

Board Policy GARH: Employee Leaves and Absences

Status: DRAFT

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This policy shall apply to all employees of the Board of Education. All employees are required to follow the work calendar established by the Board of Education and may take leave from work only in accordance with this policy or other leave policies enacted by the Board of Education. Unless otherwise provided by the Board of Education, principals and other supervisors are not authorized to rearrange the work calendars of employees.

ACCUAL OF SICK LEAVE AND ABSENCE FOR MEDICAL AND RELATED REASONS

Each employee in the Stephens County School System will earn one and one-fourth days of sick leave per month employed. An employee earns 1 ¼ days in a 9-month working period, 1 ½ days in a 10-month working period, 1 ¾ days in an 11-month working period, and 15 days in a 12-month working period. All employees may accumulate a maximum of 90 days of leave. Employees with excessive absences will be subject to disciplinary action.

SICK LEAVE

Sick leave may be used in accordance with State and local Board of Education policy for:

1. Personal illness or injury.
2. Absence necessitated by exposure to contagious disease.
3. Absence due to illness or death in the employee's immediate family. "Immediate family" is defined as spouse, child, mother, father, brother, sister, grandmother, grandfather, grandchild, mother-in-law, father-in-law, or a relative living in the residence of the employee.
4. Personal reasons as defined under Personal Leave (not to exceed 3 days).

The Superintendent or designee may require a doctor's statement verifying the disability, or ability, of the employee. If the Superintendent or designee disagrees with any doctor's statement of disability, or ability, he/she may appoint a physician of the same medical specialty as the employee's physician, for the purpose of receiving independent medical judgment.

Transfer

Teachers and other professional employees will be allowed sick leave transfer benefits according to state law.

Deductions

For any sick leave in an amount above that which is earned or accumulated as provided in this policy, there shall be a deduction equal to one day's salary for each day of sick leave (or the appropriate percentage of the day's salary) made from the employee's salary. The amount of the deduction shall be computed according to State Board requirements.

Sick Leave Bank

The Stephens County Board of Education hereby authorizes the operation of a Sick Leave Bank, which may be established and maintained from participating employee's voluntary contributions of accumulated sick leave. Any sick leave bank must be developed consistent with the requirements of state law and pursuant to guidelines and procedures developed by the Superintendent or designee and modified from time to time by a sick leave bank committee, as approved by the Superintendent or designee. All participating employees shall make equal contributions to the sick leave bank. All decisions of the Sick Leave Bank Committee shall be final and not subject to appeal to the Stephens County Board of Education.

When enrolling in the Sick Leave Bank, members must sign a statement agreeing to relieve the school district and the Sick Leave Bank Committee of any liability as a result of action taken by the committee. Employees who elect to participate shall contribute one sick leave day initially and thereafter, as requested from their accumulated short-term leave account. Employees may withdraw sick leave days only within the guidelines established by the Sick Leave Bank Committee, local board of education policy, and state laws or regulations. Employees may donate up to 10 days of their own sick leave to their spouse.

PERSONAL LEAVE

Each employee is entitled to three (3) personal leave days per school year. Employees with 10 years of continuous service within Stephens county will be allowed (4) personal leave days per school year by converting an additional sick day into a personal day. Employees with 20 years or more of continuous service to Stephens County will be allowed (5) personal days by converting 2 additional sick days into personal days. Employees may request personal leave to participate in civic responsibilities as described in Stephens County Board of Education Policy GAHB (Staff Political Activities). Personal leave will be charged against accumulated sick leave days. Employees shall request personal leave from their supervisors at least two (2) days prior to their absence on the proper request form, if the absence is to occur on Tuesday through Thursday of a normal week.

Personal leave will be granted to employees only if the employee has accumulated sufficient sick leave to cover the personal leave, and approval of such leave may not be conditioned on the reason. Personal leave not requested on critical days will be subject to their supervisors' approval. Personal leave requested on those critical days for the school system including, but not limited to, the last week of school, before and after holidays, if 10% of the staff is absent, and all days Monday or Friday on a day immediately preceding or following holidays shall be requested at least two weeks in advance. Requests for personal leave during a critical time will be reviewed by their supervisor for approval.

Critical days will be identified in accordance with requirements of the laws of the State of Georgia for effective school operation. A hardship committee may review requests that are deemed to have extenuating circumstances.

PROFESSIONAL LEAVE

Personnel may formally request on an approved form professional leave at full pay to attend specific activities or receive advanced training. Examples of reasons for which professional leave may be granted include, but are not limited to, in-service training and for purposes of attending meetings of professional associations.

The formal request must be approved by the Superintendent two weeks prior to the requested absence. Approval of the request does not commit the school system to payment of any expenses. The applying staff member must submit a separate request in detail if desiring financial assistance.

The request for professional leave must first be submitted to the principal or other designated official before being considered by the Superintendent.

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 DUTY OR SUBPOENA

Time spent serving on a jury or when subpoenaed to testify in a case arising out of school system duties will not be subtracted from leave. No deductions will be made from salaries for time spent serving on a jury or as a witness as a school system employee. Employees may keep their juror or witness remittance.

MILITARY LEAVE

All employees of the Board of Education are entitled to paid leave not to exceed eighteen days in any one federal fiscal 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. Employees also are entitled to leave not exceeding thirty days in any one federal fiscal 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 shall inform the Superintendent or designee annually and shall cooperate to the extent possible in scheduling such leave so as to minimize the disruption in those employees' duties and the mission of the Board of Education.

