



# Huntington Beach Union High School District Board Policies and Administrative Regulations

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## Certificated Personnel

### Hourly Certificated Staff in Independent Study, Adult School, and Home Teaching

#### 1. Purpose and Scope

To provide guidelines covering compensation and benefits for hourly certificated staff in the Independent Study, Home Teaching, and Adult School programs.

#### 2. Regulations

##### A. Compensation

Compensation for these programs shall be at an hourly rate as established by the Board of Trustees and shall be governed by the following rules:

- (1) Placement on the appropriate step will be determined by the administrator in charge of each program.
- (2) A year of experience for salary advancement shall be defined as at least 75% of a given school year. This shall consider the amount of the regular school year encompassed between an individual's first duty day and last duty day in a given school year.

##### B. Permanency (Tenure)

Permanency shall be granted to staff members who qualify under the terms prescribed by law and contained in these rules.

- (1) A full-time assignment shall be defined as forty (40) hours per week.
- (2) The Board of Trustees establishes the number of school days in a school year, which may not be less than the minimum of 175 required by law. To be eligible for permanency, an employee must serve during 75% or more of the school days actually scheduled in a given school year by the Board of Trustees. Summer school teaching shall not be credited toward this requirement.

Hourly Certificated Staff in Independent Study, Adult School, and Home Teaching (continued)

- (3) Upon completion of two (2) consecutive years of service meeting the above requirements, and upon assumption of duties in the third (3rd) year, an employee shall receive permanency equivalent to the average number of hours served per week during the probationary period.
- (4) An employee shall not be eligible for permanency in an hourly position in one of these programs if they hold permanency in another school district.
- (5) An employee shall not hold permanency in both the regular day school of the Huntington Beach Union High School District and in an hourly position in one of the programs or schools to which these rules apply.
  - (a) An employee who first earns permanency in the regular day school shall not be eligible for permanency in an hourly position in one of the programs or schools covered by these rules.
  - (b) An employee who first earns permanency in an hourly position in one of these programs or schools and who subsequently becomes eligible for permanency in the day school shall choose in which one such school or program they desire to have permanency.
- (6) Once an employee achieves permanency, their assignment may not be reduced below the amount of time per week to which they have permanency except in accordance with law.

C. Retirement

Any certificated employee who qualifies under terms in the Education Code shall become a member of the State Teachers' Retirement System.

D. Personal Illness Leave

Personal illness leave is a paid leave of absence in accordance with law and shall be an hourly equivalency based upon the leave provided for day school staff. Illness leave under this rule shall not be interchangeable or co-mingled in any way with that provided in any day school.

- (1) Leave shall be "earned" based upon the average number of hours worked per day during each pay period, in accordance with the following formula:  
$$(180 \text{ duty days/year} \times 8 \text{ duty hours/day}) \text{ divided by } (12 \text{ days sick leave/year} \times 8 \text{ duty hours/day}) = 15 \text{ duty hours per 1 sick leave hour}$$

Hourly Certificated Staff in Independent Study, Adult School, and Home Teaching (continued)

- (2) Illness leave shall be paid based upon the hourly rate of the employee at the time it is used and shall be available to the employee at any time during the period of employment.
- (3) When absence due to personal illness occurs, the employee shall have available their current year's entitlement of illness leave, based upon (1) above, or any unused balance thereof. From that point, accumulated leave, if any, shall be available. In an extended illness absence, after accumulated leave has been exhausted, the employee shall be paid the difference between their expected earnings (defined as the employee's current rate of pay times the average number of hours per pay period at the time absence began) and the amount payable to a substitute, whether or not a substitute is actually employed, for a period of up to five (5) school months from the initial date of absence. In a case where the employee's pay rate equals the substitute pay rate (Step 1), the employee shall be paid the difference between Step 1 and Step 2 of the hourly salary schedule.
- (4) Sick leave benefits shall only apply to absences due to personal illness which occur during the period of time that the employee is scheduled to be actively employed. This benefit shall not extend beyond the end of the employee's class, work year, or other established employment period. In the case of an absent instructor whose assignment must be cancelled due to insufficient enrollment, for example, sick leave benefits shall not extend beyond the point where their assignment is terminated.
- (5) Unused earned sick leave shall accumulate from year to year without limit as long as there is continuity of employment; provided, however, that any employee who is terminated will be responsible for compensating the district for unearned sick leave actually used. Should there be a break in employment of a semester or more, prior accumulated sick leave shall be lost and a new accumulation shall begin upon reemployment.

