

BATH COUNTY SCHOOL BOARD

AGENDA ITEM: INFORMATION { } ACTION { X } CLOSED MEETING { }

SUBJECT: SUPERINTENDENT’S REPORT - ACTION

Consider Approval of Policies GCBD-R1/GDBD-R1 Absences & Leaves for Professional & Support Personnel and GDBD-R2/GCBD-R2 Sick Leave Bank Regulation and Forms GCBD-R1-F1/GDBD-R1-F1 and GCBD-R2-F2/GDBD-R2-F2

BACKGROUND:

GCBD-R1/GDBD-R1 Absences & Leaves for Professional & Support Personnel

GCBD-R1/GDBD-R1 has been revised for clarity and consistency with practice. The policy provides the same sick leave benefits accrual to all employees, whether professional or support personnel.

It also provides an option for reimbursement of sick leave days in excess of Family and Medical Leave Act requirements for active employees subject to funds availability and receipt of application (GCBD-R1-F1) by April 15.

GCBD-R1-F1/GDBD-R1-F1 Request for Reimbursement of Excess Sick Leave

Addition of form to facilitate reimbursement of excess sick leave as mentioned above.

GDBD-R2/GCBD-R2 Sick Leave Bank Regulation

Policy has been revised for clarity and a more streamlined approach without the involvement of peers who may or may not have a biased opinion regarding approval or denial of sick leave bank days.

GCBD-R2-F2/GDBD-R2-F2 Sick Leave Bank Application Form

Reference updates regarding the changed policy.

RECOMMENDATION:

Mr. Rider will be available to answer questions regarding the changes. with some minor formatting changes, the Board could waive second reading and approve policies as presented or wait on a final draft and have a second reading in September. Personnel who have active leave circumstances (i.e. FMLA or sick leave bank applications) would fall under current policy provisions not as presented.

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**ABSENCES AND LEAVES
FOR PROFESSIONAL & SUPPORT PERSONNEL**

All leave requests are subject to Superintendent's approval.

Administrative Leave

Administrative leave may be granted for school business conducted outside the school or the Division, and should be requested two weeks in advance. Prior approval is required from principal and/or superintendent. Administrative leave is not charged towards sick leave or personal business leave. (BSBO 35)

Jury and Military Duty, Subpoenas

School Board employees are excused for jury duty *and job-related court appearances and subpoenas* without loss of pay. *Employees must provide proof of jury duty and any pay received is not required to be submitted to the School Board.* Military and National Guard Activity Duty is to be excused for up to fifteen days without loss of pay. See Policy: GCBI/GDBI.

Family and Medical Leave

Employees should complete Family and Medical Leave Act paperwork when an absence is expected to last 10 or more working days. You are entitled to a base number of weeks as specified in federal law. Based on your years of experience with Bath County Public Schools, you will be entitled to extra weeks defined as follows: 0 – 5 years (only the federal requirement), 6 – 10 years (1 additional week), 11 – 15 years (2 additional weeks), 16 – 20 years (3 additional weeks) 21 + years (4 additional weeks). The Bath County School Board will be given updates as new information is presented and will need to make a recommendation regarding continued employment if an individual exceeds limits as specified above. See Policy GCBE.

Maternity/Paternity Leave

An employee who becomes pregnant shall notify her principal and Division Superintendent by the fifth month of pregnancy and shall provide the Division Superintendent with a medical report from her attending physician including the anticipated day of delivery and a recommendation for a date for leave of absence. The date for leave of absence and for return to duty shall be agreed to by the ~~teacher~~ *employee*, the attending physician, and the Division Superintendent. Consideration shall be given to the ~~teacher's~~ *employee's* ability to perform her duties effectively. Maternity/paternity leave will be granted in a manner consistent with Policy GCBE - Family and Medical Leave.

Maternity/paternity leave is applied to sick leave. Should maternity leave be granted for the remainder of the school year, formal notification of the ~~teacher's~~ *employee's* intent to return the following year shall be made in writing to the Division Superintendent by April 15th.

Substitutes hired to replace ~~teachers~~ *employees* on maternity/paternity, medical or other leave shall be hired only on a temporary basis.

