

December 6, 2017

AMEND BOARD RULES
4-14 OTHER LEAVES WITH PAY AND
4-15 OTHER LEAVES WITHOUT PAY

THE CHIEF EXECUTIVE OFFICER RECOMMENDS THE FOLLOWING:

That the Board amend Board Rules 4-14 Other Leaves with Pay to (1) align policy with practice for job restoration rights for employees who return from military leave after extended time off; and (2) remove On-loan leaves and adding eligibility rules for Sabbatical leaves and 4-15 Other Leaves without Pay to (1) update Personal or Student Teaching leaves as separate sections to clearly define the eligibility and entitlement for each leave; (2) include reference to restricting secondary employment while on ESP Personal and Travel Study leave; (3) include eligibility rules for Student Teaching leaves; and (4) remove eligibility for CPS sponsored health care coverage while on a Charter school leave.

TEXT:

Sec. 4-14. Other Leaves with Pay. Except as otherwise provided in this Rule, the Chief Executive Officer, or his/her designee, may grant leaves with pay to eligible employees, as set forth in this Rule. The Chief Executive Officer or his/her designee shall establish procedures for applying for paid leaves under this Rule, which may include additional procedural eligibility criteria. Employees granted leaves under this Rule shall continue to be eligible to participate in employee health and dental benefit plans, provided that they pay any required employee premium contributions to maintain those benefits. Nothing in this Rule shall be construed to grant a contract principal a leave of absence beyond the termination date of the contract principal's contract, or to extend the termination date of the principal's contract.

a. Military Leave

1. **Eligibility.** The Chief Executive Officer or his/her designee shall grant military leaves or reserve military leaves to full-time employees for any period the full-time employee spends in military service, including basic training, special or advanced training, and annual training, whether or not within the State of Illinois, and whether or not voluntary.
2. **Seniority and Benefits During Military Leave.** An employee on any military leave provided in this Rule shall continue to accrue seniority and other benefits.
3. **Pay During Military Leave.**
 - a. **Annual Training.** Any full-time employee granted a leave of absence for annual training under this Rule shall receive his regular compensation.
 - b. **Basic, Special or Advanced Training.** During the first sixty (60) days of military leave for basic, special or advanced training, an employee will receive the employee's regular compensation minus the amount of his/her base pay for military activities.
4. **Return to Work at Conclusion of Leave.** An employee, other than a part-time/seasonal employee, who is granted a military leave under this Rule and who: (1) receives a certificate described in section 9(a) of the Military Selective Service Act, 50 USCS Appx. § 459(a) (relating to the satisfactory completion of military service); and (2) makes application for reemployment within ninety (90) days after the employee is relieved from such training and/or service or from hospitalization continuing after discharge for a period of not more than one year, the employee shall be returned to work, as follows: a-(1) if qualified to perform the duties of his/her the employee's former position, and returns within the job protection period, the employee shall be reinstated to the former position or a position of like seniority, status or pay; or b-(2) if not qualified

to perform the duties of his/her the former position due to a disability sustained during the military leave, or has exceeded their job protection period, the employee will be offered a vacant position for which he/she the employee is qualified.

b. *Bereavement Leave.* The Chief Executive Officer or his/her designee shall grant employees, other than substitute teachers, and part-time/seasonal employee, paid bereavement leaves, as follows:

1. A leave not to exceed ten (10) week days, including holidays and layoff days, at the death of the eligible employee's parent, spouse, domestic partner, grandparent, child, brother, or sister of the employee, or step-parent married to a parent of the employee, provided that the last five (5) days of such a leave shall be applied against the employees' sick leave bank; and
2. A leave not to exceed five (5) week days, including holidays and layoff days, at the death of the eligible employee's grandchild, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, nephew, niece, uncle, aunt, or first cousin of the employee, provided that all days of such leave shall be applied against the employee's sick leave bank.

