

[8-909.

(a) An individual may not be paid benefits based on covered employment performed for an educational institution or for a governmental entity or not for profit organization on behalf of an educational institution in an instructional, principal administrative, or research capacity for any week of unemployment that begins:

(1) during a period of paid sabbatical leave for which the individual's contract provides;

(2) during the period between 2 successive academic terms or years;

(3) if provided for in an agreement, during a period between 2 regular but not successive academic terms if:

(i) the individual performs the covered employment in the 1st term;  
and

(ii) there is a contract or reasonable assurance that the individual will work in an instructional, principal administrative, or research capacity for any educational institution in the 2nd term.

(b) (1) An individual is not eligible for benefits based on covered employment performed for an educational institution or for a governmental entity or not for profit organization on behalf of an educational institution in a capacity other than an instructional, principal administrative, or research capacity for any week of unemployment that begins during a period between 2 successive academic terms or years if:

(i) the individual performed the covered employment in the 1st term or year; and

(ii) there is reasonable assurance that the individual will perform the covered employment in the 2nd term or year.

(2) Before July 1 of each year, each educational institution shall provide the Department with the name and social security number of each individual who has reasonable assurance of performing covered employment under paragraph (1) of this subsection in the next academic year.

(3) If an individual whose name and social security number are required to be submitted to the Department under paragraph (2) of this subsection is not given an opportunity to perform the covered employment for the educational institution for the next successive term or year, the individual shall be eligible for benefits retroactively, if the individual:

(i) files a timely claim for each week;

(ii) was denied benefits solely under this subsection; and

(iii) otherwise is eligible for benefits.