

Overview

The board of education believes that it is important for employees to have leave available to attend to personal, civic and professional matters as well as to meet family commitments. This need for leave will be balanced with providing an effective instructional program for students. No employee will be discharged, demoted or otherwise subjected to adverse employment action for taking leave in accordance with board policies and administrative procedures.

The purpose of child involvement leave is to promote employees' involvement in the education of youth and to promote employees' assistance to schools.

All requests for leave, with or without pay, will be addressed in accordance with state and federal law, as well as policies promulgated by the State Board of Education. In addition to applicable laws and regulations, the following policies of the board will apply to leave requests including those specified in the most current edition of *North Carolina Public Schools Benefits and Employment Policy Manual*, available at <https://www.dpi.nc.gov/districts-school/districts-schools-support/districthuman-capital/employee-policy>

In addition to applicable laws and regulations, this board policy applies to leave requests. The information in this policy is intended to supplement, not replace, the requirements of law and the State Board of Education. In the event that changes to State or federal law or regulation conflict with current State Board or local board policies, the board intends that its leave practices be modified to the extent necessary to comply with current law until such time as conforming changes to State Board and/or local board policy are made.

The superintendent shall develop any necessary administrative procedures and make them available to employees upon request.

A. MINIMUM LEAVE TIME

An employee may take any leave in increments of hours, upon approval by the supervisor.

B. CONTINUOUS LEAVE OF MORE THAN TEN DAYS

An employee must comply with the notice and verification requirements as provided in policy 7517, Family and Medical Leave, for any continuous leave of more than 10 days if: (1) the leave also is eligible for leave under the Family and Medical Leave Act (FMLA), defined in board policy 7517 and, (2) the leave is designated as FMLA-eligible at the time it is taken or as soon as feasible thereafter. See policy 7517, Family and Medical Leave. The board of education believes that it is important for employees to have leave available to attend to personal, civic and professional matters as well as to meet family commitments. This need for leave will be balanced with providing an effective instructional program for students. No

employee will be discharged, demoted or otherwise subjected to adverse employment action for taking leave in accordance with board policies and administrative procedures. The purpose of child involvement leave is to promote employees' involvement in the education of youth and to promote employees' assistance to schools. All requests for leave, with or without pay, will be addressed in accordance with state and federal law, as well as policies promulgated by the State Board of Education. In addition to applicable laws and regulations, the following policies of the board will apply to leave requests. The superintendent will develop administrative procedures and make them available to any employee on request.

C. SICK LEAVE

The superintendent or designee may require a statement from a medical doctor or other acceptable proof that the employee was unable to work due to illness or injury. Employees who anticipate using sick leave should inform their immediate supervisor in advance so that arrangements may be made to reassign the employee's duties during the period of absence.

D. PAID PARENTAL LEAVE

An employee shall provide his or her supervisor and the assistant superintendent of human resources with 10 weeks' advance written notice of the intent to take paid parental leave when it is reasonably possible to do so. If 10 weeks' advanced written notice is not reasonably possible, the employee must provide as much notice as is reasonable under the circumstances.

E. PERSONAL LEAVE

Personal leave must be used in half or whole day units. Personal leave may be used only upon the authorization of the teacher's immediate supervisor and in accordance with legal requirements and procedures established by the superintendent.

F. VACATION LEAVE

Vacation may be taken only upon the authorization of the employee's immediate supervisor and in accordance with legal requirements and procedures established by the superintendent.

To promote the efficient operation of the schools, the superintendent may designate certain periods during the nonacademic year as preferred vacation periods for 12-month employees.

G. CHILD-SCHOOL INVOLVEMENT LEAVE

All employees may take up to eight hours of paid leave per year to attend or otherwise be involved in the school of a child for whom the employee is a parent, guardian or person

standing in loco parentis. This leave should be taken in hourly increments not to exceed four consecutive hours. Employees are responsible for providing appropriate coverage for classes, if applicable; no substitutes will be provided in taking Child-School Involvement Leave. Employees must receive prior-approval from their immediate supervisor to use this leave. Employees may take leave under this policy to:

1. Meet with a teacher or administrator of any elementary school, middle school, high school, or child care program authorized to operate under the laws of the State of North Carolina concerning the employee's children, stepchildren, or children for whom the employee is acting *in loco parentis*.
2. Attend any function sponsored by the school or child care program as defined above in which the children, stepchildren, or children for whom the employee is acting in loco parentis are participating.
3. To perform, by any employee without regard to parental status, school-approved volunteer work approved by a teacher, school administrator, or program administrator.

H. COMPENSATORY LEAVE

Since professional employees are expected to fulfill all job duties, compensatory leave should only apply to extraordinary circumstances.

Employees who are not exempt from the provisions of the Fair Labor Standards Act may accrue compensatory time (comp time) as described in policy 7500, Workday and Overtime. Supervisors will arrange for employees to take comp time within one pay period following the time it is earned if possible; however, the superintendent or designee may exempt certain employees or categories of employees from this requirement when deemed necessary for the proper administration of the school district.

All employees must obtain approval from their immediate supervisors before taking compensatory leave.

Exempt employee compensatory leave is addressed in policy 7519, Compensatory Leave.

I. LEAVE TO TEACH AT A CHARTER, REGIONAL, OR LAB SCHOOL

Leave of absence to teach for one year at a charter, regional, or lab school will be granted to a teacher upon timely written request to the board. The request must be provided at least 45 days before the teacher would otherwise have to report for duty if it is the initial year of the charter/regional/lab school's operation and at least 90 days if it is after the charter/regional/lab

school's initial year of operation. The teacher may return to work in the school system in accordance with the provisions of applicable state law.

J. DISCRETIONARY LEAVE OF ABSENCE WITHOUT PAY

An employee, who wishes to take leave that is not eligible for any other specific type of leave, may be granted a leave of absence without pay for a period of up to one calendar year, at the discretion of the superintendent with approval by the board of education.

The employee is expected first to consult with his or her immediate supervisor and then to provide advance written notice (60 days if possible) stating the beginning and ending dates of the desired leave of absence. The superintendent may request documentation from the employee in support of his or her request. In determining the length of the leave of absence without pay that will be approved, 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.

K. OTHER LEAVE

Other types of leave, such as leave for observance of bona fide religious holiday, professional leave, community responsibility leave, leave for jury duty or court attendance, elected officials leave, parental involvement in schools leave, parental leave without pay, and military leave (see policy 7530, Military Leave), will be granted in accordance with the requirements of law and State Board of Education policy.

Legal References: G.S. 95-28.3; 115C-12,-36,-47,-84.2, -218.90(a)(3), -238.68(3), -285,-302.1,316,-336,-336.1; 116-239.10(4); 126-5(c19), -8.6; 143B-1033; 16 N.C.A.C. 6C.0405, .0408; State Board of Education Policy BENF-001, *North Carolina Public Schools Benefits and Employment Policy Manual* (N.C. Dept. of Public Instruction, current version), available at <https://www.dpi.nc.gov/districts-schools/districts-schoolsupport/district-human-capital/employee-policy>

Cross References: Workday and Overtime (policy 7500), Compliance with State Board of Education Employment Policies (policy 7505), Family and Medical Leave (policy 7520), Military Leave (policy 7530), Voluntary Shared Leave (policy 7540), Absences Due to Inclement Weather (policy 7550)

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