S T A T E O F N E W Y O R K

5691--A

2011-2012 Regular Sessions

I N S E N A T E

June 10, 2011

Introduced by Sen. FLANAGAN -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to allowing a principal employed by a district to make a written request to the board of education for an extended leave of absence to teach at a charter school

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Paragraph (d) of subdivision 3 of section 2854 of the education law, as amended by section 6 of part D-2 of chapter 57 of the laws of 2007, is amended to read as follows:

(d) A teacher OR A PRINCIPAL employed by a school district may make a written request to the board of education for an extended leave of absence, IN THE CASE OF A TEACHER, to teach at a charter school OR, IN THE CASE OF A PRINCIPAL, TO SERVE AS PRINCIPAL OF A CHARTER SCHOOL. Approval for such a leave of absence for a period of three years or less shall not be unreasonably withheld. If such approval is granted to a teacher by the school district, the teacher may return to teach in the school district during such period of leave without the loss of any right of certification, retirement, seniority, salary status or any other benefit provided by law or by collective bargaining agreement. IF SUCH APPROVAL IS GRANTED TO A PRINCIPAL BY THE SCHOOL DISTRICT, THE PRINCIPAL MAY RETURN TO SERVE AS A PRINCIPAL IN THE SCHOOL DISTRICT DURING SUCH PERIOD OF LEAVE WITHOUT THE LOSS OF ANY RIGHT OF CERTIFICATION, RETIREMENT, SENIORITY, SALARY STATUS OR ANY OTHER BENEFIT PROVIDED BY LAW OR BY COLLECTIVE BARGAINING AGREEMENT. If an appropriate position is unavailable, the teacher's OR PRINCIPAL'S name shall be placed on a preferred eligible list of candidates for appointment to a vacancy that may thereafter occur in an office or position similar to the one such teacher OR PRINCIPAL filled in such school district immediately prior to the leave of service.

S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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