

**WEST VIRGINIA**  
**SECRETARY OF STATE**  
**KEN HECHLER**  
**ADMINISTRATIVE LAW DIVISION**

Form #5

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1989 MAY 22 PM 1:13  
OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

**NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE  
OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW**

AGENCY: West Virginia Board of Education TITLE NUMBER: 126

CITE AUTHORITY: 18-2-11

RULE TYPE: PROCEDURAL \_\_\_\_\_ INTERPRETIVE X

EXEMPT LEGISLATIVE RULE \_\_\_\_\_

CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

AMENDMENT TO AN EXISTING RULE: YES \_\_\_\_\_, NO \_\_\_\_\_

IF YES, SERIES NUMBER OF RULE BEING AMENDED: \_\_\_\_\_

TITLE OF RULE BEING AMENDED: \_\_\_\_\_

IF NO, SERIES NUMBER OF NEW RULE BEING ADOPTED: 157 (Policy #5530)

TITLE OF RULE BEING ADOPTED: Sabbatical Leave Policy for Professional  
Educators and Teacher Aides

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE  
EFFECTIVE DATE OF THIS RULE IS June 30, 1989

Barbara L. Estep  
May 19, 1989

TITLE 126  
LEGISLATIVE INTERPRETIVE RULE  
WEST VIRGINIA BOARD OF EDUCATION  
CHAPTER 18  
SERIES 157  
Policy 5530

FILED

1989 MAY 22 PM 1:13

Title: Sabbatical Leave Policy for Professional Educators and Teacher Aides, WEST VIRGINIA

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

Section 1. General

1.1 Scope - This legislative/interpretive rule establishes guidelines for the development of a sabbatical leave policy for professional educators and teacher aides by county boards of education. Participation in a sabbatical leave program is optional for county boards of education.

1.2 Authority - West Virginia Code §18-2-11

1.3 Filing Date - May 19, 1989

1.4 Effective Date - June 30, 1989

Section 2. Purpose

The intent of this policy is to establish a sabbatical leave program for professional educators and teacher aides. Sabbatical leaves may be granted generally on a full-time basis to conduct research, completion of an advanced degree related to subject area, teacher exchange program, completion of baccalaureate degree for aides, or participation in other professional development activities that would contribute to the improvement of both the individual and his/her services to students in the county school district.

Section 3. Eligibility

3.1 Professional Educator -- Any professional educator, as defined in section one, article one, chapter eighteen-a of the Code of West Virginia, who is employed full-time and has a minimum of ten years of public school service in West Virginia is eligible to apply for a sabbatical leave.

3.2 Teacher Aide - Teacher aides who have a minimum of ten years of West Virginia public school service and have a cumulative grade point of 3.2 on a possible 4.0 scale, and have successfully completed at least 64 semester hours of course work at an approved institution of higher education, are eligible to apply for sabbatical leave.

Section 4. Selection Criteria

4.1 Professional Educators and Teacher Aides -- The following criteria shall be utilized in selecting applicants for sabbatical leave:

- a. Completion of an application
- b. The need of individual applicant with respect to current job assignment
- c. The needs of the school system with respect to identified deficiencies
- d. Priority given to applicants who have not been previously granted sabbatical leave.

- e. Additional criteria may be established by the county school district.

Section 5. Sabbatical Leave Requirements/Conditions

5.1 Not less than 95 percent of sabbatical leaves granted shall be for classroom teachers.

5.2 Employees may be compensated during the sabbatical leave period up to one-half of their regular salary.

5.3 While on sabbatical leave, employees shall be deemed to be employed full-time for the purposes of years of experience, accumulation of seniority, participation in the Teachers Retirement System and the Public Employees Insurance Program. Employees who are on sabbatical leave shall be reported to the state board of education on the personal services report and their positions can be counted up to one-half full-time equivalent in the school foundation support program. Employees returning from leave shall be assigned to the same position from which they left unless another assignment is agreed to by both parties. In no case may an assignment be made which would invalidate the employee's certification status or bring about a demotion in position or salary.

5.4 Employees receiving sabbatical leave shall be required to return to employment by the board which granted the leave for a period of at least one year for each year on leave or repay the compensation and benefits received during that time and have deducted the retirement credit and years of service credit accrued during the sabbatical leave.