c. *Jury Duty Leave.* The Chief Executive Officer or his/her designee shall grant employees, other than day-to-day substitute teachers, and part-time/seasonal employee, a paid leave of absence when summoned for jury duty, provided that the amount of jury duty pay shall be deducted from the employee's pay for each day of jury duty. Day-to-day substitute teachers, and part-time/seasonal employee shall be excused from work without pay when summoned for jury duty. The provisions of this Rule shall be applicable during summer school assignments.

d. *Court Attendance Leave.* The Chief Executive Officer or his/her designee shall grant employees a paid leave of absence for court attendance when:

1. the employee is required to attend court, or other judicial proceedings, in connection with litigation in which school interests or records are involved, or when the State of Illinois, the City of Chicago, or the Board is a party and the employee is not personally interested in the outcome of the litigation; or
2. the employee is subpoenaed to appear in court within Cook County, Illinois, in a matter in which the employee has no personal interest in the outcome of the case, in which case, the subpoena fee shall be deducted from the employee's pay.

e. *Conference Leave.* The Chief Executive Officer or his/her designee shall grant an employee, other than substitute teachers, or part-time/seasonal employee, paid conference leave to attend professionally-related conferences, meetings, workshops, conventions, or commencement exercises for the employee, if in the Chief Executive Officer or his/her designee's judgment, the employee's attendance is beneficial or related to the work of the schools.

f. *Sabbatical Leave for Appointed Teachers.* The Chief Executive Officer or his/her designee may grant paid leaves of absence to tenured teachers, who have completed six (6) continuous years of satisfactory service, for the purposes of full-time resident study programs, travel or other purposes, for a period of at least five (5) months but no more than ten (10) school months (equivalent to one continuous semester or one continuous school year respectively), if the Chief Executive Officer or designee determines that the leave will improve the service of the teacher or contract principal to the public schools. The employee must be enrolled in a full-time program. An employee who is granted a leave under this provision may not hold secondary employment or accept other employment or draw a salary/stipend without express approval from the Chief Executive Officer or designee from another agency while on this leave. Upon return from this leave, the employee must work for a minimum of (2) two years or be responsible for paying back any sums of money paid to the employee during the sabbatical leave by the Board of Education. Eligibility for and the terms and conditions of sabbatical leaves will be established by the Chief Executive Officer or designee.

~~g. *Tenured Teacher On-Loan Leaves of Absence.* The Chief Executive Officer or his/her designee may grant to tenured teachers the types of on-loan leaves set forth in subparagraphs 1 and 2 of this Section under the conditions set forth in those paragraphs without Board action and shall report such leaves on his/her quarterly report to the Board. The decision to grant an on-loan leave of absence rests solely within the discretion of the Chief Executive Officer or his/her designee and is not an entitlement to eligible tenured teachers.~~

- ~~1. *On-loan leave to a University or Other Educational Institution.* The Chief Executive Officer or his/her designee may grant a tenured teacher an on-loan leave to take a position at a university and/or other educational institution if in the judgment of the Chief Education Officer such a leave will enable the teacher to engage in activities that will contribute to increasing the achievement of the students of the Chicago Public Schools;~~
- ~~2. *On-loan leave to a Contract School.* The Chief Executive Officer or his/her designee may grant a tenured teacher, an on-loan leave to take a position with a contract school.~~

Sec. 4-15. Other Leaves without Pay. The Chief Executive Officer or his/her designee may grant leaves without pay to eligible employees as set forth in this Rule without Board action and shall report all such leave in his/her quarterly workforce planning report to the Board. The Chief Executive Officer or his/her designee shall establish procedures for applying for unpaid leaves under this Rule, which may include additional procedural eligibility criteria. Employees granted leaves under this Rule shall continue to be eligible to participate in employee health and dental benefit plans, provided that they pay any required employee premium contributions to maintain those benefits. Nothing in this Rule shall be construed to grant a contract principal a leave of absence beyond the termination date of the contract principal's contract or to extend the termination date of the principal's contract.

