



Regulation 0403-60

Extended Sick Leave

7 Extended Sick Leave

- ⁹ In all cases, if absence from work exceeds a period of ten (10) consecutive working days, personnel must furnish to the Human Resources Department medical certification that the individual's medical condition or complications are such that the individual is unable to carry on their duties satisfactorily. When an employee returns to work from an absence of ten (10) or more consecutive days, a medical release from the individual's health care provider is required and must be submitted to the Human Resources Department prior to the commencement of work. If the personnel's medical release indicates work restrictions, Human Resources will engage in the interactive process to determine what reasonable accommodation, if any, will permit the personnel to return to work in accordance with the ADA.
- ¹¹ If personnel fails to provide medical certification and/or return to work certification within fifteen (15) calendar days of being requested, the request for leave may be denied or delayed until sufficient certification is provided.

13 Reasonable Accommodation and the Interactive Process

- ¹⁵ Absent undue hardship, the District provides employment-related reasonable accommodations to personnel who are temporarily unable to perform all, or portions, of their regular work assignments or duties. This policy applies to qualified individuals with disabilities, within the meaning of the Americans with Disabilities Act (ADA) that are unable to perform essential job functions.
- ¹⁷ Personnel with a disability or who become temporarily unable to perform their essential job duties may be eligible for reasonable accommodation in accordance with the ADA.
- ¹⁹ If the disability or the need for reasonable accommodation is not obvious, the District may require personnel to provide medical documentation confirming the existence of the disability and the need for reasonable accommodation, along with the name and credentials of the health care provider.

21 The interactive process is initiated when:

- 23 • An applicant or personnel with a known physical or mental disability or medical condition requests reasonable accommodation(s)
- 24 • The District becomes aware of the need for an accommodation through a third party (e.g. an employee's colleague), or by observation of the employee's work
- 25 • The need for a possible accommodation because the personnel with a disability has exhausted workers' compensation leave, Family and Medical Leave Act leave, or other leave rights, but the personnel and/or health care provider indicate that further accommodation is still necessary for recuperative leave or other accommodation

27 The interactive process will attempt to identify and implement a reasonable accommodation that is consistent with the medical certification applicable to the applicant or personnel. Whether an accommodation is reasonable is a case-by-case analysis that takes into account several factors, including, but not limited to the personnel's medical needs; the duration of the accommodation; and the employer's legally permissible past and current practices. A range of potential accommodations may include, but are not limited to the following:

- 29 • Transfer to a less strenuous or hazardous position for a temporary period of time.
- 30 • Change in or restructuring of work duties within the scope of the personnel's current position, such as modifying lifting requirements.
- 31 • Providing more frequent breaks.
- 32 • Providing seating.
- 33 • Time off for medical appointments.
- 34 • Other available jobs for which the employee qualifies outside the scope of their current position
- 35 • An altered schedule of work hours

37 After engaging in the interactive process, the Chief Human Resources Officer will review the information received, and determine: whether all available information has been reviewed; whether all potential accommodations that the applicant or personnel has suggested have been considered; whether additional discussions with the applicant or personnel would be helpful; whether the applicant or personnel's preferences have been taken into account; if there is a reasonable accommodation that would enable the applicant or personnel to perform essential job functions without undue hardship on the District. The applicant or personnel will be informed of the determination in writing.

39 Leave of Absence with Pay

41 Jury Duty

43 Personnel summoned to serve on a jury are allowed their regular compensation. Personnel released early from jury duty during the workday shall report back to work. An employee subpoenaed to appear in court as a witness because of their school position or summoned as a witness in a criminal trial are allowed their regular compensation.

- ⁴⁵ Personnel subpoenaed to appear in court in a matter unrelated to their school position, or who is appearing in court in a matter initiated by the employee, may be accommodated through the use of Personal Leave, Vacation Leave, or Leave Without Pay by prior approval of the Board.
- ⁴⁷ Documentation verifying jury duty or the subpoena is to be submitted to the Human Resources Department.

