

REGULATION

ANNE ARUNDEL COUNTY PUBLIC SCHOOLS

Related Entries: Policy GC

Responsible Office: DIVISION OF HUMAN RESOURCES

COURT LEAVE

A. PURPOSE

To establish procedures for paid leave due to absence for jury duty, a court summons, or when otherwise legally required to appear for a court proceeding.

B. BACKGROUND

The Anne Arundel County Public Schools (AACPS) recognizes a staff member's responsibility, when required to report for jury duty, when subpoenaed, or when otherwise obligated to appear or testify for court proceedings.

As established in the procedures below, no employee who receives a court summons or is required to report for jury duty or is otherwise legally required to appear for a court proceeding shall have any adverse personnel action taken against him/her, or shall have to use sick leave, personal business leave (where available), or annual leave as a result of his/her absence to comply with a legal requirement to appear for a court proceeding or appear for jury duty except as specified in the procedures below.

This regulation shall be implemented in compliance with the provisions of the applicable negotiated agreements, the provisions of which shall supersede any language that may be inconsistent.

C. DEFINITIONS

1. ***Court Leave*** - An approved employee absence during regular work hours that is granted if:
 - a. the employee is required to serve on a jury duty or legally obligated to appear for a court proceeding where the employee is not a party to the action; or
 - b. the employee is summoned to appear or testify in a criminal court proceeding, for which if he/she is a defendant than he/she is later found not guilty.

D. PROCEDURES

1. Employees in Units I – IV shall be paid for court leave in accordance with the applicable Negotiated Agreements and in the terms set forth in these regulations.

2. Employees in Units V and VI shall be granted court leave when legally obligated to appear for a court proceeding or serve jury duty without any loss of salary provided the employee is not a party to the action.
 - a. Employees in Unit V and VI shall be granted court leave without loss of salary for a court summons provided the summons is related to their employment with AACPS.
 - b. Employees in Units V and VI shall be granted court leave when legally obligated to appear as a witness in a criminal court proceeding.

If the employee is the charged party in a criminal case the absence shall be charged to Annual Leave or Personal Business Leave until the employee submits a document from court with a finding of not guilty, at which time all annual or personal business leave shall be returned to the employee and the absences identified as court leave. If the employee lost pay due to the lack of available annual or personal business leave, that pay shall be reinstated upon the receipt of documentation of the finding of not guilty.
 - c. Employees in Units V and VI shall not be granted court leave for cases related to their work with any employer other than Anne Arundel County Public Schools.
 - d. Exceptions to abovementioned criteria may be made by the Superintendent or his/her designee for extraordinary or unique circumstances.
3. Employees should provide supervisors with adequate notice regarding the need for court leave by submitting a Leave Authorization Form. Employees shall provide sufficient documentation of the required jury duty or court appearance, attaching it to a Leave Transmittal form which is forwarded to payroll with the time sheet.
4. Employees who fail to submit the appropriate documentation as required shall be charged with absence without authorized leave (lost time) for the date(s) in question and may be subject to discipline up to and including termination of employment.

*Regulation History: Developed by Superintendent 06/10/14.
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Note previous regulation history: None