

**THE NEW YORK CITY DEPARTMENT OF EDUCATION
DIVISION OF HUMAN CAPITAL
65 COURT STREET
BROOKLYN, NEW YORK 11201**

PERSONNEL MEMORANDUM # 2020-2021

TO: Executive Superintendents, Superintendents, Principals, BCO Executive Directors, BCO Deputy Directors, Chief Executives and Heads of Offices, HR Directors, School Secretaries

FROM: Vicki Bernstein
Interim Acting Chief Human Capital Officer

SUBJECT: SABBATICAL LEAVES OF ABSENCE FOR UNITED FEDERATION OF TEACHERS (UFT) and COUNCIL OF SUPERVISORS AND ADMINISTRATORS (CSA) - EFFECTIVE AUGUST 1, 2021 THROUGH JULY 31, 2022

DATE: February

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SECTION I – UFT Sabbaticals

I. TIMELINE FOR UFT SABBATICAL LEAVE OF ABSENCE FOR STUDY (DUE DATES FOR SABBATICAL APPLICATIONS FOR STUDY)

****Note: Approval by a Principal and/or Superintendent is NOT a final determination. Final determination of whether a sabbatical will be granted will not be determined until an administrative review of eligibility is completed by the Medical, Leaves and Records Administration.**

Full Year (2021-2022) Sabbaticals (16 Credits Required) Application Dates:

February 12, 2021	Application period open.
March 17, 2021	Final date for employee to submit application via SOLAS.
March 24, 2021	Final date for Principal’s recommendation to Superintendent in SOLAS.
April 14, 2021	Final date in SOLAS for Superintendent to inform employee if (a) coursework is not rigorous and job-related and/or (b) taking of the sabbatical will create a hardship for the school. All communications will be handled via SOLAS.
April 28, 2021	Final date in SOLAS for employee to resubmit coursework to Superintendent, if applicable.
May 5, 2021	If applicable, Superintendent informs employee in SOLAS that resubmitted coursework is not rigorous, job-related or if taking the sabbatical will cause a hardship.
May 5, 2021	Final date for Superintendent’s determination in SOLAS.
September 30, 2022	Submission of official transcript(s) required for Study Sabbaticals. (See Section 2D for details)

Spring 2022 Sabbaticals (Eight Credits Required) Application Dates:

October 6, 2021	Application period open.
October 22, 2021	Final date for employee to submit application via SOLAS.
October 29, 2021	Final date for Principal's recommendation to Superintendent in SOLAS.
November 15, 2021	Final date in SOLAS for Superintendent to inform an employee if (a) coursework is not rigorous and job-related and/or (b) taking of the sabbatical will create a hardship for the school. All communications will be handled via SOLAS.
November 22, 2021	Final date in SOLAS for employee to resubmit coursework to Superintendent, if applicable.
December 6, 2021	If applicable, Superintendent informs employee in SOLAS that resubmitted coursework is not rigorous, job-related or if taking the sabbatical will cause a hardship.
December 6, 2021	Final date for Superintendent's determination in SOLAS.
September 30, 2022	Submission of official transcript(s) required for Study Sabbaticals. (See Section 2D for details)

II. GENERAL GUIDELINES –ELIGIBILITY REQUIREMENTS

A. REGULAR SABBATICAL LEAVE FOR STUDY

- Teachers who are regularly appointed will be eligible to request a sabbatical leave for study after each fourteen years of service. The first fourteen years of service may include a maximum of three years of substitute service for which salary credit was granted.
- Teachers who are regularly appointed will be eligible to request a sabbatical leave. Eligible employees with seven (7) years of appointed service are eligible to request a six (6) month sabbatical. Substitute service cannot be used.
- Elementary school teachers are not eligible for six month study sabbatical. Non-classroom teachers are not eligible for six month study sabbatical. Secondary teachers in K-8 or K-12 schools are eligible.
- All courses for study sabbatical and the project selected for the educational research project must be job-related courses. In addition, the project must be significantly rigorous and must have evident links that translate into improved instructional delivery of content to students. Elementary school teachers must include courses or complete a project that promotes growth in a range of potential assignments, except where the Superintendent determines that a concentrated program of study or project is appropriate. Programs or projects devoted exclusively to literacy are acceptable for all elementary school teachers.
- Courses taken in a foreign country must be at a college or university that is accredited in that country and must be courses that are approved by the New York State Education Department (SED). The employee must include evidence of accreditation with his/her sabbatical application.
- Fulbright Scholarships/Awards cannot be taken as sabbaticals.
- **Course descriptions of all sabbatical coursework must include name of institution, date, time and number of credits awarded for each course.**
- Research Projects must include a detailed outline of the subject matter.
- **On-line courses are acceptable. The majority of courses in each semester must be taken during normal Department of Education school hours when the employee would otherwise be on duty.**
- The Superintendent will review the course-work or project submitted to determine whether it is rigorous, and job-related based upon the above criteria. **If the Superintendent determines that the coursework or project fails the criteria, the determination of the Superintendent will be communicated via DOE email to the employee. The employee will then have one (1) week to resubmit by uploading the proof of coursework or project via SOLAS.** If the coursework or project is still not acceptable to the Superintendent, the Superintendent should deny the application in SOLAS and HR Connect – Medical, Leaves & Records Administration will be notified.
- **Changes to approved original coursework must be submitted to the Superintendent. Request to rescind sabbaticals must be submitted to the principal for approval and forwarded to the Human Resources Manager.**
- Please be reminded, all communications will be made in SOLAS using your DOE email address.

