

**Board Policy GBRI: Professional Personnel Personal Leaves and Absences**

**Status: DRAFT -  
1st Reading**

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**CLEAN VERSION**

**Board Policy GBRI: Professional Personnel Personal Leaves and Absences**

The Board of Education (“Board”) expects all employees to maintain regular attendance and to avoid unnecessary absences. Out of concern for the health and welfare of employees and their families, and in compliance with applicable laws, the Board will provide certain categories of leave for which employees may seek approval. Immediate supervisors are expected to monitor employee (BL051-23) North Georgia Fuel Cooperative Contract Approval for the Purchase of Gasoline and Diesel Fuel on an Annual Contract Renewal; GCID#20230724 (Not to exceed \$8,100,000) attendance and take appropriate action when attendance problems occur. Leave taken without approval, as required, may be treated as unauthorized leave and may result in disciplinary action up to and including termination. Further, submitting falsified documents for sick leave, other types of leave, or FMLA may also result in disciplinary action, up to and including termination.

**A. SICK LEAVE**

All full-time personnel will be eligible for sick leave earned at the rate of one-and-one-fourth (1.25) days for each month of service. Effective July 1, 1994 any unused sick leave may be carried forward from one fiscal year to the next in a reserve bank until a maximum of one hundred and ninety days is accumulated.

Months of Service	Sick Leave Days Per Year
10-Month Employee – 8 Hour	12.5 Days
10-Month Employee – 7 Hour	11.25 Days
10-Month Employee – 6 Hour	11.25 Days
11-Month Employee – 8 Hour	13.75 Days
12-Month Employee – 8 Hour	15 Days

All days absent will be reported by the employee, certifying the dates and reasons for the absence. The superintendent or the superintendent's designee may require a healthcare provide certification when deemed necessary. A healthcare provider certification will always be required for sick leave requests for more than three consecutive workdays.

Sick Leave is provided under state law to provide pay during absences related to medical issues for the employee or immediate family member, as well as for certain other absences. An employee may utilize sick leave upon the approval of the superintendent or the superintendent's designee for absence(s) due to illness or injury or necessitated by exposure to contagious disease or to illness or the death of the employee's relative. "Immediate Family Member" under this Policy, is defined as the following: spouse, child, sibling, parent, grandparent, grandchild, and corresponding step and in-law relations.

At the time of employment, a new employee will be credited with up to forty-five days of unused sick leave if the employee earned such sick leave while employed in any other public school system in the State of Georgia, provided that the teacher remained in active service as a public school employee for the twelve months preceding employment by the DeKalb County School District ("District"), and provided that the employee accrued the sick leave in accordance with Georgia law and policies of the Georgia State Board of Education.

Any accumulated unused sick and personal leave credited to an employee will be forfeited if the employee leaves employment for a period of twelve or more consecutive months, unless the employee is on approved professional leave to seek a higher level or different field of certification and the leave is for no more than twenty-four consecutive months.

## B. PERSONAL LEAVE

During a school year, employees may utilize a maximum of three days accumulated sick leave days as personal leave, if prior approval is received and the employee requesting the absence is not essential for effective school operation.

Employee attendance on designated critical days, is crucial for effective school operation during the requested days of absence. Neither personal nor vacation leave may be authorized during the following designated critical days for any personnel: pre-planning, post planning, the first five days of the school year, and the last five days of the school year. Any exceptions must be approved by the superintendent or the superintendent's designee.

Employee requests for personal or vacation leave may not be authorized for school-based employees during the first two days prior to a school holiday period or a work calendar reduction day, or the two days following a school holiday period or a work calendar reduction day. Employee requests for personal or vacation leave also may not be authorized for school-based employees during any federal or state standardized assessments administered by the District.

Requests for personal leave must be submitted in writing to the employee's principal or supervisor at least three days prior to the requested leave date. The employee's principal or supervisor can approve or deny an employee's personal leave request. If more than three days are missed for personal reasons unauthorized absences resulting in a loss of pay charged at the employee's daily rate of pay and may further result in disciplinary action, up to and including termination. An employee is not required to indicate specific reasons for personal leave. The employee's principal or supervisor has the right to approve or deny the employee's request for personal leave.

