

SENATE, No. 516

STATE OF NEW JERSEY

INTRODUCED JANUARY 29, 1996

By Senator BASSANO

1 AN ACT concerning sabbatical leaves and supplementing chapter 30 of  
2 Title 18A of the New Jersey Statutes.

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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

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7 1. As used in this act a "sabbatical leave" means a leave of absence  
8 to improve the qualifications of a teaching staff member in his office,  
9 position or employment by study or for another purpose authorized by  
10 the board of education.

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12 2. A teaching staff member who has held an office, position or  
13 employment in one or more school districts in this State for an  
14 aggregate period of 10 academic years and in the same district for the  
15 last seven consecutive academic years is eligible for a sabbatical leave  
16 and is thereafter eligible for additional sabbatical leaves after each  
17 additional seven consecutive academic years in the same district.  
18 Sabbatical leaves shall be granted to eligible applicants in order of  
19 priority in accordance with the applicant's years of service in the  
20 district since his last sabbatical leave, but no district shall be required  
21 to grant sabbatical leaves in one school year to more than 10% of  
22 those persons eligible for the leaves.

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24 3. A sabbatical leave shall be for one year at one-half salary which  
25 the teaching staff member would have received or for one half year at  
26 the full salary the teaching staff member would have received if he  
27 were not on leave or for a longer period or at a higher salary approved  
28 by the board of education.

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30 4. An eligible teaching staff member desiring a sabbatical leave  
31 shall apply for it at least six months in advance, specifying the period  
32 and purpose of the leave desired, the periods of time in districts in this  
33 State in which he held office, position or employment, and other  
34 information required by the local board of education. Each applicant  
35 shall sign a written agreement to return to his employment within the  
36 school district for a period of one year thereafter, unless the local  
37 board shall otherwise approve. A teaching staff member who does not

1 fulfill this agreement, is guilty of unprofessional conduct and the  
2 commissioner may suspend his certificate for one year.

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4 5. All tenure, seniority, salary increment and pension and  
5 retirement rights are retained by and accrued to the teaching staff  
6 member on sabbatical leave in the same manner as if he were not on  
7 leave. The board of education shall retain from the salary of a  
8 teaching staff member on sabbatical leave and pay on his behalf the  
9 amounts required for pensions and other purposes required by law.  
10 Upon the termination of a sabbatical leave, the teaching staff member  
11 is entitled to return to the same office, position or employment held by  
12 him at the commencement thereof, at the same salary he would have  
13 been entitled to had he not been on sabbatical leave.

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15 6. The Commissioner of Education and each local board of  
16 education shall adopt rules and regulations in accordance with the  
17 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.)  
18 to carry out the provisions of this act.

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20 7. This act shall take effect immediately.

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#### STATEMENT

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25 This bill provides for a State mandated sabbatical leave law for  
26 certificated employees for one-half year at full contract salary or for  
27 one year at one-half salary. The local board of education may, if it  
28 wishes, grant a greater percentage of annual salary.

29 To qualify, a teacher would have 10 or more years of service in the  
30 State and at least seven consecutive years of service in the local school  
31 district unless the board allows a shorter time. Thereafter, one leave  
32 would be allowed for each seven years of service. The leave could be  
33 used for study or, at the discretion of the board, for other purposes.

34 Applications would be given preference according to the years of  
35 service since the previous sabbatical leave of the applicant and in  
36 accordance with regulations adopted by the board of education. No  
37 school district would limit the number of leaves of absence granted in  
38 any school year to less than 10% of the number of persons eligible.

39 No leave would be granted unless the teacher agreed to return to  
40 employment for a period of not less than one year after the leave of  
41 absence-unless the board allows a shorter time. The person on leave  
42 would be entitled to return to the same position in the same school.  
43 All pension, salary and experience rights are retained on leave.

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3 Prescribes conditions, terms and eligibility for sabbatical leaves for

4 teachers.