

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1579 Session of
1995

INTRODUCED BY MICOZZIE, DeLUCA, DEMPSEY, TIGUE, FEESE, CARONE,
FARGO, GODSHALL, BROWN, E. Z. TAYLOR, RUBLEY, CLARK, MELIO,
SCHRODER, HANNA, BOYES, MUNDY, TRELLO, RAYMOND, M. N. WRIGHT,
MILLER, STERN, MERRY AND BARD, MAY 8, 1995

REFERRED TO COMMITTEE ON EDUCATION, MAY 8, 1995

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," further providing for sabbatical
6 leaves of absence.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 1166 of the act of March 10, 1949
10 (P.L.30, No.14), known as the Public School Code of 1949,
11 amended July 10, 1986 (P.L.1270, No.117), is amended to read:

12 Section 1166. Persons Entitled.--(a) Any person employed in
13 the public school system of this Commonwealth who has completed
14 ten (10) years of satisfactory service as a professional employe
15 or member of the supervisory, instructional or administrative
16 staff, or as a commissioned officer, of any board of school
17 directors, county board of school directors, or any other part
18 of the public school system of the Commonwealth, shall, subject
19 to approval by the board of school directors, be entitled to a

1 leave of absence for restoration of health[, study or travel,
2 or, at the discretion of the board of school directors, for
3 other purposes] or professional improvement. At least five
4 consecutive years of such service shall have been in the school
5 district from which leave of absence is sought, unless the board
6 of school directors shall in its discretion allow a shorter
7 time: Provided, however, That in the case of professional
8 employes of area vocational-technical schools or technical
9 institutes prior service in the participating school districts
10 shall be credited toward such service requirement.

11 (b) The board of school directors shall have the authority
12 to establish documentation requirements and standards for a
13 leave of absence for restoration of health.

14 (c) A leave of absence for professional improvement shall be
15 subject to the following restrictions:

16 (1) The professional employe shall submit to the district
17 superintendent and the school board for approval a detailed plan
18 for professional improvement at least six months prior to the
19 term or terms for which leave is sought.

20 (2) Each plan shall provide an explanation of the expected
21 activities to be undertaken during the proposed leave of
22 absence, how the expected activities relate or shall relate to
23 the employe's professional duties and responsibilities and how
24 the expected activities will improve the employe's performance
25 within the entity.

26 (3) The plan shall be subject to the approval or disapproval
27 of the district superintendent and a majority of the board of
28 school directors before a leave of absence for professional
29 improvement will be granted.

30 (4) Upon return to service, the professional employe shall

1 provide to the superintendent and the board evidence, as agreed
2 upon by the employe and the board prior to the leave, that the
3 employe's plan for professional improvement was followed.

4 (d) Subsections (b) and (c) shall supercede any collective
5 bargaining agreement that is entered into after the effective
6 date of this amendatory act.

7 (e) Such leave of absence shall be for a [half or] full
8 school term or [for two half school terms during a period of two
9 years, at the option of such person:], in cases where a plan for
10 professional improvement could not otherwise be completed and
11 upon approval by the superintendent and the board of school
12 directors, for a half school term or for two consecutive half
13 school terms during a period of two years: Provided, however, if
14 a sabbatical leave is requested because of the illness of an
15 employe, a leave shall be granted for a period equivalent to a
16 half or full school term or equivalent to two half school terms
17 during a period of two years, subject to the approval or
18 disapproval of the district superintendent and a majority of the
19 board of school directors: [Provided further, That a sabbatical
20 leave for travel shall be taken in one full school term, unless
21 authorized by the board of school directors to be taken for a
22 half school term or for two half school terms during a period of
23 two (2) years:] Provided further, That if a sabbatical leave for
24 one half school term or its equivalent has been granted and the
25 employe is unable to return to school service because of illness
26 or physical disability, the employe, upon written request prior
27 to the expiration of the original leave, shall be entitled to a
28 further sabbatical leave for one half school term or its
29 equivalent: Provided further, That if a sabbatical leave for a
30 full school term or its equivalent has been granted and the

1 employe is unable to return to school service because of illness
2 or physical disability, the board of school directors may extend
3 such sabbatical leave for such periods as it may determine but
4 not to exceed one full school term or its equivalent.

5 Thereafter, one leave of absence shall be allowed after each
6 seven years of service.

7 (f) A sabbatical leave granted to a regular employe shall
8 also operate as a leave of absence without pay from all other
9 school activities.

10 Section 2. This act shall take effect in 60 days.