Professional Personnel Leaves and Absences

This policy shall apply to all employees of the Colquitt County 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.

PROFESSIONAL LEAVE

Professional leave is granted for attendance at approved professional conferences, visitation in other educational centers and related activities. Prior approval must be given by the Superintendent's designee at least one week before the anticipated absence.

JURY LEAVE

A staff member who is summoned to serve on jury shall be granted jury leave. The staff member must present to the immediate supervisor an authorized document indicating the length of time on jury duty.

The staff member serving on a jury will be allowed to retain the money earned for serving on the jury.

SICK LEAVE

Sick leave may be accumulated for a total of 60 days (effective 7/01/96), earned by all regular employees at the rate of 1 1/4 days per working month. Part-time employees earn sick leave and personal leave as provided by this policy and based upon the ratio of actual employment to the full-time rate. Professionally certificated personnel may transfer sick leave from one school system to another within Georgia.

Sick leave may be utilized for:
   a. Personal reasons (see Personal Leave);
   b. Personal injury or illness including maternity;
   c. Exposure to contagious disease; or
   d. Illness or death in the employee's immediate family.

Deductions for sick leave days used in excess of earned sick leave will be at the full daily earned rate of pay of the employee.

PERSONAL LEAVE

During any school year an employee may utilize up to a maximum of three (3) days of any available sick leave for personal reasons, if prior approval of his/her absence is given by the principal (or supervisor) and the Superintendent (or designee). Effective with fiscal year 1997, employees may qualify for additional personal leave days based on the number of sick leave days accumulated as of July 1 of each year.

Accumulated leave less than 45 days - 3 personal days
   45 to 59 days - 4 personal days
   60 or more days - 5 personal days
Unless there are extenuating circumstances, personal leave will not be granted the day before or after a school holiday, or during pre or post school days. Deduction for unauthorized or excess personal leave days shall be the full daily-earned rate of pay of the employee.

**LONG-TERM PERSONAL LEAVE**

The Colquitt County Board of Education recognizes and affirms the right of a citizen of Georgia to seek and hold public office. Long-term personal leave may be granted to employees who are elected or appointed to a public position.

During the absence of the employee serving a public office, a substitute (if necessary) will be employed. Upon completion of public service, the employee shall immediately resume his/her employment responsibilities. Salary will not be provided for the 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 shall remain in force during the time of public service, upon payment of the full cost of such benefits by the employee.

**UNIFORMITY OF ACCUMULATION OF AND PAYMENT FOR SICK LEAVE**

The accumulation of and payment for sick leave for certified personnel, including administrators and the Superintendent, shall be applied uniformly to all such personnel, and no exceptions shall be made for any individual.

**MATERNITY LEAVE**

An employee who is pregnant shall be entitled to a leave of absence to begin at a time to be determined by the employee, the physician and the Superintendent. The employee shall notify the Superintendent in writing of her desire to take such leave, except in cases of emergency, at least 60 calendar days prior to the onset of the leave. This notice of leave shall include a doctor's statement of an anticipated date of physical disability.

An employee may continue in active employment as late into her pregnancy as she desires provided she is able to perform properly the required functions of her job. Final determination of ability to perform properly the required job functions shall be made by the Board of Education.

An employee may use all accumulated sick leave credited to her, but not to exceed the doctor's estimated length of physical disability.

Any employee who has been granted leave shall be entitled to return to active employment upon presentation of a doctor's statement of physical ability to perform the required functions of the job. The employee's return to active employment may be delayed until the beginning of a new quarter or semester in order to maintain continuity of job performance.

Should the Board of Education disagree with any doctor's statement of disability or ability, it may appoint a physician of the same medical specialty as the employee's physician, for the purpose of receiving an independent medical opinion.
**MILITARY LEAVE**

Persons employed in any capacity in any public school, excluding those employed on a temporary basis, shall be entitled to military leave for military duty with full employment and reinstatement rights as provided by law. An employee shall be allowed a leave of absence from assigned duties while performing ordered military duty.

**Definition**

The term ordered military duty as defined by O.C.G.A. 38-2-279 shall mean the following:

1. Any military duty performed in the service of the State or of the United States by a public officer or employee as a voluntary member of any force or the organized militia or any reserve force or reserve component of the armed forces of the United States pursuant to orders issued by the competent State and federal authority without the consent of the public officer or employee. Such duty shall include, but is not limited to, attendance at any service school or schools conducted by the armed forces of the United States.

2. Military duty, performed for a period or periods not exceeding a total of 30 days in any one calendar year, shall be deemed ordered military duty regardless of whether such orders are or may be issued with the consent of the public officer or employee.

**Compensation**

Every public officer and employee shall be paid a salary or other compensation as a public officer or employee for a period or periods of absence while engaged in the performance of ordered military duty and while going to and returning from such duty, not exceeding a total of 18 days in one calendar year and not exceeding 18 days in any one continuous period of such absence.

**State Emergency**

In the event the Governor declares an emergency and orders any public officer or employee to state active duty as a member of the National Guard, the public officer or employee shall be paid a salary or other compensation as a public officer or employee for a period not exceeding 30 days in any one calendar year and not exceeding 30 days in any one continuous period of such State active duty services.

