Vista Elementary School District.

2. Establishment of Eligibility

An employee who has completed seven consecutive years of satisfactory service with the Chula Vista Elementary School District shall be eligible for a sabbatical leave for a qualified program of study, research, or travel. Employees in their seventh year of service who apply for such leave may be granted a sabbatical leave subject to the satisfactory completion of the year's service. The following regulations will apply:

- a. Period of leave granted by the District shall not constitute a break in the continuity of service required for the sabbatical nor shall they be counted in the seven years of service.
- b. No employee who has reached 63 years of age (certificated) or 65 years of age (classified) shall be granted a sabbatical leave because he/she would be unable to fulfill the two years' service to the District. Under state law, the employee must return to the District and serve it for two school years following the sabbatical leave.

3. Qualifying Programs for Sabbatical Leave

- a. Formal Study is study in an accredited college or university for the purpose of increasing one's professional knowledge and skills.
- b. Independent Study is a program of study, research, or special projects relating to the present or prospective service of the applicant which promises to be of professional value to him/her and the district.
- c. Travel for Observation or Study is planned travel which must show definite purpose and value for the participant and the District.

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**SABBATICAL LEAVE** (continued)

4. Length of Leave

The sabbatical leave may be granted for a full school year or for one-half of the school year as desired by the applicant. A half-year sabbatical leave may be taken during either half of the school year. Additional leave may be granted without pay at the request of the employee upon approval of the Governing Board.

5. Limit

The number of employees absent on sabbatical leave at any one time shall not exceed three percent of the total number of the group (Management, Supervisory, Confidential).

6. Tenure/Period of Service

The sabbatical leave shall count as an equivalent period of service in the District excepting in the calculation of time for another sabbatical leave. The employee's placement on the salary schedule shall count the sabbatical leave period as service; growth credits earned during the sabbatical shall be counted for hurdle and classification units on the salary schedule; the sick leave benefits of the District shall accrue, although sick leave payments shall not be made and all other district benefits shall be provided as though the employee were on active duty.

7. Retirement

The contributions to the State Teachers Retirement System/ Public Employees Retirement System shall be made by the employee and the District as though the employee were on active duty, excepting that these payments will be made only on the actual compensation made to the employee.

8. Interruption or Termination of the Sabbatical Leave

If the employee should be incapacitated because of illness or accident and required to postpone or cancel the leave, this shall not prejudice the employee from returning to the district or from completing the leave requirements under a special extension.

Upon request to the district by registered mail, accompanied by a doctor's verification, the sabbatical leave may be postponed or terminated, effective the date of incapacitation. At such time, the employee shall be eligible for sick leave benefits under the policy of the District. When the employee is able to continue the provisions of the sabbatical leave, the leave may be continued.

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**SABBATICAL LEAVE** (continued)

In the event that a recipient of a sabbatical leave is forced to cancel the leave, he/she shall be reinstated in the district in a position similar to that from which he/she began the leave if such a vacancy exists; he/she shall be granted priority as a substitute until a vacancy occurs, if he/she so desires.

9. Liability

Both the Governing Board of the District and the District shall be freed from any liability for the payment of any compensation or damages provided by law for the death or injury of any employee of the district, when the death or injury occurs while the employee is on sabbatical leave.

10. Compensation for the Sabbatical Leave

a. Basic Payment

The District shall pay to the employee 50% of the salary to which he/she would be entitled if he/she were actually on duty in the District. Approval of any employment during the sabbatical leave period shall be secured from the Superintendent prior to the acceptance of the employment.

b. Payment for District Service

In the event that materials are accepted for use in the schools of the District as part of the regular instructional material, the District may make additional compensation up to 50% of the regular salary for the period, as determined by and approved by the Governing Board, prior to the leave. Such compensation shall be decided upon the basis of range of usefulness, value to the children, value to the District, and the amount of preparation needed.

c. Method of Payment

The sabbatical leave salary shall be paid in the same manner as though the employee were on actual duty in the district.

d. Surety Bond

Applicants must furnish a suitable bond indemnifying the school district for any salary paid the employee during the period of the sabbatical leave in the event the employee fails to return to render two full years of service to the District following the termination of the sabbatical leave; or, in the event the employee fails satisfactorily to carry out the program of study or the itinerary of the trip approved.

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**SABBATICAL LEAVE** (continued)

Should the death, disability, or illness of the employee prevent the fulfillment of this obligation, no penalty shall be exacted of the employee's heirs or the surety.

11. Application Procedures

- a. Application for sabbatical leave for the following school year shall be made on the regular form and sent to the Superintendent by January 15. The application shall be acted upon no later than the first meeting in March of the Governing Board.
- b. Application for sabbatical leave for the second semester of the school year shall be sent to the Superintendent by September 15 and shall be acted upon no later than the first meeting in November of the Governing Board.
- c. The following points will be used in determining the priority for the granting of sabbatical leaves when more applications than the limit as indicated in Section 5 are submitted:
  - (1) The priority of application.
  - (2) Relative merits of reasons for desiring leave.
  - (3) Whether leave has been taken previously.
  - (4) Seniority of years of service in the District.
  - (5) Reasonable distribution of applicants by schools/ departments.

12. Reporting Procedures

A brief written report should be made to the Superintendent by February during the year of sabbatical leave, or by mid-term (November, April) during a one-semester leave. Such a report should show that the program is being followed in an acceptable manner. If changes need to be made in the program, these should be reported at once.

Within 60 days after returning to active duty following a sabbatical leave, a written report shall be filed with the Superintendent. Such a report should contain detailed data about the educational activities undertaken, an appraisal of the professional value of the experiences gained while on leave, the manner in which such experience or knowledge may be used for the benefit of the students or district, and other data necessary for a satisfactory report. If a thesis or dissertation is produced, a copy shall be given to the District. A transcript of college units earned must be filed.

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**SABBATICAL LEAVE** (continued)

13. Return to Duty

At the expiration of the sabbatical leave, the employee who has been granted such leave shall be reinstated, unless he/she agrees otherwise, in a position equivalent to that held by him/her at the time leave was granted.

14. Additional Procedure

The Superintendent is authorized to establish such further details of procedure as in his opinion may be necessary, provided, however, that such details shall be consistent with the provisions of the Education Code and of these paragraphs.

Legal Reference:

EDUCATION CODE

44966 Leaves of absence for study and travel

44967 Time qualifications for leaves of absence for travel and study

44968 Service and compensation during leaves of absence for travel and study

44968.5 Agreement not to receive compensation during leave of absence

44969 Agreement to serve following leave of absence; payment for leave of absence time; bond waiver

44973 Reinstatement after leave of absence

44974 Liability for death or injury during leave of absence