~~a. *Personal or Student Teaching Leaves of Absence for Educational Support Personnel.* The Chief Executive Officer or his/her designee may grant educational support personnel employees who have been employed for not less than three (3) months personal or student teaching leaves of absence without pay. The Chief Executive Officer or his/her designee, in the exercise of his/her discretion, may permit educational support personnel granted a personal leave of absence to be paid appropriate accumulated benefit time during the leave. Any employee who is granted a leave under this provision may not accept secondary employment or draw a salary/stipend without express approval from the Chief Executive Officer or designee. ~~Student teaching leaves of absence shall be without pay.~~ Educational support personnel granted a personal or student teaching leave of absence under this Rule shall be restored to their former positions at the termination of the leave if the former position is available. If the former position is not available, the educational support personnel employee may apply for ~~consideration for any position for which the employee is qualified.~~ other educational support personnel vacancies and, if the educational support personnel employee is not selected to fill such vacancies, he/she will be laid off in accordance with Board Rules and Policies.~~

~~b. *Student Teaching Leaves of Absence for Educational Support Personnel.* The Chief Executive Officer or designee may grant educational support personnel employees who have been employed for not less than three (3) months a student teaching leave of absence without pay. Educational Support Personnel must show proof that they are enrolled in an accredited program and need the time off work, for a maximum of (10) ten school months, to student teach or complete a practicum. Student teaching leave of absence shall be without pay unless otherwise approved by the Chief Executive Officer or designee. Any Educational Support Personnel employee granted a student teaching leave of absence under this rule shall be restored to the employee's former position at the termination of the leave if the former position is available. If the former position is not available, the Educational Support Personnel employee may apply for any position for which they are qualified. Any employee who is granted leave under this provision may not accept secondary employment or draw a salary/stipend without express approval from the Chief Executive Officer or designee.~~

bc. Tenured Teachers' Leave for Travel or Study. The Chief Executive Officer or his/her designee may grant an unpaid leave of absence for one (1) year or less to a tenured teacher for educationally-related travel or for full-time study in accredited institutions of learning. At the conclusion of the leave, the tenured teacher must present credentials showing the course work pursued and the amount of work done to the Chief Education Officer. In case of leave for travel, evidence of such travel shall be presented to the Chief Education Officer. When a leave has been granted under this Rule, the absence shall not be construed as a break in service so far as seniority is concerned and the tenured teacher shall be returned to his/her position at the termination of the leave. A tenured teacher granted a leave under this Rule shall be ineligible for another leave under this Rule for a period of at least four (4) years after the conclusion of the leave. Any employee who is granted a leave under the provisions may not accept secondary employment or draw a salary/stipend without express approval from the Chief Executive Officer or designee. Any person who is granted leave under the provisions of this Rule, who fails to devote the entire period of the leave to the purposes specified in the application for leave shall pay to the Board the cost of maintaining benefits for the teacher during the leave and may be subject to discipline or dismissal. The employee shall maintain insurance benefits while on leave of absence as long as the employee pays the employee portion of the insurance premium.

cd. Tenured Teachers' Leave for Charter School Employment. The Chief Executive Officer or his/her designee may grant unpaid leaves of absence to tenured teachers who accept employment with a charter school in accordance with 105 ILCS §27A-10(b). Charter school leaves shall be granted in one (1) school year increments. Successive charter school leaves may be granted for up to maximum of five (5) school years. A tenured teacher who is granted a leave of absence for charter school employment may return to his/her former position only if the leave terminates after his/her first year of charter school leave; if the leave terminates after more than one (1) year of leave, the teacher shall be assigned to the Reassigned Teacher Pool in accordance with Board policies. Health insurance will not be offered during this leave. Upon return from this leave, the employee must provide a termination or resignation letter within (30) thirty days of the last day of employment in order to return to work at Chicago Public Schools.

de. Tenured Teachers' and Certificated Administrators' Personal Leave of Absence. The Chief Executive Officer or his/her designee may grant an unpaid personal leave of absence with full loss of salary for a period of two (2) years or less to any tenured teacher or certificated administrator, if in the judgment of the Chief Executive Officer or his/her designee, such leave will enable the tenured teacher or certificated administrator to engage in an activity which will be beneficial to the work of the Chicago Public Schools. Certificated administrators who are contract principals and assistant principals are not eligible for a personal leave of absence. Upon conclusion of the personal leave of absence, the tenured teacher may apply for vacant positions.

ef. Tenured Teachers' and Educational Support Personnel Union Leaves.

