

PERSONNEL

(Signature)

Annual Leave

The earning and use of Annual leave will be governed by this Regulation.

A. Earning Annual Leave

1. All benefit eligible twelve-month employees will receive annual leave on a semi-monthly basis at the following rates:
 - a. The hourly equivalent of one (1) workday per month for zero through two completed school years of service;¹
 - b. The hourly equivalent of one and one-quarter (1 1/4) workdays per month beginning the third year through five completed school years of service;
 - c. The hourly equivalent of one and one-half (1 1/2) workdays per month beginning the sixth year through eleven completed school years of service;
 - d. The hourly equivalent of one and three quarter (1 3/4) workdays per month beginning the twelfth year of service through nineteen completed school years of service;
 - e. The hourly equivalent of two (2) workdays per month beginning the twentieth school year of service;

Years of Service Completed	Accrual Days/Year
0 - 2	12

3 - 5	15
6 - 11	18
12 - 19	21
20+	24

2. Previous service experience as a Virginia Beach City Public Schools employee will be used to establish eligibility for a specific rate. Twelve-month service experience with other public school divisions or VRS agencies, including the City of Virginia Beach, also may be used to gain eligibility provided that the experience immediately precedes employment with VBCPS. It is the employee's responsibility to provide the appropriate service verification within sixty (60) calendar days of employment.
3. Employees who are newly hired, rehired, or transferred into a twelve-month position from a position that does not earn annual leave will be front-loaded the equivalent amount of annual leave that they would be entitled to earn in six months in their position against future accruals. After the initial six months of employment in such position, leave will be accrued on a semi-monthly basis.

B. Accumulation of Annual Leave

1. A VRS Plan 1 or Plan 2 employee hired from the City of Virginia Beach may transfer up to fifty (50) workdays of ~~his/her~~their annual leave balances. Transfer of City of Virginia Beach Paid Time Off (PTO) leave for Hybrid employees is limited to the hourly equivalent of twelve (12) workdays towards VBCPS annual leave. It is the responsibility of the individual to initiate the transfer of leave into the School Division.

2. Employees may accrue and carryover from year to year a maximum of the hourly equivalent of fifty-two (52) workdays of annual leave. The School Division will determine each employee's annual leave accrual for the service year ending on June 30 of each year. Any annual leave accrued in excess of the hourly equivalent of fifty-two (52) workdays must be used by July 31 or the excess annual leave days will be converted to sick leave and will be added to the employee's total accumulated sick leave.
3. Hybrid employees who have achieved the maximum sick leave balance of ninety (90) workdays may not have excess annual leave converted to sick leave.

C. Use of Annual Leave

1. The minimum amount of leave taken must equal one (1) hour. Thereafter, leave may be used in one-half hour increments.
2. Virginia Beach City Public Schools shall at all times retain the right to designate an employee's leave as Family Medical Leave in accordance with the Family and Medical Leave Act (FMLA). Family members covered under the FMLA are defined in Regulation 4.55.1 Family and Medical Leave.

D. Additional Leave

1. To reward employees for their service to VBCPS, active benefit eligible twelve month employees will receive a ~~one time~~onetime award of annual leave for the following service milestones:
 - a. 5-year service award: the hourly equivalent of one half (1/2) workday
 - b. 10 and 15-year service awards: the hourly equivalent of one (1) workday
 - c. 20 and 25-year service awards: the hourly equivalent of one and one half (1 1/2) workdays
 - d. 30 and 35-year service awards: the hourly equivalent of two (2) workdays

- e. 40 and 45-year service awards: the hourly equivalent of three (3) workdays
- 2. The annual leave award will be added to the employee's leave balance in the month of October following the school year in which the service milestone was reached, and the employee shall receive notification from Human Resources.

E. Application for Annual Leave

1. Employees are responsible for knowing and tracking their annual leave balance, as well as their accrual rate. Employees should request use of their available leave by submitting the appropriate leave request form to their principal, director, department head, or designee. Employees should request leave as far in advance as possible. Leave without pay will result if requested leave hours exceed the employee's available leave balance at the time leave is taken; approved leave requests do not guarantee paid leave. The purpose for the use of annual leave need not be stated.
2. Decisions to approve or deny annual leave may only be made by the principal, director, department head, or designee and must be applied consistently within a school, department, or work unit. When practical, and for as long as operations are not adversely affected, the supervisor should attempt to approve an employee's request for annual leave. Leave requests should be approved or denied within a reasonable timeframe.
3. The use of annual leave may be denied for the following reasons:
 - a. Business requirements, i.e. to ensure smooth and uninterrupted services. Conversely, the approval may be rescinded if operational needs change;
 - b. Lack of available annual leave; and/or
 - c. Other good and just cause, including but not limited to, a high absenteeism rate.

4. If an employee's request for leave is not approved, but the employee still takes the requested time off from work, the employee may be subject to leave without pay as well as disciplinary action, up to and including dismissal.

F. Adjustments

1. Changes that occur within a fiscal year to an employee's employment status, work calendar, daily hours, or contracted months may result in adjustments to accruals and front-loaded leave. Adjustments may result in the employee having to make a monetary refund to the School Division.
2. An employee on a leave of absence will not accrue annual leave after twelve (12) consecutive workweeks of leave, paid or unpaid, regardless of the type of leave to which the absence is charged, including short-term disability (STD) under the Virginia Local Disability Program (VLDP); or while in a non-working Long Term Disability (LTD) status under VLDP; or on Leave for Long-term Illness or Injury of an Employee or Family Member in accordance with Regulation 4-[53.445.6](#).
3. The Department of Human Resources reserves the right to adjust accruals and front-loaded annual leave to prevent an overpayment.

G. Termination

1. In the event an employee was front-loaded annual leave and terminates employment before such annual leave hours would have been accrued, the employee will make proper monetary refund to the School Division. When twelve-month employees terminate employment with the School Division, the maximum leave payout will be the hourly equivalent, at per diem, of fifty-two (52) workdays, as defined by the employee's workday.
2. It shall be the responsibility of employees prior to transitioning between Virginia Beach City Public Schools and the City of Virginia Beach to initiate their annual leave payout or the transfer of their annual leave by providing a written request to their respective Human Resources department.

Related Links

School Board [Regulation 4-1](#)

School Board [Regulation 4-45.4](#)

School Board [Regulation 4-53.4](#)[Regulation 4-53.445.6](#)

School Board [Regulation 4-55.1](#)

Legal Reference

The Family Medical Leave Act, 29 U.S.C. § 2602 *et seq.*, as amended.

Approved by Superintendent: July 16, 1991

Revised by Superintendent: January 28, 2000

Revised by Superintendent: October 19, 2000

Revised by Superintendent: December 13, 2002

Revised by Superintendent: January 14, 2005

Revised by Superintendent: August 30, 2005

Revised by Superintendent: March 8, 2006

Revised by Superintendent: August 9, 2006

Revised by Superintendent: November 29, 2017 to be effective January 1, 2018

Revised by Superintendent: June 17, 2020 to be effective July 1, 2020

[Revised by Superintendent: ,2023](#)

Footnotes

¹ Employees hired between July 1 and January 31 of a school year will receive one full year of service credit. Employees hired after January 31 of the school year will not receive service credit for that school year.

Cheryl Wohlhase

APPROVED AS TO
LEGAL SUFFICIENCY

[Signature]