

JICHS Personnel Policies 4000-4200 Leaves, Absences, and Salaries (CCSD-GCC)

5/17/2021

Purpose: To establish the basic structure for all types of staff leaves and absences.

The board expects employees to come to work every day. The board recognizes, however, that certain absences are unavoidable. At such times, employees should take leave in accordance with this policy.

Eligible employees - Those employed in a full-time regular or part-time regular FTE position are eligible to use various types of leave in accordance with this policy. For the purposes of definition, a full-time employee means any person employed in a position working at least thirty hours per week, and a part-time employee means any person working less than thirty hours per week.

Sick Leave Accruals

All full-time employees of public schools accrue sick leave on the basis of one and one-fourth days of sick leave for each month of active service. This will provide 11 days for 170-day and 180-day employees; 12-days for 18-day, 190-day, and 195-day employees; 13 days for 210 day and 218-day employees; 14 days for 222-day employees; and 15 days for 240 and 260-day employees of active service. All part-time employees accrue sick leave on a prorated basis based on FTE and hours worked per day.

The maximum number of hours any employee may carry over each year is 1920 hours. In instances of retirement, a Class II member may have an additional ninety (90) days of carryover which is the maximum allowable amount from the Public Employee Benefit Authority (PEBA).

A district (refers to JICHS) employee using sick leave as provided for in this section may not be terminated from employment nor during a continuing sick leave of less than ninety-one days.

Use of Sick Leave

Sick leave may be used for absences related to personal illness, injury, or medical appointments for the employee or the employee's immediate family member. Employees may not use sick leave for other personal absences or to extend annual leave. For purposes of this policy, an immediate family member is defined as the following:

- Spouse
- Mother, Mother-in-law
- Father,
- Father-in-law Sister,
- Sister-in-law Brother,
- Brother-in-law
- Son, Son-in-law
- Daughter, Daughter-in-law
- Grandparents,
- Grandchildren
- Other relative living in the household at the time of illness/death - documentation may be required

Requesting Sick Leave

All employees are required to contact his/her immediate supervisor in advance of using sick leave except in cases of an emergency. If the absence is foreseeable (i.e. to attend a previously scheduled appointment), the employee must provide at least five days advance notice. If the absence is not foreseeable, the employee must provide notice as soon as reasonably possible but no later than sixty minutes prior to sign-in on the day the sick leave is to be taken. The district may require written documentation upon the employee's return to work. Failure to provide written documentation as required under this policy may result in disciplinary action.

Transferring Sick Leave Balances to a SC School District or SC State Entity

Sick leave accumulated in compliance with this sick policy is transferable to any SC school district or state entity in the State or the State Department of Education by the employee with the earned leave.

Separation from Employment

Upon separation from employment, an employee forfeits all earned sick leave 90 days following the separation. If the employee returns within the 90 day period from the date of separation, the employee shall receive half of the sick leave balance accrued during employment. Special circumstances may exist for an employee who is retiring or who has been affected by a reduction in force. The district does not pay out for sick leave upon separation.

Separation from Employment due to Retirement

A Class II employee separating from employment as a result of retirement may receive service credit for up to, but no more than, 720 hours (90 days) of unused sick leave at no cost to the employee, provided that the employee is qualified for this based on South Carolina Public Employee Benefit Authority (PEBA) Retirement guidelines. The leave must be credited at a rate where 20 days of unused sick leave equals one month of service. This additional service credit may not be used to qualify for retirement. District employees will not be reimbursed for any sick leave used towards retirement.

Emergency Leave

For emergencies and unusual situations not covered by the leave policies of the district, an employee may request the superintendent's (refers to JICHs Principal) authorization for use of emergency leave. These days will be deducted from the employee's sick leave accrual. The superintendent's designee in human resources may approve or deny the request. The employee must submit the request in writing through the principal or supervisor to the superintendent's designee. This leave is not related to FMLA or used in conjunction with.

Policies 4151.5/4251.5 Court Appearances-Jury Duty (Legal Leave)

The District shall grant employees leave without loss of pay when they are summoned for jury duty or subpoenaed or appearing in court cases involving district business.