49 Adoption Leave

- ⁵¹ Personnel may be granted paid Adoption Leave with prior approval of the Board. The Human Resource's Leave Specialist will determine the number of leave days allowed, depending on circumstances of the adoption case, up to a maximum of ten (10) working days. Adoption Leave may be taken intermittently within the maximum time period of one calendar year starting from the first day Adoption Leave is taken.

53 Misuse of Leave

- ⁵⁵ The District believes absences from work responsibilities interfere with the quality program the students expect and deserve. The District also realizes there are circumstances that prevent personnel from being on the job. Absences from work responsibilities are covered by the leaves provided by state statute, Negotiated Agreement, policy and administrative regulations should be used judiciously. Therefore, in the event personnel violates or misuses any Leave policy, regulation, or Negotiated Agreement, or misrepresents any statement or condition with respect to the use of the policies or articles, they may be subject to a reprimand or termination.
- ⁵⁷ For certificated personnel abuse of leave may also result in an appropriate report to the Professional Standards Commission.

59 Certificated Personnel Leaves

61 Health Leave

- ⁶³ Certificated personnel requesting extended time off for personal or family health reasons beyond the Family Medical Leave Act (FMLA) allotment shall submit a written request to the Human Resources Department. The Chief Human Resources Officer will submit a recommendation to the Board who may grant the Health Leave. Health leave shall be for a maximum of one (1) academic year. Certified personnel who are granted Health Leave will not be guaranteed a specific position upon return to work and is only guaranteed a certified position, subject to the Reduction in Force (RIF) policy.

65 Contract Leave

- ⁶⁷ Upon written request, the Chief Human Resources Officer may recommend that the Board grant Contract Leave for a minimum of one (1) semester and a maximum of one (1) year.

- ⁶⁹ Certified personnel are eligible for Contract Leave after completing five (5) consecutive years of full-time service without another unpaid leave of absence. The use of contract leave of any length requires that personnel complete another five (5) years of full-time service before becoming eligible for another contract leave.
- ⁷¹ Contract leave will not be granted for employment by another school district.
- ⁷³ Not more than ten percent (10%) of certified personnel in any given building may be granted contract leave at any one time.
- ⁷⁵ Certified personnel who are granted contract leave will not be guaranteed a specific position and is only guaranteed a certified position subject to the RIF policy.

77 General Information

- ⁷⁹ Certified personnel on unpaid leave must submit in writing prior to February 1st their intent to return to the District the following year.
- ⁸¹ Unpaid leaves of absence may only be granted for one (1) complete school year.
- ⁸³ Certified personnel on an unpaid leave of absence retains existing contract status and sick leave accumulation as of the date the leave begins. Further accrual does not take place while on leave.
- ⁸⁵ While on leave the personnel has the right to continue the insurance coverage at the personnel's expense.

87 Sick Leave

- ⁸⁹ Certified personnel shall refer to the Negotiated Agreement, Article IV.

91 Personal Leave

- ⁹³ Certified personnel shall refer to the Negotiated Agreement, Article V.

95 Parental Leave

- ⁹⁷ Certified personnel shall refer to the Negotiated Agreement, Article VI.

99 Bereavement Leave

- ¹⁰¹ Certified personnel shall refer to the Negotiated Agreement, Article VII.

103 Professional Leave

- ¹⁰⁵ Certified personnel shall refer to the Negotiated Agreement, Article VIII.

107 Legislative Leave

- ¹⁰⁹ Personnel may request a Leave of Absence for the purpose of serving in the State Legislature.

111 Certified:

- ¹¹³ Certified personnel granted Legislative Leave will have their salaries reduced by 50% of their daily rate of pay based on the number of days on Legislative Leave. The maximum total deduction will not exceed the annual salary paid to legislators.
- ¹¹⁵ While on Legislative Leave, the individual will continue the oversight of their contractual responsibilities as determined by their supervisor. For example, a teacher's responsibilities may include:
- ¹¹⁷ • Student achievement
 - ¹¹⁸ • The development of daily lesson plans
 - ¹¹⁹ • Meeting with the substitute on a weekly basis
 - ¹²⁰ • The calculation and reporting of student grades
 - ¹²¹ • Communication with parents

123 Administrative

- ¹²⁵ Administrators granted Legislative Leave will have their salaries reduced equal to the gross amount of the annual salary paid to legislators.
- ¹²⁷ While on Legislative Leave, the administrator will continue to maintain full responsibility for their administrative position. Daily contact at the individual's work location must be maintained. Appointments and meetings that are critical to the administrator's position must take precedence over legislative work.