Medical Leave

~~Medical leave may be granted by the School Board for up to one year for appropriate reasons.~~

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Personal Business Leave

When it is necessary to conduct personal business during contract hours, staff members may request personal business leave. Personal business leave may not be taken immediately prior to or following a school holiday.

This leave (except emergency) should be applied for two weeks in advance and must be approved by the principal and superintendent.

Employees are granted two (2) personal business days per year, however, one (1) sick day per year may be used as a third personal leave day. This day is deducted from the employee's sick leave balance.

Up to two (2) unused personal days at the end of the school year are applied to the employee's sick leave.

Sick Leave

All full-time personnel are granted one day sick leave per month of employment.

Unearned sick leave may be anticipated only for the current year's contract. Unearned sick leave shall be deducted on the employee's final salary check.

Personnel may use sick leave for:

- 1) Personal illness;
- 2) Illness or death in the immediate family requiring the attendance of the employee for not more than five days. The "immediate family" of an employee shall be interpreted to include natural parents, adoptive parents, foster parents, stepmother, stepfather, wife, husband, children, brother, sister, grandparents, grandchildren, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, and any other relative living in the household of the employee ("any other relative living in a household of an employee" is limited only in that the relative, however distant, must live in the household of the employee).
- 3) Appointments with doctor or dentist if no other appointment is available.
- 4) One sick day per year may be used for a third personal leave day. This day is deducted from the employee's sick leave balance.

Sick leave beyond the fifth consecutive day or when absences become excessive during the school year [an average of more than one (1) per month], may require a doctor's certification/return to work statement.

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Compensation for unused sick leave shall be made only at retirement or death in service. ~~Professional Personnel~~ **Employees**, upon retirement, will be reimbursed for up to ~~120~~ **100** unused days of sick leave at a rate of ~~\$25.00~~ **\$30.00** per day. ~~Support personnel, upon retirement, will be compensated for up to 70 days of unused days of sick leave at a rate of \$25.00 per day.~~

Employees who have unused sick leave in excess of defined family and medical leave act allowances can make application to be reimbursed at a rate of \$30.00 per day. Application must be made by April 15th using form GCBD-R1-F1.

Leave Without Pay

Leave without pay is not an employee option. When such leave occurs due to sick leave or emergency leave, a plan will be developed by the Business Office in a manner which is least impactful to the employee and employer to allow for reasonable recovery of those days.

Emergency Leave

The Superintendent has the authority to grant emergency leave. Examples may include but are not limited to extraordinary sickness or accident, ***physical damage to home, military deployment or return of family member***, or other unusual or serious situations within the employee's immediate family.

Study and Travel Leave

Upon the Superintendent's recommendation, the School Board may approve grant study and travel leave.

Leave for Part-time Employees

Sick leave and personal leave is awarded according to an individual's full-time equivalent (FTE) status. (Example: A .5 FTE employee would earn .5 sick day per month of employment and 1 personal leave day per year.)

Vacations

Vacations for ten, ***ten and a half, and eleven*** month personnel are established by the school calendar ***and employee contracts***. ~~Eleven-month employees will have the same vacation as ten-month employees, with the last week of June granted as vacation.~~

Vacations for twelve month personnel are established as follows:

- 1.33 days per month for 0-5 years experience with Bath County Schools
- 1.75 days per month for 6-10 years experience with Bath County Schools
- 2.00 days per month for 11 and above years experience with Bath County Schools

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The following holidays will be granted: July 4th, Labor Day, Thanksgiving Day, Day after Thanksgiving, Christmas Eve and Day, New Year's Eve and Day, Good Friday and Memorial Day. Vacation leave is to be applied to all other leave *taken during school holidays*.

Vacation leave must be requested two weeks prior, and be at a time mutually satisfactory to the person involved, the immediate supervisor and the Division Superintendent.

Maximum allowable vacation days to be carried ~~at any time~~ *as of June 30th* are 48. ~~Days accumulated beyond 48 will not be recorded nor reported to employees.~~

No vacation days will be paid to personnel leaving the system except for retirement or death in service. At that time a maximum of 24 days at the person's daily rate of pay will be paid.

Earned compensatory time must be used before vacation or other paid leave is used. (See policy GAA Staff Time Schedules).