Section 6. Sabbatical Leave Advisory Committee

The county staff development council shall constitute the sabbatical leave committee for reviewing applications and making recommendations to the superintendent. The superintendent will submit the recommendations of the county staff development council to the county board of education for approval of the applicants to whom leave will be awarded. If a teacher aide is not a member of the county staff development council, a representative will need to be added to the sabbatical leave committee.

Section 7. Application Requirements and Procedures

7.1 Applications shall be submitted to the county superintendent or his designee at least six months prior to the anticipated beginning of the sabbatical leave. Applications shall be reviewed and recipients selected at least three months prior to start of leave.

7.2 See Appendix A for sample application.

Section 8. Final Report

A report indicating evidence of professional experiences shall be filed with the county superintendent within six weeks after the employee returns from sabbatical leave. The report may include transcript of grades where course work was involved, degree earned, written reports and other requirements that are agreed upon between the employee and board of education.

APPENDIX A

SABBATICAL LEAVE APPLICATION

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ (Home) \_\_\_\_\_ (Business)

Work Location: \_\_\_\_\_

Job Classification: \_\_\_\_\_

Years employed by \_\_\_\_\_ County Schools: \_\_\_\_\_

Have you previously been granted sabbatical leave by \_\_\_\_\_ County Schools?  Yes  No If Yes, when? \_\_\_\_\_

Proposed dates of sabbatical leave: \_\_\_\_\_ to \_\_\_\_\_

If completing a degree:

Name of institution in which sabbatical leave will be taken:

\_\_\_\_\_

Address: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Have you been admitted to the institution?  Yes  No

Date of acceptance: \_\_\_\_\_

(Please attach letter of assurance that you have been accepted.)

If conducting research or completing other professional development activities give a brief description. (Use an attached sheet.)

Please state briefly the benefit of the sabbatical leave (a) to the school district and (b) to you. (Use an attached sheet.)

If my application for a sabbatical leave is favorably acted upon, I hereby agree to successfully complete such sabbatical leave under the terms and conditions that are prescribed by the Sabbatical Leave Policy.

Signature \_\_\_\_\_ Date \_\_\_\_\_

OFFICE USE ONLY

Date Received: \_\_\_\_\_

Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Funds Allotted: \_\_\_\_\_

KEN HECHLER  
Secretary of State

MARY P. RATLIFF  
Deputy Secretary of State

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Director, Corporations

SHEREE COHEN  
Special Assistant

(Plus all the volunteer  
help we can get)

TO: Barbara Estep

AGENCY: Dept. of Education

FROM: JUDY COOPER, DIRECTOR, ADMINISTRATIVE LAW DIVISION

DATE: May 1, 1992

THE ATTACHED RULE RECENTLY FILED BY YOUR AGENCY HAS BEEN ENTERED INTO OUR COMPUTER SYSTEM. PLEASE REVIEW, PROOF AND RETURN IT WITH ANY CORRECTIONS. IF THERE ARE NO CORRECTIONS, PLEASE SIGN THIS MEMO AND RETURN IT TO THIS OFFICE. YOU WILL BE SENT A FINAL VERSION OF THE RULE FOR YOUR RECORDS.

PLEASE RETURN EITHER THE CORRECTED RULE OR THIS FORM WITHIN TEN (10) WORKING DAYS OF THE DATE YOU RECEIVED THIS REQUEST. CALL IF YOU HAVE ANY QUESTIONS.

SERIES: 157 TITLE: 126 Dept. of Education 5530

\* THE ATTACHED RULE HAS BEEN REVIEWED AND IS CORRECT.

SIGNED: \_\_\_\_\_

TITLE OF PERSON SIGNING: \_\_\_\_\_

DATE: \_\_\_\_\_

\*\*\*\*\*

*Marked in red*

\* THE ATTACHED RULE HAS BEEN REVIEWED AND NEEDS CORRECTING. THE CORRECTIONS HAVE BEEN MARKED.

SIGNED: Barbara L. Estep

TITLE OF PERSON SIGNING: Sec. WV Board of Educa.

DATE: March 15, 1992