

**PERSONNEL SERVICES**

**Policy 4320**  
**(Regulation 4320)**

**Absences, Leave and Vacation**

**Personnel Leave**

The Board of Education shall adopt regulations for the following types of leave for District employees:

1. Sick Leave
2. Personal Leave
3. Bereavement Leave
4. Leave for Jury Duty
5. Military Leave
6. Leave of Absence
7. Family and Medical Care Leave (See Policy and Regulation 4321.)

Specific provisions of the various types of District leave are described in Regulation 4320.

## **PERSONNEL SERVICES**

**Regulation 4320**

### **Absences, Leave and Vacation**

#### **Personnel Leave**

##### **Paid Sick Leave**

Sick leave may only be used for illness of the staff member or the staff member's immediate family. Immediate family is defined as spouse, parent, grandparent, child, sibling, daughter or son-in-law, grandchild, or non-family residing within the staff member's home. The Superintendent/designee may request a physician's statement regarding an absence and/or verification that the employee may return to work.

The Board of Education shall at the beginning of each school year, grant to each employee 9 days of leave.

- Full time employees will be granted full days.
- Part-time employees will be granted partial days. The partial days will be based on the percentage of time the employee works during the normal school day.

Unused sick leave will be accumulated up to a maximum of 90 days. After 90 days, unused sick leave will be purchased back from the employee at the end of the school year at one-half of the certified substitute daily rate of pay for that position.

##### **Personal Leave**

Paid personal leave days may only be used for personal business that cannot be transacted in nonworking hours. Personal leave days cannot be used for work stoppages, vacation or recreation use. Employees desiring to use personal days must schedule a request to the supervisor in advance. The Superintendent/designee has the right to deny any request for personal leave that does not conform to the policy or would cause a hardship to students or staff.

Employees with 1 to 5 years of experience will be provided with two (2) days of personal leave per year which shall be non-cumulative. Employees with 6-10 years of experience will be provided with three (3) personal leave days per year. Employees with 11 or more years of experience will be provided with four (4) personal leave days per year.

Personal days, if unused, will accumulate to sick leave.

Staff members needing additional leave days may trade 2 sick days for 1 personal day, if approved, following a meeting with the employee's direct supervisor and the Superintendent. The use of this provision will only be allowed for 1 additional day during the school year.

Personal leave will not be granted during the first 10 days of the school year, or the last 10 days of the school year or the day immediately preceding or following a planned vacation, unless approved by the direct supervisor and Superintendent.

### **Professional Leave**

Teachers may be granted professional leave upon the approval of the immediate supervisor and the Superintendent. Professional leave must be arranged well in advance and is not considered a personal leave.

### **Bereavement Leave**

A maximum of three (3) days per occurrence may be used in any school year for bereavement purposes. Bereavement leave is available only upon the death of a member of the employee's immediate family, as that term is defined in the sick leave regulation. Bereavement leave is not accumulative.

### **Sick Leave Bank**

#### General Conditions

- Participation in the Sick Leave Bank is strictly voluntary; however, the employee must participate each year in order to be eligible to draw benefits. If a participant fails to participate for a period of time and decides to rejoin the bank, they will return to year 1 status.
- Participants must be full-time employees and must complete the sick leave bank participation form each year. Completion of this form authorizes the deduction of sick leave for the purpose of participation.
- Each participant will donate two (2) days of sick leave to the bank each school year.
- Once the bank reaches 300 or more days, participants who have donated for the preceding 5 years will NOT have to donate to remain in good standing. Should the number of days in the bank fall below 200; all participants will be required to donate a maximum of two (2) days at the beginning of each school year until the Bank is replenished.
- Once days are donated to the Bank, they may not be withdrawn.
- The Sick Leave Bank shall be under the direction of the Sick Leave Board which will include the Superintendent, Building Level Administrators, 2 certified faculty members, and one non-certified faculty members who are participating in the Sick Leave Pool.
- Termination of employment in the School District automatically terminates membership in the Sick Leave Bank.

#### Utilization of the Sick Leave Bank

- Participants who have a catastrophic illness or injury and have exhausted all of their sick, personal, and vacation days may apply for the use of days from the Sick Leave Bank.

