

PROFESSIONAL EMPLOYEES



BOARD OF TRUSTEES POLICY
No. 402
Section: Professional Employees
Title: Creating a Position
Date Adopted: February 5, 2001

Section 1. Purpose: Teaching positions and positions for other professional employees will be established by the Board in order to provide programs of education and other supporting services, consistent with the needs and resources of the community

Section 2. Authority: The need for creating teaching positions for other professional employees shall be determined by the Board in accordance with these guidelines. The CAO's recommendations for continuing new, or additional professional positions will include a title that conforms with the appropriate certificate if such certification is required and the number of professional employees required to teach each subject.

In the exercise of its authority to create new positions, the Board shall give consideration to:

- A. the number of students enrolled
- B. the special needs of the community
- C. the special needs of students
- D. the operational needs of the District
- E. the financial resources of the District

Section 3. Definition:

- A. The term "professional employee" shall include those who are certified as teachers, supervisors, supervising principals, principals, assistant principals, vice-principals, directors of vocational education, dental Hygienists, visiting teachers, home and school visitors, school counselors, child nutrition program specialist, school librarians, school secretaries the selection of whom is on the basis of merit as determined by eligibility lists, and school nurses.
- B. The term "substitute" shall mean any individual who has been employed to perform the duties of a regular professional employee during such period of time as the regular professional employee is absent on sabbatical leave or for other legal cause authorized and approved by the Board of School Directors or to perform the duties of a temporary professional employee who is absent.
- C. The term "temporary professional employee" shall mean any individual who has been employed to perform, for a limited time, the duties of a newly created position or of a regular professional employee whose service has been terminated by death, resignation, suspension, or removal.

Section 4. Delegation of Responsibilities: The Board expects that the CAO shall be responsible for recommending new or additional professional positions. The Board reserves for itself the final determination as to the number and kind of professional positions deemed necessary for the effective operation of the schools.



BOARD OF TRUSTEES POLICY
No. 403
Section: Professional Employees
Title: Employment of Professional
Employees
Date Adopted: February 5, 2001

Section 1. Purpose: The Board places substantial responsibility for the effective operation of the School with professional employees who are employed by the school.

Section 2. Authority: The Board shall approve the employment and fix the compensation for each professional employee employed by the CAYBCS. It shall also fix the term of employment or other conditions that may reflect the difference between full-time and part-time employment.

Such appointment shall normally be made of those candidates recommended by the CAO for employment.

No teacher shall be employed who is related to any member of the Board, as defined in statute, unless such teacher receives the affirmative vote of a majority of all members of the Board other than the member related to the applicant.

Any employee's misstatement of fact may be considered by the Board to constitute grounds for dismissal.

The utilization of professional employees prior to employment approval by the Board is authorized when necessary to maintain continuity in the educational program. Retroactive employment shall be recommended to the Board at the next regular meeting.

No candidates for professional employment shall receive recommendation from the CAO for such employment without evidence of his/her certification for the work to be performed.

Section 3. Delegation of Responsibility: The CAO or his/her designee shall develop procedures for the recruitment, screening and recommendation of candidates for employment in accordance with the following guidelines:

- A. Candidates will be recruited and recommended in accordance with Board policy (B.P. 104), state and federal law. S/He shall seek candidates of good moral character for employment who possess the following attributes:
 1. successful educational training and experience
 2. scholarship and intellectual vigor
 3. appreciation of children
 4. good physical health
 5. emotional and mental maturity and stability
 6. ability to work in a multicultural setting

Staff vacancies which represent opportunities for professional advancement or diversification shall be made known to CAYBCS personnel so that they may apply for such positions.

S/He may apply such screening procedures as may be necessary to determine the candidate's ability to perform the tasks for which the candidate is being considered.

S/He shall seek such recommendations from former employers and others as may be of assistance in assessing the candidate's qualifications. Such records shall be retained confidentially and for official use only.



BOARD OF TRUSTEES POLICY
No. 404
Section: Professional Employees
Title: Employment of Substitute
Professional Employees
Date Adopted: February 5, 2001

Section 1. Purpose: Qualified and competent substitute teachers and other professional employees shall be employed in accordance with these guidelines.

Section 2. Authority: The Board shall approve annually the names of potential substitute teachers and other substitute professional employees except that:

- A. additional names may be added to the list of substitute teachers by the Board during the school year.
- B. The utilization of substitutes prior to approval by the Board is authorized when their use is required to maintain continuity in the educational program. Retroactive approval shall be recommended to the Board at the next regular meeting.

