

POLICY—420.4—EMPLOYEE LEAVE (ESP)		
	DISTRICT CODE: 420.4	ADOPTED: 5.10.2016 (NEG)
	RESCINDS:	ADOPTED:
BOARD POLICY		
<p>1. It is the policy of the Board of Education to authorize the following leave benefits for Educational Support Professional (ESP) employees:</p> <ul style="list-style-type: none"> 1.1. alternative leave; 1.2. bereavement leave; 1.3. educational leave; 1.4. personal leave paid; 1.5. personal leave non-paid; 1.6. sick leave; and 1.7. employee-funded sick bank. <p>2. The Board authorizes the Superintendent and District Administration to establish administrative regulations consistent with this policy, subject to review and approval by the Board of Education.</p>		
	ADMIN-REG: 420.4-1	APPROVED: 5.10.16
ADMINISTRATIVE REGULATION—420.4-1: (Alternative Leave)		
<p>Eligible Educational Support Professional (ESP) employees shall receive an alternative leave day each year.</p> <p>Alternative leave shall be administered according to the following regulations:</p> <ul style="list-style-type: none"> 1. Each eligible ESP employee shall be allowed one (1) day of alternative leave per year. 2. Employees taking alternative leave shall be deducted 40 percent of their daily rate. 3. Alternative leave is non-accumulative. 4. Employees shall give at least one day’s notice of the intent to take alternative leave. 5. Alternative leave may not be used the day before or after a personal leave day is taken. 		



	ADMIN-REG: 420.4-2	APPROVED: 5.10.16
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ADMINISTRATIVE REGULATION—420.4-2: (Bereavement Leave)

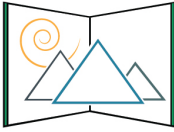
Employees who qualify for paid leave benefits receive released time with pay for bereavement in the case of the death of a family member.

1. Employees qualified for paid leave benefits shall be granted up to eight (8) days absence without pay deduction in the event of the death of a spouse, parent/step-parent, or child, and any other child who is being or was parented by the employee and resides or resided in the home for funeral and related issues.
2. Employees shall be granted up to three (3) days of absence without pay deduction in the event of the death of the employee's spouse's parent/step-parents or the employee's or spouse's grandchild, brother, sister, grandfather, grandmother, brother-in-law, sister-in-law, son-in-law, daughter-in-law, aunt, uncle, niece, nephew or other person residing in the employee's home.
3. A maximum of two (2) additional days may be granted if travel time is needed. Travel must be in excess of 350 miles (one way) to qualify for additional days. An immediate supervisor shall request travel verification information from an employee.
4. If the death of an employee's parent/step-parent results in the loss of the only remaining parent, up to three additional (3) days may be taken to deal with estate issues. The additional days must be taken within one (1) calendar year of the parent's death.
5. Bereavement Leave is provided only for the death of individuals listed under items 1 and 2. Employees who need to miss work because of the death of an individual not covered in this policy should refer to the other leave provisions of this policy.

	ADMIN-REG: 420.4-3	APPROVED: 5.10.16
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ADMINISTRATIVE REGULATION—420.4-3: (Educational Leave)

1. Educational leave for full-time continued study may be granted to employees who have served for three (3) consecutive years and upon recommendation of the employee's professional development committee (i.e., the Licensed-Local Professional Improvement Committee (LPIC); ESP Support Development Committee).
2. An application for educational leave shall be filed with the Human Resources Department for forwarding to the professional development committee by February 1 of the school year. A detailed outline of studies must be submitted with the application indicating a direct and identifiable benefit to the district. This outline must show the candidate will be engaged in a full-time training program.



