
ACCRUAL OF SICK LEAVE AND ABSENCE FOR MEDICAL AND RELATED REASONS

In accordance with Georgia law, regular (not temporary) employees will accrue sick leave with pay at the rate of one and one quarter workdays for each completed month of service. Employees regularly working less than 100% but at least 50% will accrue sick leave prorated for the percentage of time worked. Employees working less than 50% will not accrue sick leave. All unused sick leave will be accumulated from one work year to the next. Employees are entitled to transfer up to 45 days of accumulated, unused sick leave from one School District in the State of Georgia to another and to or from the State Department of Education.

Sick leave provided for under this Policy is available only for personal illness, injury, exposure to contagious diseases and medical related reasons, for absences necessitated by illness or death in the employee's immediate family, for any reason(s) required by State or federal law or emergency executive orders. For any absence in which sick leave is used, the Superintendent of Schools or appropriate designee will have the right to require adequate proof of the reasons giving rise for the need for leave.

An employee will not be charged with sick leave for absence due to an injury caused by a physical assault while employee was engaged in the performance of his or her duties; provided, however, that this paragraph will apply only to the first seven workdays of absence resulting from a single injury. An employee who is absent for up to seven days due to such an injury also will not have his or her regular pay reduced because of such absence or be required to pay the cost of a substitute.

Employees who do not qualify for participation in the State of Georgia Teacher Retirement System and, as such, cannot utilize unused sick leave accumulated toward retirement service, will be allowed, upon completion of service with the School District, to cash in unused sick leave days earned in the service of the School District at one-half of their value up to a maximum reimbursement of 45 days.

An employee may make a one-time donation of up to 10 sick leave days to his or her spouse if such spouse is also an employee of the School District for purposes of maternity leave, illness, illness of a family member or death of a family member.

SICK LEAVE BANK

A Sick Leave Bank is established and replenished from employee contributions of accumulated sick leave to provide its members with sick leave for catastrophic illness after their own sick leave has been exhausted. Membership in the Sick Leave Bank is voluntary by each eligible employee. Members may withdraw sick leave days from the Sick Leave Bank only in accordance with the guidelines established by the Sick Leave Bank Committee as appointed by the Superintendent.

ANNUAL (VACATION) LEAVE

Twelve-month employees regularly working in a position full-time (100%) will accrue annual leave at a rate of one day per month up to 12 days per year with a total maximum accumulation of 45 days. Employees regularly working less than 100% but at least 50% will accrue annual

leave prorated for the percentage of time worked with a total maximum accumulation of 45 days. Employees working less than 50% will not accrue annual leave. Annual leave in excess of the maximum accrual will be forfeited after June 30 of each fiscal year. Upon retirement or completion of service with the School District, all eligible employees will be paid for accrued annual leave at their current daily rate of pay.

The annual leave schedule will be arranged so that each school and department can maintain effective service levels. Leave may be taken only after approval by the Superintendent or appropriate designee.

PERSONAL LEAVE

Three days of any accumulated sick leave may be utilized during each school year for personal reasons provided prior approval of the absence is given by the Superintendent or appropriate designee and provided the presence of the employee requesting absence is not essential for effective school operation. Personal leave may be granted at the discretion of the Superintendent or appropriate designee. Personal leave does not accrue from year-to-year; however, an employee who does not utilize personal leave does not lose any accumulated sick leave.

PERSONAL LEAVE FOR EMPLOYEES ELECTED TO PUBLIC OFFICE

The School District recognizes and affirms the right of a citizen of Georgia to seek and hold public office. Accordingly, personal leave may be requested and granted to employees who are duly elected to a public office.

During the absence of an employee serving in a public office, a substitute (if necessary) will be employed. Upon completion of public service, the employee will immediately resume his/her employment responsibilities. Salary will not be provided for days absent from school duty after the "Personal Leave" allotment is used. Earnings will be reduced based on the individual employee's terms of employment.

Other benefits granted to employees may remain in force during the time of public service upon payment of the full cost of such benefits by the employee if not prohibited by law, contracts or other agreements with service providers.

Pursuant to O.C.G.A. § 20-2-51(c): no person employed by a local board of education will be eligible to serve as a member of that board of education.

AUTHORIZED PROFESSIONAL LEAVE

Authorized professional leave is leave for which the School District has granted permission and is providing a substitute (if applicable) for the employee to attend a professional development or work-related activity provided prior approval for the absence is given by the Superintendent or appropriate designee.

ADMINISTRATIVE AND SUSPENSION LEAVE

The Superintendent will have the authority to place an employee on administrative or suspension leave with or without pay in accordance with applicable School Board Policies and procedures and State law.

OBSERVANCE OF RELIGIOUS HOLIDAYS

Employees may use personal leave for the observance of recognized religious holidays. If an employee desires to take leave for the observance of recognized religious holidays in excess of the days allowed for personal leave, the employee may take unpaid leave for such purposes provided that such leave is not excessive and does not interfere with fulfilling the obligations of his or her job.

