



STAFF TRAINING

Division: ADMINISTRATION
Chapter: STAFF TRAINING
Policy: EMPLOYMENT PROCESS
Section: ACADEMIC ASSISTANCE
Issue Date: 9/1/17
Revised:

Section: Academic assistance

I. GENERAL

It is the policy of the Division of Adult Correction and Juvenile Justice to administer an academic assistance program consistent with the policies and procedures of the Office of State Human Resources subject to funding availability.

II. PURPOSE

The purpose of the academic assistance program is for workforce planning and development. It provides a tool for managers and employee/applicants to support academic activities that directly relate to the organization's identified knowledge, skills, and behaviors (organizational competencies), and which support the mission, vision, and values of the organization. The academic assistance program is not an employee/applicant benefit, right or entitlement; it is a management program for workforce development. Denial of participation in the academic assistance program is not grievable, except on grounds of discrimination.

The academic assistance program provides reimbursement of academic costs based on the availability of funds at the agency/university level, and/or time off the job if the course is available only during working hours.

III. ELIGIBILITY

The person must be employed with the Division of Adult Correction and Juvenile Justice to be considered.

Eligible Employee/applicants: Full-time and part-time (half time or more) permanent, probationary and time-limited employee/applicants are eligible for Academic Assistance.

Probationary employee/applicants are eligible after satisfactory performance for a period of not less than six months as determined by management.



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Ineligible Employee/applicants: Temporary and part-time (less than half time) are not eligible.

For the purpose of administering this program in the Division of Adult Correction and Juvenile Justice, the Director of the Office of Staff Development and Training (OSDT) shall be responsible for determining employee/applicant eligibility (per division chain of command approval) and eligibility of sources for the academic assistance program. In exercising this responsibility, this position shall be guided by applicable State Personnel Policies, position classification documentation, and accreditation documentation as may be required to determine eligibility per this policy.

IV. ACADEMIC SOURCES

Academic courses / degrees from accredited community colleges / colleges / universities via traditional classroom, video-based, distance learning, web-based, e-learning and certain correspondence courses are eligible for consideration and approval.

Academic sources are defined as a course / degree provided by an accredited community college / college / university. The course must provide academic credit (as opposed to CEU's), be listed in the college/university course catalog and charge tuition in the traditional meaning of tuition (as opposed to only registration fees). Accreditation must be via an accrediting agency authorized by the US Department of Education.

Ineligible Sources - Correspondence courses not accredited by an accrediting agency recognized by the US Department of Education or the Council for Higher Education Accreditation for academic credit are not eligible under this policy.

V. APPROVED COURSES

Management shall make the determination whether to provide assistance for an employee/applicant to take a specific course based on the following principle: **"Deemed beneficial to, both the agency and the employee/applicant."**

Completion of the course or degree should have a direct benefit to the organization. In fulfilling this principle, each level of management must determine that the course or degree satisfies the requirement of being beneficial to both the Department and to



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the employee/applicant and that the improved knowledge, skills and abilities gained by the employee/applicant will benefit him/her in completion of his/her current and/or potential job duties. Management may consider workforce planning, succession planning and career development in approving employee/applicants for academic assistance.

- Guidelines to consider in course selection are:
- Courses which provide knowledge and skills directly related to maintaining or improving current job skills; and also courses mandated by law or regulation as a job requirement for continued employment.
- Courses directly related to the employee/applicant's current job or a documented workforce need.

When approving courses, management must consider workforce planning in developing employee/applicants who demonstrate the ability to perform at a higher level of responsibility. Hard to recruit classifications are areas in which an employee/applicant could be approved to take courses outside his/her current classification level to meet future work needs. Examples of this are:

- Technicians working on a college degree to fill professional engineering positions or
- Health care workers participating in a nursing program, and
- Courses included in an academic program which are necessary to complete a management approved degree program.

Examples to consider in course selection are:

An employee/applicant in an administrative support position taking a word processing computer course at a community college to learn how to use new equipment and software at the work site. Knowledge and skills gained from the course will directly impact the employee/applicant's ability to do the job; therefore, this course is eligible for academic assistance.



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An employee/applicant in a probation officer job classification taking a graduate course from a state university entitled Advanced Criminal Behavior Studies. This course is not required for the position of probation officer, however, information and knowledge obtained from this course can be deemed beneficial to the employee/applicant's knowledge and abilities to do the job. Therefore, this course is eligible for academic assistance.

An employee/applicant in a correctional officer position and taking an undergraduate history course entitled Western Civilization when documentation from the university confirms that this course is required for a Bachelor of Science degree in Criminal Justice. While this history course is not directly related to the job of correctional officer, the degree in criminal justice is directly related; therefore, this course is eligible for educational assistance once documentation is provided that the employee/applicant is pursuing this specific degree and that this course is required for the degree sought.