E. Personal Necessity Leave

Leave for personal necessity shall be granted for reasons as specified in Board Policy 4160 whereby leave provisions for hourly certificated staff shall be identical to those leave provisions covered in the certificated negotiated agreement unless otherwise noted. The six days provided by law to day school staff shall be prorated for employees in these programs.

Hourly Certificated Staff in Independent Study, Adult School, and Home Teaching (continued)

- (1) Personal necessity leave shall be prorated based upon the following formula:  
  
$$(180 \text{ duty days/year} \times 8 \text{ duty hours/day}) \div (6 \text{ days personal necessity leave/year} \times 8 \text{ duty hours/day}) = 30 \text{ duty hours per 1 personal necessity leave hour}$$
- (2) Approval, reporting, and proof of reasons for personal necessity leave shall be in accordance with Board Policy 4160 whereby leave provisions for hourly certificated staff shall be identical to those leave provisions covered in the certificated negotiated agreement unless otherwise noted.
- (3) No unused portion of personal necessity leave entitlement during a given year shall be carried over.

F. Bereavement Leave

Bereavement leave is a paid leave of absence resulting from the death of a member of the employee's immediate family, as defined in Board Policy 4160 whereby leave provisions for hourly certificated staff shall be identical to those leave provisions covered in the certificated negotiated agreement unless otherwise noted, and shall be based upon the amount of such leave specified in Education Code Section 44985.

- (1) Bereavement leave shall be based upon three (3) days, or five (5) days if travel out-of-state is required.
- (2) An employee shall receive a proportionate amount of bereavement leave based upon what fraction of the full five (5) day school week they work.
  - (a) Example: If travel within the state is required, and if the employee is working an average of two (2) days per week at the time of bereavement, entitlement would be 1.2 days leave ( $2/5 \times 3 \text{ days leave} = 1.2 \text{ days leave}$ ).
  - (b) Example: If travel out-of-state is required, and if the employee is working an average of two (2) days per week at the time of the bereavement, entitlement would be 2.0 days leave ( $2/5 \times 5 \text{ days leave} = 2.0 \text{ days leave}$ ).

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- (3) Pay during bereavement leave shall be based upon that which the employee would have received for work time missed.
- (4) Bereavement leave entitlement, as in (2) above, shall be applied to the consecutive calendar days beginning with the first day the employee must miss due to the bereavement but shall only result in pay for those following days, or portions thereof, which the employee was scheduled to work.

G. Insurance Benefits

Any certificated person who is employed for more than 24 hours per week shall be eligible to receive the district's insurance benefit program, paid for by the district.

- (1) Once an employee's work hours qualify them for insurance benefits, these benefits shall be provided at district expense. At any time during that assignment that an employee's work hours fall to 24 hours or less per week, the employee shall no longer be eligible for this benefit and the employee shall be notified in writing of the date of termination of coverage.
- (2) A terminating employee who is receiving this paid benefit at the time of termination may avail themselves of such options as may exist in the individual insurance contracts to convert to coverage at their own expense.

H. Industrial Accident or Illness Leave

An employee who experiences accidental injury or job-related illness shall have industrial accident or illness leave available under terms of Board Policy/ Administrative Rule 4161.11 and Education Code Section 44984.

Legal Reference:

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