

STAFF LEAVES AND ABSENCES

All employee leaves and absences are subject to school division policy and regulations. The superintendent shall establish any regulations necessary for the application of the division's policies regarding leaves and absences.

Amended: October 17, 2002

Amended: April 9, 2012

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-78.

Cross Refs.:	GCBE	Family and Medical Leave
	GCBEA	Leave Without Pay
	GCBEB	Military Leave and Benefits
	GCQA	Nonschool Employment by Staff Members

Personal Leave:

All full-time licensed professional employees, professional administrative staff, and twelve month contracted support staff who are members of the Virginia Retirement System shall qualify for personal leave and shall submit a request to use personal leave to their principal or to their immediate supervisor as soon as the need for leave is known. No specific reason for such personal leave shall be required or solicited. In case of emergency the appropriate school official shall be notified prior to the start of the duty day to be taken off. The rules regarding personal leave shall be as follows:

1. A maximum of three (3) days per contract year for personal leave may be granted. Personal leave may be taken in minimum increments of one-half day.
2. No more than two instructional staff members or five percent, excluding emergencies, of a staff or an administrative unit, whichever is greater, may take personal leave at one time. Approval will be made by priority of time of receipt of application.
3. This personal leave shall be cumulative to a maximum of five days. Personal leave not used or accumulated will be transferred to sick leave at the end of the fiscal year.
4. Except in case of emergency, personal leave may not be taken on inservice days, during semester examinations or two days preceding or two days following school holidays.
5. Personal leave days will accumulate at the rate of one day for each one-third of an annual employment contract. In the event of emergency, days may be used prior to accumulation with no penalty if the annual contract is completed.

Annual Leave:

Ten (10) and eleven (11) month professional staff employees of the Wise County School Board are not granted annual leave. Ten (10) and eleven (11) month support staff employees of the Wise County School Board are not granted annual leave unless approved by the school board as a part of the compensation package.

Annual leave for vacations or other personal reasons for all twelve (12) month full-time salaried employees of the Wise County School Board shall be earned at the rate of one (1) day of annual leave for each completed calendar month or major fraction thereof not to exceed ten (10) days of annual leave per contract year through the first 10 years of service. Thereafter, annual leave shall increase at the following rate:

Eleven (11) through twelve (12) years	12 days
Thirteen (13) through fifteen (15) years	14 days
Sixteen+ (16+) years	16 days

Annual leave must be earned before it can be taken. Earning and use of annual leave will be recorded for each employee on the last work day of each calendar month by a designated member of the superintendent's staff.

Application will be made by an employee to his immediate supervisor and annual leave will be scheduled and approved prior to the beginning of leave for an individual. Annual leave cannot be taken in less than one-half (1/2) day increments.

Annual leave earned by an eligible employee may be accumulated to the following year if it is not used, but not beyond that year. Accumulated leave may be taken only with the approval of the immediate supervisor.

Holidays:

All 10- and 11-month full-time employees of the Wise County School Board are granted holidays in accordance with the adopted school calendar.

All full-time 12-month employees of the Wise County School Board shall be granted the following holidays:

Independence Day
Thanksgiving Day
New Year's Day

Labor Day
Christmas Day
Memorial Day

When any of the above holidays fall on Saturday or Sunday, the superintendent may designate other days, preceding or following the holiday.

If an official school day is scheduled by board authority for any of the holidays, all full-time 12-month employees shall report for duty as usual. In such cases, the superintendent will schedule a replacement holiday so that no less than nine holidays will be given to all full-time 12-month employees during the school year. Additional holidays may be granted by the superintendent, at the discretion of the board.

Sickness and Accident:

The Wise County School Division operates under the regulations governing the State Sick Leave Plan for Teachers (Revised - Effective September 1, 1980) as supplemented by school board policies.

The following provisions apply to all full-time, salaried teachers, administrators, and central office staff:

- A. Ten (10), eleven (11), and twelve (12) month employees may earn a maximum of one day per month (example: ten month employee earns 10 days; eleven month employee earns 11 days; 12 month employee earns 12 days) for each contract year. Such leave, if not used, shall accumulate with no limit. Employees hired after January 1, 2014, and have never previously been employed in either of the VRS Plan 1 or Plan 2, can only accumulate a maximum of 60 days.
- B. Earnings for less than a full year shall be at the rate of one day per month or major fraction thereof. This provision applies to those employees who do not begin work at the start of the contracted period and to those who do not complete the full contracted period.
- C. Employees shall be permitted to anticipate sick leave earnings for the current contract year. Should the recipient of advanced sick leave terminate employment with the school system prior to earning the amount of sick leave used, the recipient will have the advanced days deducted from the salary.
- D. An employee cannot claim any portion of sick leave unless he has actually reported for duty in accordance with the terms of his contract. However, if an employee is unable, because of accident or illness, to begin work in accordance with the terms of his contract, such employee may use accumulated leave to his credit not to exceed such balances as of June 30 of the immediate preceding school year.
- E. Such leave must be taken in minimum of one-half day increments.
- F. The principal or superintendent shall have the authority to require reasonable proof of illness if 4 or more consecutive days are missed when he/she deems it necessary. If 4 or more consecutive days are missed, excuses need to be sent to a designated person at the Central Office.