**FAMILY AND MEDICAL LEAVE ACT**

**Eligibility**

Employees of the Colquitt County Board of Education who have been employed for 12 months or more and who worked at least 1250 hours during that time, are entitled to 12 weeks of unpaid leave during any twelve month period in connection with:

1. The birth and first year care of a child;
2. The adoption or foster parent placement of a child;
3. The illness of an employee's spouse, child, or parent with respect to a serious health condition, defined as one that requires in-patient care in a hospital, hospice or residential medical care facility, or which requires continuing treatment by a health care provider; or
4. The employee's own illness.
In the instance of birth, adoption and foster placement, the entitlement for child-care ends after (1) the child reaches the age of 1 year, or (2) 12 months after the adoption or placement.

Entitlement for leave associated with illness of a child occurs only where the child is under 18 years of age or incapable of self-care due to mental or physical disability.

**Amount of Leave Available**

In cases where both spouses are employed by the Colquitt County Board of Education, the combined amount of leave for child birth, adoption, or to care for a sick parent is limited to 12 weeks.

The unpaid medical and family leave provided under this policy includes and extends up to 12 weeks the period of sick and/or personal leave provided under other policies of the Colquitt County Board of Education. However, an employee is not eligible for unpaid leave under this policy until any paid leave provided to the employee under other Board policies has been taken.

**Notification of Anticipated Leave**

Except where circumstances are such that reasonable advance planning is not possible, employees must provide the Office of the Superintendent at least 30 days notice of the date when leave is to begin. With respect to foreseeable family or employee illness, the employee shall make reasonable effort to schedule treatment - including intermittent and reduced hour leave - so as not to disrupt unduly the operations of the school district, subject to approval of the employee's or family member's health care provider.

**Benefits**

Benefits accrued by the employee before leave is taken will not be altered by the employee's absence under this policy. The employee is entitled to continuation of health benefits during the leave period. Upon return, the employee is entitled to restoration to an equivalent position with equivalent pay, benefits, and conditions of employment.

If an employee fails to return to work after the leave period has expired, the Board of Education may recover the health benefits premium expenditures extended to the employee during the leave period.

**Required Certification**

The Board of Education requires that a request for leave be supported by a certification issued by the appropriate health care provider of the eligible employee or of the son, daughter, spouse, or parent of the employee.

The certification shall include (1) the date that the condition commenced, (2) the duration, (3) the necessity for the employee's leave, and (4) the employee's inability to perform one's job functions. The Board of Education reserves the right, at its own expense, to designate a second health care provider (other than a school district employee) to provide a second opinion. A third such opinion, should it be necessary, shall be binding.
Upon the employee’s return to work, the school district may require the employee to provide certification by the health care provider that the employee is able to resume work.

**Special Provisions:**

If an employee begins leave under this policy within three weeks before the end of the academic term and the duration of the leave is greater than five working days, the Board of Education may require the employee to continue to take leave until the end of the term.

The Board of Education may deny coverage under this policy to an employee whose salary is in the highest 10% of the employees employed by the school district if such denial is necessary to prevent substantial and grievous economic injury to the District's operations.

The Superintendent shall make, keep, and preserve records showing compliance with the Family and Medical Leave Act and in accordance with the Fair Labor Standards Act of 1938 and federal regulations.

Colquitt County Schools

Date Adopted: 4/26/1999

Last Revised: 12/11/2006

**NOTE:** The State of Georgia has moved the Georgia Code. This new environment no longer allows us to link directly to the Georgia Code. For example enter 20-02-0211 in the search window and the Georgia Code will appear.

<table>
<thead>
<tr>
<th>Georgia Code</th>
<th>Description</th>
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<tbody>
<tr>
<td>O.C.G.A. 20-02-1110</td>
<td>School bus drivers - sick leave pay</td>
</tr>
<tr>
<td>O.C.G.A. 20-02-0182</td>
<td>Program weights to reflect funds for payment of salaries and benefits</td>
</tr>
<tr>
<td>O.C.G.A. 20-02-0850</td>
<td>Sick leave for school personnel</td>
</tr>
<tr>
<td>O.C.G.A. 20-02-0852</td>
<td>Maternity leave</td>
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<td>O.C.G.A. 20-02-0870</td>
<td>Right to leave for jury duty or when subpoenaed</td>
</tr>
<tr>
<td>O.C.G.A. 21-02-0404</td>
<td>Affording employees time off to vote</td>
</tr>
<tr>
<td>O.C.G.A. 34-01-0003</td>
<td>Discrimination against employee for attending judicial proceeding in response to subpoena prohibited</td>
</tr>
<tr>
<td>O.C.G.A. 38-02-0279</td>
<td>Rights of public officers and employees absent on military duty</td>
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<tr>
<td>O.C.G.A. 45-20-0030</td>
<td>Leave of absence for blood donation</td>
</tr>
<tr>
<td>O.C.G.A. 47-03-0092</td>
<td>Absence from employment due to sick leave; creditable service</td>
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<thead>
<tr>
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<tbody>
<tr>
<td>29 USC 2601</td>
<td>Family and Medical Leave Act</td>
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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.