

REGULATION MONTGOMERY COUNTY PUBLIC SCHOOLS

Related Entries: GID-EA, Negotiated Agreements

Responsible Office: Office of the Chief Financial Officer; Employee and Retiree Service Center

Transfer of Sick Leave within the Maryland Public School System

I. PURPOSE

To establish procedures for reporting an individual's unused sick leave balance for transfer to or from MCPS and set forth criteria to determine the amount of sick leave accepted by MCPS for credit to the employee's account

II. DEFINITIONS

For purposes of this regulation, a *Maryland public school system* is defined as any system that educates public-school-age children.

III. PROCEDURES

A. Transfer of Sick Leave to Another Maryland Public School System

1. When an MCPS employee separates from MCPS and is employed by another Maryland public school system, a former MCPS employee is responsible for notifying the new Maryland public school system of prior employment in MCPS and to follow that system's procedure for requesting transfer of unused sick leave under the *Code of Maryland Regulations (COMAR 13A.07.03.02.)*
2. Upon receipt of a request by the former employee or another Maryland public school system, the Employee and Retiree Service Center (ERSC) will report the unused sick leave balance in hours. If the terminated employee had received termination pay, the following statement will be communicated: "Employee received termination pay at current salary rate for a portion of his/her accumulated sick leave" as defined in the Negotiated Agreement applicable to that employee.

B. Transfer of Sick Leave to MCPS

1. At the time of employment by MCPS and upon request of the employee, the employee is given MCPS Form 430-62, *Transfer of Cumulative Sick Leave*, which is completed by the employee and forwarded to the Maryland public school system from which the employee separated.
2. On receipt of the completed MCPS Form 430-62, *Transfer of Cumulative Sick Leave*, ERSC will add the unused accumulated sick leave reported, in accordance with the following criteria:
 - a) Sick leave is accepted for transfer when the employee comes directly to MCPS from another Maryland public school system.
 - b) An accumulated sick leave balance of up to 100 days (800) hours can be transferred and used during their MCPS employment.
 - c) Requests for retirement credit hours in excess of this amount should be directed to ERSC. The final decision is made by the chief financial officer.
 - d) On separation from MCPS employment, MCPS does not pay out leave transferred from another employer. Transferred leave will be deducted from the employee's sick leave balance before the remaining balance is paid out. This is true whether or not the employee used the transferred hours during their MCPS employment

Regulation History: Formerly Regulation No. 430-5; revised October, 1982; revised September, 1985; reviewed August 1988; revised September 7, 1993; revised August 21, 1995; revised July 31, 2006; revised August 27, 2024.

MCPS NONDISCRIMINATION STATEMENT

Montgomery County Public Schools (MCPS) prohibits illegal discrimination based on race, ethnicity, color, ancestry, national origin, nationality, religion, immigration status, sex, gender, gender identity, gender expression, sexual orientation, family structure/parental status, marital status, age, ability (cognitive, social/emotional, and physical), poverty and socioeconomic status, language, or other legally or constitutionally protected attributes or affiliations. Discrimination undermines our community's long-standing efforts to create, foster, and promote equity, inclusion, and acceptance for all. The Board prohibits the use of language and/or the display of images and symbols that promote hate and can be reasonably expected to cause substantial disruption to school or district operations or activities. For more information, please review Montgomery County Board of Education Policy ACA, *Nondiscrimination, Equity, and Cultural Proficiency*. This Policy affirms the Board's belief that each and every student matters, and in particular, that educational outcomes should never be predictable by any individual's actual or perceived personal characteristics. The Policy also recognizes that equity requires proactive steps to identify and redress implicit biases, practices that have an unjustified disparate impact, and structural and institutional barriers that impede equality of educational or employment opportunities. MCPS also provides equal access to the Boy/Girl Scouts and other designated youth groups.*

It is the policy of the state of Maryland that all public and publicly funded schools and school programs operate in compliance with:

- (1) Title VI of the federal Civil Rights Act of 1964; and
- (2) Title 26, Subtitle 7 of the Education Article of the Maryland Code, which states that public and publicly funded schools and programs may not
 - (a) discriminate against a current student, a prospective student, or the parent or guardian of a current or prospective student on the basis of race, ethnicity, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, or disability;
 - (b) refuse enrollment of a prospective student, expel a current student, or withhold privileges from a current student, a prospective student, or the parent or guardian of a current or prospective student because of an individual's race, ethnicity, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, or disability; or
 - (c) discipline, invoke a penalty against, or take any other retaliatory action against a student or parent or guardian of a student who files a complaint alleging that the program or school discriminated against the student, regardless of the outcome of the complaint.**

Please note that contact information and federal, state, or local content requirements may change between editions of this document and shall supersede the statements and references contained in this version. Please see the online version for the most up-to-date information at www.montgomeryschoolsmd.org/info/nondiscrimination.

<p>For inquiries or complaints about discrimination against MCPS students***</p> <p>Director of Student Welfare and Compliance Office of District Operations Student Welfare and Compliance 15 West Gude Drive, Suite 200, Rockville, MD 20850 240-740-3215 SWC@mcpsmd.org</p>	<p>For inquiries or complaints about discrimination against MCPS staff***</p> <p>Human Resource Compliance Officer Office of Human Resources and Development Department of Compliance and Investigations 45 West Gude Drive, Suite 2500, Rockville, MD 20850 240-740-2888 DCI@mcpsmd.org</p>
<p>For student requests for accommodations under Section 504 of the Rehabilitation Act of 1973</p> <p>Section 504 Coordinator Office of School Support and Improvement Well-Being and Student Services 850 Hungerford Drive, Room 257, Rockville, MD 20850 240-740-3109 504@mcpsmd.org</p>	<p>For staff requests for accommodations under the Americans with Disabilities Act</p> <p>ADA Compliance Coordinator Office of Human Resources and Development Department of Compliance and Investigations 45 West Gude Drive, Suite 2500, Rockville, MD 20850 240-740-2888 DCI@mcpsmd.org</p>
<p>For inquiries or complaints about sex discrimination under Title IX, including sexual harassment, against students or staff***</p> <p>Title IX Coordinator Office of District Operations Student Welfare and Compliance 15 West Gude Drive, Suite 200, Rockville, MD 20850 240-740-3215 TitleIX@mcpsmd.org</p>	

*This notification complies with the federal Elementary and Secondary Education Act, as amended.

**This notification complies with the Code of Maryland Regulations Section 13A.01.07.

***Discrimination complaints may be filed with other agencies, such as the following: U.S. Equal Employment Opportunity Commission (EEOC), Baltimore Field Office, GH Fallon Federal Building, 31 Hopkins Plaza, Suite 1432, Baltimore, MD 21201, 1-800-669-4000, 1-800-669-6820 (TTY); Maryland Commission on Civil Rights (MCCR), William Donald Schaefer Tower, 6 Saint Paul Street, Suite 900, Baltimore, MD 21202, 410-767-8600, 1-800-637-6247, mCCR@maryland.gov; Agency Equity Officer, Office of Equity Assurance and Compliance, Office of the Deputy State Superintendent of Operations, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, MD 21201-2595, oeac.msde@maryland.gov; or U.S. Department of Education, Office for Civil Rights (OCR), The Wanamaker Building, 100 Penn Square East, Suite 515, Philadelphia, PA 19107, 1-800-421-3481, 1-800-877-8339 (TDD), OCR@ed.gov, or www2.ed.gov/about/offices/list/ocr/complaintintro.html.

This document is available, upon request, in languages other than English and in an alternate format under the *Americans with Disabilities Act*, by contacting the MCPS Office of Communications at 240-740-2837, 1-800-735-2258 (Maryland Relay), or PIO@mcpsmd.org. Individuals who need sign language interpretation or cued speech transliteration may contact the MCPS Office of Interpreting Services at 240-740-1800, 301-637-2958 (VP) mcpsinterpretingservices@mcpsmd.org, or MCPSInterpretingServices@mcpsmd.org.