Baltimore County Public Schools
Department of Human Resources
Office of Employee Absence and Risk Management

Leave Requirements and Information Sheet

Type of Leave: Unusual or Imperative

Summary: Baltimore County Public Schools (BCPS) provides eligible employees one year of unpaid leave for extenuating circumstances that are “unusual or imperative” and are not covered as other types of leaves of absence.

Eligibility
- Regular employees with a full-time equivalency of .5 or greater, at least one year of service with BCPS immediately prior to the start of the leave, and satisfactory evaluations.
- Non-tenured and provisional/conditional teachers are not eligible.

Approved By: The Board of Education (Board)

The application, and all required documentation noted below, should be sent to:

The Department of Human Resources
Office of Employee Absence and Risk Management
6901 Charles Street, B Building, Towson, MD 21204
Fax no. 410-337-0160
Email to leaves@bcps.org

For additional information and questions, contact the Office of Leaves, 443-809-4133

General Information
- The Application for Leaves of Absence and Conversions must be submitted, and approval of the leave request obtained, before the leave begins.
- Consecutive unusual or imperative leaves are rarely granted unless appropriate documentation is received and approved for extenuating circumstances that are “unusual or imperative. No more than two consecutive leaves of absence of any type, excluding military leave, will be granted.
- The unusual or imperative leave is granted without pay.
- In the case of consecutive leaves, if an employee does not return to work prior to the commencement of the second leave, no earned paid time (e.g., personal illness) can be used.
- The OEARM Office will send notification of the approval or denial of the leave request, and any conditions that must be met, to the employee, the principal or office head and the appropriate personnel officer immediately following the Board meeting in which the leave request was approved or denied.
- Employees must notify the OEARM Office via phone call, email or letter immediately if the plans for the leave do not materialize or change.
- Gainful, permanent employment with another employer while on an approved leave of absence may serve as justification for termination of the leave.
- Employees on approved leave, paid or unpaid, may not be employed by BCPS in a temporary assignment while on leave unless authorized by the chief human resources officer.

**Intermittent Leave**
- Intermittent leave is not available for this type of leave.

**Required Documentation**
- Completed Application for Leaves of Absence and Conversions
- Written statement including reason for leave, beginning and returning dates of leave and supporting documentation.
- Maryland State form 46, Qualified Leave Of Absence Request or Notification of Military Service Entry, if applicable (see Retirement section below). This form is required to obtain state retirement service credit for the period of the approved leave and for the survivor benefit to remain in effect during this leave. For additional information, employees may refer to the Maryland State Retirement Agency (MSRA) Web site.
- Required documentation must be received 30 days prior to the commencement of the requested leave (if leave is foreseeable). If an emergency situation arises, or circumstances prevent this, employees must contact the OEARM Office as soon as possible.
- Leave processing may be delayed or denied if documentation is not received within the required timeframe.

**Effect on Position**
- The employee’s current position is released for all Board-approved leaves. Employees returning from leave will be restored to a comparable position (see procedures outlined in the appropriate bargaining unit agreements concerning the release of positions and job restoration).
- Certificated teachers will be placed no later than the beginning of the next school year if the leave expires during the school year, per the bargaining unit agreement.
- If an employee rejects a position offered within his/her classification upon reinstatement, it relieves BCPS of the commitment to provide employment.

**Effect on Salary Increment**
In general, an unpaid leave of absence is not counted towards the calculation for annual increments. However, employees should see their appropriate bargaining unit agreements for specific details.

**Effect on Payroll, Healthcare Benefits and Retirement Plans**

**Payroll**
In the case of consecutive leaves, if an employee does not return to work prior to the commencement of the second leave, no earned paid time (e.g., personal illness) can be used.
This is an unpaid leave of absence. Upon completion of the leave and return to service with BCPS, employees are responsible for notifying the Office of Payroll (443-809-4240) as soon as possible to reestablish the payroll deduction plans.

**Healthcare Benefits**
The Office of Benefits will notify employees regarding continuation of healthcare coverage options, payment method, etc. Employees may choose to continue healthcare and flexible spending plan coverage by paying a monthly premium equivalent to the COBRA rate (full cost plus an administrative charge of 2%). BCPS-paid basic life insurance continues during the approved leave of absence period. Employees must handle other salary deductions (e.g., First Financial Federal Credit Union, optional life insurance, etc.) directly with the appropriate organization. Unless continuation of benefits is elected, benefits terminate on the last day of the month in which the employee worked or is in active pay status. If the employee ceases employment with BCPS after the final benefit deduction is taken at the end of the school year, coverage continues through the end of August.