129 Classified

- ¹³¹ Classified personnel will not receive pay during Legislative Leave. The District will continue to pay benefits while on Legislative Leave to the same extent and in the same manner paid prior to personnel taking Legislative Leave.

133 Military Leave

- ¹³⁵ The Uniformed Services Employment and Reemployment Rights Act (USERRA) is a federal law protecting the job rights of persons who leave their jobs voluntarily or involuntarily to undertake military service or service in the National Disaster Medical System. USERRA affects employment, reemployment, and retention in employment, when personnel serve or have served in the uniformed services. 38 U.S.- § 4301-4334.

- ¹³⁷ Personnel who are members of the National Guard or other military reserve units are entitled to leave without pay for the purpose of participating in training or deployment activities. Written requests for military leave shall be submitted to the Principal or supervisor immediately after notification of status by the Guard or Reserve. In the event that District daily compensation exceeds military daily compensation, the National Guard and Reserve unit personnel are eligible for limited compensation up to the difference between the taxable income they receive from the Guard and Reserve while on approved Military Leave and their District pay. This compensation is limited to a maximum of three (3) weeks per year. In the event that military pay exceeds District pay, personnel will not receive District compensation. Military Leave beyond three (3) weeks shall be Leave Without Pay.

139 Workers' Compensation and Return to Work

- ¹⁴¹ Safety is every individual's responsibility. All personnel shall use safe work practices and report any unsafe conditions that may occur. The District also recognizes its responsibility to maintain safe workplaces.
- ¹⁴³ All work-related injuries shall be reported to the principal or supervisor and to Human Resources.
- ¹⁴⁵ The District is self-insured for workers compensation. All cases covered by workers compensation will be treated in accordance with statute established by the State of Idaho.

147 Reporting A Claim

- ¹⁴⁹ Any personnel injured while at work must immediately report the injury to their building principal or supervisor, who shall in turn promptly report the same to Human Resources, whether or not medical attention appears necessary at the time of the accident or incident. The injured personnel will be provided with the DWC1 form. Personnel filing a workers' compensation claim shall return the completed DWC1 form to Human Resources within five (5) working days.
- ¹⁵¹ Upon knowledge of an injured personnel, the building principal or supervisor will complete a Supervisor's Report of Injury form within twenty-four (24) hours and submit to Human Resources.
- ¹⁵³ Claims are filed through Human Resources. Human Resources may authorize and/or coordinate medical treatment for the personnel through an occupational health clinic retained within the medical provider network. In the event of an emergency, personnel should be transported to the nearest emergency medical facility.

155 Leave Option

- ¹⁵⁷ If personnel are determined to have a work-related temporary disability and is placed off work by the treating workers' compensation physician, the personnel will receive workers' compensation salary continuation benefits at approximately 67% the average weekly wage up to the state Total Temporary Disability (TTD) weekly maximum.
- ¹⁵⁹ Personnel may elect to apply pro-rated accrued leave credits to such absence to receive compensation equal to the difference between the compensation to which the personnel is entitled under workers' compensation law and their regular District salary. The District will continue to pay single coverage insurance for full-time personnel. For any personnel working

less than full time, the District will continue to pay single coverage insurance that the personnel has previously been receiving (without payroll deductions). Personnel will be responsible to make all necessary arrangements with Human Resources to continue any other payroll deductions. Failure to do so will result in automatic cancellation. Once all Sick Leave has been used, personnel will automatically be placed on Leave Without Pay.

161 Medical Appointments

- ¹⁶³ The personnel's treating workers' compensation physician must complete a Work Status Report for each visit to evaluate the impairment. It is the personnel's responsibility to inform the Human Resources Department of their medical status after each doctor's visit.