NOTE:

All employees hired prior to April 2, 1996 (including those employees who are no longer on a twelve-month contract after July 19th) had until June 20, 2000 to apply for vacation leave in order to reduce their accumulated annual leave below 48 days prior to June 30, 2000.

Effective July 1, 2003, the vacation accrual of FSLA exempt employees hired between July 1, 2001 and June 2003 will be adjusted to the appropriate step on the vacation scale to recognize previous relevant work experience. This accrual adjustment is not retroactive, and does not apply to any employees hired after June 30, 2003.

Adopted: November 7, 2000

Revised: March 4, 2003; April 1, 2003; June 26, 2003; March 2, 2004; August 3, 2004;
June 7, 2005, October 26, 2006; October 5, 2010; June 3, 2014

REF: GCBE: Family and Medical Leave
GCBI/GDBI: Civic Duties

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REQUEST FOR REIMBURSEMENT OF EXCESS SICK LEAVE

Application must be submitted no later than April 15th.

NAME: _____ DATE: _____

By making application for reimbursement of excess sick leave, by signature below, I am agreeing to the following conditions:

- I must continue to carry a sick leave balance that is at least equal to the limits established under Family and Medical Leave in Policy GCBD-R1/GDBD-R1.
- This application is subject to fund availability and may be denied solely on that condition.
- I will forfeit all rights to reimbursed sick days. They will no longer be provided as an available balance or be able to be requested in the event of a health concern for myself or my family.
- Sick leave will be reimbursed at a rate of \$30 per day for up to 100 days per fiscal year provided funds are available.
- Once payment is made, the decision is irrevocable.
- This application cannot be used in the year of retirement to increase payment of accrued sick leave.
- The School Board or its employees shall not be held responsible for the decision of an employee to request reimbursement of excess sick leave.

I am an eligible employee and wish to make application for _____ days of excess sick leave.

EMPLOYEE SIGNATURE: _____

Submit This Form to the Business Office

.....
OFFICE USE ONLY:

The above individual has met the required guidelines _____ YES _____ NO

BUSINESS MANAGER RECOMMENDATION:

Request for _____ days were _____ Approved _____ Denied.

Reason for denial: _____

SUPERINTENDENT'S (DESIGNEE'S) SIGNATURE: _____

DATE: _____

cc: Employee
Personnel File
Business Manager

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SICK LEAVE BANK

The School Board of Bath County will maintain a Sick Leave Bank for the use of eligible employees. Participating members may utilize the service whenever they are incapacitated by long-term PERSONAL illness or injury upon the approval of the Sick Leave Bank Committee and contingent upon meeting the following requirements and stipulations:

- 1) All full-time employees may participate.
- 2) Membership in the Sick Leave Bank is voluntary.
- 3) Sick Leave Bank may only be used for applicant's own personal illness or injury.
- 4) The membership period is the first fifteen (15) days of September or during the first fifteen (15) days of employment for personnel employed after the month of September. ***An initial waiting period of six (6) months from enrollment is required before making an application to the bank.***
- 5) One enrolls for initial membership by completing the prescribed application and contributing two (2) sick leave days to the bank ~~with one day assessed each year thereafter~~. The members in the bank shall be assessed an additional day (or days) of sick leave when the bank balance is reduced below 100 days. Assessment notification shall be forwarded to participating members by the school system and notification of such assessment shall be sent to each member at the time it is determined to be necessary. The assessment shall be made unless the participant chooses to cease membership in the bank. A member may terminate membership in the bank by sending a written statement to the School Board Office within fifteen (15) calendar days from the date of notice. A member who has no sick leave to contribute at the time of assessment shall be assessed the first leave day subsequently accumulated. An eligible member that preferred not to exercise the opportunity of participating in the bank during the initial membership drive may not join until the following school year and only then if a pre-existing physical or mental handicap of disability does not exist.
- 6) A member of the bank will not be able to utilize the Sick Leave Bank benefits until all his/her accumulated ***sick and personal*** leave (~~sick, personal, vacation~~) is ***are*** exhausted. Application should be submitted no later than ten (10) working days after ~~all accrued~~ leave has been exhausted.
- 7) Leave from the bank may not be used for disabilities which qualify the member for Workers' Compensation benefits, unless the member has exhausted all Workers' Compensation leave and/or insurance benefits. (Cases pending will not be paid until resolution of such cases.)
- 8) ***The Sick Leave Bank may not be utilized to extend leave beyond that which qualifies for Family and Medical Leave Act.***
- 9) The Sick Leave Bank may not be utilized for normal maternity leave, only for leave for medical complications resulting from deliveries that require additional hospitalization and recovery. A doctor's certification to this effect is necessary.
- 10) A maximum of forty-five (45) working days from the bank may be utilized each year (July 1 – June 30) by any participating member.
- 11) For the participating member to be eligible to receive sick leave benefits, a doctor's certification is required. This certificate is to be submitted to the School Board Office and must contain the nature of illness or disability, a statement that is a long term illness or injury, a statement that the member is unable to work as a result of the illness or disability and the approximate length of absence. If the member suffers a recurrence of the same illness or disability or condition that resulted directly from the condition that required initial utilization of the Sick Leave Bank benefits, and has not received the maximum number of days, forty-five (45) for one school year (July 1 – June 30), they may use the remaining days left from that

