TITLE 6PRIMARY AND SECONDARY EDUCATIONCHAPTER 66SCHOOL PERSONNEL - CONTRACTSPART 4REQUIREMENTS FOR SABBATICAL LEAVE AND SABBATICAL LEAVE
CONTRACTS

6.66.4.1 ISSUING AGENCY: Public Education Department [12-31-98, 07-30-99; 6.66.4.1 NMAC - Rn, 6 NMAC 4.3.3.1, 12-29-00; A, 10-31-06]

6.66.4.2 SCOPE: This rule applies to local school boards, governing authorities of charter schools and state agencies, and licensed school employees. [12-31-98; 6.66.4.2 NMAC - Rn, 6 NMAC 4.3.3.2, 12-29-00; A, 10-31-06]

6.66.4.3 STATUTORY AUTHORITY: This rule is adopted pursuant to Sections 22-2-1, 22-10A-21, 21-10A-35, 22-10A-36, and 22-10A-37, NMSA 1978. [12-31-98; 6.66.4.3 NMAC - Rn, 6 NMAC 4.3.3.3, 12-29-00; A, 10-31-06]

6.66.4.4 DURATION: Permanent

[12-31-98; 6.66.4.4 NMAC - Rn, 6 NMAC 4.3.3.4, 12-29-00]

6.66.4.5 EFFECTIVE DATE: December 31, 1998, unless a later date is cited at the end of a section. [12-31-98; 6.66.4.5 NMAC - Rn, 6 NMAC 4.3.3.5, 12-29-00]

6.66.4.6 OBJECTIVE: To provide local school boards and governing authorities of state agencies with requirements for sabbatical leave and form sabbatical leave contracts in accordance with the requirements of Sections 22-10A-21, 21-10A-35, 22-10A-36, and 22-10A-37, NMSA 1978. [12-31-98; 6.66.4.6 NMAC - Rn, 6 NMAC 4.3.3.6, 12-29-00; A, 10-31-06]

6.66.4.7 DEFINITIONS: [Reserved]

[12-31-98; 6.66.4.7 NMAC - Rn, 6 NMAC 4.3.3.7, 12-29-00]

6.66.4.8 REQUIREMENTS: Boards of education contemplating granting sabbatical leave to teachers shall submit the following information to the PED:

A. Degree plan of employee or travel itinerary plus a narrative statement by the local superintendent explaining how this experience will benefit the school district and how it is related to the applicant's position with the school district.

B. Salary of employee on sabbatical leave.

C. Name and salary of replacement for teacher on sabbatical leave.

D. Verification of employee having completed at least six years of continuous service in a certified capacity with the school district.

E. A copy of the contractual agreement between the school district and the employee guaranteeing all requirements of Sections 22-10A-21, 21-10A-35, 22-10A-36, and 22-10A-37, NMSA 1978, shall be met.

F. No leave may be approved by a school district until approval of the proposal has been granted by the secretary of education.

[12-31-98; 6.66.4.8 NMAC - Rn, 6 NMAC 4.3.3.8, 12-29-00; A, 10-31-06]

6.66.4.9 SABBATICAL LEAVE CONTRACT:

А.	The board of education of	, New Mexico,
hereinafter referr	red to as board, and	, certified

(licensed) employee, herein referred to as employee, agree:

(1) Employee desires to take a sabbatical leave for the purposes of study or travel related to employee's duties. The program of study or travel proposed by employee, a copy of which is attached as exhibit I, his been reviewed and approved by the board.

(2) The board desires that employee be granted the sabbatical leave because the employee's sabbatical leave program has been shown to be related to the employee's duties and to be of direct benefit to the school district. A copy of the statement of the superintendent of the ______ school district explaining how the employee's program is related to employee's duties and how it will directly benefit the school district is attached is exhibit II.

(3) The term of this contract shall be from _____, ____ to _____

(4) The parties certify that the employee has completed _____ years of continuous service in a certified capacity as an employee of the ______ school district.

(5) Employee agrees that upon completion of the sabbatical leave period herein provided, employee will return to (his) (her) duties with the ______ school district for two (2) years following the leave. If employee fails to fulfill this requirement, employee agrees to repay in full to the school district the salary received during the period of leave, such repayment being liquidated damages for breach of the contract.

(6) Upon return to the school system on completion of the sabbatical leave period, employee will be placed in an equivalent or better position by the board.

(7) The board will treat the sabbatical leave period as part of the employee's length of service in the computation of future length of service increments, if the board provides for such increments in its salary schedule.

(8) During the period of leave the employee may continue participation in the education retirement plan by making appropriate contributions as agreed by the board and the educational retirement board.

(9) The board agrees to pay the employee an amount equal to _____ per cent of employee's regular salary, said payment to be made in the following manner: [Use one of the following:]

(a) one-half (1/2) to be paid at the end of the first year after return and one-half (1/2) at the end of the second year after return; OR

(b) during the term of the leave upon the furnishing of security satisfactory to the board assuring the employee's remaining in the system for two (2) years after the leave or repayment to the school district of the salary received during the period of leave.

B. This contract must be approved by the secretary of education or (his) (her) designee before it becomes binding on either of the parties. BOARD OF EDUCATION OF _____ BY:

President _____ Date of Execution _____ Secretary _____ Date of Execution _____ Secretary

Date of Execution ______. APPROVED BY: SECRETARY OF EDUCATION

_____ Date _____

[12-31-98; 6.66.4.9 NMAC - Rn, 6 NMAC 4.3.3.9, 12-29-00; A, 10-31-06]

HISTORY OF 6.66.4 NMAC:

PRE-NMAC HISTORY: The material in this regulation is derived from that previously filed with the State Records Center and Archives under: State Board of Education Regulation No. 69-2, Regulations Covering Sabbatical Leave For All New Mexico Public Schools Under The Jurisdiction Of The State Board Of Education, filed November 6, 1969;

State Board of Education Regulation No. 73-16, Sabbatical Leave Contract, filed June 12, 1973; and State Board of Education Regulation 72-26, Sabbatical Leave Contract, filed January 8, 1973.