

## **Policy For Review: September – October 2011**

### **Please provide input to building principals by October 17, 2011**

***Note: GEA/Board subcommittee policy work is still in progress on Association Leave, Public Service Leave and Leave of Absence***

#### **41140B – PERSONNEL – ABSENCES AND LEAVE**

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#### **1 Definitions**

- 1.1 "Board" means Grand County Public School Board
- 1.2 "District" means Grand County School District
- 1.3 "Employee" means licensed employee or employee holding a certified position
- 1.4 "Principal" means building administrator, administrator's designee or District supervisor

#### **2 Purpose**

- 2.1 The purpose of this policy is to provide criteria and requirements for District licensed employees to apply for leaves of absence.

#### **3 Policy**

##### **3.1 Personal Leave**

A maximum of two (2) days Personal Leave with pay may be granted to a full time employee each contract year under the following conditions:

- 3.1.1 Personal Leave forms must be submitted for approval to the principal forty-eight (48) hours prior to requested leave date(s).
- 3.1.2 If, in emergency situations, leave cannot be arranged forty-eight (48) hours in advance, or scheduling problems occur, the principal may approve personal leave on a case-by-case basis.
- 3.1.3 During a contract year, should an employee choose not to utilize Personal Leave, up to two (2) unused Personal Leave days shall be automatically carried forward to the next school year.
- 3.1.4 Half-time employees are granted one (1) day of Personal Leave per year. One (1) day unused Personal Leave shall be automatically carried forward.

- 3.1.5 Employees are discouraged from taking this leave in conjunction with breaks and holidays.

### 3.2 Sick Leave

Sick leave is to be used only for illness, **illness of an immediate family member**, accident, or recuperation. If a **single** illness extends beyond **twenty (20) contract** days and prohibits an employee from returning to work, **the employee must request** Health & Hardship Leave.

- 3.2.1 If **the Sick Leave** absence is more than three (3) consecutive days, **the principal may require a written statement from a physician regarding the employee's medical condition and recommended duration of absence.**
- 3.2.2 If a single illness extends beyond fifteen (15) contract days and the need for medical leave is expected to continue, the employee is encouraged to obtain a physician's statement in anticipation for Health and Hardship Leave approval.
- 3.2.3 The principal may require a physician's release for the employee to return to work.

### 3.3 Maternity/Paternity Leave

At least three months prior to expected delivery of a child, the **employee shall discuss** with the principal his/her **intent regarding leave**. The following conditions apply to Maternity/Paternity Leave:

- 3.3.1 Disabilities caused or contributed to by pregnancy, childbirth or related conditions, for all job related purposes shall be treated the same as disabilities caused by other medical conditions under the District's health or disability insurance and sick leave.
- 3.3.2 **Following delivery, the employee shall be granted paid leave not to exceed twenty (20) paid contract days Maternity/Paternity leave following delivery.**
- 3.3.3 **Should extenuating medical conditions arise relating to pregnancy, individuals may also be eligible for Health and Hardship Leave, Leave of Absence or leave provided through the Family Medical Leave Act (FMLA).**

### 3.4 Health and Hardship Leave

**When Sick Leave absence due to a single illness or injury exceeds twenty (20) contract days, the employee shall apply to the Board for approval of Health and Hardship status. The following stipulations govern the granting and maintaining of Health and Hardship Leave status:**

- 3.4.1 **Health and Hardship Leave may be granted by the Board for up to one hundred twenty (120) contract days when confirmed by a physician as *necessary medical leave*.**
- 3.4.2 **The employee shall present to the Board a written statement by a physician verifying**
  - 3.4.2.1 **extended medical leave is necessary for the employee's health condition, and**
  - 3.4.2.2 **leave duration required to ensure the employee's return to health.**
- 3.4.3 **To continue Health and Hardship Leave for the Board approved duration, the employee shall present to his/her principal, every twenty (20) contract days, a physician's written confirmation of the need to continue extended medical leave.**
- 3.4.4 **The employee shall be paid 70% of his/her contract salary for the approved duration of the Health and Hardship Leave.**
- 3.4.5 **At the conclusion of the Health and Hardship Leave, the employee must submit a statement from a physician indicating the employee's health is such that he/she is able to return to full time work.**

- 3.4.6 If, due to illness, an employee leaves during the first ninety (90) contract days and does not return for the remainder of the school year, the employee shall not advance to the next step on the salary schedule should he or she return to work.
- 3.4.7 In the event that a return to work is not possible, the employee shall be encouraged to apply for long term disability benefits under the District carrier's long term disability policy.
- 3.4.8 Any illness or injury of long duration or of unusual frequency shall be evaluated by the Board of Education. Determination of additional allowances, based upon a physician's statement, rests solely with the Board.

