

CHAPTER 6.00 – HUMAN RESOURCES

TERMINAL SICK LEAVE AND ANNUAL LEAVE PAY

6.912

- I. Terminal Sick Leave Pay – An employee will be paid terminal pay for accumulated sick leave at retirement, entry into DROP, or to his/her beneficiary if service is terminated by death. Payment will be made in the month following effective retirement date unless (E), (F), or (G) is applicable. Investment plan participants will be eligible for terminal sick leave pay only if the participant meets the normal retirement age or years of service as defined in paragraph 1. a. below. No payment for sick leave will be made to investment plan participants under the early retirement criteria for pension plan participants as listed in paragraph 2. a. below except by specific School Board action for retirement incentives for all employees.
 - A. Any person entitled to terminal pay benefits shall have been under contract to render services for the period immediately preceding retirement or death and shall not be under suspension from duty, except for reasons pertaining to health, or have any charges pending which could result in dismissal from employment.
 - B. Retirement as used in this section shall be defined as (1) the filing with the Board resignation forms that have been signed and notarized, and (2) the filing of the proper paperwork with the Division of Retirement with an effective retirement date within six (6) months of separation date from school board.
 1. Normal retirement age or date is the time the employee is first eligible to receive a retirement benefit without a reduction of benefit because of employee age.
 - a. Under the Florida Retirement System, an employee must have at least ten (10) years of creditable service if employed before July 1, 2001, or six (6) years of creditable service if employed or continued employment on or after July 1, 2001, and age sixty-two (62); or the employee has at least thirty (30) years of creditable service, regardless of age. (This can include credit for military service). For members enrolling in the FRS for the first time on or after July 1, 2011, normal retirement date is age 65 with eight (8) years of service or 33 years of service regardless of age.
 - b. Under the Teacher Retirement System – Plan E, an employee must have reached the age sixty-two (62) with ten

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(10) years of service if membership was on or after July 1, 1963, or age sixty (60) with ten (10) years of service if membership was prior to July 1, 1963, or effective January 1, 1993, thirty (30) years of creditable service, regardless of age.

2. Early Retirement

- a. Under the Florida Retirement System, an employee must have at least ten (10) years of creditable service if employed before July 1, 2001, or six (6) years of creditable service if employed or continued employment on or after July 1, 2001, or eight (8) years of creditable service if enrolled in FRS for the first time on or after July 1, 2011, but has not reached normal retirement age or date (age sixty-two [62] or thirty [30] years of service).
- b. Under the Teacher Retirement System – Plan E, an employee must have completed ten (10) years of service and attained age fifty-five (55).

C. Daily rate of pay shall be calculated by taking the regular contract salary of the individual and dividing by the days in the contract period. Supplemental pay or pay for part-time additional jobs shall not be used in calculating daily rate of pay.

D. Terminal pay shall not exceed an amount determined as follows and not greater than permitted by law:

1. During the first three (3) years of service, the daily rate of pay multiplied by thirty-five (35) percent times the number of days of accumulated sick leave.
2. During the next three (3) years of service, the daily rate of pay multiplied by forty (40) percent times the number of days of accumulated sick leave.
3. During the next three (3) years of service, the daily rate of pay multiplied by forty-five (45) percent times the number of days of accumulated sick leave.
4. During the next three (3) years of service, the daily rate of pay multiplied by fifty (50) percent times the number of days of accumulated sick leave.

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5. During and after the thirteenth (13th) year of service, the daily rate of pay multiplied by one hundred (100) percent times the number of days of accumulated sick leave. However, the number of days may not exceed the number of working days for the employee's pay type for a school year or the number of sick leave days the employee has accumulated as of June 30, 1996, whichever is larger.
- E. Full time employees who are not classified as instructional staff or educational support employees as defined by law shall be eligible for terminal sick leave payment at the time of normal retirement as follows:
1. Terminal pay from sick leave accrued prior to July 1, 2004 shall be paid at the daily base rate of pay at the rate allowed by Florida Statute at the time of retirement.
 2. Terminal pay for sick leave accrued after June 30, 2004 shall be paid at the base rate of pay at the time it was earned.
 3. Payment shall be calculated according to the schedule in D. 1. – 5.
 4. The first days earned shall be the first days utilized for sick leave purposes.
- F. If an employee is not participating in Deferred Retirement Option Program (DROP) and has at least fifty (50) days of accumulated sick leave, payment for sick leave days may be made in two (2) calendar-year installments after resignation, but prior to official retirement date, if resignation has been signed and notarized by October 31 of a calendar year and the effective retirement date is no later than December 1 of the next calendar year. Payments will be made in December and month of effective retirement date. Initial payment will be one-half (1/2) of accumulated sick leave days payable at the percentage stated above. These days (one-half of the accumulated sick leave days) shall then be charged to the employee's record as having been used. The final payment shall be calculated based on the number of accumulated sick leave days at date of retirement and at the appropriate percentage as stated in 1-5 above. In the event the employee rescinds the resignation and the School Board approves the request, the employee may buy back any or all of the days of sick leave paid for under the above sections. The buy-back rate shall be the same as the rate paid to the employee.
- G. If an employee is participating in DROP and has at least fifty (50) days of accumulated sick leave, payment shall be distributed according to the following table:

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Months in DROP	Number of Payments	Portion for Each Payment
01-12	1	Balance
13-24	2	1/2, and balance
25-36	3	1/3, 1/2, and balance
37-48	4	1/4, 1/3, 1/2, and balance
49-60	5	1/5, 1/4, 1/3, 1/2 and balance

Payments shall be as follows:

The first and all succeeding payments, other than the final payment, shall be made in June, starting in the year the employee enters DROP. The final payment shall be in the month following the last date worked. (Example, last day worked = June 30, final payment = July) If an employee enters and exits DROP and will not be employed in June of that year, then the remaining balance shall be paid in the month following last date worked. At no time when a payment is to be made, other than the final one, shall the number of remaining days of sick leave be allowed to be less than fifty (50). If that would be the case, then either a partial payment or NO payment shall be made.

- II. Terminal Annual Leave Pay – Any employee resigning in good standing with the Santa Rosa County School Board shall be entitled to terminal pay for accrued annual leave up to a maximum of sixty (60) days. Payment shall be made in the last regular paycheck for the employee except in the case where an employee enters DROP, and then payment shall be made in the last paycheck before the effective beginning date of DROP. Employees who had accumulated a balance of 500 hours/62.5 days of annual leave on June 30, 2001 and who do not decrease that 500 hour balance will be paid for 500 hours. As the balance falls below 500 hours, the maximum payout to the employee will be reduced accordingly. The total number of hours for all payments shall not exceed 500 hours.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAWS IMPLEMENTED:

1001.43, 1012.61, 1012.65, F.S.

STATE BOARD OF EDUCATION RULE:

6A-1.052

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