

**ACT 170**

A Bill for an Act to Amend Sections 38-20 and 38-22 of the Revised Laws of Hawaii 1955, as Amended, Relating to Authorization and Conditions of Sabbatical Leaves of Absence.

*Be it Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 38-22 of the Revised Laws of Hawaii 1955, is hereby amended to read as follows :

“**Sec. 38-22.** A teacher on sabbatical leave shall devote one half of his total leave to professional educational course work or research approved by the department of education. The department shall promulgate standards and criteria of professional educational course work or research. Before granting a sabbatical leave to a teacher, the department and said teacher shall enter into a contract which shall provide for the following: (1) that the teacher agrees to return to serve in the department for a period of not less than two years within one year after termination of said teacher’s sabbatical leave; (2) that upon failure of said teacher to comply with the above subsection (1), said teacher agrees to refund to the department all moneys received while on sabbatical leave; (3) that upon failure of said teacher to comply with the above subsection (2), said teacher agrees to pay for all costs incurred by the department in enforcing subsection (2); (4) that upon failure to comply with the above subsection (1), said teacher’s Hawaii teaching certificate shall be cancelled by the department; (5) and any other provisions deemed necessary by the department to be included in the contract.”

SECTION 2. Section 38-20 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended by amending the second sentence thereof to read as follows :

“In granting such leave, teachers with the longest period of service shall be given first consideration provided that qualified applicants who plan to devote a greater portion of their total leave toward professional educational course work or research shall be given preference over those planning a lesser period of study.”

SECTION 3. The department of public instruction may, at its discretion, grant sabbatical leaves for the school year 1961-62 in accordance with the provisions of law in force immediately prior to the effective date of this Act.

SECTION 4. This Act shall take effect upon its approval.

(Approved July 8, 1961.) **H.B. 180.**