Sabbaticals will not be granted if they cause a hardship in any department or subject area. The Superintendent will consult with the appropriate FSC Human Resources Staff to determine whether the particular school will be able to find a replacement for the employee taking the sabbatical.

- If the Superintendent determines that it is unlikely that the school will find a replacement, the sabbatical should be conditionally denied. The school should continue to search, with the assistance of the FSC HR Staff, for a replacement for the employee even after the sabbatical has been denied.
 - In the event that the school finds a replacement, the employee shall be informed and given the opportunity to register for the same or substantially similar courses. Any course must still be job-related and rigorous.
- The sabbatical cap is 5% of the eligible faculty of any school or organizational unit and includes all sabbatical leaves, except special study sabbatical leaves to achieve state certification.
 - School Secretaries, Laboratory Specialists and Technicians hired **before** July 1, 1985 are eligible for study and health sabbatical leaves. However, School Secretaries, Laboratory Specialists and Technicians hired **on or after** July 1, 1985 are eligible only for health sabbaticals (effective September 1, 2007).
 - A teacher who has rescinded his/her resignation or retirement must provide at least three (3) years of service between the date of reinstatement from a resignation or retirement and the initial date of a subsequent sabbatical leave.

B. OTHER TYPES OF SABBATICAL LEAVES FOR STUDY

1. SPECIAL STUDY SABBATICALS TO ACHIEVE STATE CERTIFICATION

Teachers who are regularly appointed may apply for a special one year or six month sabbatical leave of absence for study to meet certification requirements for a license designated as a shortage area license.

ELIGIBILITY

Any employee applying for the special study sabbatical must meet all other requirements for State Certification. The only outstanding requirement must be the remaining 16 credits (or fewer) required to achieve state certification. However, a minimum of eight (8) credits are required for a six (6) month sabbatical (the list of current shortage areas appears below):

SHORTAGE LICENSE AREAS

Special sabbatical leave for study may be granted to complete certification in one of the following shortage license areas:

- **Deaf & Hard of Hearing** – Monolingual and Bilingual (In Bilingual, only Spanish)
- **Limited Vision** – Monolingual and Bilingual (In Bilingual, only Spanish)
- **Bilingual Special Education** – (Spanish and Haitian Creole)
- **Spanish** – Secondary
- **Mathematics** - Secondary
- **General Science** - Junior High Schools
- **Chemistry and General Science** - High Schools
- **Earth Science and General Science** - High Schools
- **Biology and General Science** - High Schools
- **Physics and General Science** - High Schools
- **Nursing** - High Schools
- **Bilingual Mathematics** – Secondary
- **Bilingual Sciences** – Junior High & Day High Schools
- **Bilingual Social Studies** – Secondary
- **Physical Education** – All Grades
- **Special Education**
- **English as a Second Language** – All Grades
- **Speech Improvement** - Monolingual and Bilingual (In Bilingual, only Spanish and Haitian Creole)

C. HARDSHIP PROVISION

Where the granting of a sabbatical leave for study would cause a hardship, the application should be denied.

D. APPLICATION REQUIREMENTS FOR SPECIAL STUDY SABBATICALS TO ACHIEVE CERTIFICATION

Employees will be required to provide a letter from the college or university that they are attending, or a statement from the New York State Education Department (SED) confirming that they have met all other requirements except the remaining 16 or fewer academic credits needed to achieve certification. Individuals awarded special study sabbaticals will be required to submit their documented proof of enrollment in an appropriate academic program at an accredited college or university. Documentation must be submitted prior to the commencement date of the sabbatical, confirming that the employee has registered for 16 credits for the entire school year or eight (8) credits for a semester.