Employee/applicants with experience or skills in the health care field participating in a nursing or other health care related program.

Academic assistance shall not be approved for courses where management has determined that neither the course nor degree is of benefit to the agency.

The agency head or designee may approve exceptions to the approved course policy.

VI. AUDITED COURSES

Academic courses which are audited are eligible for academic assistance; however, an employee/applicant may be reimbursed for the same course or course equivalent only once. Reimbursement requires a statement written on school letterhead signed by the instructor that the employee/applicant attended at least 85% of the scheduled class meetings during the academic term.



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VII. CERTIFICATION/LICENSING (POST-EMPLOYMENT)

Incumbent employee/applicants who meet minimum educational requirements for employment and for whom certification/licensing are required after employment or is deemed desirable by management and approved by the agency head or designee is eligible for academic assistance under the following conditions:

- Certification/licensing is mandated or
- Certification/licensing is a policy requirement of the employing agency.

Academic assistance is authorized for certification or licensing only if the certification or license is attained via academic course work.

VIII. THESIS/DISSERTATION RESEARCH COURSES

Job-related thesis/dissertation research courses at the master/doctoral level are restricted as follows:

- All required written examinations for the degree shall be successfully completed before the course is approved.
- A maximum of 15 hours leave may be approved for each academic credit hour. All leave hours must be used during the academic term and may not be accumulated.
- A maximum total of 9 academic credit hours are allowed for any one employee/applicant.

IX. EDUCATIONAL LEAVE

Approved courses should be taken on the employee/applicant's own time. If a course can be taken only during working hours, eligible employee/applicants must request paid leave prior to the beginning of the course allowing sufficient time for the leave request to be reviewed. Educational Leave with Pay may be granted unless the supervisor identifies responsibilities or assignments that will not permit the employee/applicant to be absent. Supervisors are encouraged to develop alternate



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work arrangements to complete the work assignments and also grant educational leave. Reasonable travel time as determined by the supervisor may be permitted to attend approved courses.

If management approves educational leave with pay, it shall not be charged to the employee/applicant's accrued leave and shall be recorded as "Educational Leave" and approved by management in the payroll system of record.

Educational leave during work hours shall not exceed one course up to five hours academic credit per academic term.

If time off from work is requested, a statement demonstrating unavailability of the course except during work hours.

Requests for educational leave may be approved at the division level (see chart at end of policy); however, approvals shall be forwarded to OSDT for recordkeeping and reporting obligations.

Failure to Maintain Current Certification: In the event an employee/applicant is approved for educational leave and subsequently fails or withdraws from the course, the employee/applicant must reimburse the Department through reduced vacation leave for the number of hours the employee/applicant was away from work. Exceptions may be made for unforeseen disabilities, military duty, changes in work locations, etc.

X. REIMBURSEMENT

Academic Costs - Eligible employees approved for academic assistance may be reimbursed academic costs charged by the academic source at which the employee is enrolled. Academic costs are defined as charges assessed by an academic source to every person enrolling for the course. These charges are required of everyone and are neither negotiable nor discretionary for the individual enrolling in the course. Academic costs include in-state tuition, fees and course/lab fees. Course/lab fees must always be itemized. Reimbursement of course/lab fees may require a written statement from the academic source justifying the fee as a required fee in addition to other fees.



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Amount of Reimbursement - Eligible employees may be reimbursed academic costs charged by the academic source where enrolled. Agencies/universities may reimburse all academic costs as specified in the paragraph “Academic Costs,” or reimburse only tuition and other academic-related fees, but not fees unrelated to registering for a course or a degree program, such as dorm, student union construction, athletic fees, student health service, cultural event fees, etc.

Agencies may also, with a bona fide business justification, reduce the amount of reimbursement per employee to a set amount less than the tuition and fees and/or limit the number of courses for which any one employee may be reimbursed in an academic term.

Agencies/universities choosing to reimburse an amount less than the academic costs specified in the paragraph “Academic Costs” shall make this information available to all employees at the beginning of the fiscal year and at the beginning of each semester, and apply this limitation in a fair and equitable manner to all employees requesting academic assistance in that fiscal year.

Source	Amount
University of North Carolina Institutions and Institutions of the North Carolina Community College System	100% of academic costs for up to 20 credit hours per fiscal year.
All academic institutions other than institutions of The University of North Carolina and institutions of the NC Community College System	Up to the maximum academic cost charged by the UNC institutions for up to 20 credit hours or 32 quarter hours per fiscal year.

