

## Franklin Special Board of Education

Monitoring: <b>Review: Annually, in February</b>	Descriptor Term: <b>Long-Term Leaves of Absence</b>	Descriptor Code: <b>5.304</b>	Issued Date: <b>03/13/17</b>
		Rescinds: <b>5.304</b>	Issued: <b>10/12/09</b>

1 All full-time regular employees shall be granted leave for military service, legislative service, maternity,  
2 adoption, recuperation of health, or visitation of a spouse, child or parent deployed for military duty out  
3 of the country who has been granted rest and recuperation leave. All personnel holding a position that  
4 requires a teacher's license, after four (4) years of consecutive service, may be granted leave for  
5 educational improvements or other sufficient reasons as determined by the director of schools without  
6 loss of 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 sub-  
9 mission 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
- 12 2. The requested dates for beginning and ending the leave; and
- 13
- 14 3. A statement of intent to return to the position from which leave is granted.<sup>1</sup>

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

18 All leaves, except military leave, shall be from a specific date to a specific date. However, any leave may  
19 be extended by the director of schools upon written request from the employee. Military leave and leave  
20 to hold legislative office shall be granted for whatever period may be required. The procedure and  
21 condition for extending a leave are the same as those used when originally requesting and granting the  
22 leave. With the exception of military and legislative leaves, a maximum of three (3) non-consecutive  
23 years of extended leave without pay may be taken in a career with the district, and shall not include parts  
24 of two (2) consecutive years.

25 Leave to visit a spouse, child, or parent deployed for military duty out of the country who has been  
26 granted rest and recuperation leave shall be granted for no longer than ten (10) days.<sup>3</sup>

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

31 Part-time leaves may be granted by the director of schools upon written request for the same conditions  
32 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 return  
2 if the teacher does not intend to return to the position from which he/she is on leave. Failure to give such  
3 notice shall be considered breach of contract.<sup>5</sup>

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

5 All leaves 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. Employees shall have the opportunity to  
7 continue participation, at their own expense, in group insurance plans subject to restrictions of the  
8 insuring carrier.

9 Employees who take leave under the provisions of the Family Medical Leave Act (FMLA) shall have  
10 the same portion of their insurance premiums paid by the Board as is paid for active employees. This  
11 leave is limited to twelve (12) weeks and subject to the restrictions and conditions the Family and  
12 Medical Leave Act.

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#### 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

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#### 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