Jury Duty with Pay

An employee who is summoned as a member of a jury panel shall be granted jury duty leave with pay. Upon receipt of the notification from the state/federal courts of an obligation to serve on a jury, the employee must notify his/her supervisor and provide a copy of the summons to the human resources department. Any monies received by a person for service as a juror in any court of this State shall be considered an expense allowance for such service provided by the employee. (Section 14-1-190)

An employee, who is excused from jury duty and is not required to be at court the number of hours equal to the employee's workday, is required to return to the job or use other accrued leave (annual or personal business only). The employee must be on approved leave for any time the employee is excused from jury duty and does not return to work.

An employee who is summoned to jury duty will be required to work on any given day only the number of hours that equal the employee's work schedule, minus the hours required to be at court. Employees will be required to submit confirmation of attendance from the clerk of court to the human resources department; failure to provide may delay compensation.

When selected for jury duty, teachers, employees at the school building level and bus drivers shall request a postponement to a date that does not conflict with the school term.

Subpoenaed as a Witness (With Pay)

An employee, who is subpoenaed as a witness and will not receive any personal gain from the outcome of the litigation, shall be entitled to legal leave with pay for those hours required for the subpoena and may retain any witness fee and travel expenses. Upon receipt of the notification from the state/federal courts to act as a witness, the employee should notify his/her supervisor and provide a copy of the subpoena to the human resources department.

An employee, who is excused from being a witness or is not required to be at the court the number of hours equal to the employee's workday, is required to return to the job or use other accrued leave (annual or personal business only). The employee must be on approved leave for any time the employee is excused from being a witness and does not return to work.

Exceptions

Leave will not be given for court appearances in which the employee is a litigant in a personal lawsuit. The employee must take the leave as personal business, annual, or leave without pay.

Bereavement Leave

Death of an immediate family member

Three days of sick leave can be taken per occurrence for bereavement of an immediate family member. These days will be deducted from the employee's sick leave accrual. If the employee does not have enough sick leave, personal business or annual leave may be used in lieu of sick leave. If the employee has depleted all leave, the employee will not be compensated for the three days of bereavement and pay will be docked accordingly.

If more than one immediate family member is deceased at the same time, a maximum of five days shall be allowed for the occurrence.

Death of an extended family member

In the case of a death of an extended family member, eligible employees may be granted one day of sick leave per occurrence. If the employee does not have enough sick leave, personal business or annual leave may be used in lieu of sick leave. If the employee has depleted all leave, the employee will not be compensated for the one day of bereavement and pay will be docked accordingly.

If more than one extended family member is deceased at the same time, a maximum of two days shall be allowed for the occurrence.

Travel time

An additional two days of time off may be granted if travel time is needed. Travel verification information should be provided to an immediate supervisor. The additional days for travel will be deducted from the employee's sick leave accrual. If the employee does not have enough sick leave, personal business or annual leave may be used in lieu of sick leave. If the employee has depleted all leave, the employee will not be compensated for the additional two days for travel and pay will be docked accordingly.

For purposes of this policy, an immediate family member is defined as the following:

- spouse
- mother, mother-in-law
- father, father-in-law
- sister, sister-in-law
- brother, brother-in-law
- son, son-in-law
- daughter, daughter-in-law
- grandparents, grandchildren
- other relative living in the household at the time of illness/death (documentation will be required)

For purposes of this policy, an extended family member is defined as the following:

- Uncle
- aunt
- cousin
- niece
- nephew

Military Leave

Employees may take military leave without loss of pay, seniority, or efficiency rating for one or more periods not exceeding a total of 15 workdays in one year. Saturdays, Sundays, and state holidays may not be included in these 15 days unless the Saturday, Sunday, or holiday is a regularly scheduled workday for the employee.

This leave may be taken when the employee is engaged in training or other duties ordered by the Governor, the Department of Defense, the Department of the Army, the Department of the Air Force, the Department of the Navy, the Department of the Treasury, or any other department or agency of the government of the United States having authority to issue lawful orders requiring military service. This leave applies to employees who are either enlisted or commissioned members of the South Carolina National Guard, the United States Army Reserve, the United States Air Force Reserve, the United States Naval Reserve, the United States Marine Corps Reserve, or the United States Coast Guard Reserve.

In the event an employee is called upon to serve during an emergency, he/she shall be entitled to such leave of absence with pay for a period not exceeding 30 additional days per declared incident and in addition to the 15 days.