Section 3. Compensation and Benefits: Shall be based on the following categories and criteria for each:

- A. Day-to-day Substitutes hired for assignments that are less than 20 consecutive student days in length shall be paid at the daily rate established by the Board. No benefits will accrue.
- B. Extended Substitute – Substitutes hired for assignments that are between 20 and 89 consecutive student days in duration shall be paid at 1 ½ times the daily rate established by the Board of Trustees for day-to-day substitutes. No benefits will accrue.
- C. Long Term Substitute – Substitutes hired for assignments that are 90 or more consecutive student days in duration shall be paid at the rate provided and with benefits as provided for full-time professional employees.

Section 4. Delegation of Responsibility: The CAO or his/her designee shall recruit and screen candidates for substitute employment, and shall develop procedures for the assignment of substitutes.



CRISPUS ATTUCKS CHARTER SCHOOL

BOARD OF TRUSTEES POLICY

No. 406

Section: Professional Employees

Title: Student Teachers/Professional
Visitors

Date Adopted: February 5, 2001

Section 1. Purpose: The Board encourages cooperation with colleges and universities within the state in the training of student teachers. Therefore, the CAYBCS will accept student teachers from accredited institutions of higher learning.

Section 2. Delegation of Responsibility: The Board delegates the authority to select student teachers and supervising teachers to the CAO or his/her designee.

Student teachers while serving in the CAYBCS shall be responsible for their conduct to the supervising teacher and the CAO.

Student teachers or faculty of other educational institutions shall, with the approval of the CAO or his/her designee, be offered the opportunity to visit and observe in the School. Such observers must be treated as any other visitor and shall be under the direct supervision of the CAO.



BOARD OF TRUSTEES POLICY

No. 407

Section: Professional Employees

Title: Employment Contract

Date Adopted: February 5, 2001

Section 1. Purpose: Professional employees and temporary professional employees must have an employment contract that is in conformance with the School Code. This policy establishes considerations for these categories.

Section 2. Authority: The Board has the authority under law to prescribe employment conditions for the personnel of the school. Willful misrepresentation of facts material to the employment and determination of salary level shall be considered cause for the disciplinary action or dismissal of the employee.

Section 3. Guidelines: It shall be the policy of the CAYBCS that all professional and temporary professional employees shall execute an employment contract upon employment, which shall automatically renew itself each year unless one of the parties shall give notice sixty (60) days prior to its expiration that it will not be renewed except that non-tenured persons upon reaching the status of tenured persons shall be required to execute a new contract.

The contract shall specify those matters contained in statute for professional and temporary professional employees. For part-time employees of a professional category the contract or Board resolution shall be in accordance with this policy.

The contract or resolution shall include:

- A. the beginning compensation
- B. term of employment and work period for which compensation will be paid
- C. a statement of fringe benefits entitlement
- D. a statement as to how notice of termination or modification is to be made.



CRISPUS ATTUCKS CHARTER SCHOOL

BOARD OF TRUSTEES POLICY

No. 408

Section: Professional Employees

Title: Evaluation of Professional
Employees

Date Adopted: February 5, 2001

Section 1. Purpose: There shall be a plan for regular evaluation of all professional employees of the CAYBCS.

Section 2. Authority: The evaluation plan for professional employees shall be in accordance with the State plan for such purposes.

Section 3. Guidelines: The Board directs that the School shall utilize the State approved evaluation form (PDE 5501).

Section 4. Delegation of Responsibility: The CAO shall prepare procedures for the conduct of employee evaluations which shall include:

- A. that evaluations may be conducted by certificated persons designated by the CAO.
- B. Specification of the number of times professional employees shall be evaluated annually.
- C. Specification of the form upon which such evaluations will be recorded (PDE 5501).



CRISPUS ATTUCKS CHARTER SCHOOL

BOARD OF TRUSTEES POLICY

No. 409

Section: Professional Employees

Title: Evaluation of Temporary

Professional Employees

Date Adopted: February 5, 2001

Section 1. Purpose: There shall be a plan for the evaluation of temporary professional employees that recognize their special needs and the special requirements of law for such employees.

Section 2. Authority: The Board directs that the evaluation plan for temporary professional employees shall utilize the State approved evaluation form (PDE 5501).