OTHER PROVISIONS FOR SPECIAL STUDY SABBATICALS

- An individual who receives this special sabbatical leave of absence for study will commit to completing New York State Certification requirement and will accept an assignment to teach in the license area within the NYC Department of Education for a minimum of two (2) years.

- Special study sabbatical leaves are not subject to the 5% percent cap, but will count in determining eligibility for any future sabbatical.
- For State Certification in Mathematics, all coursework must relate to mathematics and mathematics instruction. For example, courses such as Understanding Numeracy, Problem Solving Techniques for Math Students, Math Analysis, Algebra or Statistics would relate to mathematics and mathematics instruction.
- The substitute service creditable toward sabbatical leave eligibility may be applied to a twelve month special sabbatical leave of absence for study. In addition, such substitute service, if otherwise creditable toward sabbatical leave eligibility, shall not be lost or diminished as a result of taking a six month special sabbatical leave of absence for study.

TUITION FORGIVENESS

The Department is reviewing funding sources for possible future tuition reimbursement. Should funds become available, it is anticipated that priority would be given to employees in shortage license areas.

DIVISION OF HUMAN CAPITAL'S ROLE IN THE SPECIAL STUDY SABBATICAL PROCESS

The Division of Human Capital will review applications and accompanying college or SED documentation submitted. Employees' service records will be reviewed to determine if they possess sufficient time to be eligible for sabbatical, that the employee has met all requirements *except* the 16 academic credits or less and that the study is in an area of license shortage.

2. EDUCATIONAL RESEARCH PROJECT

For either a six month or twelve month sabbatical for educational research, the employee must prepare and complete a research project in education that must be job-related, as set forth in Section I-A.

The employee must attach to each copy of the application:

- A copy of the proposed scope and subject of the research project, along with a proposed outline of procedures that will be followed and activities undertaken toward completion of the project.
- Separate approvals by the Principal and the Superintendent, in writing, that the research project is rigorous, educationally sound and job-related.

After the project has been completed, the employee must file a copy of the completed product of the research (e.g., research paper, book, film/video production, etc.) with the Principal, the Superintendent and HR Connect-Medical, Leaves and Records Administration.

RETURN FROM STUDY SABBATICAL LEAVE FOR STUDY REQUIREMENTS

All individuals must satisfy the following commitments, as applicable, or be liable for repayment of salary for the sabbatical period to the NYC Department of Education:

- After completion of sabbaticals of six months, employees must return and perform a minimum of one (1) year of service in the NYC Department of Education.
- After completion of sabbaticals of one year, employees must return and perform a minimum of two (2) years of service in the NYC Department of Education
- An individual who receives the special sabbatical leave of absence for study will commit to completing certification requirements. If a new assignment is secured to teach in the license area, that assignment will be for a minimum of two (2) years in the NYC Department of Education.
- Upon completion of all study sabbaticals, an official transcript or final research project must be submitted to the HR Connect-Medical, Leaves & Records Administration, Attn: Transcript Evaluator, 65 Court Street, Room 201, Brooklyn, NY 11201, no later than September 30, 2021

Note: Failure to submit a transcript or research project by September 30, 2022, will result in the leave being denied retroactively, and subsequent repayment of salary.

E. FILING AND PROCESSING INSTRUCTIONS

All parties associated with UFT sabbaticals must use the SOLAS (Self-Service Online Leave Application System)

Employees: <http://dhrnycaps.nycenet.edu/SOLAS/>

Principals: <http://dhrnycaps.nycenet.edu/LeaveBackOffice/>

Superintendents: <http://dhrnycaps.nycenet.edu/LeaveBackOffice/>

F. CALCULATION OF 5% CAP ON SABBATICALS

DHC will review applications for compliance with the contractual 5% sabbatical cap and will complete the Sabbatical Application Review Form to include with applications forwarded to the Division of Human Capital. Applications should also be included for those persons whose applications exceed the 5% percent cap of sabbaticals permitted.

To determine the total number of appointed staff to be utilized in calculating the 5% cap, all active teachers, including those currently on paid leaves of absence, are included. School Secretaries, Laboratory Specialists and Technicians appointed on or after July 1, 1985 are not included in the total number of staff for this purpose.

The sabbatical cap for Teachers of Speech Improvement is to be computed by using the total number of Teachers of Speech Improvement in each high school district.