The board expects employees to request their training for a period when school is not in session.

An employee seeking leave for annual active duty training must forward a written request, including the appropriate verifying data, to the superintendent no later than 30 days prior to the pre-arranged military activity.

Extended military leave

Employees who enlist or are called to active duty are eligible for up to five years of extended military leave without pay. All provisions of federal law apply to extended military leave (re-employment, benefits, etc.).

However, the district is not required to maintain employee benefits for extended leave.

Application and approval for leave under this policy are made on the leave application form. Written substantiation of leave under this policy is required. Falsification of the reason for leave may be cause for disciplinary action up to and including termination of employment.

SC State Retirement System and Military Leave

An employee on leave without pay due to military service can:

- Continue to pay his/her contribution to the State Retirement System during this absence by completing the Supplemental Service Report (Form 1224)
- Arrange to contribute retroactively when he/she returns from military service.

For individual account questions, the employee can contact PEBA.

Professional Development Leave

This type of leave is to be used for attending classes or workshops in which instruction is given to improve the employee's competencies in the specific position.

Attendance at professional meetings must be approved by the superintendent or his/her designee and is limited to five days per year. Professional meetings covered by this policy are those whose specific objectives are to improve teacher and/or administrator competencies in their specific educational fields or areas. Not included are meetings of organizations in which the above-described aims are by-products of or secondary to the purpose of the meeting as described by the meeting agenda.

It is recognized that some meetings of the same organization could be approved under this policy while other meetings may not. For example, a classroom teacher meeting to instruct teachers on methods of using media in their classrooms would be approved.

A meeting of teachers to elect officers of the organization and/or to review or establish legislative programs would not be approved.

Special consideration for additional days may be granted if the employee is an officer or is a participant on the program of a professional meeting. The fact that an employee holds office in an organization would not in itself justify approval of a request for leave. This approved absence shall be recorded as professional leave and shall not result in a deduction from the employee's leave time or pay.

The superintendent shall determine the number of absences allowable for professional leave. Absences shall also be subject to budget limitations for employing substitutes and reimbursement for travel, meals, and lodging.

District Business Leave

This type of leave is to be used when an employee is out representing a school or department at a meeting, activity, evaluation, exchange program, or recruitment event.

Upon the recommendation of the principal, the appropriate division heads or the superintendent's designee may approve employee participation in school-related activities as a representative of the school or the district. Such activities include, but are not limited to, local and out-of-county workshops, school review teams (Southern Association Accreditation), teacher observations and evaluation, exchange programs, etc. This approved absence shall be recorded as district/school business and shall not result in a deduction from the employee's leave time or pay.

Personal Business Leave

This type of leave is to be used for an employee's personal matters. Examples may include but are not limited to religious holidays, funerals not covered under bereavement leave, special occasions (graduation, wedding, special honors/ceremonies, etc.)

All employees are required to contact his/her immediate supervisor in advance of using personal business leave except in cases of an emergency. If the absence is foreseeable (i.e. to attend a previously scheduled event, ceremony, etc.), the employee must provide at least five days advance notice. If the absence is not foreseeable, the employee must provide notice as soon as reasonably possible but no later than 48 hours prior to the day the personal business leave is to be taken.

Personal business accruals

Employees who work less than 240/260 day employees

Each year there shall be three personal business days available for employees who work less than 240/260 days. If an employee is hired after January 1st, personal business accrual will be prorated based on the number of days remaining in the fiscal year. Any unused days/hours shall be added to the employee's sick leave at the end of the fiscal year.

Any deviation from these provisions must be approved by the superintendent or his/her designee. Failure to receive approval shall result in loss of pay and/or disciplinary actions.

Employees who work 240/260 days

Each year there shall be two personal business days available for employees who work 240/260 days. If an employee is hired after January 1st, personal business accrual will be prorated based on the number of days remaining in the fiscal year. Any unused days/hours shall be added to the employee's sick leave at the end of the fiscal year.

Requesting personal business

All employees are required to contact his/her immediate supervisor in advance of using personal business leave except in cases of an emergency. If the absence is foreseeable (i.e. to attend a previously scheduled event, ceremony, etc.), the employee must provide at least five days advance notice. If the absence is not foreseeable, the employee must provide notice as soon as reasonably possible but no later than 48 hours prior to the day the personal business leave is to be taken. The employee's immediate supervisor has the discretion to approve or disapprove requests.