Section 3. Guidelines: The CAO shall develop procedures for the evaluation of temporary professional staff members which shall include notification to the employee as to the progress at least twice each year during the first three (3) years of employment and the observation of each such employee in the performance of assigned duties by an appropriate supervisor.

Section 4. Delegation of Responsibility: The CAO shall prepare procedures for the conduct of employee evaluations which shall include:

- A. that evaluations may be conducted by certificated persons designated by the CAO
- B. specifications of the number of times professional employees shall be evaluated annually
- C. specification of the form upon which such evaluations will be recorded (PDE 5501).
- D. Administrators responsible for supervising temporary professional employees shall make every effort to assist such staff members in the improvement of deficiencies disclosed by observation and evaluation

The CAO shall certify as to the evaluations of all temporary professional employees during the last four months of the initial three (3) years of employment as required by law.



BOARD OF TRUSTEES POLICY
No. 410
Section: Local Board Procedures
Title: Non-Tenured Staff Members
Date Adopted: February 5, 2001

Section 1. Purpose: It is the policy of the Board that certain staff members be employed with the recognition that the function to be performed does not fall under the control of the tenure laws.

Section 2. Authority: The Board may elect to have certain functions performed by professional employees despite the fact that such functions are not controlled by certification and tenure law. When this occurs, such actions shall be deemed to be discretionary actions by the Board without intent to have such functions considered as professional employee actions governed by tenure. Such functions may include:

- A. evening and adult school teachers or instructors not regularly employed
- B. extracurricular and other extra pay duty
- C. homebound instructors not regularly employed
- D. summer school teachers
- E. any position in which provision for tenure is not made by law
- F. non-certificated paraprofessionals



BOARD OF TRUSTEES POLICY
No. 411
Section: Professional Employees
Title: Responsibility of Staff for
Student Welfare
Date Adopted: February 5, 2001

Section 1. Purpose: The purpose of this policy is to establish guidelines whereby adequate consideration of student welfare is achieved.

Section 2. Guidelines: The CAO shall prepare and promulgate guidelines to ensure the maintenance of the following standards:

- A. Each teacher must maintain a standard of care and concern for supervision, control and protection of students commensurate with assigned duties and responsibilities.
- B. A teacher must provide proper instruction in the safety matters presented in assigned curriculum guides.
- C. Each employee has the responsibility to immediately report to the principal an accident or a safety hazard she/he detects.
- D. A pupil shall not be required to perform work or services that may be detrimental to his/her health.

Teachers and other professional employees are responsible for the safety of pupils in their charge within the building and on school property. The following guidelines are provided to minimize the occurrence of situations in which staff members may incur liability for their acts with relation to students:

- A. Never leave class unattended while pupils are in room.
- B. Never leave class with an unqualified person in charge.
- C. Accompany class wherever it is assigned and remain with it until supervision is assumed by another responsible person.
- D. Report promptly unsafe equipment or conditions to immediate supervisor.
- E. Never permit equipment to be operated in an unsafe manner.
- F. Do not allow pupils whose recognized physical or mental condition makes them especially prone to accident to use dangerous equipment.
- G. Organize classroom materials and equipment so as to minimize the danger of injury to pupils and to self.
- H. In general, exercise good judgement when assigning tasks to children to prevent bodily harm and damage to property.
- I. Ensure that proper safety gear is used whenever necessary.
- J.



CRISPUS ATTUCKS CHARTER SCHOOL

BOARD OF TRUSTEES POLICY

No. 412

Section: Professional Employees

Title: Leave Without Pay

Date Adopted: February 5, 2001

General Provisions For All Leaves Without Pay

Employees of the CAYBCS may be granted leave without pay from their positions by action of the Board of Trustees. In the event an employee requests leave of absence without pay and the leave is granted, the following terms and conditions shall apply during the period of leave:

1. The leave without pay shall not constitute a break of service for the employee for seniority purposes; however, the employee shall not receive seniority credit for time actually spent on leave;
2. A leave without pay shall not constitute a break in service for salary computation; however, an employee who is on leave without pay shall not advance up the salary scale during the period when the employee is on leave. When the employee returns he or she shall be at the salary level which he or she was entitled to at the time the leave began;
3. An employee on leave without pay shall not receive any CAYBCS fringe benefits; however, by agreement with the School, an employee may maintain his or her membership in School sponsored group benefit plans including health and life insurance programs, provided that the employee pays the actual cost of such programs to the School during the period of the leave;
4. An employee on leave without pay may not utilize any paid leave during the period of leave; however, any paid leave accrued or accumulated prior to the period of leave shall be carried over during the leave and shall remain to the employee's credit when he or she returns from leave;
5. Employees shall specify, in writing, an anticipated date of return to work whenever a leave without pay is requested. Approved leave periods will conclude with the anticipated date of return to work unless the Board approved an extension or a reduction of the leave period;
6. Upon return to work, the employee involved will be returned to the same position or to a position commensurate with the employee's certification.