3. The professional development committee will obtain a written evaluation of the applicant from his/her immediate supervisor.
4. The employee's professional development committee shall screen applications and forward recommendations to the Department of Human Resources for approval.
5. Each request for education leave shall be reviewed as an individual matter. Educational leave is based on needs and circumstances of the District and not solely on the merits of an applicant. For this reason, individual requests for educational leave may or may not create a precedent or standard for other requests. As a result, a grant or denial for a leave of absence is not cause for filing a formal or informal grievance.
6. There shall be no remuneration for this leave.
7. Educational leave shall be granted for the ensuing contract year and shall not extend beyond two contract years.
8. Employees on educational leave must submit a progress report to their professional development committee by February 15 of the year for which the leave is granted.
 - 8.1. The report is to include the date the employee intends to return to full-time status and/or a request for a one-year extension if needed. Following review by the professional development committee, the report will be forwarded to the Human Resources Department.
9. When an educational leave is successfully completed, a copy of the outline of studies and a transcript of credit or equivalent and a report will be submitted to the professional development committee for review.
10. An employee returning from approved educational leave shall be advanced on the salary schedule in the same manner as full-time employees.
11. The employee may arrange with the insurance carrier to continue his/her insurance program. The employee shall pay for the full premium.
12. The granting of educational leave shall not compel the employee to return to the District.
13. This leave is void if the employee does not complete the approved course of study as approved. It is the responsibility of the employee to submit evidence of successful completion of his/her approved program by June 30.
14. A candidate shall be guaranteed a comparable position in the District upon his/her return from an educational leave.

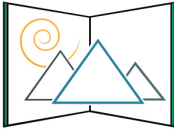
ADMIN-REG:
420.4-4

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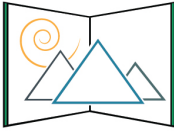
ADMINISTRATIVE REGULATION—420.4-4: (Personal Leave – Paid)

Employees are encouraged to avoid absenteeism and to schedule vacations, trips, and other personal activities at times which do not interrupt work schedules.

1. Each eligible employee of the district shall be given three (3) days per year personal leave at no cost to the employee. Employees hired after a contract year has started shall



- receive personal leave benefits on a prorated basis for the remainder of that year. Each employee may accumulate unused personal leave. An employee may not use more than five (5) accumulated personal leave days in any contract year.
2. Except in unusual circumstances, prior notification must be given to the immediate supervisor at least one (1) day in advance.
 3. Personal leaves may be taken the day before or after a school holiday for the following specific reasons:
 - 3.1. Observance of religious holidays which fall on a regularly scheduled work day.
 - 3.2. Family weddings of near relatives including children, father, mother, brothers, sisters, grandchildren, grandparents, or the same to one's spouse or any other person who is a member of the same household as the employee.
 - 3.3. Graduations of near relatives as defined in "3.2" above.
 - 3.4. Required court appearances.
 - 3.5. Deaths not covered by Bereavement Policy.
 - 3.6. Conferences and conventions which relate to the individual employee's work assignment and are not covered by the Professional Leave Policy.
 4. Personal leaves may be taken the day before or after a school holiday for other reasons under the following stipulations:
 - 4.1. Educational Support Professional (ESP) employees who request a personal leave day on the day before or after a school holiday shall be required to pay the equivalent of 40 percent of the employee's daily rate and apply for the leave at least five (5) working days in advance, except as follows:
 - 4.1.1. A limited number of full-pay personal leave days will be granted to ESP employees based upon the following ratio, one personal day for each 150 employees.
 - 4.1.2. The request must be submitted to the Human Resources Department at least 35 calendar days but not more than 45 calendar days before the holiday.
 - 4.1.3. On the first working day after the application deadline, numbers will be randomly generated which will identify those employees authorized to take a personal leave. Written notification will be sent to all applicants.
 - 4.1.4. Employees who have not submitted a request prior to the deadline will not be eligible to receive a full-pay personal leave day.
 - 4.1.5. Employees shall not be considered for paid personal leave the day before or after a school holiday more than once during any contract year.
 5. Personal leave shall not be taken during the first five (5) days and last five (5) days that students are in school except under the following conditions:
 - 5.1. To attend the wedding of a near relative including child, father, mother, brother, sister, grandchild, grandparent or the same to one's spouse or any other person who is a member of the same household as the employee.
 - 5.2. To attend to personal or business matters which require the employee's attendance and scheduling is beyond the employee's control.



