



## **PLEASE NOTE**

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This document is *not* the official version of these regulations. The regulations and the amendments printed in the [Royal Gazette](#) should be consulted to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the [Table of Regulations](#).

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## CHAPTER S-2.1

### SCHOOL ACT

#### SABBATICAL LEAVE REGULATIONS

Pursuant to section 147 of the *School Act*, R.S.P.E.I. 1988, Cap. S-2.1, Council made the following regulations:

- 1. In these regulations** Definitions
- (a) “Committee” means the Teachers’ Sabbatical Leave Committee; Committee
  - (b) “sabbatical year” means the year in which a teacher takes leave pursuant to these regulations; sabbatical year
  - (c) “school board” means the school board which employs the teacher at the time of the application for sabbatical leave, except where the context otherwise requires; school board
  - (d) “school year” means, for the purposes of these regulations only, the school year prior to the proposed year of sabbatical leave. (EC482/98) school year
- 2. (1) Where a budget has been approved by the Minister for sabbatical leaves, the Minister shall establish a committee to be known as the Sabbatical Leave Committee.** Sabbatical Leave Committee
- (2) The Committee shall consist of the following members Membership
- (a) one representative nominated by the Minister who shall act as chairperson;
  - (b) two representatives nominated by the Prince Edward Island Teachers’ Federation; and
  - (c) two representatives nominated by school boards. (EC482/98)
- 3. (1) Subject to these regulations, the Teachers’ Sabbatical Leave Committee has the following functions and duties:** Functions and duties
- (a) to review all applications for sabbatical leave;
  - (b) to recommend to the Minister, the names of teachers who should be granted sabbatical leave; and
  - (c) to make recommendations to the Minister respecting the sabbatical leave program or regulations.
- (2) Following consultation with school boards, the Minister may provide to the Committee the priority areas of need within the education system that shall be taken into account by the Committee when Priority areas of need

formulating its recommendations pursuant to clause (1)(b).(EC482/98; 754/06)

Quorum	<b>4.</b> The quorum for the Committee shall be five members. (EC482/98)
Up to 7 leaves	<b>5.</b> The Minister may approve up to 7 sabbatical leaves for teachers recommended by the Committee. (EC482/98)
Criteria for application	<p><b>6.</b> A teacher is eligible to apply for sabbatical leave if, prior to the commencement of the sabbatical leave, the teacher</p> <ul style="list-style-type: none"> <li>(a) has taught in the public schools of the province for not less than 7 years prior to the commencement of the sabbatical leave;</li> <li>(b) has taught in schools of the school board by which the teacher is presently employed for at least the previous 3 years;</li> <li>(c) has obtained the recommendation and written approval of the school board for the leave of absence; and</li> <li>(d) has agreed in writing to return to teaching in the province for a minimum of 3 years following the sabbatical leave, the first year of which shall be with the school board from which the teacher received the leave of absence. (EC482/98)</li> </ul>
Submission to school board	<b>7.</b> (1) An application for sabbatical leave shall be submitted to the school board employing the teacher, not later than November 15 of the school year immediately prior to the proposed leave on the form approved by the Committee.
School board recommendations	(2) A school board shall submit sabbatical leave applications with its recommendations, to the Committee, not later than November 30 of the school year.
Committee recommendations	(3) The Committee shall submit its recommendations respecting successful applicants to the Minister not later than December 15 of the school year.
Authorization to school board	(4) The Minister shall give authorization to a school board to grant sabbatical leave to the successful applicants, by January 10 of the school year.
Notification to successful applicants	(5) A school board shall send notification of the granting of sabbatical leave to the successful applicants, by January 19 of the school year. (EC482/98; 754/06; 584/09)
Reinstated after leave	<b>8.</b> A teacher who is granted sabbatical leave shall be given a leave of absence from the school board for the school year of the sabbatical leave and the teacher shall be reinstated in the following school year, in a position comparable to the position occupied by the teacher prior to commencement of sabbatical leave. (EC482/98)

**9.** (1) A teacher who is on sabbatical leave is under no obligation to become actively employed by the school board during the period of leave. Not obliged to be employed

(2) During the period of sabbatical leave, a teacher shall receive from the school board an amount equal to

(a) 60% of the salary the teacher would receive if actively employed full time by the school board, where the teacher is studying during the sabbatical leave at

(i) a post-secondary institution in the province, or

(ii) a post-secondary institution outside the province, if the program of study is readily available in the province; and

(b) 70% of the salary the teacher would receive if actively employed full time by the school board, where the teacher is studying during the sabbatical leave at a post-secondary institution outside the province, if the program of study is not readily available in the province.

(3) Where a teacher agrees to be actively employed by any school board in the province during his or her period of sabbatical leave, the teacher shall be paid, Salary if actively employed

(a) not more than 40% of the salary the teacher would have received for such employment, prorated for the actual period of active employment, if the teacher is entitled to receive salary during the sabbatical leave in the amount and circumstances described in clause (2)(a); and

(b) not more than 30% of the salary that the teacher would have received for such employment, prorated for the actual period of active employment, if the teacher is entitled to receive salary during the sabbatical leave in the amount and circumstances described in clause (2)(b).

(4) Notwithstanding any other provision of the Act or regulations, a teacher on sabbatical leave shall not receive, in aggregate more than 100% of the salary to which the teacher would be entitled if the teacher was not on sabbatical leave. (EC482/98; 754/06) Not more than 100%

**10.** (1) A teacher on sabbatical leave shall have Prince Edward Island Teacher's Superannuation Fund contributions deducted from payments made pursuant to section 9. Pension contributions

(2) Subject to the *Teachers' Superannuation Act*, a teacher on sabbatical leave may choose to have superannuation contributions deducted as if the teacher were receiving full salary. May choose higher deductions

Notify by Sept. 1

(3) The teacher shall notify the school board to make deductions pursuant to subsection (2), on or before September 1 of the sabbatical year.

PEITF dues

(4) Deductions for dues for the Prince Edward Island Teachers' Federation shall be deducted from the salary payable to the teacher, unless the teacher otherwise notifies the school board. (EC482/98)

Year of service

**11.** A sabbatical year shall be included as a year of service for salary increment and superannuation purposes. (EC482/98)