

# Germantown Municipal School District

Monitoring:  <b>Review: Annually, in March</b>	Descriptor Term:  <h2 style="text-align: center;">Long-Term Leaves of Absence for Professional Personnel</h2>	Descriptor Code: <h3 style="text-align: center;">5.304</h3>	Issued Date: <h3 style="text-align: center;">05/05/14</h3>
		Rescinds:	Issued:

1 All personnel holding a position that requires a teacher’s license shall be granted leave for military  
 2 service, legislative service, maternity, adoption, recuperation of health, or visitation of a spouse, child  
 3 or parent deployed for military duty out of the country who has been granted rest and recuperation  
 4 leave. Such personnel may be granted leave for educational improvements or other sufficient reasons  
 5 as determined by the director of schools. If granted, such leave shall not result in the forfeiture of  
 6 accumulated leave, credits, tenure status or other fringe benefits.<sup>1</sup>

7 All leaves shall be requested in writing at least thirty (30) days in advance on forms provided by the  
 8 director of schools. The 30-day notice may be waived or reduced by the director of schools upon  
 9 submission of a certified statement by a physician. The application for leave forms shall require:

- 10 1. A description of the type of leave requested;
- 11 2. The requested dates for beginning and ending the leave; and
- 12 3. A statement of intent to return to the position from which leave is granted.<sup>1</sup>

13 Each request for leave must be acted upon by the director of schools within fifteen (15) days. Each  
 14 applicant shall be notified in writing of the action of the director and the beginning and ending dates of  
 15 the leave which is granted.<sup>2</sup>

16 All leaves, except military leave, shall be from a specific date to a specific date. However, any leave  
 17 may be extended by the director of schools upon written request from the teacher. Military leave shall  
 18 be granted for whatever period may be required. The procedure and condition for extending a leave are  
 19 the same as those used when originally requesting and granting the leave. Leave to visit a spouse,  
 20 child, or parent deployed for military duty out of the country who has been granted rest and  
 21 recuperation leave shall be granted for no longer than ten (10) days.<sup>3</sup>

22 Leave to hold legislative office shall not be granted for more than any portion of four (4) calendar  
 23 years without the consent of the local board of education.<sup>6</sup>

24 Positions vacated for less than twelve (12) months by teachers on leave shall be filled with an interim  
 25 teacher while the teacher is on leave. If the teacher returns from leave within 12 months, the interim  
 26 teacher shall relinquish the position. If the leave exceeds twelve (12) months, the teacher shall be  
 27 placed in the same or a comparable position upon return.<sup>4</sup>

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

1 Any teacher on leave shall notify the director of schools at least thirty (30) days prior to the date of  
2 return if the teacher does not intend to return to the position from which he/she is on leave. Failure to  
3 give such notice shall be considered breach of contract.<sup>5</sup>

#### 4 **PAY AND BENEFITS**

5 All leave granted in conformance with this policy shall be without pay except as may be covered by  
6 sick leave in the case of maternity and recuperative leaves. Paid leave provided for maternity or  
7 recuperative leave will run concurrently with leave that is protected by the federal Family Medical  
8 Leave Act. Employees shall have the opportunity to continue participation, at their own expense, in  
9 group insurance plans subject to restrictions of the insuring carrier.

---

##### Legal References

1. TCA 49-5-702
2. TCA 49-5-703
3. TCA 49-5-704
4. TCA 49-5-705
5. TCA 49-5-706
6. TCA 49-5-713

---

##### Cross References

Family and Medical Leave 5.305  
Military Leave 5.306  
Physical Assault Leave 5.307  
Sabbatical Leave 5.308  
Legislative Leave 5.309  
Interim Employees 5.700