

EMPLOYEE LEAVES AND ABSENCES**FILE: GCBDB**

Transylvania County Schools shall administer all employee leaves and absences in accordance with the established policies of the North Carolina State Board of Education as reflected in the current version of the *North Carolina Public Schools Benefits and Employment Policy Manual* and in accordance with other applicable state and federal laws. The current version of the *North Carolina Public Schools Benefits and Employment Policy Manual* shall be available to all employees of Transylvania County Schools in each facility's main office and at the following address: <http://www.ncpublicschools.org/benemanual/index.html>.

Questions regarding the *North Carolina Public Schools Benefits and Employment Policy Manual* should be directed to the Transylvania County Schools personnel office.

The following local regulations shall also apply to the administration of employee leaves and absences:

Verification of Sick Leave or Personal Illness

A statement from a medical doctor or other acceptable proof of illness shall be required for each absence following the accumulation of ten (10) sick leave or personal illness absences, and may be required for any sick leave upon the request of the employee's immediate supervisor.

Employee Absences Without Pay

Employment of an individual by the Transylvania County Board of Education constitutes an agreement that the employee will report for work every day that the employee is scheduled to work. Absences without pay constitute a breach of the employment agreement and will result in disciplinary action. This disciplinary action may include termination of employment.

When an individual has exhausted all available days of paid leave, the Superintendent / designee may, on a day-to-day basis, authorize absence without pay if an emergency condition necessitating the absence is determined to exist.

The Superintendent may also authorize absence without pay to allow an employee to take advantage of unusual and unique opportunities, provided that the Superintendent receives a written request at least thirty (30) calendar days in advance of the proposed date(s) of absence. Such approval shall be granted to an employee on only one occasion in a two-year period.

Leaves of Absence Without Pay

Leaves of absence without pay shall be granted to eligible personnel under the provisions of the *North Carolina Public Schools Benefits and Employment Policy Manual*, applicable state and federal laws, and these local regulations:

1. The terms of a leave of absence without pay must be reduced to writing and have the recommendation of the Superintendent and approval of the Board of Education.
2. The employee shall be reinstated to a similarly situated position (e.g., teacher, counselor,

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administrator, etc.) with no reduction in pay. Generally, the position of reinstatement will be at the same work location, but this cannot be guaranteed. Exceptions will occur when a condition such as staff reduction is a factor.

3. In giving due and proper consideration to the welfare of students, an employee's return to work following a leave of absence without pay shall occur at the beginning of a quarter unless the employee and Superintendent / designee mutually agree to another date in writing. All leaves of absence without pay are granted in good faith that the employee will return to work on the specified date. Failure to return to work at the appointed time shall be considered a voluntary resignation.
4. During a leave of absence without pay, the employee may continue hospital and medical insurance by paying the monthly costs of the employer and employee contributions.
5. Leaves of absence without pay, normally not to exceed one (1) calendar year, are granted to eligible personnel for the following reasons:
 - a. **MILITARY LEAVE:** An employee shall be granted a leave of absence without pay for military service as provided by state and federal laws and related administrative regulations.
 - b. **PERSONAL ILLNESS IN EXCESS OF SICK LEAVE:** Once an employee has used extended sick leave and is subject to a loss of salary when absent, the employee is entitled to a leave of absence without pay for a period of up to one (1) calendar year provided that a doctor's certificate is filed with the Superintendent / designee. The employee shall furnish to the Superintendent / designee a doctor's statement of his or her fitness to return to work prior to reinstatement.
 - c. **FAMILY LEAVE:** An employee shall be granted a leave of absence without pay for up to one (1) calendar year for the birth or adoption of a child. This includes both male and female employees. This leave of absence without pay is provided for an employee who desires to be on leave from work prior to the time of birth or adoption or after the time of birth or adoption. The period of unpaid leave may begin within twelve (12) weeks prior to the birth or adoption of a child and no later than twelve (12) weeks after the birth or adoption of the child. Generally, the request for unpaid leave should be for the maximum time the employee expects to be on leave. Once approved, a leave of absence without pay for this purpose shall not be extended unless extenuating circumstances arise which were neither present nor predicted at the time the employee filed the initial request. A leave of absence for the birth or adoption of a child pursuant to this section is provided in addition to the leave benefit provided by the Family Medical Leave Act of 1993.

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- d. EDUCATIONAL LEAVE: An employee who has been employed by Transylvania County Schools for at least one (1) school year may be granted a leave of absence without pay for a maximum of one (1) school year or a minimum of one (1) semester to pursue collegiate studies as a full-time student. The employee, when requesting such leave, shall furnish a statement from an educational institution that indicates enrollment as a full-time student.
- e. PERSONAL LEAVE: A leave of absence without pay may be granted for up to one (1) school year to a certified employee who has achieved career status with Transylvania County Schools, provided that the reason for the leave of absence without pay is approved by the Superintendent. No more than one leave of absence without pay for personal reasons shall be granted to the certified employee during a ten-year period. Personal leave will be neither considered for nor granted to administrative or supervisory personnel.
- f. EXCHANGE TEACHING: A regular teacher who has been employed by Transylvania County Schools for at least one (1) school year may be granted a leave of absence without pay for one (1) school year provided that the teacher has been accepted to teach abroad in accordance with a recognized international teacher exchange program.

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