

# THE SCHOOL DISTRICT OF PHILADELPHIA

SECTION: EMPLOYEES

TITLE: Personal Leave

ADOPTED: April 27, 1981

REVISED: November 19, 2001

## 336 PERSONAL LEAVE

### Purpose

The Board of Education recognizes the need of employees to have leaves of medical, family, civic and personal absence for a variety of reasons.

### Guidelines

There shall be printed regulations defining types of leaves, time limits for absence, permissible activities during leave, benefits, and salary.

Proof of need for a leave of absence such as a physicians's signed certification of illness or disability shall be presented by the employee.

Any employee on leave shall be denied approval for engaging in any remunerative activity. Non-compliance of this provision will be a basis for employee dismissal from service.

An employee on sick leave who wishes to leave the city for a continuous period of time must obtain approval of the Executive Director of Human Resources.

An employee whose absence exceeds ten consecutive days must be referred to the Director of School Health Services.

An employee who has been continuously absent on sick leave and is unable to return to service at the end of one year must retire or resign unless the Superintendent approves an extension with full loss of salary.

Records of attendance shall be maintained for each employee. Absences and reasons for the absences shall be noted. These records shall be part of the evaluation of the employee's service.

Provision shall be made for an employee's absence not covered by sick leave or disability regulation. Such excused absences will include excused absence because of:

1. Leave because of the death of a member of the employee's immediate family, a near relative, or a member of the school staff.
2. Marriage of the employee, a son or daughter' a family member or friend.
3. Commencement of employee or immediate family member of the employee, relative or friend.
4. Religious holiday
5. Summer Fellowships when such leave shall not interfere with the operation of the school or office involved.

### *Uncompensated Leave*

The board recognizes that in certain instances an employee may request extended leave for personal reasons and the School District would benefit from the return to service of the employee.

Approval may be given for the following purposes: study, travel, special work assignment, restoration of health, adoption, child rearing, election or appointment to positions with an authorized bargaining agent, or other unique circumstance.

Uncompensated leaves must begin with the start of a new school year.

The employee returning from leave may be reassigned in order of seniority of service as a vacancy occurs, either in the employee's former or an equivalent position.

An employee on leave for a maximum of one year because of acceptance of a fellowship, institute membership or special study program for a purpose other than obtaining credit for salary advancement, shall be permitted to continue as a member of School District Health Care and Life Insurance programs. Upon returning to service, the employee will be allowed credit for salary increments as though the employee were in active service, provided the employee agrees, in writing prior to the leave, to serve upon its termination, for a period equal to that leave.

### *Sabbatical Leave of Absence*

As a result of Act 66 of 1996, and collective bargaining with the Philadelphia Federation of Teachers the policy of the School District concerning sabbatical leave is as follows:

1. Employees whose sabbatical leave of absence commenced February 1, August 1, or September 1, 1996, for a continuous one year period ending January 31, June 30, or July 31, 1997, respectively will follow the existing sabbatical rules and regulations
2. Employees whose sabbatical leave of absence commenced August 1, or September 1, 1996, for a one(c)half year period may extend their current sabbatical leave to create a continuous one year sabbatical leave ending June 30, or July 31, 1997, respectively. Such sabbatical leaves will follow the existing sabbatical rules and regulations.

3. Employees whose sabbatical leave of absence commenced August 1, or September 1, 1996, for a one(c)half year period ending January 31, 1997, will follow the existing sabbatical rules and regulations.
4. If a non-continuous second half of a sabbatical leave commences on February 1, 1997, or thereafter, the employee must follow the revised regulations of the new law.
5. All new sabbatical leaves commencing February 1, 1997, and thereafter must follow the revised regulations:

*The following new and revised regulations for sabbatical leave are effective July 1, 1996:*

1. Travel sabbaticals are eliminated January 13, 1997
2. Restoration to health sabbaticals may be approved as is the current policy.
3. Study sabbaticals are eliminated. They are replaced by "a leave of absence for professional development"
4. Sabbatical leaves for 20 years of continuous service are retained in accordance with the provisions of the P.F.T. Collective Bargaining Agreement
5. Retirement or resignation from sabbatical leave is eliminated. All staff must return to service for a period equal to the length of the sabbatical leave.