BEREAVEMENT LEAVE

Death in Immediate Family

In the event of a death in the immediate family of an employee, leave will be granted to a maximum of five days in accordance with the rules and regulations of the Board and such leave will be charged against sick leave. One day of leave may also be used for the purpose of attending the funeral of other family members not included in the definition of "Immediate Family" and such leave will be charged against sick leave.

Paid Bereavement Leave

Stephens County Schools will provide 2 bereavement days to any employee that has an immediate family member that has passed away. These two days will not be taken away from their sick leave.

PAID PARENTAL LEAVE

An employee of the Board of Education shall be eligible for paid parental leave for qualifying life events upon satisfying the following criteria:

1. The employee is classified as full-time by the district and is eligible to participate in the Teacher Retirement System of Georgia (TRS) or the Public School Employees Retirement System (PSERS); and
2. The employee has six continuous months of employment with the Board of Education, regardless of whether he or she is eligible for paid or unpaid leave under Federal law. An employee paid on an hourly basis must have worked a minimum of 700 hours over the six-month period immediately preceding the requested paid parental leave date.

A qualifying event means:

1. The birth of a child of an eligible employee;
2. The placement of a minor child for adoption with an eligible employee; and
3. The placement of a minor child for foster care with an eligible employee.

The maximum amount of paid parental leave that may be taken by an eligible employee during a rolling 12-month period is 240 hours, regardless of the number of qualifying events that occur during such a period.

1. The rolling 12-month period shall be measured backward from the date an eligible employee first uses parental leave.
2. Parental leave may be taken as needed and may be taken in increments of less than eight hours. The smallest increment of parental leave that may be taken is 2 hours.
3. Any unused paid parental leave that remains 12 months after the qualifying event shall not carry over for future use.
4. Unused paid parental leave shall have no cash value at any time of the eligible employee's separation from employment with the Board of Education.

Paid parental leave under state law shall run concurrently with any leave provided under Federal law.

Employees shall submit the required district leave request form noting the request is for Paid Parental Leave and specifying the days and/or hours requested. Official documentation qualifying events is required to be attached to the leave request form.

FAMILY & MEDICAL LEAVE ACT

To the extent that any provision in this policy conflicts with or is superseded by the Family and Medical Leave Act ("FMLA"), the regulations promulgated thereunder, or any other federal law, the provision of the FMLA, its regulations or other law, as the case may be, control.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

Note: To access the policy references, **CLICK HERE: [State of Georgia Terms and Conditions](#) and close the LexisNexis tab, which will return you to the policy. Click on the links below to be taken to each specific code. **You should only have to do this one time per session.****

State References

Description

State References

O.C.G.A. 20-02-0182

Description

[Program weights to reflect funds for payment of salaries and benefits; maximum class size; reporting requirements; application to specific school years](#)

O.C.G.A. 20-02-0850

[Sick leave for teachers and other personnel; accumulation of sick and personal leave; regaining forfeited leave; local policies; cost of employing substitute](#)

O.C.G.A. 20-02-0851

[Use of accumulated sick leave for personal or professional reasons](#)

O.C.G.A. 20-02-0852

[Maternity leave](#)

O.C.G.A. 20-02-0852.1

[Paternity or maternity time off for adoptive parents](#)

O.C.G.A. 20-02-0853

[Accumulation of and payment for additional days of unused sick leave](#)

O.C.G.A. 20-02-0870

[Right to leave for jury duty or when subpoenaed to testify in case arising from duties as teacher; teacher not to pay substitute; retention of juror's compensation](#)

O.C.G.A. 20-02-0880

[Definitions - health plans for public school teachers](#)

O.C.G.A. 20-02-0910

[Health plan for public school employees; definitions](#)

O.C.G.A. 20-02-1110

[School bus drivers - sick leave with pay; accumulation of unused sick leave](#)

O.C.G.A. 20-02-1111

[School bus drivers - accumulated sick leave for personal reasons](#)

O.C.G.A. 20-02-1112

[Driver on sick leave need not pay for substitute](#)

O.C.G.A. 20-02-1190

[Allotment of state funds for sick leave - food service personnel](#)

O.C.G.A. 20-02-1191

[Requirements for sick leave programs for school food service employees](#)

O.C.G.A. 21-02-0404

[Affording employees time off to vote](#)

O.C.G.A. 24-12-0021

[Disclosure of AIDS confidential information](#)

O.C.G.A. 34-01-0003

[Discrimination against employee for attending judicial proceeding in response to subpoena prohibited](#)

O.C.G.A. 34-01-0010

[Use of sick leave for care of immediate family members](#)

O.C.G.A. 38-02-0279

[Rights of public officers and employees absent on military duty](#)

O.C.G.A. 45-20-0017

[Parental leave; requirements for implementation](#)

O.C.G.A. 47-03-0092

[Absence from employment due to sick leave; TRS creditable service](#)

Federal References

20 CFR Part 1002 Subpart D

Description

[Absence from employment due to service in the uniformed services; furlough and leave of absence](#)

29 CFR 1605

[Guidelines on discrimination because of religion](#)

29 CFR Part 825

[The Family and Medical Leave Act of 1993 - Regulations](#)

29 USC 2601

[Family and Medical Leave Act-Findings and purpose](#)

38 USC 4312

[Reemployment rights of persons who serve in the uniformed services](#)

38 USC Part III

[Members of the Uniformed Services; Employment and Reemployment Rights and Limitations; Prohibitions](#)

45 CFR 86.57

[Discrimination based upon marital or parental status prohibited](#)