Sick leave shall be allowed for personal illness, including quarantine, injury, pregnancy, temporary physical or mental incapacity, or illness in the immediate family requiring the attendance of the employee for not more than four (4) days in any one case. (The term "immediate family" of an employee shall be regarded to include mother, father, foster parents, adoptive parents, stepmother, stepfather, grandparents, grandchildren, wife, husband, children, brother, sister, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, and any relative living in the household of the employee.) Due to extenuating circumstances as determined by the division superintendent, more than four days may be granted.

Employees covered under this policy may transfer from one public school system to another in Virginia and likewise transfer any such accumulated leave if the school board of the system to which the transfer is made signifies its willingness to accept such transfer.

The School Board of Wise County accepts the transfer of accumulated sick leave from other school systems in Virginia for professional instructional, administrative and supervisory personnel only. In no instance may a person employed by the Wise County School Board transfer more than 100 days accumulated sick leave. Employees hired after January 1, 2014, and have never previously been employed in either of the VRS Plan 1 or Plan 2, can only transfer in a maximum of 60 days.

An employee will be presumed to have left public school employment if he accepts employment other than in the public school system of Virginia, or is unable to be employed in the public schools of Virginia for a period of three (3) consecutive years because of illness or physical disability or family responsibility. An employee who leaves employment in the public schools to enter the armed services does not forfeit accumulated earnings unless he fails to return to public school employment immediately upon discharge from an original tour of duty in the armed services. However, current earnings cannot be allowed for the period while in the service.

Payment for unused sick leave will be paid to employees upon retirement from the Wise County Public School system under provisions of the Virginia Retirement System and provided that the eligible employee has completed a minimum of five (5) years uninterrupted service including the year of retirement. Such service shall have been in a sick leave earning/accrual position in the Wise County Public School System.

Payment shall be made at the following rate:

First ninety (90) days	\$30 per day
Next sixty (60) days	\$45 per day
All days over 150	\$60 per day

Leave is granted to all employees for injury sustained on the job in accordance with provisions of the Worker's Compensation Act.

Amended: July 23, 2019

Federal and State Jury Duty:

School system employees called for jury service will be on leave with pay subject to verification of actual days of jury service by the Clerk of the Court. Money collected for jury service shall be remitted to the Wise County School Board.

If any employee is released from jury duty at or prior to noon on a given day, he/she will return to his/her work station.

Unless jury duty conflicts with evening responsibilities, employees will fulfill such responsibilities as PTA meetings, coaching, extra-curricular duties, and the like.

An employee on jury duty may retain the check for jury service by charging the absence to personal leave or vacation leave if accumulated days are available.

Mandatory Court Appearance:

Any person, except a defendant in a criminal case, who is summoned or subpoenaed as a witness in court when a case is to be heard shall not have any adverse personnel action taken against him/her, nor shall he/she be required to use accumulated leave as a result of his/her absence from employment due to such civic duty. Leave with pay will be granted upon the submission of a copy of the subpoena or summons to the payroll office.

Legal Ref.: Section 18.2-465.1, Code of Virginia

Extended Leave:

Extended leave may be granted to tenured teachers, administrators, and instructional supervisors, without pay (life and hospitalization insurance may be maintained during extended leave if the full premiums for these coverages are paid to the division by the employee), for professional full time study, or other activities approved by the superintendent. Applications for extended leave shall be made to the superintendent in a letter prior to March 1 for the succeeding school year. Response to an application will be made as soon as possible or prior to April 15 by the superintendent. Extended leave shall be for a period of up to one year.

Request for reinstatement following extended leave shall be filed in the superintendent's office on or before March 1 for the ensuing school year.

A teacher returning from extended leave will not be guaranteed employment but will receive priority consideration for vacancies that he/she is certified and endorsed to fill.

Required Military Reserve Duty Policy:

An employee who is a member of an officially recognized military reserve unit shall be entitled to fifteen (15) calendar days of military leave for training purposes during any contract period.

Any twelve (12) month employee is eligible to receive military leave with pay* for field training or active duty. Employees who coincide their military time off with their vacation time off shall not be entitled to receive make-up pay in addition to their regular vacation pay.