- Personal business leave shall not be granted during the following periods:
- first five days of school
- last five days of school
- to extend a holiday
- period of standardized testing where the employee is involved with the testing program
- last teacher workday periods, as designated by the principal or supervisor, which may cause a detrimental effect on the educational mission of the school or department

Any deviation from these provisions must be approved by the superintendent or his/her designee. Failure to receive approval shall result in loss of pay and/or disciplinary actions.

Annual Leave

Employees are entitled to annual leave if employed in a full or part-time (FTE) twelve-month position (240 or 260 work days). The part-time annual leave is prorated based on the number of hours (FTE) worked per week. In case of a non-workday occurring during the employee's annual leave period, e.g., schools and district offices are closed, the non-workday shall not be counted as a part of the annual leave of the employee. Dates of annual leave shall be approved by the employee's immediate supervisor.

Annual leave is earned at the end of the year (the employee's anniversary date) and shall be considered cumulative. However, annual leave not used within the year exceeding 360 hours (45 days) shall be forfeited unless the superintendent requests that the employee retain the hours.

Annual leave earnings shall be as follows:

- after 12 consecutive months (1 year) 2 weeks
- after three consecutive years 3 weeks
- After five consecutive years 4 weeks

Conversion

Employees who transfer from less than 12-month (240 days) jobs within the district system shall have their annual leave converted on a percentage basis, e.g., 9-month employee = $\frac{3}{4}$ of years worked, etc. Persons employed from outside of the district in positions at the principal/director level or higher shall have their experience time converted at a rate of $\frac{1}{2}$ the years of experience, e.g., a principal with 20 years of experience from outside Charleston County School District shall be credited with 10 years annual experience or four weeks annual leave.

Borrowing Annual Leave

After six months of consecutive employment, a new eligible employee may borrow up to one week (40 hours) of annual leave with the approval of the immediate supervisor and human resources. A written request must be submitted to the human resources department. This one week is included in the weeks to be earned at the end

of the year (the employee's anniversary date). Existing employees who have earned annual leave will not be allowed to borrow leave unless approved by the superintendent or his/her designee.

Termination/Separation of Employment

Any person returning to employment with the district is considered a new employee. If the termination is a result of a reduction in force or reorganization, return to employment within 90 workdays shall restore benefits held at the time of termination. Extension of this period may be granted by the superintendent or his/her designee.

Annual Leave Pay

Upon separation from employment with the district, a regular employee shall be entitled to annual leave pay earned in the current year plus any unused annual leave accumulated, not to exceed 45 days.

Professional Leave of Absence (In Lieu of Sabbatical) – Unpaid Leave

Teachers and professional staff

Teachers and professional staff members may apply for a professional development leave not to exceed two years duration in order to take advantage of opportunities for professional development. Requests must be received and considered one year at a time. Leave may be granted for teacher exchange programs, advanced study, or other enriching experiences which would benefit the instructional effort of the school district.

Eligibility

Teachers or professional staff members must have completed three years of immediate, continuous, and uninterrupted service with the school district prior to submitting an application.

Proposals

Proposals shall be submitted in writing to Human Resources on or before March 1st, and must carry the signature of the employee's immediate supervisor along with any comment or recommendation they shall make. Proposals shall set forth the developmental opportunity for which leave is sought and a discussion of how much opportunity will benefit the district's instructional effort and must be submitted prior to March 1.

Approval

Human Resources will review the application, balancing the benefits to the instructional program against any detrimental impact on the management program or personnel management which may arise if the leave is granted, and will make a recommendation to the superintendent. The superintendent's approval or disapproval shall be final.

Salary and Benefits

All such leaves shall be without pay or other benefits except that the employee may keep group medical benefits in effect by payment of total premium. Sick leave days previously accrued will be preserved but may not be taken during such leaves and will be available to the employee upon return to active status. Annual

days previously accrued must be taken prior to the beginning of this leave. An employee shall not earn annual or sick days while on this leave.