### 3.5 Death and Funeral Leave

Employees may be absent from their assignments without loss of pay for a maximum period of three (3) days in any one instance for death and burial involving a spouse, mother, father, grandmother, grandfather, grandchild, sister or brother in the family of either the husband or wife, child or anyone who has virtually held the position of spouse, parent or child.

- 3.5.1 Absences for death of extended family members or close friends must have special approval of the building principal and be requested by the employee in the letter to the principal.
- 3.5.2 If travel distance requires additional time, the employee may submit a letter to the principal requesting up to two (2) additional days of paid leave.

### 3.6 Emergency Leave

Circumstances not covered under any of the other leave categories necessitating the absence of the employee shall be understood to be of emergency basis.

- 3.6.1 All personal leave days must be used before applying for this leave.
- 3.6.2 The employee shall request Emergency Leave in a written letter to the principal stating
  - 3.6.2.1 the nature of the emergency; and
  - 3.6.2.2 the number of days requested by date.
- 3.6.3 Duration of leave and compensation shall be determined on a case by case basis.

3.7 Leave of Absence (Note: GEA/Board subcommittee is currently working on revision of this policy.)

3.8 Association Leave (Note: GEA/Board subcommittee is currently working on revision of this policy.)

3.9 Public Service Leave (Note: GEA/Board subcommittee is currently working on revision of this policy.)

3.10 Family Medical Leave Act (FMLA) (NOTE: New language furnished by district attorney)

- 3.10.1 To be eligible for these federally protected rights, an individual must be employed by the school district for the previous twelve (12) months and must have worked for at least 1,250 hours during that 12-month period.

3.10.2 Any eligible employee is entitled, as a matter of legal right, to a combined total of twelve (12) weeks of unpaid leave per year, for qualifying conditions.

3.10.3 FMLA leave runs concurrent with any applicable paid leave.

#### 4 Procedure

Employees shall consult with the building principal regarding all leave requests. The principal shall advise the employee of the approval process for the type of leave requested. In an emergency, the principal may submit a letter of request for the employee.

4.1 Unless waived by the principal, employee responsibilities for approved leave include:

4.1.1 calling the designated District phone number to request a substitute teacher;

4.1.2 notifying his or her building principal or designee of the impending absence; and

4.1.3 furnishing lesson plans and other pertinent information for the substitute teacher.

4.2 Authorization of leave requests rests with the following District entities:

4.2.1 Building Principal – Personal Leave, Sick Leave, Maternity/Paternity Leave, and Death and Funeral Leave.

4.2.2 Superintendent – Emergency Leave, FMLA, Health and Hardship Leave, and Leave of Absence.

4.3 Appeals Process

The employee retains the right to appeal a leave decision to the Superintendent and the Board.

*Personal Leave – Adopted: 8-18-93; Revised: 10-18-95; Revised: 8-08-96 \*Grand County School District\* Moab, Utah*

*Sick Leave – Adopted: 8-18-93; Revised: 10-18-95; Revised: 8-08-96; Revised: 7-16-97; Revised: 8-11-98 \* Grand County School District\* Moab, Utah*

*Maternity/Paternity Leave – Adopted: 8-18-93; Revised: 10-18-95; Revised: 8-08-96; Revised: 9-12-00 \* Grand County School District\* Moab, Utah*

*Health and Hardship Leave – Adopted: 8-18-93; Revised: 10-11-98; Revised: 9-12-00 \*Grand County School District\* Moab, Utah*

*Death and Funeral Leave – Adopted: 8-18-93; Revised: 10-18-95; Revised: 9-12-00 \* Grand County School District\* Moab, Utah*

*Emergency Leave (Compassionate) - Adopted: 10-18-95; \*Grand County School District\* Moab, Utah*