Upon completion of the leave and return to service with BCPS, employees are responsible for notifying the Office of Benefits, Leaves and Retirement (443-809-8943) to reenroll in benefit plans (must be reenrolled within 30 days of return to work).

**Retirement**
Maryland State Retirement Agency (MSRA) may recognize this leave as a qualified leave of absence for credit purposes, depending on the reason for the leave. Therefore, the unpaid service time may be able to be purchased. Employees must contact the BCPS Office of Retirement to initiate the process, if applicable. There is no timeframe to initiate the purchase of the service credit if the employee returns to work. However, if the employee is terminating, the paperwork must be received by the Maryland State Retirement Agency no later than 60 days after expiration of the leave in order for the service to be purchased. BCPS requests the paperwork no later than 45 days after the expiration of the leave in order to process in a timely manner. The Baltimore County Employees Retirement System (ERS) does not recognize this leave as a qualified leave of absence for credit purposes. Therefore, the service time cannot be purchased.

**Return-to-Work/Extensions/Resignation Requirements**
- All employees on leave are to return to a position, request and be approved for another type of leave (if available) or resign upon the expiration of their leave.
- At least fifteen (15) business days prior to their expected date of return to BCPS, employees are responsible for notifying the OEARM Office of their intent to return to work, request an extension or resign via email, letter or phone call.
- **Return to Work**
  - The appropriate personnel officer reviews the staffing needs of the schools/offices for placement and will notify the employee regarding placement.
  - The Office of Staffing will notify the appropriate administrator or office head of the employee’s return date.
  - Upon completion of the leave and return to service with BCPS, it is the employee’s responsibility to notify the Office of Payroll (443-809-4240) to reestablish the payroll deduction plans as soon as possible, the Office of
Employee Benefits (443-809-8943) to reenroll in benefit plans (must be reenrolled within 30 days of return to work).

- If applicable, state eligible employees must complete Maryland State form 26, *Request to Purchase Previous Service*, and submit it while in active employment, or if terminating, within 45 days after the expiration of the leave in order for the service to be purchased. This form must be submitted to the BCPS Office of Retirement.
- If an employee rejects a position offered within his/her classification upon reinstatement, it relieves BCPS of the commitment to provide employment.

**Extension of Leave**

- Extensions/consecutive unusual or imperative leaves are rarely granted unless appropriate documentation is received and approved for extenuating circumstances that are “unusual or imperative.”

**Resignation**

- Employees who choose to resign from BCPS must complete the resignation and off boarding process, available on the Human Resources Intranet.
- Employees must notify the Office of Leaves at 443-809-4133 or leaves@bcps.org if they resign from leave.
- Employees who resign may be entitled to continued healthcare coverage under COBRA, consistent with the timeframes noted in current law. The cost of this coverage is the monthly premium equivalent to the full cost plus an administrative charge of 2%.
- If applicable, MSRA-eligible employees who choose to resign must complete Maryland State form 26, *Request to Purchase Previous Service*. BCPS requests forms are submitted to the Retirement Office within 45 days of the expiration date of the leave in order for the service to be purchased and to satisfy the state’s 60 day requirement (refer to the Retirement Section).

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**Policy**
Board of Education Policy 4203, Absences and Leaves

**Rule:**
Superintendent’s Rule 4203, Absences and Leaves

**Bargaining Unit Information**

- American Federation of State, County and Municipal Employees (AFSCME)
  Article VII – Absences and Leaves
  Section 13 – Unusual or Imperative Leave

- BCPS Organization of Professional Employees (BCPSOPE)
  Article IX – Absences and Leaves
  Section 9.10

- Education Support Professionals of Baltimore County (ESPBC)
Article 8 – Absences and Leaves
Section 8.12 – Unusual or Imperative Leave

➢ Council of Administrative and Supervisor Employees (CASE)
  Article IX – Absences and Leaves
  Section 9.10 – Unusual or Imperative Leave

➢ Teachers Association of Baltimore County (TABCO)
  Article XII – Absences and Leaves
  Section 12.13 – 12.13.3 – Unusual or Imperative Leave

For informational purposes only. For additional questions or concerns, employees must refer to Board Policies, Superintendent’s Rules and appropriate bargaining unit agreements.