165 Accounting Procedure

- ¹⁶⁷ Sick leave pay is taxable, whereas workers' compensation pay is not. These procedures will serve to adjust for the non-taxable portion of the employee's pay and reimburse the personnel's sick days. In the case of injuries that result in workers compensation claims, there is often a considerable time lag between date of injury and settlement due to processing, investigation, doctor's examinations, etc. Because of this delay, and not knowing whether the claim is compensable, the District normally continues to pay the personnel's salary and benefits, from the personnel's available Sick Leave account until it has been exhausted.
- ¹⁶⁹ Once Sick Leave has been exhausted, the personnel's only salary compensation will come from the Self-Insured Fund. The District will continue to pay single health, dental and life coverage benefits for the balance of the employment year. Personnel will need to make arrangements for coverage for family benefits and other deductions.
- ¹⁷¹ If and when personnel receive a worker's compensation check, the payroll department will receive a copy of that check from the Self Insured Fund. Rather than have personnel return the workers compensation check to the District, the personnel's subsequent District payroll check(s) will be adjusted based on the copy of the worker's compensation check the District receives. This money shall be used by the District to credit (or buy back) the personnel's Sick Leave days, equivalent to the nearest half day that this money would buy, computed at the personnel's daily rate of pay.
- ¹⁷³ It is illegal under the law governing worker's compensation for the combined worker's compensation payment and District payment to the personnel for the work time loss to exceed the amount the personnel would have been paid had they not been injured. Should the total compensation received exceed the personnel's normal earnings, it will be necessary to adjust the payroll account accordingly or to implement the necessary collection procedures.

175 Return to Work Following Work-Related Injury

- ¹⁷⁷ The goal is to support District personnel to return to productive, regular work as quickly as possible. By providing temporary transitional or modified work activity, injured personnel remain an active and vital part of the District.
- ¹⁷⁹ When personnel are being treated for a work-related injury or illness and is determined to be able to return to work on a temporary basis with modified duties or tasks, the District will make every attempt to return personnel to work in a modified duty status, consistent with the District's operational needs. All modified duty work assignments are to be within the limitations as described by the treating workers' compensation physician. Modified duty

assignments are intended to be temporary and short-term. Failure to comply with modified duty assignments may result in loss of workers' compensation wage benefits and disciplinary action.

- 181 The District will do everything in its power to tailor modified work accommodations to the injured personnel's normal, pre-condition work schedule. However, depending on the work restrictions and/or job limitations, it may be necessary for personnel to take on a specifically designed, temporary schedule or duties in order to accommodate the work restrictions.

183 Family and Medical Leave Act

- 185 The Family and Medical Leave Act (FMLA) entitles eligible personnel to take up to 12 work weeks of unpaid, job-protected leave each year for specified family and medical reasons. Eligible personnel are defined as an individual who:

- 187 • Has been employed by the District for at least twelve (12) months; and
- 188 • Has been employed for at least one thousand two hundred fifty (1,250) hours of service during the twelve-month (12-month) period immediately preceding the commencement of the leave; and
- 189 • Is employed at a worksite where fifty (50) or more employees are employed by the District within seventy-five (75) miles of the worksite.
- 190 • A general notice regarding FMLA will be provided to all potentially eligible personnel upon hire.

- 192 For the purpose of determining eligibility for FMLA, this District will calculate the "twelve-month (12-month) period immediately preceding the commencement of the leave" as a rolling 12-month period measured backward from the date personnel uses any FMLA leave. FMLA runs concurrently with sick leave, personal leave, vacation and/or short-term disability.

- 194 FMLA leave may be taken by personnel for any of the following qualifying reasons:

- 196 • The birth of a child of the employee and in order to care for such child;
- 197 • The placement of a child with the employee for adoption or foster care of the child by the employee and in order to care for that child;
- 198 • To provide care for the employee's spouse, child, or parent, who has with a serious health condition; or
- 199 • The employee's own serious health condition.

- 201 Personnel must provide the Human Resources Department with at least 30 days' advance notice before the date the leave is to begin, or must provide notice as soon as is practicable, normally the same workday or the next workday if the employee is off work when the employee learns of the need for leave for more than ten (10) consecutive days. If personnel are unable to make this contact due to unforeseen circumstances, then it is the responsibility of the principal or supervisor to make contact with Human Resources within seven (7) days of becoming aware that the personnel may need FMLA.

