

PERSONNEL – Series 4000

4400 THE MERIT SYSTEM

4460 IN-SERVICE STATUS AND TRANSACTIONS

4464 LEAVES OF ABSENCE

4464.11 Leave of Absence for Study

- A. Permanent classified employees who have completed seven consecutive years of service in probationary and permanent status shall be eligible to apply for a leave of absence for study purposes. The granting of such leave shall be entirely discretionary with the county superintendent or designated representative. When a study leave has been authorized and taken, an additional seven years of service, after return to duty from the last leave, must be completed before another study leave may be granted.
- B. Study Leave can be for any period of time not to exceed one year and may be taken in any time increments as approved by the county superintendent or designated representative, but must be completed within three years after the initial part of the leave commenced. If the leave is not continuous, the service performed between the leave intervals shall be credited toward future study-leave eligibility.
- C. Any leave granted and taken under this Rule shall not constitute a break in service for any purpose, but the leave time shall not count toward eligibility for a future study leave.
- D. The employee must file a written request with the county superintendent or designated representative for a leave of absence under this Rule and must outline
 - 1. His/her work history (positions held and length of service in each).
 - 2. Length of leave requested and time period in which the leave will be completed if granted.
 - 3. The purpose for which the leave is requested. The written request must include the complete course of study to be pursued, institution giving the course, costs involved, and degree or credits to be granted.
 - 4. Amount of compensation requested while on leave.
 - 5. Service, if any, to be performed by the employee during leave.
 - 6. The benefits to be derived by the Santa Barbara County Education Office by the granting of leave.
 - 7. Willingness by the employee to provide a bond if required by the county superintendent or designated representative.
 - 8. Agreement by the employee that he/she will serve the employer for at least two years after termination of the leave.

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Dec. 1, 1975
May 27, 1993
March 23, 2017
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Leave of Absence for Study (Continued)

9. Willingness to provide the County Education Office evidence of satisfactory study progress at agreed intervals during the leave. Failure to provide such evidence or to make satisfactory progress may, at the option of the County Education Office, result in immediate cancellation of the leave.
 10. Agreement by the employee that he/she will report any employment during the leave to the Director, Human Resources, who shall determine whether conflict exists with the purpose of the leave.
- E. If a leave is granted under this Rule, the employee will be paid, as a minimum, the difference between what his/her salary or wage would have been had he/she not been on leave and the salary paid the substitute employee. In lieu of the minimum, the County Superintendent or designated representative and employee may agree, in writing, to a salary greater than the minimum. It shall be not less than one-half of the employee's normal rate of compensation and not more than full compensation.
- F. Compensation shall be paid as follows:
1. If the employee does not provide a bond as determined by the County Education Office or provide a written statement indicating that he/she will serve at least two years with the County Education Office upon return from leave, the agreed-to compensation shall be paid in two equal annual installments during the first two years of service to the County Education Office following return to duties after termination of leave.
 2. If the employee provides the required bond or submits a written document, approved by the county superintendent or designated representative in accordance with Education Code Section 45384, the employee shall be paid the agreed-upon compensation in the same manner as if he/she were in active service. If the employee fails to complete two years of service following return from leave, except as provided below, he/she may be required to refund a prorate portion of any compensation received while on leave.
 3. If an employee has provided a bond or written agreement and fails to complete the required two years of service because of his/her death or physical or mental disability, the bond or conditions of the agreement shall be exonerated in the same manner as if the required service had been performed.

Reference:

Education Code Sections 45260-45261, 45384 and 45387

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