Leaves of absence for professional development shall be approved under the following conditions:

1. Approval: All requests for a leave of absence for professional development shall be approved by the Board "which shall have sole authority to adopt and enforce policy establishing the conditions for approval of such leaves.
2. Educational Plan: Employees requesting a leave of absence for professional development must submit a "detailed plan describing the professional development activities to be undertaken."
3. Purpose: Courses must be directly related to an employee's professional responsibilities as determined by the Board. Courses are subject to prior approval. Any changes in the courses or plan requires prior approval.
4. Courses and activities must be encompassed by the following educational domains:
  1. Subject matter teacher: Courses shall focus on curriculum, instructional techniques and practices, and educational innovation
  2. Equity among a diverse student. Courses shall focus on diversity of students, families and the community.
  3. Nature, extent, and uses of student measurement: Courses shall focus on the connection between student performance and assessment methods, curriculum and instruction as related to student achievement, and socioeconomic factors and achievement.
  4. Social and psychological aspects of teaching: Courses shall focus on educational psychology, sociology, education for employment, and instructional support and intervention techniques.

5. Leadership and professionalism of teaching: Courses shall focus on requirements for professional certification and licensure, and career advancement in education (additional certificate, supervisor and principal certification, etc).
  6. Courses which may be approved based on the submission of course descriptions and the applicability of course content.
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5. Applicants must submit a detailed plan describing the professional development activities, to be undertaken. Courses must be taken for credit. Applicants must successfully complete nine graduate or twelve undergraduate semester hours at accredited institutions of higher education or 180 hours of professional development activities during each one-half year of the educational leave (proportional combinations of courses and activities may be requested.)
  6. Summer courses or courses taken outside the sabbatical period are not acceptable.
  7. Evidence of Compliance with Plan: Upon completion of the leave, the employee must provide "satisfactory evidence that the employee's approved plan for professional development was fully complied with during the leave of absence." Official transcripts, or written verification of attendance at professional development activities are required for one hour of credit.
  8. Penalty, Failure to Comply: If the employee fails to present evidence that the plan for the leave of absence for professional development was fully completed with, then "the employee shall forfeit all benefits" (salary, etc.) to which the employee would otherwise have been entitled under the conditions of the leave.
  9. Retirement or resignation from sabbatical leave eliminated: The employee must agree to return to employment with the School District for a period of not less than one school term immediately following such leave of absence.
  10. Penalty, Failure to Comply: If the employee fails to return to employment, the employee shall forfeit all benefits to which the employee would otherwise have been entitled under the conditions of the leave. In addition, the amount contributed by the School district to the Public School Retirement fund shall be deducted from the employees account and refunded to the School District. If illness or disability prevents return to service, such illness or disability is subject to verification by the School District.

*Military Leave for Staff Ordered to Active Status*

**ELIGIBILITY:** This policy applies to those employees of the School District of Philadelphia who are subject to military call-up by the President.

**NOTICE:** The School District requires advance notice of the military service of an employee. The employee must submit a copy of activation orders to the Executive Director of Human Resources, 55 North 22nd Street, Philadelphia, PA 19103. Employees who do not receive orders to submit prior to activation must send a letter giving the date they will be activated and submit a copy of their orders as soon as they are received.

**PAY:** Employees called to active service are entitled to full pay for the first fifteen work days of such service. The school or office should code the employee "F19" for the first fifteen work days of absence. Additional military leave is without pay.

**BENEFITS:** Employees (including dependents) are entitled to continue to receive full benefits for the first 30 days of the leave. Following the 30 day period, the employee may continue to purchase benefits in a manner similar to COBRA. The employee will pay 100% of the group-rate premium (not 102% as with COBRA). Benefit continuation has no specific time limitations. The employee may continue to make benefit payments during the full tour of active duty.

**RETIREMENT:** An employee on active military duty may either (1) elect to continue to make his/her retirement contributions in which case the School District will also pay its portion as if the employee were actively employed, or (2) upon return from active duty, elect to make up the retirement contributions, at which time the School District will make its payments as well, spread over the same time period as the employees payments.

**89 DAYS:** The employees current position will be held for the first 89 days of active duty (including the 15 paid days).

**EXTENDED ABSENCE:** After 89 days the current position will no longer be held. Upon discharge from the armed forces, the employee is entitled to reemployment in the position the employee would have held had his/her employment not been interrupted.

**PERSONNEL ACTIONS:** Promotions and transfers are granted during the period of active service. The employee may be placed in a new position if his/her name is reached on an eligibility list.

**PAY PROGRESSION:** Time spent on active duty is treated as time worked for purpose of pay progression. Upon return the employee is placed on the pay progression scale as if his/her employment had not been interrupted.

**SENIORITY:** Upon return to work, the employee is entitled to full seniority rights. Time spent on active duty is treated as time worked.

### **Delegation of Responsibility**

The Superintendent is authorized to develop regulations in accordance with the guidelines of this policy and provide each work location with a copy of the regulations.

The Superintendent shall continually evaluate the effectiveness of this policy, particularly in light of arising conditions, and make appropriate recommendations to the Board for any needed revision or addition.

The Board reserves the right to specify the conditions under which uncompensated leave may be taken.

### **Legal References:**

State School Code SS 1154(e)