Leave for Disability

Leaves of absence without pay will be provided for any professional employee of the CAYBCS whose absence from duties will be required for a disability. Disability leave may be requested because of exhaustion of paid sick leave benefits or when such leave is desired by the employee as an alternative to paid sick leave., such leaves shall be governed by the considerations for the disability of the employee, the need for continuity in school operations and the maintenance of a qualified staff.

The Board reserves the right to specify the point at which such leave shall commence consistent with the disability of the employee and the length of time for which leave shall continue after the disability event. The Board will require a certificate of anticipated disability to be filed with the CAO including a projected date of return to work, if known, and the continuing certification of an employee's inability to perform duties after such notice.

1. Notice – An employee shall notify the CAO of the anticipated disability as soon as a is projected for the anticipated disability to commence.
2. Certification of Fitness – At the time of notification, the employee shall present to the CAO a written statement by his/her physician of the employee's physical/mental capacity to perform duties assigned between the date of notification and the date projected for beginning the disability leave.
 - a. When, even with certification of fitness, the performance of an employee anticipating disability has been substantially affected, or when said employee has been absent more than a total of ten (10) days since notification of fitness, the employee shall then be required to submit a physician's statement stating that he/she is not physically/mentally disabled.
 - b. If, as a result of examination, the employee is found to be unfit to perform assigned duties, the employee shall be placed on paid sick leave with such compensation to which he/she is entitled under the sick leave policies of this Board, or the employee shall, in place of paid sick leave, or when paid sick leave is not available, be placed on disability leave without pay until proof of satisfactory recovery is furnished to the Board.

Child Rearing Leave

Requests for child rearing leave shall be submitted, in writing, to the CAO 90 days prior to the anticipated date on which the leave begins. However, such 90 day notice shall be waived when the employee is prevented from working until the specified date because of complications in childbearing which shall be verified by the employee's doctor. Such child rearing leave shall not exceed 365 calendar days except in instances when a leave of absence commences during the second trimester of a school term. With such instances a leave may extend to the end of the next full school term (example: leave commences March 1, 1994 – one full year expires February 28, 1995 – leave may extend to the end of the 1994-95 school term).

AND NOW, THIS _____ day of _____, 20____ IN CONSIDERATION OF CAYBCS granting unto me a leave I requested, I have fully read, understand, and agree to meet requirements listed herein, knowing and understanding the legal significance of said rights and benefits and of this Leave Agreement.

IN WITNESS WHEREOF, and intending to be legally bound hereby, I have hereunto set my hand and seal the day and year first above written.

_____ (Seal)

APPROVED

Crispus Attucks YouthBuild Charter School
By: _____
(President)

(Board Secretary)



BOARD OF TRUSTEES POLICY
No. 413
Section: Professional Employees
Title: Sabbatical Leave
Date Adopted: February 5, 2001

Sabbatical leave shall be granted as provided by Section 1166 to 1171 inclusive in The Public School Code of 1949 as amended.

The following policy statement specifically addresses the areas where the law allows discretion on the part of the Board. It is not meant to cover the entire matter of sabbatical leave as state in the law. The policy and regulations herewith promulgated, when read with the law, are meant to give the employee the benefit of information useful in making intelligent decisions surrounding sabbatical leave. However, the Board reserves the right to amend this policy and these regulations or to make such other policy and regulations as it has the right to make and deems necessary.

The policy of the Board in these matters is as follows:

1. As to purposes, sabbatical leave will not be granted except for purposes named in the law.
2. As to the limit of the number of professional employees on sabbatical leave in any school year, no more than ten percentum (10%) of the number of persons eligible for such leave of absence regularly employed in the District will be granted leave.
3. As to the requirement that a person on sabbatical leave of absence shall return to the service of the school or to the same position that he or she occupied prior therein no sabbatical leave of absence shall be granted (and will not be considered if a written agreement is not attached to the request) unless such person shall agree to return to his or her employment with the school for a period not less than one school term immediately following such leave of absence.
4. As to giving priority in application, within the priority declared by law for years of service since the previous sabbatical leave, "restoration of health" leaves will be treated on an individual basis according to the circumstances and exigencies surrounding each application.
5. The Board will not allow a shorter time than five (5) consecutive years of service in the CAYBCS as qualifying for sabbatical leave.
6. The regulations in this paragraph are addressed to such regulations as the Board of Trustees deems necessary, in the exercise of its right to make sure that employees on sabbatical leave shall utilize such leave properly for the purpose for which it was granted and shall make the reports necessary to that same purpose.