Return to Active Status

Every effort will be made to return employees on such leave to the same or a similar position. However, this placement may not be possible where the position is no longer allocated or where it has been necessary to fill the position with a permanent employee. In this case, the employee will be assigned to any existing vacant position for which he/she is qualified. If it happens that more than one employee returning from any leave is qualified to fill the only available position, priority will be given to the one who has the longest tenure of immediate prior years of continuous, uninterrupted professional service with the district. If there is no position available, the returning employee will be assigned as a full-time substitute at his/her annual rate and will be placed in the first vacancy for which he/she is qualified. Refusal of an offered assignment shall terminate the district's responsibility to place the individual, who will thereafter be considered for any subsequent vacancy on the same basis as new applicants.

Non-exempt/Non-certified staff

Eligibility

A non-exempt or non-certified employee who has completed at least three years of continuous and uninterrupted service with the school district immediately prior to applying may request professional development academic leave to pursue studies specifically designed to lead to the employee's becoming qualified as a teacher in the district. This includes academic studies in pursuit of an appropriate degree and work necessary to obtain professional certification as a teacher. The district will grant this leave for up to twenty-four months as long as the employee is either enrolled in appropriate coursework or engaged in student teaching throughout the leave.

Application and approval process

To qualify for this leave, an employee must submit a letter to Human Resources on or before April 1 (for any leave planned through March 31st of the following year) a written proposal detailing the coursework or other preparation the employee intends to pursue, including the anticipated area of certification. The employee's principal or immediate supervisor (if the employee does not work in a school) must sign the proposal and include comments assessing the employee's job performance and the likelihood of success as a teacher.

Human Resources will review the application, balancing the benefits to the instructional program against any detrimental impact on the management program or personnel management that may arise from granting the leave, and shall make a recommendation to the superintendent on each application. The superintendent's approval or disapproval shall be final.

Salary and benefits

All academic leaves shall be without pay or other benefits except that the employee may maintain group medical benefits in effect by payment of the total premium. Sick leave days previously accrued will be preserved, but may not be taken during these leaves. They will be available to the employee upon return to active status. Annual days previously accrued must be taken prior to the beginning of this leave. An employee on professional leave shall not earn annual or sick days while on leave.

Return to active status

At the end of the leave, the employee may apply for teaching positions within the district. The district does not, however, guarantee a teaching position to any person and will always hire the applicant it determines is best qualified for the position. The returning employee will be assigned as a full-time substitute at his or her annual rate and will be placed in the first vacancy for which he or she is qualified. Refusal of an offered assignment shall terminate the district's responsibility to place the individual, who will thereafter be considered for any subsequent vacancy on the same basis as new applicants.

Legal References:

United States Code of Laws, as amended: Americans with Disabilities Act of 1990, 42 U.S.C.A. Section 12101, et seq.

Family and Medical Leave Act, 29 U.S.C.A. Section 2601, et seq.

Uniformed Services Employment and Reemployment Rights Act, 38 U.S.C.A. Section 4301, et seq.

S.C. Code of Laws, 1976, as amended:

Section 8-7-20 - Requires granting of military leave, without pay, up to five years.

Section 8-7-90 - Requires 15 days per year of leave with pay for members of National Guard and Reserve Units of the various Armed Forces; grants an additional 30 days of leave with pay in emergency situations.

Section 8-11-65 - Organ donor leave. Section 14-1-190 - Compensation received for jury duty deemed to be expense money.

Section 14-7-845 - Relating to optional postponement of jury service for students and staff members. Section

25-1-2250 - Staff members entitled to leave with pay when serving in National Guard.

Section 59-1-400 - Sick leave accrual and use.

Section 59-25-47 - Unused leave payments authorized.

Policies 4141/4231 Salary Guide

All employees shall be governed by the salary schedule approved by the JICHHS Board of Directors. As a conversion charter school, JICHHS must pay as much or more than CCSD. When applicable, local, state, and federal allotments of any combination of these shall be included.

Any employee whose position remains unchanged and whose salary is higher than that provided for his/her classification on any newly adopted salary schedule shall remain at the higher salary but shall not be entitled to an increase until such time as his/her classification warrants it on the salary schedule.

For special programs not included in the adopted budget i.e., summer projects, adult education, community school activities, etc. the Board-approved hourly wage shall be used and a pro-rata amount as needed, in accordance with job responsibilities and requirements.

ADOPTED: 5/17/2021

EFFECTIVE: 07/01/2021

James Island Charter High School