

**ORANGE COUNTY
BOARD OF EDUCATION
AGENDA ITEM ABSTRACT**

Meeting Date: January 18, 2011

AGENDA ITEM No. 11-01-(2)-12

ACTION ITEM: (Y/N) Y

SUBJECT: Voluntary Shared Leave Policy # 7540 Revised – 1st Reading Approval

INFO. CONTACT Ms. Marcie Holland **PHONE:** 919-732-8126

ATTACHMENT: 1. Voluntary Shared Leave Policy # 7540.

PURPOSE: To revise the Voluntary Shared Leave Policy # 7540.

BACKGROUND: In the 2010 session of the NC General Assembly, legislation was passed that modified the policies surrounding donating leave for individuals who qualify for voluntary shared leave. Specifically, effective January 1, 2011, school system employees now may donate up to five (5) days of sick leave to nonfamily members in the same school system and that individual receiving voluntary shared leave may only receive a maximum of 20 days of sick leave from non-family members. It also clarifies that donations made by nonfamily members to or from other State agencies may only be annual leave.

This revised policy stipulates that our school system will follow the policies as outlined by the State Board of Education. Therefore, if additional changes are made in the future, the OCS Board Policy may not need to be changed again.

A reference to G.S. 115C-325 is also added as this is the general statute that addresses disciplinary action for misconduct of classroom teachers.

This policy is modeled after NCSBA guidelines and has been reviewed by counsel.

FINANCIAL IMPACT: None.

RECOMMENDATION: The Superintendent recommends the Board of Education approve the revised Voluntary Shared Leave Policy # 7540 for first reading approval.

VOLUNTARY SHARED LEAVE

Date Reviewed/Approved: 04/19/2004 Policy Number: 7540

Rescinds Policy Number:

Issued: 12/12/2000

The purpose of voluntary shared leave is to *provide economic relief for employees who, by reason of prolonged absence caused by serious medical condition, are likely to suffer financial hardship*. Voluntary shared leave enables employees to donate earned leave to a fellow employee who has exhausted all earned leave and continues to be absent due to serious medical conditions. ~~The superintendent will determine the length of all voluntary shared leave.~~

The donation and receiving of leave by an employee shall be governed by policies and regulations adopted by the State Board of Education. Such donation by one employee to another employee shall be communicated to the Superintendent in writing, signed and dated by the donating employee.

~~The use of voluntary shared leave for maternity reasons shall be limited to a six week leave period unless a longer period is approved by the superintendent. An employee is eligible to use sick leave, annual leave, personal leave, and extended leave in order to constitute a six week leave period. If through a combination of these options, the employee needs additional leave to constitute a six week period of leave, she may qualify to receive shared leave from an immediate family member. Immediate family includes those as specified in the Benefits and Policy Manual of North Carolina. Only sick leave and annual leave may be donated. The employee may receive leave from an immediate family member who is employed by Orange County Schools, other LEAs, or state agencies as defined by the State Board Policy.~~

~~If a serious medical condition or complications arise during the pregnancy and/or with the birth and delivery of the newborn, an employee may apply for shared leave assistance in accordance to the State Board of Education Leave Policy.~~

Donations made pursuant to this policy are voluntary. No employee should feel pressured or coerced to participate. The donating employee may not receive compensation in any form for the donation of leave. Any employee ~~found guilty~~ of giving or receiving compensation may be subject to appropriate disciplinary action, which may include dismissal.

Administrative procedures in conformance with State Board of Education policies will be developed and made available in the personnel office.

Legal References: G.S. 115C-47, -325, -336; 16 NCAC 6C.0402.