- 203 Within five (5) workdays of an employee's request to take FMLA leave, or within five (5) days after the Human Resources Department becomes aware that the personnel has the need for leave, the employee shall be provided with a written Eligibility Notice. In addition, intermittent leave or reduced scheduled hours leave may be requested by personnel when medically necessary due to a serious health condition.
- 205 • Medical certification must be received in Human Resources within fifteen (15) calendar days before the leave will be designated as FMLA; if the certification is not received within the fifteen (15) calendar days, the personnel may give up their right to FMLA.
- 206 • A fitness-for-duty or return to work certification must be received, upon request, in order for personnel to be restored to employment showing that they can perform all functions of the job they were hired to perform before the end of the FMLA leave.
- 207 • In general, a fitness-for-duty certification may not be required for each absence taken on an intermittent or reduced leave schedule. However, if the employer has a reasonable belief that the employee's return to work presents a significant risk of harm to the employee or to others, the employer may require a fitness-for-duty certification up to once every thirty (30) days.
- 208 • The personnel's return to work may be delayed until the return to work certification is provided. Human Resources may contact an employee's health care provider to clarify or authenticate a return to work certification but cannot delay the personnel's return to work while making that contact. Under no circumstances may the personnel's direct supervisor contact the employee's health care provider.
- 209 • A return to work with restrictions does not restore the employee's job even if they are working and doing light duty nor does light duty or work restrictions count as full employment. Light duty is an option to which both parties must agree. The District may deny light duty and or rescind light duty if there is a cause for concern. The FMLA entitlement is still in effect.

211 Qualifying Exigency Leave Entitlements for Military Personnel

- 213 Qualifying exigencies may arise when the personnel's spouse, son, daughter, or parent whose is a member of the Armed Forces (including the National Guard and Reserves) and who is on covered active duty or has been notified of an impending call or order to covered active duty. For purposes of qualify exigency leave, an employee's son or daughter on covered active duty refers to a child of any age.

215 Spouses Who Work for the Same Employer

- 217 Spouses who work for the same employer share the total number of workweeks of FMLA leave available for certain reasons. Spouses who both work for the district share a total of 12 workweeks of FMLA leave per leave year for:
- 219 • The birth of a child.
- 220 • Placement of a child with the personnel for adoption or foster care.
- 221 • Care for a parent with a serious health condition.

223 Spouses who both work for the district may each use a total of 12 workweeks of FMLA leave in a leave year for:

225 • Their own serious health condition.

226 • To care for a spouse or child with a serious health condition.

227 • Due to a qualifying exigency.

229 Effect on Pay and Benefits:

231 FMLA leave is unpaid leave; however, the personnel must concurrently apply any accrued paid vacation days, personal days or sick leave to which they are entitled.

233 If personnel takes a leave of absence which they or the District designates as "FMLA", their medical benefits will continue on the same terms and conditions as if they were actively at work. The District will continue to pay its share of the benefits. Personnel will continue to pay their share of either medical or voluntary benefits. The District will provide any necessary notice of termination of such insurance coverage due to the personnel's failure to pay their portion of the premium or the employee's request for termination of coverage. Such notice will be provided at least fifteen (15) days prior to the termination of coverage.

235 Definitions

237 • **Child (son or daughter):** includes biological, adopted, or foster child, stepchild, legal ward, or a child of a person standing in loco parentis (in place of parent). The child must be either under 18 years of age or, if over 18, incapable of self-care because of a mental or physical disability.

238 • **Parent:** includes a biological parent (not parent-in-law) or someone who stood in loco parentis when the personnel was a child.

239 • **Spouse:** means a husband or wife as defined or recognized under State law for purposes of marriage in the State where the personnel resides, including common law marriage in States where it is recognized."

