

1 The [Transylvania County Board of Education \(the “board”\)](#) believes that it is important for  
2 employees to have leave available to attend to personal, civic, and professional matters, as well  
3 as to meet family commitments. This need for leave is to be balanced with the need to provide  
4 an effective instructional program for students. No employee may be discharged, demoted, or  
5 otherwise subjected to adverse employment action for taking leave in accordance with board  
6 policies and administrative procedures.

7  
8 All requests for leave, with or without pay, must be addressed in accordance with state and  
9 federal law, as well as policies promulgated by the State Board of Education, including those  
10 specified in the most current edition of the *North Carolina Public Schools Benefits and*  
11 *Employment Policy Manual*, available at [http://www.ncpublicschools.org/district-](http://www.ncpublicschools.org/district-humanresources/key-information)  
12 [humanresources/key-information](http://www.ncpublicschools.org/district-humanresources/key-information).

13  
14 In addition to applicable laws and regulations, the following board policies apply to leave  
15 requests. The superintendent is directed to develop administrative procedures and make them  
16 available to any employee upon request.

17  
18 **A. MINIMUM LEAVE TIME**

19  
20 An employee may take any type of leave in increments of hours unless otherwise  
21 specified in this policy.

22  
23 **B. CONTINUOUS LEAVE OF MORE THAN 10 DAYS**

24  
25 An employee must comply with the notice and verification requirements provided in  
26 policy 7520, Family and Medical Leave, for continuous leave of more than 10 days if:  
27 (1) the leave also is eligible for leave under the Family and Medical Leave Act (FMLA),  
28 defined in policy 7520, and (2) the leave is designated as FMLA-eligible at the time it is  
29 taken or as soon as is feasible thereafter.

30  
31 **C. SICK LEAVE**

32  
33 The superintendent or designee may require a statement from a medical doctor or other  
34 acceptable proof that the employee was unable to work due to illness. Employees who  
35 anticipate using sick leave for more than a single day must inform the principal or  
36 immediate supervisor in advance so that arrangements may be made to reassign the  
37 employee’s duties during the period of absence.

38  
39 **D. PERSONAL LEAVE**

40  
41 Teachers earn personal leave at a rate of .20 days for each full month of employment, not  
42 to exceed two days per year. Unused personal leave may be carried forward from one  
43 year to another and may be accumulated without limitation until June 30 of each year.  
44 On June 30, personal leave in excess of five days shall be converted to sick leave so that

45 a maximum of five days of personal leave is carried forward to July 1. At the time of his  
46 or her retirement, a teacher may also convert accumulated personal leave to sick leave for  
47 creditable service towards retirement.  
48

49 Personal leave must be used in half or whole day units. Personal leave may be requested  
50 by application in accordance with the policies of the State Board of Education and may  
51 be used only upon the authorization of the teacher's immediate supervisor. A teacher  
52 shall not take personal leave on the first day he or she is required to report for the school  
53 year, on a required teacher workday, on days scheduled for state testing, or on the day  
54 before or the day after a holiday or scheduled vacation day, unless the request is approved  
55 by the principal. On all other days, if the request is made at least five days in advance,  
56 the request will be automatically granted subject to the availability of a substitute teacher.  
57 The teacher cannot be required to provide a reason for the request.  
58

59 **E. VACATION LEAVE**  
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61 The superintendent or designee has the authority to approve the vacation schedules of all  
62 personnel. To promote the efficient operation of the schools, the superintendent may  
63 designate certain periods during the nonacademic year as preferred vacation periods for  
64 12-month employees. Vacation earned by 12-month teachers during the two months of  
65 "extended employment" may be taken only upon the authorization of the employee's  
66 immediate supervisor and in accordance with procedures established by the  
67 superintendent. Vacation earned by teachers and other 10-month employees during the  
68 10-month school-year employment may be taken as outlined in the school-year calendar.  
69 If a teacher schedules vacation leave in accordance with the school calendar, the board  
70 and/or principal must give the teacher at least 14 calendar days' notice before requiring  
71 the teacher to work on the scheduled day(s), unless the teacher waives the notice  
72 requirement.  
73

74 Annual vacation leave may be accumulated without any applicable maximum until June  
75 30 of each calendar year. On June 30, accumulated annual vacation leave in excess of 30  
76 days will be converted to sick leave so that only 30 workdays of annual vacation leave  
77 are carried forward.  
78

79 An employee who has unused vacation time from another school system in North  
80 Carolina may have the vacation time transferred to this school system.  
81

82 Instructional personnel who must be replaced by a substitute may not take earned  
83 vacation on days when school is in session for students unless the employee's absence is  
84 due to the employee's own catastrophic illness and the employee has exhausted all of his  
85 or her sick leave or unless the employee qualifies as a new parent. In such instances, the  
86 employee will not be required to pay the substitute.  
87

88 Within any given year, instructional personnel who do not require a substitute may be  
89 granted a maximum of five vacation days when students are in attendance. Such days  
90 may not be consecutive. Leave will not be granted for days immediately before or  
91 immediately following days when students are out of school. Leave will not be granted  
92 on mandatory staff development days. An exception to these restrictions may be made  
93 when an employee is absent due to a catastrophic illness and the employee has exhausted  
94 all of his or her sick leave.