	ADMIN-REG: 420.4-5	APPROVED: 5.10.16
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ADMINISTRATIVE REGULATION—420.4-5: (Personal Leave-Non-Paid)

1. Employees shall be discouraged from requesting non-paid personal leave during the school year.
2. In the event that an employee has a serious or compelling need for non-paid personal leave, a request may be made in writing to their immediate supervisor and the Department of Human Resources. The request must clearly state the reason that non-paid personal leave is necessary. After due consideration, the request shall either be granted or denied. Notification will be provided to the employee in writing.
3. Non-paid personal leave granted under this policy shall be without pay.
4. Benefit eligible employees shall not be granted more than fifteen (15) days non-paid personal leave in any three-year period.
5. An employee whose request for non-paid personal leave is denied, or who knowingly fails to request non-paid personal leave, and who chooses to absent himself/herself from his/her assignment despite the denial shall be deemed to have abandoned their position and voluntarily resigned his/her employment with the District.
6. This leave does not negate the other official leave provisions of the Board.
7. Non-paid personal leave for benefit eligible employees, less than full-time, shall be prorated according to the percentage of a full-time contract: e.g., a .75 FTE administrative assistant would receive fifteen (15) .75 days.

	ADMIN-REG: 420.4-6	APPROVED: 5.10.16
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ADMINISTRATIVE REGULATION—420.4-6: (Sick Leave)

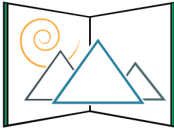
1. Sick leave is authorized for benefit eligible Educational Support Professional (ESP) personnel.

Definitions:

Immediate family is defined as spouse, daughter, son, father, mother, brother, sister, or other person residing in the employee’s home on a permanent basis. Special circumstances may be appealed to the Sick Leave Review Committee for consideration of immediate family status.

(Sick leave allowances)

1. Sick Leave allowances for employees working (20 hours or more per week) shall be



determined by a combination of contract days and years of service according to the following schedule: (**See, 420.4-Exhibit-1**).

2. Employees may use these days to attend to their own health care needs or the health care needs of immediate family members. Employees may only use up to the number of days allotted per year. Employees may not access accumulated leave except for their own health care needs or as allowed in this policy under Critical Family Care.

3. Sick Leave Benefits During Absence

- 3.1. If an employee resigns his/her position in the District and then returns, he/she must start over on years of service and sick accumulation.
- 3.2. Should an employee be granted a leave for any reason, he/she will keep his/her number of cumulative sick leave days to be used upon return, but shall not be considered for sick leave during the time of leave.
- 3.3. If an employee becomes sick and uses all his/her sick leave and later returns to work, he/she must start over on a new accumulation at the rate shown for the year of service he/she was on at the time he/she became sick.

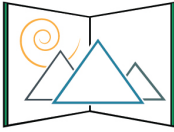
4. Use of Sick Leave for Critical Family Care

A maximum of twelve (12) days of sick leave may be used each year to care for a critically ill member of the immediate family or person residing on a permanent basis in the employee's home.

- 4.1. Use of sick leave for critical family illness must be authorized by the Sick Leave Bank Review Committee. The employee must submit his/her request in writing to the Sick Leave Bank Review Committee using the form available in the Human Resources Department.
- 4.2. Employees may not apply for critical family care benefits until the employee has used all family sick leave, all vacation leave (if applicable), and a minimum of two (2) personal leave days.
- 4.3. In cases of extended critical care, employees may apply for additional days beyond the twelve (12) day allowance.
 - 4.3.1. If circumstances warrant it, the Sick Leave Bank Review Committee may authorize additional days equal to the number of unused family sick leave days available at the beginning of the critical illness. (A maximum of 3.)
 - 4.3.2. For those employees hired prior to July 1, 1977, the Sick Leave Bank Review Committee may allow sick leave days for critical family care (as defined above). One additional day may be granted for each year of service in the District up to a maximum of 15 days. If additional days are granted, the employee shall be required to pay 40 percent of the employee's daily rate.

5. Converting Sick Leave for Adoption

- 5.1. An employee who adopts a child may apply to convert up to 15 accrued sick

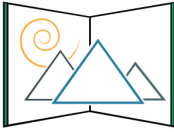


leave days for adoption leave by submitting his/her request in writing to the Sick Leave Bank Review Committee using the form available in the Human Resources Department.

- 5.2. Employees may be granted a maximum of 15 days of converted sick leave for adoption at the time of actual custody of the child is received.
- 5.3. Any additional leave must fall under the guidelines of Policy—400.426—Family and Medical Leave.