## C. VACATION LEAVE

Full-time, twelve-month employees will earn ten days of vacation per year during the first five years of continuous employment. During each additional one-year period of continuous service, the employee will earn one additional day of vacation than the preceding year, not to exceed twenty days of vacation per year. Employees are encouraged to take vacation annually. The maximum

amount of unused vacation that may be accrued at any point is fifty (50) days. Any leave balance of more than fifty (50) days is forfeited at the end of each pay period. Upon retirement or resignation, employees will be paid for no more than fifty (50) days of unused vacation. All requests for vacation leave must be submitted, in writing, to the employee's principal or supervisor at least two weeks prior to the requested leave date. The employee's principal or supervisor may approve or deny the employee's request for vacation leave.

#### D. RELIGIOUS/BEREAVEMENT LEAVE

Employees may use a maximum of three personal leave days for religious purposes. An employee may use a maximum of five days of accumulated leave and/or personal leave days for bereavement in the event of the death of an immediate family member. "Immediate family member" is defined as the following: spouse, child, sibling, parent, grandparent, grandchild, and corresponding step and in-law relations. If the employee desires to take leave in excess of the days provided under this Policy, the employee may take unpaid leave.

In advance of an absence, the employee must apply for bereavement or religious leave in writing, stating the specific reason for the anticipated absence. The principal or supervisor may approve or deny the employee's request for bereavement or religious leave. Approval may not be unreasonably withheld. The employee may appeal a denial of the request for bereavement or religious leave to the assigned area superintendent or division head within five days of the leave request denial.

#### E. PROFESSIONAL LEAVE (School Representative)

Each school will be allotted professional leave days annually which will not be charged against an employee's personal leave allotment. Each school will be allotted one day for each seven full-time, certified employees. An employee desiring to use one or more of these days to attend a professional meeting should submit a written request to the principal at least three weeks prior to the meeting date. Principals are responsible for developing and maintaining an equitable system for distributing allotted professional leave days among teachers of different departments and grades.

#### F. PROFESSIONAL LEAVE (Graduate Study Without Pay)

Full-time personnel who have been employed with the District for at least twelve months and wish to pursue graduate degrees in education that are related to the employees' position with the District may request an unpaid leave of absence to complete a residence degree program, student teaching assignment, or other internship as required by the attending university.

The employee must submit an application for professional leave at least six weeks prior to the leave event. Once an employee is granted professional leave, the employee may take up to one year of unpaid leave to complete the course requirements. Only one professional leave may be granted for each employee within a two-year cycle. Employees wishing to complete non-degree programs are not eligible for professional leave. The Division of Human Resources may deny the request for professional leave. Reasonable efforts will be made to reassign an employee who returns from professional leave within the allotted time, but not necessarily to the same position previously held.

#### G. FAMILY MEDICAL LEAVE

The Federal Family Medical Leave Act of 1993 ("FMLA") entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons, with continuation of group health insurance coverage under the same terms and conditions as if the

employee had not taken leave.

An employee requesting eligible leave must have the appropriate healthcare provider complete the WH380 form, which requests information permitted by FMLA.

#### H. DEKALB MEDICAL LEAVE

District sponsored medical leave is available to employees who have a serious medical condition as defined by the federal Family Medical Leave Act (FMLA) but who do not qualify for FMLA. Employees may apply for an unpaid job-protected Medical Leave for a qualifying reason as defined in the FMLA, with the continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave. The District will allow employees to take a medical leave per rolling calendar year for the employee or an immediate family member, measured backward from the date an employee uses any Medical Leave. "Immediate family member" is defined as parent, spouse, child under 18 years or child over 18 years of age and incapable of self-care because of mental or physical disability. The employee must give the Division of Human Resources at least 30-days advance notice of the need to take a DeKalb Medical Leave. When the need is unexpected the employee must notify the Division of Human Resources as soon as possible.

The leave does not need to be taken in a continuous block. When medically necessary, eligible employees may take leave intermittently. The allowable time off is limited to the period of disability as certified by a healthcare provider but no more than 40 work days (8 weeks) or 160 hours. At the end of the approved leave period the employee will be required to return to work, apply for additional leave (if applicable), or resign. A continued employee absence beyond the approved medical leave period will be considered job abandonment. The Division of Human Resources may deny a request for Medical Leave for ineligibility purposes.

#### I. EXTENDED MEDICAL LEAVE

Employees who have exhausted the leave provisions under the FMLA or DeKalb Medical Leave and who are unable to return may apply for an extended medical leave. The extended medical leave may not exceed a period of one year from the first day of the approved continuous leave period. After one year, if the employee does not return to the District, the employee will be separated from the District.

