

SABBATICAL LEAVE

The East Baton Rouge Parish School Board shall grant sabbatical leave for the purpose of professional or cultural improvement or for medical leave to all teaching personnel in accordance with statutory provisions. Teaching personnel shall include any person employed by the Board who holds a valid teaching certificate issued by the State Board of Elementary and Secondary Education and any social worker, guidance counselor, or school psychologist employed by the Board who holds, as applicable, a valid professional ancillary certificate in school social work, guidance counseling, or school psychology issued by the State Department of Education.

MEDICAL SABBATICAL LEAVE

A teacher may make application for medical sabbatical leave which shall be accompanied by a statement from a licensed physician certifying that the leave is medically necessary.

If the Board, upon review of the application, questions the validity or accuracy of the certification, the Board may require the applicant, as a condition for continued consideration of the application, to be examined by a licensed physician selected by the Board. In such a case, the Board shall pay all costs of the examination and any tests determined to be necessary. If the physician selected by the Board finds a medical necessity, the leave application shall be granted.

If the physician selected by the Board disagrees with the certification of the physician selected by the applicant, then the Board may require the applicant, as a condition for continued consideration of the application, to be examined by a third licensed appropriate physician whose name appears next in the rotation of physicians on a list established by the local medical society for such purpose and maintained by the Board. All costs of an examination and any required tests by a third physician shall be paid by the Board. The opinion of the third physician shall decide the issue.

The opinion of all physicians consulted shall be submitted to the Board in the form of a sworn statement. All information contained in any statement from a physician shall be confidential and shall not be subject to the public records law.

SABBATICAL LEAVE FOR PROFESSIONAL OR CULTURAL IMPROVEMENT

Every person on sabbatical leave for the purpose of professional or cultural improvement, shall during each semester of leave, pursue a program of study, earning at least nine (9) undergraduate credit hours, provided such hours directly improve the person's skills and knowledge as a teacher, or six (6) graduate credit hours, or be certified as a full-time student at an institution of higher learning

accredited by the respective State Board of Education or territorial board in which such institution is located. If less than fifteen (15) weeks is spent as specified above, the number of weeks less than fifteen (15) shall be spent in either of the two (2) alternatives specified below:

- (1) Pursue a program of independent study, research, authorship or investigation which involves an approximately equivalent amount of work and which is approved by the Board.
- (2) Engage in travel which is so planned as to be of definite educational value and which has been approved by the Board.

ELIGIBILITY

Sabbatical leave may be granted on the ratio of two (2) semesters for twelve (12) or more consecutive semesters of active service within the employ of this Board or one (1) semester for six (6) or more consecutive semesters of such service. At no time may more than five percent (5%) of the total number of teachers employed in a school system be on leave. Selection of employees among those who qualify for sabbatical leave must be based on years of continuous service and other criteria as specified by statute.

PROCEDURE FOR APPLICATION

- A. Application for sabbatical leave shall be made on a form provided by the Superintendent of Schools. Applications shall be sent to the Superintendent by registered mail at least sixty (60) days preceding the beginning of the semester of the scholastic year for which leave is requested, with the following exception; if a teacher or other professional employee has become sick during a semester and requests medical sabbatical leave, it shall be sufficient to mail said application to the thirty (30) days prior to the date upon which the requested leave is to commence.

The Superintendent shall inform the teacher of the approval or denial of sabbatical leave at least thirty (30) days preceding the beginning of the semester of the school year for which the leave is requested, except that, where a teacher has become sick during a semester and has requested sabbatical medical leave, the Superintendent shall inform the teacher of approval or denial of such leave as soon as possible after receipt of his/her request for leave.

- B. Whenever in accordance with statutory provisions some of the applications cannot be granted, from among those that would otherwise be granted, those to be granted shall be determined in the following manner:

- (1) Preference in every case shall be given to the applicant who has rendered active service in the school system for the greatest number of consecutive semesters immediately preceding the period for which leave is requested.
 - (2) Where any two (2) applicants rank equally in point of continuous service, preference in every case shall be given to the applicant who has rendered service in the school system for the greater total number of semesters.
 - (3) Where any two (2) applicants rank equally in both points of continuous service and in point of total service, preference in every case shall be given to the applicant whose date of birth is earlier.
 - (4) In cases where all factors are equal, the tie shall be broken by the drawing of lots in the presence of the employees.
- C. Applicants whose applications are filed in the first thirty (30) days of the semester shall be given a preference over those who seek sabbatical leave under the special provision relating to sickness during a school semester.
- D. Every application for sabbatical leave shall specify all of the following:
- (1) The period for which leave is requested;
 - (2) Whether leave is requested for the purpose of professional or cultural improvement, or for the purpose of medical leave;
 - (3) The precise manner, in so far as possible, in which such leave, if granted, shall be spent;
 - (4) The semesters spent in active service in the school system from which leave is requested; and
 - (5) The date of birth of the applicant.