6. Sick Leave Payments, Procedures, and Limitations

- 6.1. An employee is required to timely submit leave requests in the Skyward system and receive approval of the principal or immediate supervisor or designee.
- 6.2. The Administration may require a doctor's certificate without regard to the number of sick leave days claimed at any one time. Elective surgery shall be scheduled to minimize the time off work.
- 6.3. Absences due to illness are to be entered by the employee into the District attendance tracking system and reported to the appropriate office or individual as soon as possible.
- 6.4. The sick leave allowance during the first year of service for employees whose employment is subsequent to the beginning of the contract year shall be prorated.
- 6.5. If the sick leave allowance is exhausted, unused vacation days may be used to avoid loss of salary.
- 6.6. If an immediate supervisor suspects that an employee has misused his/her sick leave benefit as established by this policy, the immediate supervisor shall discuss the concern with the employee.
 - 6.6.1. If it is determined that the employee has misused his/her sick leave the immediate supervisor will forward a written explanation of the abuse to the Director of Human Resources or his/her designee and an investigation shall be conducted.
 - 6.6.2. If the investigation of sick leave abuse proves to be true, the following guidelines may occur:
 - 6.6.2.1. Salary received for those unauthorized days shall be reclaimed;
 - 6.6.2.2. There may be up to a five-day (5) suspension without pay in the next pay period; and
 - 6.6.2.3. Additional disciplinary actions may be taken, up to and including termination of employment.



ADMINISTRATIVE REGULATION—420.4-7: (Employee-Funded Sick Leave Bank)

Employee-Funded Sick Bank

1. Establishment of the Sick Leave Bank

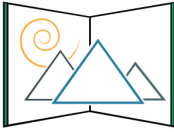
- 1.1. Each year, all participating employees in the employee funded sick leave bank will donate one (1) sick leave day.
- 1.2. Sick Leave Bank is not intended to be used for short-term, in-and-out absences, elective medical procedures or other medical care that could be scheduled during non-contract time.

2. Employee-Funded Sick Bank Eligibility

- 2.1. In order to be eligible to participate in the sick bank an employee must voluntarily donate one day annually of sick leave to the sick bank. Employees wishing to opt out of participation in the sick bank must annually complete the appropriate form no later than September 1 of each school year.
- 2.2. Employee-Funded Sick Leave Bank Benefit Level is determined by the number of sick leave day(s) consecutively donated to the Employee-Funded Sick Bank prior to requesting Sick Bank Leave.
 - 2.2.1. Level One Benefit - One (1) year of donation to the Sick Leave Bank
 - 2.2.2. Level Two Benefit - Two (2) consecutive years of donation to the Sick Leave Bank
 - 2.2.3. Level Three Benefit - Three (3) consecutive years of donation to the Sick Leave Bank
 - 2.2.4. Level Four Benefit - Four Plus (4+) consecutive years of donation to the Sick Leave Bank

3. Employee Funded Sick Leave Bank Application

- 3.1. Employees shall complete an official Sick Leave Bank request form, which form shall bear the employee's original signature. Sick Leave Bank forms are available from the immediate supervisor or the District Human Resources Department.
- 3.2. Employees shall complete a release of medical information form to allow the members of the sick leave bank committee to review any medical documentation that they provide with the request for sick leave bank.
- 3.3. Employees shall be required to complete a release of information form to allow the committee to review their official District personnel file, if the need should arise.
- 3.4. The illness/injury must be medically documented with a statement bearing an original signature from the attending physician. The verification of absence form may not be stamped with a physician's signature or signed by the attending nurse, office manager, etc.
- 3.5. A second opinion may be required with any costs not covered by insurance



borne by the District.

3.6. Before an employee is eligible to apply for Sick Leave Bank use, the following criteria must be met for each qualifying medical condition. The employee must have:

3.6.1. medically qualified for FMLA (which will run concurrently with any sick leave bank usage); and

3.6.2. exhausted all accrued family sick leave days, sick leave days, and vacation days, if applicable; and used a minimum of two (2) personal leave days.

3.7. An employee shall be required to provide the sick leave bank committee with updated information regarding his/her condition every 30 days after the approval of the sick leave bank benefits. Continuation of the sick bank leave shall be contingent upon the information contained in the update.

4. Sick Bank Allowances

4.1. Level One Benefit ESP Employees

4.1.1. Level One Benefit ESP employees shall be allowed up to 10 sick bank days.

4.1.2. 40% of the employee's daily rate shall be deducted from the first two days of sick bank.