A. For the purpose of restoration of health

- (1) Requests for sabbatical leave for restoration of health submitted (a) during s period of absence when the employee was unable to perform his or her duties because of illness or physical disability, shall be submitted at the earliest possible date, and the Board will consider and may grant a request for sabbatical leave to begin retroactively to the first day of continued absence, depending upon the exiigency of the case and (b) when able to render service, requests shall be submitted at the earliest possible time, at least 40 days before the beginning of leave.
- (2) No request will be considered unless there is a letter in the office of the CAO signed by a physician legally qualified to practive medicine and surgery or osteopathy or osteopathic surgery in the Commonwealth of Pennsylvania. This requirement does not waive the right, under authority granted to the Board by law, to require a special medical examination for any school employee at any time.

Such letter shall state (a) that the health of the employee as to body or mind at the time of the application is below that which is normal for the employee, and (b) it shall state the affliction in terms and language comprehensible to intelligent lay persons, in such a way that it follows that restoration of health is in order. (c) Such letter shall also bear comment that absence from the regularly assigned duties will, at the least, provide rest which will contribute to restoration of health (d) It is requested that, when the conditions exist, there should be further comment that the person is unable to perform his or her duties in the present state of health, or that absence is necessary to provide the medical procedures and recovery therefrom which are required for restoration of health. In any case, the essence of the letter shall be that restoration of health is needed and that absence from duty will make a significant contribution to that end.

- (3) At the close of the leave, a physician's statement shall be rendered to the CAO which (a) indicates that the purpose of the leave for restoration of health has been met and (b) passes judgment as to the ability of the employee to return to service and perform satisfactorily.

7. Instructions in making applications

- A. Action by The Board cannot be assured unless the application, completely detailed, is received by the CAO 40 days prior to the effective date of such leave, except as noted in Item 6A.

- B. The application must be specific as to the period of leave desired, giving beginning and ending dates.
- C. The application must show the exact purpose of the leave, state specifically how the leave will be used to meet the purpose, and address itself to the concerns of the regulations state in 6A.
- D. The applicant must show that all requirements of the law and this policy and regulations will be met.
- E. A conference with the CAO is recommended to go over the application for the purpose of assisting in presenting an application to the Board which it will consider as being complete and timely.



BOARD OF TRUSTEES POLICY
No. 414
Section: Professional Personnel
Title: Personnel Files
Date Adopted: February 5, 2001

Section 1. Purpose: It is necessary for the orderly operation of the CAYBCS to maintain a file for the retention of all papers bearing upon an individual's duties and responsibilities as an employee of the School.

Section 2. Authority: The Board requires that sufficient records be maintained to ensure an employee's qualifications for the job held, compliance with federal and State statutes, local benefit programs, and conformance with School rules and evidence of completed evaluations.

Section 3. Delegation of Responsibility: The Board delegates the establishment and maintenance of official personnel records to the CAO or his/her designee.

A central file shall be maintained; supplemental records shall be maintained for ease in data gathering only.

Personnel records shall not be available to Board members or school administrators except as may be required in the performance of their job.

The personnel files shall be reviewed periodically and material no longer required shall be destroyed and no record shall be maintained of said destruction.

Personnel wishing to review their own records shall:

- A. review the record in the presence of the CAO or his/her designee
- B. make no alterations or additions to the record nor remove any material therefrom

Personnel wishing to appeal material in their record shall make a request in writing to the CAO and specify therein:

- A. name and date
- B. material to be appealed
- C. reason for appeal

The CAO or his/her designee shall prepare guidelines defining the material to be incorporated into the personnel records.