JURY AND WITNESS LEAVE

Each regular (not temporary) employee will be allowed leave with pay for the purposes of serving as a juror in any court or when subpoenaed to testify in a case arising out of the individual's job duties with the School District. Jury and/or witness leave will not be deducted from an individual's accumulated vacation or sick leave. No employee utilizing jury leave will be required to pay the cost of employing a substitute to serve during his or her absence for jury or witness leave.

PARENTAL LEAVE

Paid Parental Leave

Under 2021 revisions of O.C.G.A. § 45-20-17, employees who are considered full-time by the School District and who have completed six continuous months of employment will be eligible for paid parental leave for qualifying life events of birth of a child, placement of a minor child for adoption, or placement of a minor child for foster care. The employee will be required to provide satisfactory documentation of birth, adoption or foster care.

The maximum amount of paid parental leave that may be taken by an eligible employee during a rolling 12-month period is 240 work hours, regardless of the number of qualifying events that occur within such period. The rolling 12-month period will be measured backward from the date an eligible employee first uses parental leave. Such leave may be taken in increments of less than eight hours. Any remaining paid parental leave 12 months after the qualifying life event will not carry over for future use. Unused paid parental leave has no cash value at the time of an employee's separation of employment with the School District.

Leave of absence related to paid parental leave will run concurrently and in coordination with any approved Family and Medical Leave Act (FMLA) leave. If both parents who experience a qualifying event as described under paid parental leave are employees of the School District, both employees are eligible for up to 240 hours of paid parental leave. The maximum 12-work week leave provided under federal FMLA will continue to be limited to a combined 12 work weeks total leave.

Eligible employees who do not qualify for leave under the FMLA are provided up to 30 calendar days of a combination of paid or unpaid parental leave. Once paid parental leave reaches the maximum of 240 hours, the employee's accrued leave may be utilized up to the maximum of 30 calendar days. In cases of maternity, unpaid Parental Leave may be extended beyond 30 calendar days, not to exceed the doctor's estimated length of physical disability.

Unpaid Parental Leave

Employees who have been employed for at least 12 months and have at least 1,250 hours of service in the preceding 12 months may receive up to 12 cumulative weeks (60 work days) of unpaid parental leave during pregnancy, within one year of the birth of child, as a result of proceedings to prepare for the adoption or foster care of a child or within one year following the adoption or foster care placement of a child. The employee will be required to provide satisfactory proof of pregnancy, birth, adoption or foster care.

Leave of absence related to paid or unpaid parental leave runs concurrently and in coordination with any approved FMLA leave. Under FMLA guidance, if both parents of a newborn child, newly adopted child or foster child as described above are employed by the School District, the 12-work week leave will be limited to a combined 12 work weeks total leave.

Employees who do not qualify for unpaid leave under the FMLA or paid parental leave under O.C.G.A. § 45-20-17 are provided up to 30 calendar days of unpaid parental leave. In cases of maternity, unpaid parental leave may be extended beyond 30 calendar days, not to exceed the doctor's estimated length of physical disability.

Employees may utilize accrued leave during the term of Parental Leave.

MILITARY FAMILY LEAVE

Regular (not temporary) employees who have spouses deployed overseas by the United States Military for service in a war zone or war zone support area may request up to a maximum of seven days of School District-paid leave during a 12-month period for Military Family Leave, for days immediately prior to deployment, days immediately upon returning from deployment, or during a spouse's temporary furlough. The 12-month period will be measured back from the date the employee begins using any Military Family Leave.

MILITARY LEAVE

Regular (not temporary) employees are eligible for paid leave not to exceed 18 days in any calendar year for the purpose of complying with ordered military leave duty with the armed forces of the United States or State of Georgia, including duty as a voluntary member of the militia or reserve component of the United States or State of Georgia. Regular employees also are eligible for paid leave not exceeding 30 days in any one calendar year if ordered to duty as a result of the declaration of any emergency by the Governor or the appropriate officials of the United States Armed Forces. Employees who have military commitments will inform the Superintendent or appropriate designee annually and will cooperate to the extent possible in scheduling such leave so as to minimize the disruption in those employees' duties and the mission of the School Board.

FAMILY MEDICAL LEAVE

The School Board adheres to the provisions of the Family and Medical Leave Act ("Act") as adopted by the U.S. Congress on February 5, 1993 and which became effective August 5, 1993 and which was later amended by the National Defense Authorization Act on January 28, 2008. This School Board does not intend by this Policy to create any additional rights to leave not provided by the Act; provided, however, the School Board does wish to extend the rights of the

Act to certain employees who have worked at least 12 months for the School District. The School Board does intend to elect certain options as the Act authorizes. Any portion of this Policy inconsistent or contrary to the Act is unintentional and will not be given effect. As to the interpretation of this Policy, the School District's employees should look to the Act itself and its regulations.

COORDINATION WITH STATE AND FEDERAL LAWS

To the extent that any provision in this Policy conflicts with or is superseded by State or Federal law, the applicable regulations control.

The Superintendent will establish and maintain guidelines as necessary for administration of Board Policy: GBRI, Personnel Leaves and Absences.

ADOPTED: August 2, 2001

REVISED: July 18, 2024

Cherokee County Board of Education