Less than twelve (12) month employees are not eligible to receive military leave with pay except when the required period of duty can be scheduled only during the contract period. Then, leave, not to exceed fifteen (15) days in any contract period, may be granted with pay.

Personnel are expected to make every effort to schedule military leave at times when the schools are not in session.

Application procedure: Application for military leave for training purposes shall be made in advance, immediately upon receipt by the employee of official notice to report from the appropriate military authorities. A copy of the official orders must accompany the application for leave, which must be approved by the appropriate official and the superintendent. When possible, military leave for employees on a less-than-twelve-month contract shall be arranged during non-duty periods. The superintendent may request a change in military orders when it seems to be in the best interest of the school system.

Pay status during leave: The pay status of the employee on military leave for training purposes shall be leave with pay. The employee shall suffer no loss of accumulated leave and/or vacation time.

Leave without pay: The superintendent or his designee may grant military leave without pay to any employee who is ordered to active duty in the military of the United States. Except in times of national emergency or war, the maximum period of time allowed for military leave without pay will be two years, approved one year at a time.

*Military pay is defined as any form of remuneration other than travel pay received from any branch of the Armed Forces which increases income including but not limited to base pay, longevity, subsistence, flight, hazard or overseas pay.

Amended: May 22, 2001

Amended: March 11, 2014

SICK LEAVE BANK

The Wise County School Board shall maintain a sick leave bank to be used when a regular, full-time, benefitted, contracted employee is incapacitated by long-term illness or injury, as long as at least one-third (1/3) of those eligible agree to participate in accordance with the provisions of this policy. Employees hired after January 1, 2014, and have never previously been employed in either of the VRS Plan 1 or Plan 2, are not eligible to participate in the Sick Leave Bank.

1. Membership in the sick leave bank shall be voluntary.
2. An employee may enroll prior to September 15 of each school year or within thirty (30) days of the beginning date of employment. An employee may enroll in the bank by donating one (1) day of sick leave earned during the current school year.
3. A member of the sick leave bank will not be able to utilize the sick leave bank benefits until his/her sick leave, personal leave, and vacation days decline to zero (0) days.
4. The first twenty (20) consecutive contract days of illness, or disability after the utilization of all sick, personal and vacation days will not be covered by the bank, and must be taken as leave without pay. A maximum of forty-five (45) contract days each academic school year can be drawn by one member. (ie. First day of school through the last day of school of an academic school year)
5. Upon returning to work, further sick bank days that have been awarded but not used, may not be used. If 45 (forty-five) days have not been used, members may reapply and refer back to #4.
6. At such time that the bank is depleted of days, the Sick Leave Bank will be dissolved.
7. Members utilizing sick leave days from the bank will have to replace these days by being a regular contributing member of the bank, plus one (1) additional day each year. Any accumulated days at the time of retirement may be used to replenish owed sick bank days.
8. Upon termination of employment, or withdrawal of membership from the bank, a participating employee will not be permitted to withdraw or be paid for his/her contributed days. Payment for accumulated sick leave should not be confused with sick days contributed to the sick leave bank.
9. The sick leave bank will be administered by the Sick Leave Bank Advisory Board. The advisory board, who are participating members, consists of: (1) central office supervisor, (1) elementary teacher, (1) secondary teacher, (1) elementary school principal, (1) secondary principal, (1) WCEA representative, WCEA president, or designee, and the superintendent or designee as an advisory member. The board will be responsible for recommendations regarding the levels of the bank and for approving requests for use of the bank by the participating members based upon attendance, proximity to previous requests, and nature of illness/injury. The school board will appoint the advisory board members except the WCEA president and WCEA representative.
10. Members wishing to withdraw sick leave days must complete the sick leave bank form and submit it to the Sick Leave Bank Advisory Board, along with a medical doctor's certificate stating the nature of the illness or disability, the employee's total inability to perform any

work because of such illness or disability, the date the employee ceased work, and the approximate length of time the employee will be unable to return to work. Approval is not automatic. The committee will review each request. Their decision to award the days and the number of days awarded will be made on a case-by-case basis.

11. Employees are encouraged to schedule elective surgery between academic years.
12. Maternity requests will be limited to complications up to the birth of the child. The six week period after delivery will be considered normal recovery time for any pregnancy and will not be covered by the sick leave bank. Consideration will be given to post-delivery days only when a doctor will certify that complications caused the mother to receive special medical treatment beyond the six weeks.

Amended: September 14, 1999

Amended: September 8, 2008

Amended: December 14, 2011 (Administratively)

Amended: March 11, 2014

Amended: November 15, 2016 (Administratively)

Amended: July 1, 2017 (Administratively)

Amended: July 1, 2018 (Administratively)

Amended: July 10, 2020 (Administratively)