Upon initial employment, the file shall contain:

- A. a completed employment application form

- B. recommendations
- C. physical examination record
- D. background checks
- E. Professional Certificate



BOARD OF TRUSTEES POLICY
No. 415
Section: Professional Employees
Title: Drug and Substance Abuse
Date Adopted: February 5, 2001

Section 1. Purpose: The Board recognizes that the misuse of drugs is a serious problem with legal, physical and social implications for the whole school community. As such, the Board is very much concerned about the problem that may be caused by drug use of employees.

The primary purpose and justification for any action on the part of the school staff would be the protection of health, safety and welfare of students, staff and school property.

Section 2. Definitions: For the purpose of this policy, drugs shall be defined as those outlined in the Controlled Substance, Drug, Device and Cosmetic Act.

“Conviction: shall be defined as finding of guilt (including a plea of nolo contendere or imposition of sentence, or both, by any judicial body charned with the responsibility to determine violations of the federal or state criminal drug statute. Any professional employee convicted of possession of controlled substance with the intent shall be terminated from his/her employment with the School.

“Criminal drug statute” shall be defined as a federal or non-federal criminal statute involving the manufacture, distribution, dispensing, use or possession of any controlled substance.

“Drug free workplace” shall be defined as the site for the performance of work at which employees are prohibited from engaging in unlawful manufacture, distribution, dispensing, possession or use of a controlled substance.

Section 3. Delegation of Responsibility: A statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the employee’s workplace shall be provided by the CAO and shall specify the actions that will be taken against the employee for violation of this policy.

The Board requires that each employee be given a copy of the statement and notified that, as a condition of employment, the employee will abide in the terms of the statement and notify the CAO of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.

The CAYBCS shall take appropriate personnel action against such an employee within 30 days of receiving notice of conviction. Action could include, but not be limited to suspension, termination of employment, or require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency.

In establishing a drug-free awareness program, the CAO shall inform employees about:

- ♦ The dangers of drug abuse in the workplace;
- ♦ The School's policy of maintaining a drug-free workplace;
- ♦ The availability of drug counseling, drug rehabilitatio, and employee assistance programs and;
- ♦ The penalites that may be imposed upon employees for drug abuse violations occurring in the workplace.

The CAYBCS shall make a good faith effort to continue to maintain a drug-free workplace through the implementation of this policy.

The possession, use and/or ssle of illegal substances warrants notification of law enforcement authorities by school authorities.



BOARD OF TRUSTEES POLICY
No. 416
Section: Professional Employees
Title: Family and Medical Leave
Date Adopted: February 5, 2001

Section 1. Purpose: The purpose of this policy is to address certain leave of absence issues and to ensure the School's compliance with Family Medical Leave Act.

Section 2. Responsibility: The CAO shall develop administrative guidelines regulating leaves and ensuring the School's compliance with the Family and Medical Leave Act (hereinafter referred to as "FMLA"). Although the details of the guidelines are to be left to the discretion of the CAO, the guidelines must adhere to the following basic principles:

Section 3. Guidelines:

1. Required notices shall be posted
2. Guides advising employees of their rights and responsibilities shall be developed and posted. The guides shall be given to employees upon request; whenever an employee requests an FMLA leave and whenever the School designates a leave as an FMLA leave.
3. All requests for leave, (both FMLA and non-FMLA leave) shall be made in writing on forms developed by the CAO. The forms shall request sufficient information from which it may be determined whether the leave qualifies as an FMLA leave.
4. If the employee requesting an FMLA leave qualifies for and is entitled to any paid leave under School policy or statutory mandate, the employee may utilize said leave during the FMLA leave at his/her discretion.
5. Medical certification forms as allowed by the FMLA shall be required whenever authorized by the FMLA.
6. Employees shall be required to provide a fitness-for-duty certificate upon returning from an FMLA leave when the leave was taken because of the employee's own serious health condition, or where the employee has taken a paid leave concurrent with the FMLA leave and school district policy and practice heretofore has not required a fitness-for-duty certificate to be provided.
7. Seniority shall accrue during FMLA leaves and credit shall be given during FMLA leaves for accruals for other leaves.
8. For purposes of determining whether an eligible employee under the FMLA has exhausted the twelve (12) weeks of leave "in any twelve-month period, the School shall utilize a rolling twelve month period measured backwards from the date leave is used so as to avoid "stacking" of back-to-back leave entitlement.