- No days shall be deducted from the Bank until the participants has exhausted their accumulated sick, personal and vacation leave AND after being off for ten (10) working days without pay.
- A written application accompanied by a doctor's diagnosis shall be presented to the Sick Leave Board for approval. A 2/3 majority of the Sick Leave Board must approve an employee's request for sick leave bank usage.
- Participants may utilize the following schedule of Sick Leave Bank Days
  - 1<sup>st</sup> year participant—Up to 10 days
  - 2<sup>nd</sup> year participant—Up to 15 days
  - 3<sup>rd</sup> year participant—Up to 30 days
  - 4<sup>th</sup> year participant—Up to 45 days.
  - 5<sup>th</sup> year and subsequent years participants—Up to 60 days
  - NOTE: Upon recommendation by the Superintendent, the Green City R-1 Board of Education may make exceptions to the schedule of withdrawal when extenuating circumstances exist.
- Employees drawing from the Bank will be required to repay the Bank at the rate of three (3) days per year until full repayment has been made. Employees, who terminate employment before full repayment has been made, will have any remaining sick and personal days retained by Green City R-1 to repay the Sick Leave Bank.
- Bank days will provide coverage only for a continuous period of illness or injury during the time of employment.
- Extended sick leave will not extend beyond the end of the current contract or school year. Contracts signed, but prior to services rendered, will not be considered.
- Extended sick leave for the same illness in successive years will be reevaluated and particularly scrutinized by the Sick Leave Board.

### **Leave for Jury Duty**

Employees called for jury duty, for participation in the jury selection process, or subpoenaed to testify in a civil or criminal proceeding will be granted leave with pay. Employees will receive their normal pay less any jury or witness fees received. Employees called for jury selection or service on a jury will not be requested or required to use annual vacation, personal leave, or sick leave for time required in such civic service.

### **Military Leave**

An employee who is a member of the National Guard, or an organized military service of the United States, and who is required by laws of the United States or the State of Missouri to report for military duty, including training, shall be eligible for a grant of military leave.

Application for military leave shall be made in advance, as soon as practicable after the employee becomes aware of his/her obligation to report and immediately upon the employee's

receipt of official notice to report. A copy of the official orders must be added to the leave application. The Superintendent/designee must approve the application. Emergency mobilization orders shall be dealt with on an individual basis.

The District recognizes that employees who receive notice to report for duty typically are not provided with discretion as to when to report. However, whenever an employee has a choice as to when to report for military duty, the employee's military leave shall be arranged during periods in which school is not in session. When the employee is given a choice as to when to report for duty, the Superintendent/designee may request that the employee seek a change in military orders if such a change appears to be in the best interest of the District.

Employees shall receive leave with pay for the first fifteen (15) calendar days of military leave in each federal fiscal year. Additional military leave shall be without pay, except as required by federal and state law.

Each employee shall furnish a copy of the employee's military payroll voucher to the Superintendent/designee within thirty (30) days of the employee's return to regular assignment so that the necessary salary adjustments can be made.

Employee eligibility for reinstatement after military duty is completed shall be determined in accordance with federal and state laws.

### **Family and Medical Leave Act**

See policy and regulation 4321.

### **Leave of Absence**

Upon the recommendation of the Superintendent/designee and the approval of the Board, an employee of the District may be granted a leave of absence for non-Family and Medical Leave Act (FMLA) child care, education, or other good cause. The applicant shall have been a certified employee of the school district for not less than six (6) consecutive years. Such leave is renewable upon written request for one additional year only. Application for leave is to be made in writing to the Superintendent/designee via Principal/supervisor and must include the period for which the leave is requested and the reasons for the request. The period should be set to least disrupt the education of students. Requests for leave for an entire school year should normally be made in writing before March 1 of the preceding year.

If leave is approved by the Board, the employee is not paid for the period of the leave. Insurance benefits may be continued by the employee by making all payments to the Payroll Office, one month in advance.

Whenever a leave of absence has been granted by the Board to the end of the school year, the employee must notify the Superintendent in writing by the first day of March of an intention to resume his/her position at the beginning of the next school year. Failure to notify the Superintendent/designee of such intention will be regarded as a resignation.

Upon completion of an approved leave, provided proper notification is given, a teacher will be re-employed by the District unless placed on involuntary leave of absence if tenured; or, if notified of nonrenewal of contract by April 15 if a probationary teacher.

If desired, and whenever feasible, the employee will be placed on the same or equivalent position to the one held prior to the approved leave.

**NOTE:** Leave of absence without pay under the provisions of this regulation does not apply as service towards tenure for probationary teachers.

### **Leave Times**

An absence of from one to four class periods will be counted as a half-day of sick or personal leave. An absence of 5 or more class periods will be counted as a full day of sick or personal leave.

In the event it is necessary for an employee to be absent for one or two class periods AND the employee makes arrangements for another appropriate staff member to be responsible to the assignment(s) missed, no deduction of leave time or payroll will be made.

### **Payroll Deduction**

An employee who needs to be absent and is either out of or not eligible for sick leave or personal leave will have their gross salary reduced by the full or half-day rate.