240 • **Serious health condition:** is an illness, injury, impairment, or physical or mental condition that involves the employee or a covered family member that makes the employee unable to work. Specifically, it involves either inpatient care or continuing treatment or supervision by a health care provider as follows:

242 ◦ "Inpatient care" means an overnight stay in a hospital, hospice, or residential medical care facility, or any subsequent treatment in connection with such inpatient care, or any resulting period of incapacity.

243 ◦ "Continued treatment or supervision by a health care provider" means and includes any one or more of the following:

245 `` - In-person treatment two (2) or more times, within thirty (30) days of the first day of incapacity, unless extenuating circumstances exist, by a health care provider, by a nurse under direct supervision of a health care provider, or by a provider of a health care services (e.g. physical therapist) under orders of, or on referral by, a health care provider, with the first being within seven (7) days of the first day of incapacity

- >248In-person treatment by a health care provider on at least one occasion, which results in a regimen of continuing treatment under the supervision of the health care provider, with the first visit being within seven (7) days of the first day of incapacity;
- >250Any period of incapacity due to pregnancy, or for prenatal care, whether or not in-person treatment is received during that time, or whether the resulting absence lasts fewer than three (3) days

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- >253Any period of incapacity, or treatment for such incapacity, due to a chronic serious health condition, whether or not in-person treatment is received during that time, or whether the resulting absence lasts fewer than three (3) days. A chronic serious health condition is one which:

 - >255Requires periodic visits (defined as at least twice a year) for treatment by a health care provider, or by a nurse under direct supervision of a health care provider; and
 - >256Continues over an extended period (including recurring episodes of a single underlying condition); and
 - >257May cause episodic rather than a continuing period of incapacity (e.g. asthma, diabetes, epilepsy, etc.
- >258Any permanent or long-term incapacity due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider (e.g. Alzheimer's, a severe stroke, or the terminal stages of a disease).
- >259Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, for either:

 - >261Restorative surgery after an accident or other injury; or
 - >262A condition that would likely result in a period of incapacity of more than three (3) consecutive, full calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc), severe arthritis (physical therapy), or kidney disease (dialysis).

- 263 • **Incapacity:** includes a person who is unable to work, attend school, or perform regular daily activities due to a serious health condition, its treatment, or the recovery that it requires.

265 Classified Personnel Leaves

267 Vacations

269 Classified salaried personnel who are employed on a regular basis 239 days or more per year and who work 4 hours or more per day, shall earn Vacation Leave as follows, which will be accrued on a monthly basis. Personnel who works less than 7½ hours per day accrues vacation time on a prorated basis. Part-time personnel who work less than 4 hours per day and/or less than eleven months per year are not eligible for paid Vacation Leave.

271 | YEARS of WASD SERVICE | MONTHLY ACCRUAL (days per month) | ANNUAL ACCRUAL
272 | ANNUAL MAXIMUM | | ----- | ----- | ----- | ----- |
273 1-5 | .83 dpm | 10 days | 15.0 days | | 6 | .91 dpm | 11 days | 16.5 days | | 7 | 1.00 dpm | 12
274 days | 18.0 days | | 8 | 1.08 dpm | 13 days | 19.5 days | | 9 | 1.16 dpm | 14 days | 21.0 days | |
10 | 1.25 dpm | 15 days | 22.5 days |

280 Part-time personnel who work less than 4 hours per day and/or less than eleven months per year are not eligible for paid Vacation Leave.

282 New personnel are eligible to use Vacation Leave after completion of 90 days of satisfactory service. After 90 days, vacation time will be credited retroactive to the initial employment date, at the rate of .83 days per month.

284 Use of Vacation Leave is subject to the approval of the personnel's principal or supervisor. Vacation Leave may not be taken two (2) weeks prior to the first day of school or within the first two (2) weeks of the first day of school. Vacation Leave is to be taken on consecutive days unless otherwise authorized by the principal or supervisor.

286 In the event personnel becomes ill during approved Vacation Leave, time will not be charged as vacation and sick leave can be used provided personnel submits medical certification to cover each day the individual was absent from work due to illness.

288 When personnel no longer work for the District, all accrued and unused vacation leave will be paid to the individual on their final paycheck. Vacation payout will not be paid using funds from Federal programs.