4.2. Level Two Benefit ESP Employees

4.2.1. Level Two Benefit ESP employees shall be allowed up to 10 sick bank days at full pay according to the following schedule: **(See, 420.4-Exhibit 2).**

4.2.2.. After all sick bank days allowed according to the schedule listed under item (4.2.2) are used, Level Two Benefit ESP employees may be granted up to 10 additional sick bank days if circumstances warrant it. 40% of the daily rate shall be deducted for each additional day used under this option.

4.3. Level Three Benefit ESP Employees

4.3.1. Level Three Benefit ESP employees shall be allowed up to 40 sick bank days at full pay according to the following schedule: **(See, 420.4-Exhibit 3).**

4.3.2. After all sick bank days allowed according to the schedule listed under item (4.3.1) are used, Level Three Benefit ESP employees may be granted up to 40 additional sick bank days if circumstances warrant it. 40% of the daily rate shall be deducted for each additional day used under this option.

4.4. Level Four Benefit ESP employees shall be allowed up to 120 days from the sick bank at full pay less 40% of the daily rate for each day the ESP employee falls below 15 days of accumulated sick leave at the beginning of the long-term absence. (A maximum of 15 days at 40% of daily rate will be deducted).

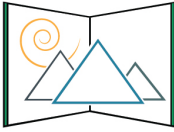


5. Employee Funded Sick Bank Leave Limitations

- 5.1. Prior to granting sick bank days, an ESP employee shall agree in writing to repay compensation at his/her daily rate of pay for sick bank days used if he/she terminates employment with the district for other than medical reasons before completion of the current and succeeding contract year.
- 5.2. The illness/injury must be medically documented with a statement bearing a signature from the attending treating health care provider. The medical documentation may not be stamped with a physician's signature or signed by the attending nurse, office manager, etc.
- 5.3. A second opinion may be required with any costs paid by the District.
- 5.4. When an ESP employee requests sick bank days more than once within a 48-month period for an unrelated illness, a three (3)-day loss of pay shall be required before sick bank days are granted.
- 5.5. Use of employee funded sick bank shall be limited to the number of sick bank days an employee currently qualifies for, based upon years of service, minus the number of sick bank leave days taken during the previous 48-months. The ESP employee will also be required to meet all other qualifying criteria.
- 5.6. Intermittent leave funded through the Sick Bank may only be granted for continued treatment of the employee's qualifying catastrophic/life threatening illness and/or injury, i.e. chemotherapy, dialysis, etc.
- 5.7. No employee shall take vacation days within 15 working days after drawing upon the sick leave bank.
- 5.8. On July 1 of a new contract year, all annual leave allocated to an employee's leave balances, with the exception of up to three (3) personal leave days, must be used by the employee prior to additional sick leave bank being granted.
- 5.9. After 180 calendar days, including summer months, sick leave benefits from District sources shall terminate and employees shall return to work with a release to full duty status, or transition to long term disability according to the provisions of Policy—400.25—Long Term Disability of Insurance and/or have employment terminated with the District.
- 5.10. No appeal beyond the sick leave bank is provided.

6. Sick Leave Bank Committee

- 6.1. Sick Leave Bank Committee composed of the Human Resources ESP administrator, one other member of the Human Resources Department and two members of the employee agent group shall be appointed to administer use of the sick leave bank. The Human Resources ESP Administrator shall serve as the chairperson. If one of the employee agent group members cannot be in attendance, an alternative representative will be requested by the employee agent group president.
- 6.2. The committee shall review all sick leave bank requests and rule on sick leave bank usage. The unused sick leave bank days shall be reported to the committee on an annual basis.



- 6.3. The Human Resources ESP administrator shall make available to the committee all the information that is submitted with an employee's sick bank request in a timely manner.
- 6.4. A record of the decision to approve or deny a sick bank request shall be maintained in Human Resources.

EXHIBITS

- Exhibit 1 – (Sick Allowance Schedule)
Exhibit 2 – (Level Two Benefit ESP Employees)
Exhibit 3 – (Level Three Benefit ESP Employees)

REFERENCES

None

FORMS

None

CANYONS BOARD OF EDUCATION

This online presentation is an electronic representation of the Canyons School District's currently adopted policy manual. It does not reflect updating activities in progress. The official, authoritative manual is available for inspection in the office of the Superintendent located at 9361 South 300 East Sandy, UT 84070.