Special Graduate Programs - Graduate professional programs (medicine, veterinary medicine, business, etc.) with unusual course/lab fees, tuition or other fees will be considered on a course by course basis. The agency head or his/her designee may approve payment of these academic costs.



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Non-reimbursable Expenses - Reimbursement shall not be made for:

- Charges specifically related to processing or receiving continuing education units (CEUs)
- Application, examination, and graduation fees
- Transportation costs
- Textbooks and supplies

Other Financial Assistance - Financial assistance from any other financial aid program shall not be duplicated under this program. However, the difference, if any, between such aid and the allowable costs under the Academic Assistance program may be reimbursed.

Free Tuition - When employees of an educational institution or any other State agency are granted free tuition and non-negotiable fees, the value of this tuition and non-negotiable fees must be considered as part of the allowable academic costs.

Advisory Note: Tuition waiver programs at institutions of The University of North Carolina are authorized by both state law (NCGS 116-143) and governed by IRS regulation (US Code Title 26, IRS Section 117 (d)(2)). The state academic assistance policy is not applicable to tuition waiver programs.

Tax Status - On January 1, 2013, Congress passed the American Taxpayer Relief Act that permanently extends employer provided education assistance (Section 127 of the Internal Revenue Code). This allows an employee to exclude from income up to \$5,250 per year in educational assistance at the undergraduate and graduate level.

Requirement for Reimbursement - Management may consider any current disciplinary action for job performance or personal conduct prior to approval of the application for reimbursement.

If funds are available, the applicant shall receive reimbursement of approved academic costs upon submitting evidence of satisfactory completion of a preapproved course. Completion is defined as "Satisfactory," "Pass," or a grade of "C" or better for undergraduate courses, and a "B" or better for graduate courses. **An "Incomplete" shall not be reimbursed until a final grade is issued.**



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Requests for reimbursement should be submitted within 30 days of completion of the course or receipt of grade.

Employee Transfers and Separations - If an employee transfers to another State agency, and subsequently completes an approved course, the employee should submit a request for reimbursement to the employing agency. The employing agency is responsible for processing the request per the provisions of this policy, and providing reimbursement if funds are available.

Employees who separate from State service, except by reduction in force are not eligible for reimbursement.

XI. APPLICATION PROCEDURES

To apply for Academic assistance, an employee/applicant shall complete a Form DPS/PD- 136 for each course.

Every block of Section I **MUST** be completed by the applicant.

The completed form shall be submitted to the employee/applicant's immediate supervisor and forwarded through the chain of command and approved at the Division level.

The DPS/PD-136 **MUST** be signed by the applicant and **MUST** have a Supervisor approval and **MUST** have Division approval prior to being sent to OSDT.

Employee/applicants should receive a written response from management regarding approval/disapproval of academic assistance requests, noting any changes in the application or conditions of approval. The response shall also indicate whether the reimbursement for the course is subject to withholding taxes or not.

The application must be submitted in advance to OSDT 30 days prior to course registration to allow time for appropriate review, approval and notification to the employee/applicant. The Secretary, or designee, may approve an application received after class begins if circumstances warrant.



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OSDT will review the application for policy guidelines. If tuition is requested and funds are available, OSDT will list the request on a pre-approval form and return the application with a note to the applicant.

Within a maximum of 30 days of satisfactory course completion or receipt of grade, the employee/applicant must request reimbursement, sign and date Section III on the approved DPS/PD-136 and attach the cash receipt, student account summary, course grade or verification of satisfactory completion of course and a copy of the original approval letter signed by OSDT Director and forward the request to OSDT for final processing. Failure to do so could result in non-reimbursement.

Satisfactory course completion is defined as a grade of "C" or better for undergraduate courses and a grade of "B" or better for graduate courses. An "Incomplete" shall not be reimbursed until a final grade has been issued.

Both courses taken at the agency request and courses taken under the Extended Educational Leave Policy require prior written approval of the agency head or their designee.

XII. COURSES TAKEN AT AGENCY REQUEST

Because of specific high priority skill needs of the agency, employees may be requested by management to take specific courses or degree programs. Under these circumstances, the following applies:

- All limitations under the provisions of this policy are waived. Employees are still responsible for requirements for withholding taxes and FICA.
- All expenses to the individual should be reimbursed related to acquiring the necessary course or degree, to include: travel costs; examinations and administrative fees; textbooks and other course materials. (Any books or materials paid for by the agency become the property of the agency.)

If courses taken at agency request exceed the credit hour per fiscal year limitations of the academic assistance program, then the situation shall be administered under the policy provisions for Extended Academic Leave.