The application shall contain a statement, over the signature of the applicant that he/she shall agree to comply with all sabbatical leave provisions.

COMPENSATION

A teacher granted sabbatical leave shall be paid compensation at the rate of sixty-five percent (65%) of the person's salary at the time the sabbatical leave begins. A teacher on sabbatical leave with pay must continue his/her retirement contribution. Time spent on such leave is considered as active service for retirement purposes.

CONDITIONS OF SABBATICAL

- A. Each person granted sabbatical leave, as a condition of the sabbatical leave, shall be prohibited from being employed during the sabbatical leave by any public or private elementary or secondary school in Louisiana or any other state.
- B. Every person on medical sabbatical leave shall be prohibited from undertaking any gainful employment during such leave unless all of the following conditions are met:
 - (1) The teacher can demonstrate that he/she will be working not more than twenty (20) hours a week in a part-time job that he/she has been working for not less than one hundred and twenty (120) days prior to the beginning of such leave.
 - (2) The doctor certifying the medical necessity of the leave indicates that such part-time work does not impair the purpose for which the leave is granted.
 - (3) The Board authorizes such part-time work.

Violation of the part-time work provisions shall result in the medical sabbatical leave being rescinded.

- C. Each person granted sabbatical leave shall sign an agreement or contract as specified with the Board stipulating, that, as a condition of sabbatical leave and in order to be eligible for compensation during such leave, he or she will return to service for one (1) semester for each semester of leave upon completion of the sabbatical leave. Said service shall ordinarily be performed in this School District. No person who, upon the expiration of his/her sabbatical leave, immediately begins employment with a state-operated educational agency, city parish, or other local school board, department, school, college or university instead of returning to the school system which granted him/her such leave, shall be required to forfeit that portion of compensation paid to him/her by the State while he/she was on such leave. However, such person shall be required to reimburse the school system any salary paid to him/her by the Board while he/she was on leave, unless the Board opts to exercise the waiver provision as explained herein.

As per statutory requirement, any employee taking sabbatical leave who fails to return to service in this District upon expiration of the leave as specified above for any reason other than incapacitating illness as certified by two (2) physicians, shall forfeit all salary compensation received during the leave period. The Board shall have the authority to waive this requirement in

accordance with its pre-published criteria, as noted below, if it deems such to be in the best interest of the School District, provided that such a waiver shall not be of a discriminatory nature against any employee or applicant because of his or her job description, age, race, or sex.

- D. An employee on professional sabbatical leave shall observe the above stipulations concerning graduate or undergraduate credit hours to be earned and/or alternatives such as productive research or travel. The Superintendent shall have the authority to require written reports of work done and work to be done at any time during the period of leave, and shall apprise the Board periodically concerning such reports. In addition, written reports are required within thirty (30) days after the beginning of each semester of leave and within thirty (30) days after the end of leave.
- E. Any employee who fails to comply with statutory provisions may have his/her leave terminated by the Superintendent at any time.
- F. Every person on sabbatical leave shall notify the Superintendent of his/her intention to return to work not less than thirty (30) days prior to the beginning of the semester in which he/she expects to return.

An employee who has been granted sabbatical leave shall, upon expiration of the leave, be returned to the same position in the same school held at the time of said sabbatical leave was granted unless otherwise agreed to by the individual.

GUIDELINES FOR WAIVING INTENTION TO RETURN TO SERVICE CLAUSE

The return to service provision, as stated in Conditions of Sabbatical, Item C above, may be waived by the School Board, after careful review and recommendation of the Superintendent, in any of the following instances:

- A. Any person whose spouse is transferred out of the parish (job requirement not anticipated before leave) during the time the teacher is on leave or within one (1) year immediately following the termination of such leave (certification must be provided by spouse's employer).
- B. Any person who receives a position to the State Department of Education, to another public school system within the State of Louisiana, or to a state-operated educational agency. In such instances, the person granted sabbatical leave, upon the expiration of leave, shall be permitted to retain that portion of compensation paid by the state while he/she was on leave. However, such person shall be required to reimburse the Board any compensation paid by the Board while on leave.
- C. Incapacitating illness, as certified by two (2) physicians.

- D. Whenever, in the Board's opinion, such a waiver would be in the best interest of the School District.

Ref: La. Rev. Stat. Ann. §§11:755, 17:1170 et seq., 17:1187.