#### J. JOB PROTECTION UPON RETURN FROM LEAVE

The Division of Human Resources will make every effort to find a position for reemployment for eligible employees returning from leaves of absence. Employees returning from FMLA leave will be returned to the same or equivalent position and location, as defined under the FMLA. Employees returning from an approved Extended Leave of Absence may be considered for reinstatement in accordance with the associated Administrative Regulation.

#### K. LEAVE OF ABSENCE WITHOUT PAY

The Division of Human Resources must approve all requests for a leave of absence without pay. Any employee who takes an unapproved leave of absence, for any reason, will be placed on leave without pay. The Division of Human Resources will notify the employee of the unapproved leave, with a request to immediately return to work. If the employee fails to respond to the notification or to return to work, the employee may be recommended to the Board for termination from the district for job abandonment.

## L. UNUSED SICK LEAVE FINANCIAL EXCHANGE

Retiring employees who have accrued unused sick leave benefits may redeem them only under the following conditions:

1. For employees covered by the Georgia Teachers Retirement System ("TRS"), a financial exchange for unused sick leave will be provided only if the employee has established 40 years of creditable service with TRS and cannot apply accumulated sick leave to increase the employee's creditable service with TRS pursuant to O.C.G.A. § 47-3-92. All other employees may redeem unused sick leave benefits upon retirement pursuant to this section without regard to years of service.
2. Sick leave days transferred from other school systems will be excluded from the Sick Leave Financial Exchange Program.
3. Unused sick leave days earned by an employee may be redeemed under the Sick Leave Financial Exchange Program at retirement according to the following schedule:

Unused Sick Leave	Days Rate of Pay
Less than 25 days	\$0.00 per day
26-50 days	\$3.00 per day
51-75 days	\$4.00 per day
76-100 days	\$5.00 per day
101-125 days	\$6.00 per day
126-150 days	\$7.00 per day
151-175 days	\$8.00 per day
176 days or more	\$9.00 per day

## M. JURY AND WITNESS LEAVE

An employee subpoenaed either for jury duty or as a witness to testify before a court of law in a case arising out of the employee's duties as a District employee shall be allowed a leave of absence without loss of pay or a deduction from sick, personal, or professional leave. No employee utilizing witness leave will be required to pay the cost of employing a substitute employee to serve during the employee's absence.

After an employee has been absent for ten days for jury duty in any twelve-month period, the District shall receive all compensation paid the employee for serving on a jury, excluding personal expenses. Upon return to duty the employee must attach a copy of the subpoena to serve as a juror or as a witness to the Statement of Leave form.

## N. MILITARY LEAVE

Employees, other than those employed on a temporary basis, shall be entitled to paid military leave not to exceed eighteen days in any federal fiscal year for the purpose of complying with ordered military duty with the Armed Forces of the United States or the State of Georgia, including duty as a voluntary member of the militia or the reserve component. Employees are also entitled to paid leave, not exceeding thirty days in any one federal fiscal year if ordered to duty because of the declaration of any emergency by the Governor or by the appropriate officials of the United States Armed Forces.

An employee who has military commitments should inform the superintendent or the superintendent's designee annually and must cooperate, to the extent possible, in scheduling such leave to minimize the disruption in the employees' duties and the mission of the board.

Employees will be entitled to military leave for long-term, ordered military duty, with full employment and reinstatement rights as provided by law. The employee subject to such military duty must provide the Division of Human Resources with a copy of the official military orders, along with the request for such leave.

#### O. SICK LEAVE BANK

The District may establish and maintain a Sick Leave Bank for the purpose of awarding eligible employees who voluntarily make contributions to the Sick Leave Bank each year with sick leave days from the Bank after their earned sick leave accruals have been exhausted. The Sick Leave Bank will be developed and maintained pursuant to O.C.G.A. 20-2-850 and to the guidelines developed by the superintendent.

#### P. PAID PARENTAL LEAVE

Eligible employees of the District shall be granted paid parental leave upon the birth of an employee's child or the placement of a child with an employee through adoption or foster care. Full-time personnel shall be eligible for parental leave after six continuous months of employment with the District, and hourly employees shall be eligible if they have worked 700 hours during the preceding six-month period. The District will promulgate guidelines regarding paid parental leave.

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#### 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

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. 21-02-0404

[Affording employees time off to vote](#)

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

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

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

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