III. GUIDELINES GOVERNING UFT SABBATICAL FOR RESTORATION OF HEALTH

A. RESTORATION OF HEALTH SABBATICALS

Employees for Restoration of Health sabbaticals must submit an online leave application in SOLAS (Self-Service Online Leave Application System – **SOLAS website:** <http://dhrnycaps.nycenet.edu/SOLAS>

SOLAS allows employees to upload supporting medical documents online or send via fax to HR Connect - Medical, Leaves & Records Administration – **SOLAS fax #: 718-935-5175.**

All SOLAS leave applications are subject to review for eligibility and completeness. HR Connect - Medical, Leaves and Records Administration will review the employee's application and will send a determination notification to the employee's DOE email address.

B. RESTORATION OF HEALTH SABBATICAL LEAVES - SIX MONTHS

Approval by HR Connect - Medical, Leaves and Records Administration is required for all Sabbaticals for Restoration of Health. Teachers who have fewer than 14 years of service may be eligible for a special sabbatical leave for Restoration of Health after seven years of service under regular appointment.

Special sabbatical leaves for Restoration of Health may be requested for a period of at least one month but fewer than six months if:

1. The employee must meet all the eligibility criteria for a six-month sabbatical for Restoration of Health.
2. Employees filing for a fewer than six months sabbatical must exhaust his/her Cumulative Absence Reserve (C.A.R.).
3. If the employee is returning prior to the expiration of the sabbatical, he/she must receive medical clearance from HR Connect- Medical, Leaves and Records Administration. The employee will return to his/her assignment in the school as soon as possible, but no later than the beginning of the next marking period following the date of return determined by HR Connect - Medical, Leaves & Records Administration.
4. After the sabbatical, the employee will be deemed to have exhausted years of service for sabbatical eligibility based upon the following formula: Calendar Days of Leave X 7 Years Divided by 180.
5. Special sabbatical leaves for Restoration of Health of fewer than six months shall fall within the 5% quota for all sabbaticals.

C. RETURN FROM HEALTH SABBATICAL REQUIREMENTS

Effective for sabbatical leaves completed after July 1995, the individual must satisfy one of the following commitments, or be liable for repayment of the salary for the sabbatical period to the Department of Education:

- After completion of sabbaticals of six months, employees must return and perform a minimum of one (1) year of service in the NYC Department of Education.
- After completion of sabbaticals of one year, employees must return and perform a minimum of two (2) years of service in the NYC Department of Education

Waivers

Employees unable to return to work due to a medical incapacity which has developed since the commencement of the sabbatical may apply for a [waiver of sabbatical return](#). Requests for such a waiver must be accompanied by appropriate recent medical documentation and/or reports. Employees who plan to work while on a sabbatical leave may apply for a [waiver to work while on sabbatical](#). These forms can be accessed by navigating to the HR Connect Employee Portal at <https://doehrconnect.custhelp.com> and logging in with your DOE/Outlook User ID and Password. Once you are logged in, click on the following links below:

- [Waiver of sabbatical return](#)
- [Waiver to work while on sabbatical](#)

Forms must be submitted to: HR Connect- Medical, Leaves & Records Administration, Attn: Director - Sabbatical Waiver, 65 Court Street, Room 201, Brooklyn, NY 11201. **FAX # 718 935 3048, EMAIL ADDRESS:** HRConnectMedRequests@schools.nyc.gov

Change in Coursework:

Please use the form below (Attachment #1) for coursework changes. Upon receiving the Superintendent's approval of your coursework change(s), please email the form to: MLR@schools.nyc.gov with the subject: Sabbatical Coursework Change.

**THE NEW YORK CITY DEPARTMENT OF EDUCATION
DIVISION OF HUMAN CAPITAL
MEDICAL, LEAVES AND RECORDS ADMINISTRATION
65 COURT STREET - ROOM 201 - BROOKLYN, NEW YORK 11201**

UFT - CHANGE OF APPROVED COURSEWORK FOR STUDY SABBATICAL
Addendum to Application

Last Name: _____ First Name: _____ EIS#: _____

SchoolName _____ District _____ Borough _____ School _____

Sabbatical Period: From _____ Through _____ SOLAS Case# _____

APPROVED COURSEWORK

College/University	Title of Coursework	Time of Coursework	Course #	# of Credits

NEW COURSEWORK

College/University	Title of Coursework	Time of Coursework	Course #	# of Credits

Certification by the Superintendent or Executive Director: The prescribed study plan has been approved by me and the submissions required upon completion of the sabbatical leave will be checked to ensure compliance with requirements.

This form must be forwarded the Medical, Leaves and Records Office at: MLR@schools.nyc.gov with the subject: Sabbatical Coursework Change.

Signature: _____ **Title:** _____ **Date:** _____

Note: Please attach a copy of course description for the new courses added above.