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year. *A doctor's certification is not required if an employee has completed Family and Medical Leave Act paperwork.*

- 12) Any recipient of Sick Leave Bank benefits shall not be required to replace those days used except as a contributing member in the assessment process described in the above conditions.
- 13) An individual that ends his/her participation in the sick leave bank may re-enroll according to the established enrollment period (see Item 4) and the assessment of two sick days. *If an employee chooses to terminate participation, initial enrollment days and additional assessment days are forfeited and will not be returned to the employee's leave balance.*
- 14) ~~Membership of the Sick Leave Bank Eligibility Committee will be determined annually, each August, by school faculties. Members from each school will include one teacher and one member from each classified employment category—all of whom must belong to the Sick Leave Bank. Any committee convening to determine an applicant's eligibility will include, at minimum, three teacher members and two employees in the same job category of the applicant. The Sick Leave Bank will be administered by the Superintendent or the Superintendent's designee. The committee will award Sick leave bank days~~ *will be awarded* contingent upon the applicant meeting all requirements and stipulations. The School Board will be advised of all ~~committee~~ decisions and reserves the right to support or overrule such decisions. An applicant may appeal a ~~committee~~ decision to the Bath County School Board, whose decision shall be final.
- 15) If the Sick Leave Bank becomes inoperative for any reason, the sick leave day's balance shall first be distributed to those members receiving benefits. From the remaining balance, sick days will be credited to the nearest one-half day to each participating member if a sufficient number of days exist. If a sufficient balance does not exist the bank shall be terminated.
- 16) ~~If the Sick Leave Bank is declared inoperative for any reason,~~ *(Becomes part of 15)* The School Board shall not be held responsible to anyone then eligible or who may be or become eligible to participate in the bank.
- 17) *(Inserted after 9)* Requests for sick bank days for surgery that can be performed in the summer will be denied unless the doctor certifies that the surgery must be performed during school year.

Adopted: November 7, 2000;

Revised: March 4, 2003; April 1, 2003; June 26, 2003; March 2, 2004; August 3, 2004; June 7, 2005;
October 26, 2006;

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SICK LEAVE BANK APPLICATION FORM

Application must be submitted no later than ten (10) working days after all accrued sick leave has been exhausted.

NAME: _____ DATE: _____

I am an eligible employee and wish to make application for _____ days of sick leave from the Sick Leave Bank for the following reasons (use back side if additional space is needed).

I have fulfilled the required guidelines as marked below:

- Doctor's certification **or FMLA paperwork** has been submitted
- All accumulated leave was exhausted on _____
- Other _____

EMPLOYEE SIGNATURE _____

Submit This Form to the Business Office

.....
OFFICE USE ONLY:

The above individual has met the required guidelines _____ YES _____ NO

~~SICK LEAVE BANK COMMITTEE~~ SUPERINTENDENT' RECOMMENDATION:

Request for _____ days were _____ Approved _____ Denied.
(_____ to _____)

Reason for denial: _____

SUPERINTENDENT'S (DESIGNEE'S) SIGNATURE: _____

DATE: _____

cc: Employee
Personnel File
Business Manager