

# Marion County Board of Education

Monitoring: <b>Review: Annually, in February</b>	Descriptor Term: <b>Long-Term Leaves of Absence for Professional Personnel</b>	Descriptor Code: <b>5.304</b>	Issued Date: <b>04/24/01</b>
		Rescinds: <b>5.304</b>	Issued: <b>03/28/00</b>

1 Any person holding a position requiring a license to teach shall be granted leave for military service,  
2 legislative service, maternity, adoption, recuperation of health, educational improvements or other suf-  
3 ficient reason without loss of accumulated leave credits, tenure status, or other fringe benefits. All leaves  
4 shall be requested in writing at least thirty (30) days in advance on forms provided by the director of  
5 schools. The 30-day notice may be waived or reduced by the director of schools upon submission of  
6 a certified statement by a physician. The application for leave forms shall require:

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- 8 1. A description of the type of leave requested;
- 9 2. The requested dates for beginning and ending the leave; and
- 10 3. A statement of intent to return to the position from which leave is granted.
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12 Each request for leave must be acted upon by the director of schools within fifteen (15) days. Each ap-  
13 plicant shall be notified in writing of the action of the director and the beginning and ending dates of the  
14 leave which is granted. All leaves, except military leave, shall be from a specific date to a specific date.  
15 However, any leave may be extended by the director of schools upon written request from the teacher.  
16 Military leave shall be granted for whatever period may be required. The procedure and condition for  
17 extending a leave are the same as those used when originally requesting and granting the leave.

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19 Positions vacated for less than twelve (12) months by teachers on leave shall be filled with an interim  
20 teacher while the teacher is on leave. If the teacher returns from leave within 12 months, the interim  
21 teacher shall relinquish the position. If the leave exceeds twelve (12) months, the teacher shall be  
22 placed in the same or a comparable position upon return.

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24 Part-time leaves may be granted by the director of schools upon written request for the same conditions  
25 as for full-time leave.

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27 Any teacher on leave shall notify the director of schools at least thirty (30) days prior to the date of  
28 return if the teacher does not intend to return to the position from which he/she is on leave. Failure  
29 to give such notice shall be considered breach of contract.<sup>1</sup>

## 30 **PAY AND BENEFITS**

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33 All leave granted in conformance with this policy shall be without pay except as may be covered by  
34 sick leave in the case of maternity and recuperative leaves. Employees shall have the opportunity to  
35 continue participation, at their own expense, in group insurance plans subject to restrictions of the  
36 insuring carrier.

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1 Employees who take leave under the provisions of the Family Medical Leave Act (FMLA) shall have  
2 the same portion of their insurance premiums paid by the Board as is paid for active employees. This  
3 leave is limited to twelve (12) weeks and subject to the restrictions and conditions of the Family and  
4 Medical Leave Act.  
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41 Legal References:

- 42 1. TCA 49-5-702 through TCA 49-5-709

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43 Cross References:

- 44 Family and Medical Leave 5.305
- 45 Military Leave 5.306
- 46 Physical Assault Leave 5.307
- 47 Legislative Leave 5.309
- 48 Interim Employees 5.700