

**Staff Legal Leave**

The Board of Education recognizes the important role citizens play in our legal system, including the obligation to serve as jurors under appropriate circumstances and to appear in proceedings pursuant to subpoena or other court order.

All employees of the school district shall be excused for jury duty or when ordered to appear in a proceeding pursuant to subpoena or other court order with no jeopardy to their employment, compensation, annual leave or other leave.

Substitutes, when necessary, for employees shall be obtained in the usual manner and paid by the district.

While state law provides that the district is only responsible for paying employees their regular wages up to \$50 per day for the first three days of jury service, the district believes it should support employees to the full extent of their regular wages while on jury service. Therefore, the district shall pay employees their regular wages for all days of jury service.

Pursuant to state law, after the first three days of jury service, the state pays each juror \$50 per day. Because employees will be receiving their regular wages from the district, which in most instances is more than \$50 per day, all employees shall forward such payment from the state to the district as an offset. If an employee's regular wages are less than \$50 per day, the district will supplement the employee's regular wages to bring the daily wage up to \$50.

The district shall not reimburse employees for expenses or mileage related to jury service. The employee may keep any reimbursement for expenses or mileage received from the state and continue to receive the full extent of his or her regular wages while on jury service.

1<sup>st</sup> reading 8-11-2020

LEGAL REFS.: C.R.S. [13-71-119](#) (*jury duty deferments and excuses - limitations*)

C.R.S. [13-71-126](#) (*compensation of employed jurors for first three days of service*)

C.R.S. [13-71-129](#) (*compensation of employed jurors after first three days of service*)

C.R.S. [13-71-132](#) through [13-71-134](#) (*juror's and employer's obligations*)

**Comment [AS1]:** This is CASB's policy verbatim and very similar to your policy. However it does not include the last paragraph that states:

*The superintendent shall request that an employee be excused from jury duty service or the service delayed provided the special nature of the employee's qualifications would make it difficult to secure an adequate substitute or if the timing of the proposed jury service affords a threat to the welfare of the school or the students concerned.*

I recommend leaving that language out of this policy for public policy reasons.

**Comment [AS2]:** Would you like to revise this sample policy by deciding to pay employees their salaries for days of jury service (the employee would forward any Jury Duty payment from the state to the district), by allowing them to keep their jury duty payments in addition to their regular salaries, or by limiting the days that the district will continue paying the employee's salary (e.g. jury service that lasts more than one week, etc.)? If so, let me know.

The language in the document reflects the language in your current policy.

[Revised \_\_\_\_\_]