1. Upon application by the Chicago Teachers Union ("CTU"), the Illinois Federation of Teachers ("IFT"), or the American Federation of Teachers ("AFT"), the Chief Executive Officer or designee may, without Board action, grant employees who are elected or appointed to full-time positions with the CTU, IFT or AFT leaves of absence without pay for the purpose of accepting positions, provided that no more than forty-five (45) employees shall be granted such a leave at any one time. Employees granted a union leave of absence shall retain all other benefits as if they were in regular service. They shall continue to accrue seniority for salary increments and all other purposes where seniority is a factor, and their absence shall not be construed as a break in service for any purpose. As condition of such leave, the CTU, IFT, and AFT must agree to pay the cost of maintaining any benefits for the employee.

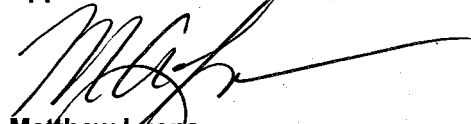
2. The Chief Executive Officer or his/her designee may, without further Board action, grant union leaves of absences authorized by collective bargaining agreements approved by the Board to employees who are elected or appointed to union offices. The Chief Executive Officer or designee shall approve such leaves in accordance with the terms of the collective bargaining agreement approved by the Board.
3. An appointed teacher or clinician who is elected as President, Vice President, Recording Secretary or Financial Secretary of the CTU and who decides to return to Board employment following the conclusion of his or her first term in office shall be returned to his or her original position in his or her original school or unit. A teacher or clinician on Union leave to an unelected position with the CTU who decides to return to Board employment at the conclusion of his or her Union leave shall be assigned to an equivalent position in the area of his or her certification.

The teacher or clinician shall not have the right to return to his or her original school or unit.

fg. Tenured Teachers' Pension Office Employment Leave. Upon application by the Chicago Teachers' Pension Fund, the Chief Executive Officer or designee may grant an unpaid leave of absence to tenured teachers to accept appointments to full-time positions with the Chicago Teachers' Pension Fund. As condition of such leave, the Chicago Teachers' Pension Fund must agree to pay the cost of maintaining any benefits for the employee. Upon termination of the leave, employees shall be treated as laid off employees and afforded the rights and benefits provided in the applicable Board's layoff policies.

gh. Family Military Leave of Absence. The Chief Executive Officer or designee may grant an unpaid family military leave of absence of up to thirty (30) calendar days to an employee who: 1) is the spouse or parent of any person called to military service for a period of more than thirty (30) calendar days pursuant to orders of the Governor of the State of Illinois or the President of the United States, 2) has been employed by the Board for at least twelve (12) months, and, 3) has been employed for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave. Employees who request unpaid family military leave for five (5) or more consecutive work days must make their request for the leave fourteen (14) days prior to the commencement of the leave; employees who request unpaid family military leave for less than five (5) consecutive work days shall make their request as soon as practicable. Upon termination of the leave, the employee shall be restored to the position held by the employee prior to commencement of the leave or to a position with equivalent seniority status, employee benefits, pay and other terms and conditions of employment, unless the employee would not have maintained his/her position regardless of the leave. The Chief Executive Officer or designee shall establish procedures and requirements for applying for leaves, including requirements for submission of certification from the proper military authority to verify the employee's eligibility for the family military leave and procedures for return of employees at the conclusion of the family military leave.

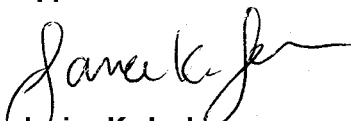
Approved for Consideration:


Matthew Lyons
Chief Talent Officer

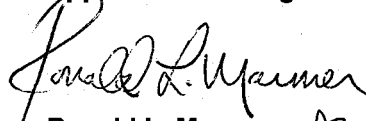
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