9. Employees are not required to utilize FMLA leave whenever they qualify for other available full-dat leave to which they may be entitled.
10. An employee will be denied intermittent leave or leave on a reduced schedule to care for an immediate family member (spouse, child, parent) with a serious health condition or if the employee has a serious health condition, if:
 - a. the employee fails to establish, through medical certification, that there is a medical need for such a leave (as distinguished from voluntary treatments and procedures); or
 - b. the employee has failed to establish, through medical certification, that it is medically necessary for the leave to be taken intermittently on a reduced leave schedule.
11. Eligibility for an FMLA leave shall be based entirely on the eligibility criteria established by the Family and Medical Leave Act. This policy shall not be construed to expand eligibility for an FMLA leave beyond what is required by the Act.
12. This policy was adopted, in part, because of the enactment of the Family and Medical Leave Act. Should the Act be repealed or declared invalid, in whole or in part, this policy shall become wholly void and a new policy will be adopted if and as necessary to comply with law.
13. It is not intended that this policy create any practices and the District expressly adopts this policy on an experimental basis. The Board directs the administration to evaluate the effects of this policy after it has been in operation for two (2) full years and to advise the Board on the effects of this policy in general.



BOARD OF TRUSTEES POLICY
No. 417
Section: Professional Employees
Title: Professional Development
Date Adopted: February 5, 2001

Professional development leave shall be granted as provided by Sections 1166 to 1171 inclusive in The Public School Code of 1949as amended.

The following policy statement specifically addresses the areas where the law allows discetion on the part of the Board. It is not meant to cover the entire matter of professional development leave as stated in law. The policy and regulations herewith promulgated, when read with the law, are meant to give the employee the benefit of information useful in making intelligent decisions surrounding professional development leave. However, the Board reserves the right to amend this policy and these regulations or to make such other policy and regulations as it has the right to make and deems necessary.

The policy of the Board in these matters is as follows:

1. As to the purposes, professional development leave will not be granted except for purposes named in the law.
2. As to the requirement that a person o professional development leave shall return to the service of the school district or to the same position in the same school or schools that he or she occupied prior thereto, no professional development leave of absence shall be granted (and will not be considered if a written agreement is not attached to the request) unless such person shall agree to return to his or her employment with the school district for a period of not less than one school term immediately following such leave of absence.
3. The Board will not allow a shorter time than five (5) consecutive years of service in the CAYBCS as qualifying for professional development leave.
4. The regulations in this paragraph are addressed to such regulations as the Board of Trustees deems necessary, in the exercise of its right to make sure that employees on professional development leave shall utilize such leave properly for the purpose for which it was granted and shall make the reports necessary to that same purpose.
 - A. A leave of absence for professional development shall be directly related to the progeSSIONAL responsibilities as determined by the Board of Trustees and shall be restricted to activities requied by regulations of the State Board of Education and by the laws of this Commonwealth for a professional certificate or commission or to improve professional competency.

- B. All requests for a leave of absence for professional development shall be subject to review and authorization by the Board of Trustees, which shall have sole authority to adopt and enforce policy establishing the conditions for approval of such leaves.
- C. At a minimum for a half school term, a leave of absence for professional development shall consist of any of the following or a combination thereof: nine (9) graduate credits, twelve (12) undergraduate credits, one hundred eighty (180) hours of professional development activities.
- D. At a minimum for a full school term, a leave of absence for professional development shall consist of any of the following or a combination thereof: eighteen (18) graduate credits, twenty-four (24) undergraduate credits, three hundred sixty (360) hours of professional development activities.
- E. The employee requesting a leave of absence for professional development shall submit to the CAO a detailed plan describing the professional development activities to be undertaken. The Board of Trustees shall have sole authority to approve or reject the plan.
- F. Upon completion of the leave, the employee shall provide the CAO and Board of Trustees satisfactory evidence that the employee's approved plan for professional development was fully complied with during the leave of absence. If the employee fails to do so, unless prevented by illness of physical disability, the employee shall forfeit all benefits to which said employee would have been entitled under the provisions of this act for the period of the absence for professional development.

5. Instruction in making applications

- A. Action by the Board cannot be assured unless the application, completely detailed is received by the CAO by October 1 for the next school term or by April 1 for the next school year.
- B. The application must be specific as to the period of leave desired, giving beginning and ending dates.
- C. The application must show the exact purpose of the leave, state specifically how the leave will be used to meet the purpose, and address itself to the concerns of the regulations stated in Section #4A – 4F.
- D. The applicant must show that all requirements of the law and this policy and regulations will be met.
- E. A conference with the CAO is required to go over the application for the purpose of assisting in presenting an application to the Board which it will consider as being complete and timely.