95  
96 The superintendent shall establish procedures for reviewing requests for the use of  
97 vacation leave for catastrophic illness by instructional personnel.

98  
99 **F. CHILD-SCHOOL INVOLVEMENT LEAVE**

100  
101 All employees may take up to four hours of unpaid leave per year to attend or otherwise  
102 be involved in the school of a child for whom the employee is a parent, guardian, or  
103 person standing in loco parentis.

104  
105 **G. COMPENSATORY LEAVE**

106  
107 Because professional employees are expected to fulfill all job duties, compensatory leave  
108 should apply only in extraordinary circumstances.

109  
110 Employees who are not exempt from the provisions of the Fair Labor Standards Act may  
111 accrue compensatory time (comp time) at a rate of one and one-half hours for every one  
112 hour worked in lieu of receiving overtime pay for each hour worked beyond 40 in a given  
113 workweek. For the purpose of compliance with the Fair Labor Standards Act, the  
114 workweek for school system employees will be from 12:00 a.m. Saturday until  
115 ~~11:59 p.m.~~ 12:00 a.m. the following ~~Friday~~ Sunday. Supervisors shall arrange for  
116 employees to take comp time within one pay period following the time it is earned, if  
117 possible. The superintendent or designee may exempt certain employees or categories of  
118 employees from this comp time provision when deemed necessary for the proper  
119 administration of the school system.

120  
121 An employee must obtain approval from his or her immediate supervisor before taking  
122 compensatory leave.

123  
124 **H. MILITARY LEAVE**

125  
126 Employees may take up to 15 workdays of paid military leave during the federal fiscal  
127 year, which runs from October 1 through September 30. Paid military leave may be used  
128 for: (1) active duty training in the Reserve Components of the U.S. Armed Forces,  
129 including the National Guard, the Army Reserve, the Naval Reserve, the Marine Corps  
130 Reserve, the Air Force Reserve, and the Coast Guard Reserve; (2) required physical  
131 examinations relating to membership in a reserve component; and (3) regularly scheduled

unit assemblies, also referred to as drills. For infrequent special activities in the interest of the state when authorized by the Governor or designee, members of the National Guard may be paid for up to 30 days in addition to the 15 days allowed for training.

#### I. LEAVE OF ABSENCE WITHOUT PAY

An employee may be granted a leave of absence without pay for the following reasons and for a period of time of up to one calendar year, renewable at the discretion of the superintendent with approval from the board:

1. military leave (see also policies 7520, Family and Medical Leave, and 7530, Military Leave);
2. personal illness in excess of sick leave;
3. family leave (see also policy 7520);
4. professional leave; and
5. other reasons at the discretion of the superintendent with the approval of the board, such as educational leave, personal leave, or leave for participation in an international teacher exchange program.

An employee seeking leave is responsible for making necessary arrangements as provided in the administrative procedures. Except in the case of an emergency, an employee who desires a leave of absence without pay shall provide at least 60 days' notice and shall submit a request in writing to the board stating the beginning and ending dates of the desired leave of absence. The employee is expected to consult with the principal or his or her immediate supervisor. The superintendent may request documentation from the employee in support of his or her request. In determining the length of absence without pay that will be approved, with the exception of military and family leave, due and proper consideration must be given to the welfare of the students as well as the employee. The superintendent may require the employee to give notice of his or her intent to return to work at reasonable time intervals during the leave.

Once a leave of absence without pay has been requested by an employee and approved by the board, the dates are binding unless both parties agree to a change.

If an employee has exhausted all of his or her paid leave and does not otherwise qualify for a leave of absence without pay as provided above, the superintendent or designee may authorize the employee's absence without pay on a day-to-day basis if the superintendent or designee determines that emergency or other unique circumstances necessitate the employee's absence.

176 Legal References: G.S. 95-28.3; 115C-12, -36, -47, -84.2, -285, -302.1, -316, -336, -336.1; 16  
177 N.C.A.C. 6C .0405; State Board of Education Policy TCP-D-003, *North Carolina Public Schools*  
178 *Benefits and Employment Policy Manual* (N.C. Dept. of Public Instruction, current version),  
179 available at <http://www.ncpublicschools.org/district-humanresources/key-information>

180  
181 Cross References: Family and Medical Leave (policy 7520), Military Leave (policy 7530),  
182 Voluntary Shared Leave (policy 7540), Absences Due to Inclement Weather (policy 7550)

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184 Adopted:  
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