

SUPERIOR COURT OF GUAM

RULE 8.37 OF THE PERSONNEL RULES AND REGULATIONS
EDUCATIONAL LEAVE

Background/Purpose: In order for the Superior Court of Guam to retain a force of skilled and efficient employees, the court shall provide an Educational Leave Policy by granting eligible employees an opportunity to pursue graduate or post-graduate studies. In order to be granted educational leave with pay, the employee's course of study must be tailored towards his/her professional development within his/her current position classification, or in a discipline or specialization that is vital to the organization's goals and mission.

POLICY: It is the policy of the Superior Court of Guam to provide educational leave with pay for court employees conducive to the objectives of the court's training and career developmental programs. Educational leave is granted administratively upon approval of the Administrative Director of the Court. Requests for educational leave will be considered based on the eligibility requirements as specified below and shall be scheduled in such a way as not to interfere with or disrupt the operations of the Superior Court. Any employee granted educational leave who satisfactorily completes an academic year or any portion thereof, is obligated to serve the Superior Court twice the period of the leave granted. All other provisions relative to this leave policy are as follows:

ELIGIBILITY

- (a) The employee must be a full-time employee of the Superior Court of Guam.

- (b) The employee must have completed seven (7) consecutive years of service with the Superior Court of Guam.
- (c) Employee must have demonstrated exemplary performance two (2) years prior to submission of an educational leave request.
- (d) Employee must have already obtained a Baccalaureate Degree in the same or related field of study that is being requested at the time of application for educational leave.

PROCEDURE

1. The employee must submit a letter of application to the Administrative Director via his/her division head for review and approval/disapproval, which must include the following information: (This letter must be submitted no less than twelve (12) months prior to the commencement of leave being requested):
 - (a) Purpose of requesting Educational Leave;
 - (b) Educational Leave period to be requested which must not exceed twelve (12) calendar months, or 2,080 work hours;
 - (c) A statement from the employee indicating the type of discipline or specialization that will enhance the employee's career and would have a direct benefit to the Superior Court organization;
2. Upon approval by the Administrative Director, Personnel Office will then execute a written service

obligation agreement which must be signed by the employee prior to the commencement of the approved leave period. Such agreement shall indicate that the employee agrees to serve the Superior Court twice the period of leave granted.

3. A leave form must be submitted to the Administrative Director with the service obligation agreement for his/her signature.

4. Final Distribution Procedure:

(a) The signed original leave form shall remain with the Financial Management Division;

(b) The original request for educational leave and supporting documents shall remain with in the personnel jacket of the employee;

(c) The original service obligation agreement shall remain with the Personnel Office.

DURING EDUCATIONAL LEAVE STATUS:

- Upon admission to the university or college, the employee must obtain verification of full-time student status from the Office of the Registrar, or other authorized official and submit same to the court Personnel Office within forty (45) days upon commencement of studies.
- The employee maintains full-time employment status with Superior Court;
- The employee must submit to the court's Personnel Office upon completion of each semester or upon

completion of training, the grades awarded and certified copy of the transcript.

OTHER PROVISIONS AND LIMITATIONS:

- Educational leave to attend an off-island institution will be approved only when the course of study is not available locally.
- All accrued annual and/or compensatory time-off (CTO) must be taken together with educational leave.
- Employee shall be prohibited from other employment outside the court.
- An employee who withdraws from the course of study or training due to illness or medical reasons must substantiate withdrawal by a licensed physician's statement of the employee's inability to complete course of studies and/or training. These reasons must be submitted to the Administrative Director of the Court.
- Any employee who withdraws from the formal course of study or training for reasons other than illness as medically certified, shall reimburse the court for paid leave granted.
- Educational leave with pay shall be payable to the employee on a bi-weekly basis at the current rate of the employee's salary.
- With the exception of legislative mandates, the employee will not be entitled to salary increase, advancement or promotion during his/her educational leave.

- Upon return from educational leave, employee will be reinstated in the same position he/she held prior to leave.
- The employee shall be responsible for all costs relating to the formal study to include air fare and educational tuition fees and other incidental costs.
- An employee who resigns from service prior to completing service obligation shall reimburse the court for all salary paid for the unserved portion of the obligation on a pro-rated basis.
- An employee shall be terminated from the approved leave status if the employee fails any of the courses enrolled.
- An employee who is dismissed for cause (adverse action), while on educational leave status or training, shall reimburse the court for all salary paid and incurred.