290 Holidays

292 Full time, permanent classified personnel qualify for Holidays or equivalent compensation consistent with the District's annual calendar of Holidays as applicable for each school year as corresponds to the classified personnel's annual working calendar and number of contract days.

294 Instructional assistants may be required to attend in-service or workshop sessions, or other duties as assigned by the principal or supervisor. Working calendars are distributed to personnel and are available in the Human Resources Department.

296 Sick Leave

298 All regular classified personnel working 20 hours or more per week accrue sick leave time at the rate of one (1) prorated day for each month of service or major fraction thereof. Unused sick leave may be accumulated up to 260 days. Personnel with fifty (50) or more sick leave days as of June 30 will receive one (1) additional personal leave day.

300 Termination of employment shall terminate sick leave rights except as provided for in Idaho Code 33-1216, 33- 1217, 33-1228.

302 Permitted uses for Sick Leave for absences are as follows:

304 • Diagnosis, care, or treatment of the existing health condition of personnel or member of the personnel's immediate family member, including, their spouse, dependent or minor children, or parents or as otherwise defined in the District's Negotiated Agreement with its certified personnel.

305 • Preventative care for personnel or a member of the personnel's immediate family.

307 Extension of vacation or holiday time, or reasons other than listed above are not a permitted use of Sick Leave.

309 Complications of pregnancy or childbirth may result in absences for which Sick Leave may be taken. It is anticipated that for normal child birth a period of no more than six (6) calendar weeks of Sick Leave following the birth of the child will be required. For a C-section, it is anticipated that no more than eight (8) calendar weeks will be required. Additional days of approved Sick Leave require a doctor's certification and approval by the Chief Human Resources Officer.

311 If family illness outside the immediate family should arise, sick leave may be used with the recommendation of the principal or supervisor and approval by the Chief Human Resources Officer.

313 The Human Resources Department may request that personnel produce medical certification for the use of sick leave for absences in excess of three (3) consecutive days or when a pattern of absences is observed.

315 In all cases if absence from work exceeds a period of ten (10) consecutive working days, personnel must furnish to the Human Resources Department a medical certification that medical complications are such that the personnel is unable to carry on their duties satisfactorily. Prior to return to work, personnel returning from an absence in excess of ten (10) consecutive days, a medical release from their health care provider must be submitted to the Human Resources Department. The release should include any accommodations that are necessary for personnel to resume work.

317 When personnel transfer from one District to another or from a District to a state education agency, the district will accept an individual's accumulated sick leave from another District in Idaho up to that District's maximum number of sick leave days and not to exceed the number allowed in the Negotiated Agreement. However, a maximum of 90 days of transferred sick leave can be counted toward PERSI retirement. All Transfers of sick leave can only be counted if the personnel is employed during the school year immediately following the year of their resignation/termination from the previous district. (See Idaho Code section 33-1217). If a personnel goes from a state education agency to a school district, no sick leave is available for transfer. (See Idaho Code section 67- 5333).

319 Personal Leave

321 Regular classified personnel that work more than 20 hours per week earn two (2) days of prorated Personal Leave per year. Regular classified personnel that have worked continuously for the District for ten (10) years shall be granted one (1) additional Personal Leave day per year. The maximum number of days that can be used in anyone (1) year shall be for six (6) days. Unused Personal Leave may accumulate from year to year up to a maximum of six (6) days. At the end of the school year Personal Leave days in excess of six

(6) shall be paid to personnel at the prorated amount of \$60 per day for full-time work. Personal Leave must be arranged in advance and approved by the principal or supervisor. Personal Leave days may not be taken the last two (2) weeks of school.

323 Bereavement Leave

- 325 Personnel are eligible for up to five (5) days of Bereavement Leave for each death in the immediate family (grandfather, grandmother, father, mother, brother, sister, spouse, child, grandchild, foster or step-child, father-in-law, mother-in-law, step-parent, step-sibling, aunt, uncle, cousin) for the purpose of attending services, travel and/or emotional support of family.
- 327 Additional Bereavement leave may be recommended to the Board under unusual circumstances. Requests for additional time must be directed through the principal or supervisor to the Chief Human Resources Officer.

