

**BALTIMORE COUNTY PUBLIC SCHOOLS**

**DATE:** September 7, 2010

**TO:** **BOARD OF EDUCATION**

**FROM:** Dr. Joe A. Hairston, Superintendent

**SUBJECT:** **CONSIDERATION OF THE PROPOSED DELETION OF BOARD OF EDUCATION POLICY 4270 - ABSENCES**

**ORIGINATOR:** Joe A. Hairston, Superintendent

**RESOURCE PERSON(S):** Donald Peccia, Assistant Superintendent, Human Resources

**RECOMMENDATION**

That the Board of Education approves the proposed deletion of Policy 4270. This is the third reading.

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Attachment I – Policy Analysis  
Attachment II – Policy 4270

**Policy Analysis for  
Board of Education Policy 4270  
Absences**

**Statement of Issues or Questions Addressed**

Board of Education Policy 4270 contains language covered by bargaining unit agreements and is recommended for deletion. Information not covered in the agreements will be included in the new proposed policy, *Absence and Leaves of Absence*.

**Cost Analysis and Fiscal Impact on School System**

No fiscal impact is anticipated by the deletion of this policy.

**Relationship to Other Board of Education Policies**

Board of Education Policy 4153, *Short-Term Leaves*

**Legal Requirements**

*Annotated Code of Maryland*, Education Article §4-103, *School Personnel*

*Annotated Code of Maryland*, Education Article §6-305, *Sick Pay*

COMAR 13A.07.02.03, *Leave of Absence*

**Similar Policies Adopted by Other Local School Systems**

Frederick County Board of Education, Section 303, *Attendance and Absence*

Montgomery County Board of Education, Policy GI, *Leaves and Retirements*

**Draft of Proposed Policy**

Attached

**Other Alternatives Considered by Staff**

None

**Timelines:**

First reading: July 13, 2010

Public Comment: August 10, 2010

Third reading: September 7, 2010

PERSONNEL: Classified

**Absences**

1. Academic Purposes

One day shall be allowed for an employee to attend his/her own college commencement. The absence will be charged to urgent personal business leave.

One day shall be allowed for employees to appear for examinations for advanced degrees or professional licenses related to their employment. The absence will be charged to urgent business leave.

2. Personal Illness

Employees may be absent without loss of pay, within the stated limits, for personal illness or physical incapacity. Absence shall be charged to sick leave.

3. Family Illness

Under emergency conditions, and employee may be absent without loss of pay for a total of four duty days per fiscal year for illness in the immediate family. The absence shall be charged to sick leave and is cumulative to a maximum of eight days.

4. Bereavement

Four consecutive calendar days, beginning with the day of death, or the first day after death, are allowed if the death is in the immediate family. Special considerations shall be given for allowing an additional day in those instances of delay of the funeral or of the need to travel excessive distances.

If further days are needed, those days will be charged to urgent personal business.

One (1) workday shall be allowed to attend a funeral of a close relative. Absence shall not be charged to sick leave. Permanent, full time supervisory/technical employees will be allowed one additional day in those instances of delay of funeral or when required by the tenets of religious denomination.

5. Legal Commitments and Transactions

An employee may be absent without loss of pay to serve on a jury. In the event that compensation is received for this duty, the employee will receive his/her regular salary less said compensation.

An employee who is issued a summons from a legally established court may be absent without loss of pay unless he/she is a defendant in court proceedings. If such employee defendant is found “not guilty” by the court, he/she shall be paid retroactively from the time lost because of the summons.

6. Religious Observation

Employees will be permitted a total of five (5) days annually for religious holidays and personal business; however, no more than three (3) days may be used for personal business. Once three (3) days are used for personal business and or religious holidays, the unused additional two (2) work days may not be accumulated as sick leave. In determining these holidays, the Superintendent of Schools will request recommendations from appropriate religious authorities.

7. Urgent Personal Business

Each employee shall be entitled to a maximum of three (3) days per year of urgent business which cannot be scheduled during non-working hours. A personal leave day may not be taken immediately preceding or following a holiday, except with specific authorization by the appropriate administrator. Personal business leave shall not be used for group activities. The absence shall not be charged to sick leave. Unused personal business leave shall be cumulative as sick leave.

8. Emergency Closing

When it is determined by the Superintendent of Schools that a general emergency situation exists or is impending (e.g., snowstorm, hurrican, civil disturbance, epidemic, power failure, etc.) and when he/she deems it is in the best interest of the safety, health, or general welfare of students and employees, he/she may authorize the emergency closing of any or all facilities depending upon the nature and severity of the emergency.

At such time as their school or schools are closed, bus drivers, attendants, and school-based cafeteria workers are not to report to work. Such employees will have three (3) inclement weather days available annually on a prorated basis to be used in when inclement weather causes schools not to be in session. The number of personal business days for bus drivers, attendants, and school-based cafeteria workers will be reduced to one per year; however, if schools are closed less than three (3) days because of inclement weather, one of the days may be accumulated as sick leave. Should it become necessary to utilize a holiday or extend the school year to meet statutory requirements, such employees shall be expected to report to work with compensation calculated at their regular straight time hourly wages for hours worked.

Unless it is specifically announced that “all Baltimore County Public Schools and Board of Education offices are closed,” all employees except bus drivers and cafeteria workers are to make every effort to report to work. For absences directly related to the emergency situation, salary deductions should be made, unless the employee shall elect to repay this absence through the utilization of personal business, accrued vacation, or floating holidays. If schools have been closed because of emergency situations and a holiday must be utilized to fulfill the mandatory number of school days, employees shall be granted compensatory time.

At such time as it is announced that “all Baltimore County Public Schools and Board of Education offices are closed,” no employees except chief custodians or their designees, groundsmen and other specifically indicated personnel are to report to work. Persons who are required to report shall receive pay or compensatory time on a time-and-one-half basis for hours worked. For absences directly attributed to the emergency, no deductions shall be made.

Nothing in this policy shall be construed to affect absences not directly attributed to the emergency. Where absences are due to vacations, formal leave, sickened, or other functions not related to the emergency, policy governing the specific absence shall apply.

System closing will normally be announced prior to the beginning of the first shift and will become effective as of the beginning of the first shift, and unless specifically announced to contrary, will continue through all shifts scheduled to begin prior to midnight on the date on which the announcement is made.

Should it become necessary to effect an early system closing (i.e., to close the system after the commencement of one or more shifts), deductions for absences due to the emergency will terminate as of the effective time of the closing, and persons required to continue their assigned duties through the emergency period will receive compensation for hours worked after formal closing, as indicated above.

Policy  
Adopted: 8/29/68  
Revised: 3/25/82  
Revised: 4/28/83  
Revised: 2/9/84  
Revised: 10/5/89]

Board of Education of Baltimore County