

Descriptor Term: LICENSED STAFF LEAVES AND ABSENCES	Descriptor: GCCA	Issued: Draft
	Rescinds: GCCA	Issued: 06/14/05

SICK LEAVE - Each licensed employee will be credited with ten days sick leave at the beginning of each school year. Any unused portion of annual sick leave will be carried over to the next school year. Accumulation of sick leave will be unlimited. No deduction from pay will occur as a result of absences caused by illness or physical disability until all leave allowance has been used. For the first ten days of absence because of illness or physical disability in excess of the sick leave allowance of the employee, the district rate of pay for a substitute will be deducted from the pay. Thereafter, the regular daily rate of pay will be deducted. Situations for which sick leave may be granted are as follows:

1. A Family Medical Leave Act qualifying event or an actual period of temporary disability caused by a personal illness, injury, or other temporary disability that prevents an employee from performing his or her usual duties.
2. An illness in the employee's immediate family that necessitates the employee's attendance; immediate family is defined as spouse, parent, stepparent, sibling, child or stepchild. Verification may be required.
3. Medical or dental appointments.
4. Due to each death in the immediate family, an employee may use up to three (3) days of sick leave with full pay as bereavement leave. For purpose of this section only, immediate family is defined as spouse, parent, parent-in-law, stepparent, sibling, child or stepchild.

Should an employee's absence extend for more than three (3) consecutive workdays, the employee must submit to Human Resources on or before the fifth fourth day, a certificate from a licensed physician or dentist as to the illness. The employee will be processed for FMLA if qualifying event exists. If the need for absence is foreseeable, a licensed employee is required to submit in writing a request for sick leave longer than three (3) days. If the need for leave is not foreseeable, an employee must provide notice to the Office of Human resources within three (3) working days of learning of the need for leave, except in extraordinary circumstances. The District reserves the right for the supervisor of any employee Human Resources Director to request a doctor's statement of verification of illness at any time regardless of the length of absence, including an absence of one day. Sick leave charges are as follows:

1. The minimum sick leave that may be taken is one-half of one day in any given workday. Only sick days taken on actual workdays shall be charged in calculating the number of sick leave days taken.
2. The TPSD workers' compensation policy allows employees who sustain job-related injuries to use paid sick leave to make up the difference between their normal wage and the amount they are receiving under the workers' compensation award, when the workers' compensation injury lasts four or less days. When the workers' compensation leave lasts five or more consecutive days and qualifies for FMLA, an employee may only utilize sick time if both the District and employee agree in writing to allow for its usage. Additionally, during absences where disability benefits are being paid, an employee may only utilize sick time if both the District and employer agree in writing to allow for its usage.
3. Upon termination of employment, unused sick leave for which the employee is entitled to full pay will be counted as creditable service for purposes of the retirement system to the extent provided in Section 25-11-103 of the Mississippi Code and the policies of the Public Employees' Retirement System.

PERSONAL LEAVE - Each licensed employee employed for less than twelve months will be credited with two personal leave days with pay at the beginning of each school year. Personal leave shall not be taken on the first or last day of the school term, or on a day immediately prior to or following a school holiday, unless on such days an immediate family member of the employee is being deployed for military service. All personal leave will be subject to the prior approval of the immediate supervisor. Any unused portion of the total personal leave allowance up to five (5) days shall be carried over to the next school year and credited to such licensed employee if the licensed employee remains with the District. Unused personal leave in excess of five (5) days will accumulate as sick leave. After the exhaustion of their two personal days with pay, first year licensed employees may be granted up to an additional three (3) days of personal leave under the condition that the district rate of pay for a substitute will be deducted from the pay of the absent employee. Similarly, second year employees will have one additional day of personal leave available to them under the same condition. **When an employee is receiving workers' compensation or disability benefits, the employee will only be able to utilize personal days when both the employee and District agree in writing.**

It is the intent of the Board that not more than ten percent of the licensed employees of a school be granted personal leave on the same date. A suitable substitute shall be scheduled prior to the approval of a personal leave request. Thereafter, the regular daily rate of the absent employee will be deducted.

PROFESSIONAL DEVELOPMENT LEAVE - The immediate supervisor of each licensed employee may approve a maximum of five days per school year for professional development purposes related to the mission of the district. Any exceptions to the professional development leave allowance will require the prior written approval of the superintendent or designee.

EDUCATIONAL LEAVE - After employment by the district for a period of two (2) continuous years, a licensed employee may receive a leave of absence for educational purposes. A request for a leave of absence must be submitted in writing by the employee explaining the reason for the leave. A leave of absence must be approved by the Board and may be granted for the remainder of a semester and may be extended upon request for an additional semester of the same school year. The leave of absence may not extend beyond the expiration date of the contract of the employee.

LEGAL LEAVE - When a licensed employee is subpoenaed to testify in court in a case in which the employee is not a party or is summoned to serve on a jury, the employee will be granted leave upon verification of the summons or subpoena by the immediate supervisor. During such absence, the certified employee will be entitled to receive a regular rate of pay and fringe benefits normally received. Legal leave will not be granted in cases in which the employee is in litigation against the district.

MILITARY LEAVE - Licensed employees who are members of a reserve component and who are required to attend military training while under contract to the district are entitled to full salary for up to fifteen days while on military leave. The fifteen days of military leave is a separate period from the employee's regular leave, and may not be deducted as personal or sick leave.

EXHAUSTION OF LEAVE - Following the exhaustion of leave taken by a licensed employee, the employee must return to work. If the employee does not return to work within 30 days following the exhaustion of leave, his/her employment may be terminated. However, the employee may petition the Board of Trustees to extend the period of unpaid leave, and if exceptional circumstances are found to exist, the leave may be extended.

Any materially false statement by the employee as to the cause of absence may result in full deduction from salary for days absent or entry on the work record or other appropriate penalty deemed justified by the Board.