

**POLICY—410.4—EMPLOYEE LEAVE (LICENSED)**

	<b>DISTRICT CODE:</b> 410.4	<b>ADOPTED:</b> 5.8.2018 (NEG)
	<b>RESCINDS:</b>	<b>ADOPTED:</b>

**BOARD POLICY**

1. It is the policy of the Board of Education to authorize the following leave benefits for licensed employees:
  - 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.
  
2. The Board authorizes the Superintendent and District Administration to establish administrative regulations consistent with this policy.

	<b>ADMIN-REG:</b> 410.4-1	<b>APPROVED:</b> 5.8.18
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**POLICY 410.4—EMPLOYEE LEAVE (LICENSED)**

**ADMINISTRATIVE REGULATION—410.4-1: (Alternative Leave)**

Eligible licensed employees shall receive an alternative leave day each year.

Alternative leave shall be administered according to the following regulations:

1. Each eligible licensed employee shall be allowed one (1) day of alternative leave per year.
2. Employees taking alternative leave shall be required to pay a fee of \$110.00.
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 during parent/teacher conferences, on a contract day prior to the first day of school, or during the first five (5) or last five (5) days of the school year.

	<b>ADMIN-REG:</b> 410.4-2	<b>APPROVED:</b> 5.8.18
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**ADMINISTRATIVE REGULATION—410.4-2: (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 who qualify for paid leave benefits shall be granted, for funeral and related issues, 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.
2. Employees shall be granted, for funeral and related issues, 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 attend to 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.

	<b>ADMIN-REG:</b> 410.4-3	<b>APPROVED:</b> 5.8.18
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**ADMINISTRATIVE REGULATION—410.4-3: (Educational Leave)**

1. Definition: Educational leave is full-time study in a Licensed Professional Improvement Committee (LPIC) approved education program.
  - 1.1. Educational leave shall be granted for the ensuing contract year and shall not extend beyond two contract years.
  - 1.2. There shall be no compensation for this leave.
  - 1.3. The employee may arrange to continue his/her insurance program through the District. The employee shall pay for the full premium.
  - 1.4. The granting of educational leave shall not compel the employee to return to the District.

2. Qualifications: Educational leave may be granted to full-time employees who have been employed by the Canyons School District for a minimum of three (3) consecutive years.
3. Application and Approval: An application for educational leave shall be filed with the Human Resources Department by February 1 for the following school year. Applicants will be notified of approval or denial by March 1.
  - 3.1. 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 academic or training program.
  - 3.2. The application must contain a written recommendation from the applicant's immediate supervisor.
  - 3.3. Each request for educational leave shall be reviewed on an individual basis. 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, an approval or denial for educational leave is not cause for filing a formal or informal grievance.
4. Progress Report: Employees on educational leave must submit a progress report to the LPIC by February 15 of the year for which the leave is granted.
  - 4.1. The progress 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 LPIC, the report will be forwarded to the Human Resources Department for staffing purposes.
5. Evidence of Completion: It is the responsibility of the employee to submit evidence of successful completion of his/her approved program to LPIC by August 1. Evidence may include: transcripts, outlines of studies, reports, etc.
6. Return to Employment: A candidate returning from successful completion of educational leave shall be guaranteed a comparable position in the District for which they are qualified.
  - 6.1. The employee shall advance on the salary schedule in the same manner as full-time employees based on the current negotiated agreement.
  - 6.2. The employee's leave accrued prior to educational leave shall be reinstated upon return.
  - 6.3. Educational leave shall not be considered a break in continuous service.
7. Extenuating Circumstances: An employee may return to employment as indicated in Return to Employment, Section 6 above, if the employee is unable to successfully complete the approved educational leave program for the following extenuating circumstances:
  - 7.1. maternity or adoption of a child;
  - 7.2. military service;
  - 7.3. illness;
  - 7.4. or other reason deemed appropriate by the LPIC.

8. **Employment Separation:** An employee who does not complete the approved educational leave, with the exception of Extenuating Circumstances as listed in Section 7, shall be deemed to have abandoned their position and voluntarily resigned from the District. The individual may reapply for open positions.

ADMIN-REG:  
410.4-4

APPROVED:  
5.8.2018

**ADMINISTRATIVE REGULATION—410.4-4: (Personal Leave - Paid)**

Employees are encouraged to avoid absenteeism.