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The designation, “At Agency Request,” can only be determined with the approval of the Secretary or his/her designee.

Courses specified as part of an employee’s performance improvement plan or individual development plan are not considered to be at agency request unless approved by the department head or designee.

XIII. EXTENDED EDUCATIONAL LEAVE

Courses taken at the agency request that exceed the credit hours per academic term limitation must utilize Extended Educational Leave. An agency wishing to initiate a program for a number of employees to participate in a degree or certificate program must also utilize Extended Educational Leave.

Under Extended Educational Leave, the State may provide leave with pay or leave without pay for certain types of academic courses as outlined below:

Educational Leave Without Pay – Extended educational leave without pay may be granted in accordance with the normal leave policy as outlined in the Leave Without Pay Policy located in Section 5 of the State Human Resources Manual.

Educational Leave with Pay – Extended educational leave with pay shall be granted when an agency/university has requested an employee to pursue additional educational opportunities. Educational leave with pay may be granted when an employee has requested to pursue additional educational opportunities and these opportunities are related to the employee’s current position or enhance the employee’s current or future job duties and responsibilities thus benefiting the agency/university. In other situations, employees may be allowed to utilize accrued paid leave, upon managerial approval.

All Educational Leave with Pay must be recorded as “Educational Leave” and approved by management in the payroll system of record.

State agencies may also consider any permanent, probationary or time-limited employee for extended educational leave to participate in job or career-related work-study, scholarship or fellowship programs based upon the following criteria:



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- Verification that both labor market and organizational needs exist for development in the program requested.
- Equal opportunity provided in selection of candidates.
- Employees are informed of agency policies and procedures regarding:
 - ✓ Announcement and application procedures,
 - ✓ Screening and selection of employees,
 - ✓ Limitations and restrictions on academic courses,
 - ✓ Leave, salary, benefit conditions, withholding taxes and FICA, and
 - ✓ Reimbursement agreement.

Requests for extended academic leave initiated by the employee and which do not meet with the above criteria will be administered according to the State Human Resources policy on leave without pay located in Section 5 of the State Human Resources Manual.

XIV. CERTIFICATION/LICENSING (Post-Employment)

Incumbent employees who meet minimum educational requirements for employment and for whom certification/licensing is required after employment or is deemed desirable by management and approved by the agency head or designees are eligible for academic assistance under the following conditions:

- Certification/licensing is mandated or
- Certification/licensing is a policy requirement of the employing agency.

Academic assistance is authorized for certification or licensing only if the certification or license is attained via academic course work.

XV. ADMINISTRATION RESPONSIBILITY

Each State agency is delegated responsibility for, and authority to administer the program within the provisions of this policy in a fair, consistent and equitable manner.



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The agency should designate an agency coordinator to assist with the delegation and consistent implementation of this policy throughout the agency.

State Equal Employment Opportunity policies and procedures are applicable.

The Division of Adult Correction and Juvenile Justice have been delegated responsibility for, and authority to administer the program within the provisions of this policy in a fair, consistent and equitable manner.

The responsibility for managing the Academic assistance Program in the Division of Adult Correction and Juvenile Justice has been delegated to the Office of Staff Development and Training.

Changes to this policy or procedures require prior written approval of the Office of State Human Resources.

XVI. MAINTAINING RECORDS

Each agency is responsible for retaining records, on a fiscal year basis, of academic assistance activity. This information shall be reported annually to the Office of State Human Resources upon request and shall include the following:

- Number employees participating in the program,
- Amount (tuition and fees) reimbursed,
- Number employees granted educational leave,
- Number of educational leave hours granted with pay and without pay,
- Number employees taking courses at agency's request,
- Number employees granted extended education leave,
- Number of extended educational leave hours granted with pay and without pay,
- Number of employees taking courses for mandated/required certification/licensing



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Educational Leave Approving Authorities

DACJJ Administration	Chief Deputy Secretary
Community Corrections	Director
Prisons	DOP Regional Operations Manager
OSDT	Director
ACDP	Clinical Director
Correction Enterprises	Director
Inmate Grievance Commission	Executive Director
JJ Court Services	Director
JJ Facility Operations	Director

DPS/PD-136 Division Level Approving Authorities

DACJJ Administration	Chief Deputy Secretary
Community Corrections	Director
Prisons	DOP Regional Operations Manager
OSDT	Director
ACDP	Clinical Director
Correction Enterprises	Director
Inmate Grievance Commission	Executive Director
JJ Court Services	Director
JJ Facility Operations	Director
Combined Records	Director
Central Engineering	Director
Facility Maintenance	Director
Special Operations & Intelligence	DOP Regional Operations Manager