329 Parental Leave

- 331 Parental Leave of absence for child-rearing may be granted to classified and administrative personnel, without pay, for up to one (1) year. Requests for Parental Leave of absence shall be submitted in writing to the Human Resources Department, indicating the approximate beginning and ending dates. Parental Leave and extended Parental Leave approvals are subject to availability of qualified, acceptable substitutes.
- 333 Although Parental Leave of absence may be granted at any time, it is recommended that leave conforms to logical breaking points such as a grading period or vacation period. When appropriate, Parental Leave of absence shall end at such time that personnel returns to work at the beginning of a semester.
- 335 Classified personnel may return to the District in a position for which they are qualified, but is not guaranteed the same position and assignment previously held.

337 Unpaid Leave

- 339 Unpaid Leave is to be used sparingly and is intended for unique and limited situations. Unpaid Leave may only be used after Personal Leave Days and Vacation Leave Days have been used. If the leave qualifies for Sick Leave, all Sick Leave must be used prior to requesting and/or being granted Unpaid Leave.
- 341 Requests for Leave without pay must be submitted and approved by the Chief Human Resources Officer prior to the date(s) requested; those requests due to emergency and/or extenuating circumstances may be approved by the immediate supervisor and then approved by the Chief Human Resources Officer.
- 343 Excessive use of Unpaid Leave of Absence, as determined by the Chief Human Resources Officer may result in disciplinary action up to and including possible termination.

345 Donated Leave

- 347 This program is designed to assist personnel who are on an approved Family Medical Leave Act (FMLA) leave of absence and have exhausted all forms of paid leave due to a serious, catastrophic illness or injury, either of their own or of a qualifying immediate family member.

This program allows personnel to donate accrued leave to eligible colleagues, so the recipient is able to remain on paid status. Leave donations may be approved for a maximum of 30 days. Donations will be individual personnel situations and applied as needed. Personnel will not carry a “bank” of donated days.

349 Personnel must meet the following requirements to be eligible to receive donated leave:

- 351 • Leave must qualify for FMLA.
- 352 • Personnel, or eligible family member, must have a verifiable serious or catastrophic illness or injury that requires an extended period of treatment or recuperation. Serious or catastrophic illness or injury is one in which the personnel is incapacitated and unable to work as certified by the doctor’s note for at least four (4) full workweeks. In addition, the personnel must provide a doctor’s note that includes a reasonable expectation that the personnel will be able to return to full duty within five (5) months of the absence from work. The employee must provide a doctor’s note if an eligible family member requires care for a catastrophic illness or injury.
- 353 • Personnel must have exhausted all paid leave.
- 354 • Personnel may not be concurrently receiving short or long-term disability, workers’ compensation or similar paid benefits.
- 355 • Any donated sick leave that has not been used by the end of the school year will not roll over into the new school year.
- 356 • Personnel may not self-solicit for donations.

358 Personnel donating leave must meet the following requirements to be eligible to donate:

- 360 • Must have worked for at least 1 academic year.
- 361 • All donations of leave are voluntary. Personnel are not required to donate leave.
- 362 • Personnel must donate leave in increments of half or full days.
- 363 • The maximum days that may donated is 3 days.
- 364 • Personnel can only donate to a recipient in a “like” position (e.g. certified to certified; classified to classified; administrator to administrator).
- 365 • Donated leave is credited to the receiving personnel's leave of absence on a or hour for hour basis, as needed, and shall be paid at the rate of pay of the personnel receiving the donation. Donations will be processed in the order received by the Human Resources Department.
- 366 • Once leave is donated and posted to the receiving personnel, the personnel donating leave shall irrevocably lose all rights and privileges to the donated leave hours.

368 Donated hours must be used on a continuous and uninterrupted basis until the following occurs:

- 370 • All donated leave is exhausted.
- 371 • Personnel returns to work.
- 372 • Personnel begins receiving long-term disability.
- 373 • Personnel's employment terminates.

375 Personnel wishing to donate sick leave shall contact the Human Resources Leave Specialist.

³⁷⁷ This Administrative Regulation will be re-evaluated on an annual basis.