

## **4130 MID-CAREER LEAVES OF ABSENCE**

Within the discretion of the School Board, mid-career leaves of absence without pay may be granted to employees of the school district defined as "teachers" as provided in M.S. 125.03, Subd. 1, excluding superintendents, who desire to change their occupation or enter a full time program of study leading directly to securable employment outside public school education or administration. "Change in occupation" as referred herein shall mean employment of a permanent nature, other than that to which they are licensed to perform in a public school, and the employment which they have secured is ostensibly long term and continuous in nature. It is not the intent of this policy to allow leaves for medical, or other reasons beyond which is already provided in the collective bargaining agreement of the bargaining unit to which the employee is a member of otherwise provided in the Policies Regulations, By-laws of Independent School District 709.

The following guidelines shall also apply to such leaves:

1. The teacher must be a permanently assigned full-time employee of the district at the time application for the leave is made. Additionally, the employee must have completed at least five (5) years of full time (or the equivalency of same) service to the district and have at least ten (10) years of TRA, DTRFA, STPTRFA or MTRFA covered allowable service in the State of Minnesota. Furthermore, leave may not be granted to employees in licensure areas wherein the district is experiencing difficulties in recruiting replacements.
2. The leave request shall not be less than nor more than three (3) years. Within the discretion of the School Board, leave may be extended on an annual basis up to a maximum of two additional years. In order to qualify for extension of the leave, the teacher must request such extension in writing before February 1 and provide written reasons for requesting an exception to this policy.
3. The leave shall be granted only once per employee.
4. A teacher on such a leave shall advise the School Board of his/her intention to return before February 1 in the school year preceding the school year in which he/she wishes to return. Furthermore, should the teacher make any change in occupation or course of study from that upon which the initial request for leave was granted at any time during the leave, the teacher's leave shall expire on the following February 1 subsequent to such change. In the event the teacher makes any such change, the teacher may resubmit a request to the School Board before February 1, and the Board may either reaffirm the leave pursuant to the guidelines of this policy for the remaining period of the initial leave or reinstate the teacher to a position at the beginning of the next school year as provided in paragraph 5 below. Should the teacher's employment or study cease for any reason, the teacher must notify the School Board of the same within thirty (30) days subsequent to such cessation. The Commissioner of Education shall be notified in writing whenever a teacher who was granted a leave prior to 7/1/84 returns to teaching from a leave.

5. Right of reinstatement shall be to a position for which the teacher is licensed as of February 1 preceding the school year in which reinstatement is sought, unless the teacher is discharged or placed on unrequested leave of absence pursuant to M.S. 125.17 while on leave. A teacher failing to notify the School Board of his/her intent to be reinstated to the employment of the school district by February 1 of the final year of the leave which was granted shall result in the teacher's loss of seniority and continuing contract rights, unless the teacher was placed on unrequested leave of absence while on a mid-career leave of absence, in which case, the School District shall adhere to the terms, if any, of the collective bargaining agreement to which the teacher is a member.
6. A teacher shall retain seniority and continuing contract rights without interruption during the period of leave.
7. Years spent by a teacher on such leave of absence shall not be included in the determination of his/her salary upon his/her return to teaching in the School District.

Adopted: 07-18-1978 ISD 709

Revised: 09-09-1980

03-08-1983

04-17-1984

05-14-1985

06-20-1995 ISD 709