1. Each eligible licensed employee of the district shall be given at least three (3) days per year personal leave at no cost to the employee (See, **Exhibit—1**, Leave Allocation).
  - 1.1. Employees hired after a contract year has started shall receive personal leave benefits on a prorated basis for the remainder of that year.
  - 1.2. Employees who work a 196 or a 206-day contract will have days prorated according to the length of their contract. Employees who work a 242-day contract receive vacation leave in lieu of prorated personal leave.
  - 1.3. Each employee may accumulate unused personal leave. An employee may not use more than five (5) 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 leave may be taken the day before or after a school holiday for licensed employees who work a 196 or 206-day contract.
4. Personal leaves may also be taken the day before or after a school holiday for the following specific reasons:
  - 4.1. Observance of religious holidays which fall on a regularly scheduled school calendar work day.
  - 4.2. To attend the following types of events:
    - 4.2.1. 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.
    - 4.2.2. Graduations of near relatives as defined in "3.2" above.
    - 4.2.3. Required court appearances,
    - 4.2.4. Deaths not covered by Bereavement Policy.
  - 4.3. Conferences and conventions which relate to the individual employee's work assignment and are not covered by the Professional Leave Policy.
5. Personal leaves may be taken the day before or after a school holiday for other reasons under the following stipulations:



- 5.1. Licensed employees who request a personal leave day on the day before or after a school holiday shall be required to pay a fee of \$110.00 and apply for the leave at least five (5) working days in advance, except as follows:
  - 5.1.1. A limited number of full-pay personal leave days will be granted to licensed employees based on the following ratio, one personal day for each 100 employees.
  - 5.1.2. 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.
  - 5.1.3. On the first working day after the application deadline, numbers will be randomly generated which will identify those employees authorized to take personal leave without being required to pay a fee of \$110.00. Written notification will be sent to all applicants within two working days.
  - 5.1.4. Employees who have not submitted a request prior to the deadline will not be eligible to receive a full-pay personal leave day.
  - 5.1.5. Employees shall not be considered for paid personal leave the day before or after a school holiday more than once during any contract year.
  - 5.1.6. Licensed employees who do not qualify for the window but request a personal leave day must notify their principal five (5) working days prior to the date. Employees shall be required to pay a fee of \$110.00.
6. Personal leave shall not be taken during the first five (5) days and last five (5) days that students are in school or during contract days when students are not present at the school, except under the following conditions:
  - 6.1. 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.
  - 6.2. To attend to personal or business matters which require the employee's attendance and scheduling is beyond the employee's control, e.g., required court attendance, child's graduation, etc.
7. Personal leave days may not be taken during the preparation or professional development days prior to the first day of school, but may, through collaboration with the principal/director, exchange one of these days for other non-contract hours.
8. Personal leave days may not be used during parent/teacher conferences, except in unusual circumstances with supervisor approval.
9. Personal leave days may not be used on make-up days as the result of employee job action.

	<b>ADMIN-REG:</b> 410.4-5	<b>APPROVED:</b> 5.8.18
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**ADMINISTRATIVE REGULATION—410.4-5: (Personal Leave-Non-Paid)**

1. Employees shall be discouraged from requesting non-paid personal leave during the school year.
2. Should an employee have a compelling need for non-paid personal leave, a request must be made in writing to their immediate supervisor for notice and the Human Resources Department for approval. 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. Leave granted under this regulation 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 be absent from their assignment despite the denial shall be deemed to be have abandoned their position and voluntarily resigned their 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 job share and part-time employees shall be prorated according to the percentage of a full-time contract: e.g., a half-time teacher could receive up to fifteen (15) half days in a three-year period.

	<b>ADMIN-REG:</b> 410.4-6	<b>APPROVED:</b> 5.8.18
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**ADMINISTRATIVE REGULATION—410.4-6: (Sick Leave)**

1. Sick leave is authorized for benefit eligible licensed employees.

**Definitions:**

1. Family Sick Leave: Allocated on a yearly basis as outlined in **Exhibit—2**. This leave may be used for the employee’s health care needs or the health care needs of the immediate family members.
2. Sick Leave: Any Family Sick Leave not used by the end of the school year becomes accrued Sick Leave accessible to the employee to use for their own health care needs in future school years.
3. Immediate Family: A spouse, daughter, son, father, mother, brother, sister, or other person residing in the licensed employee’s home on a permanent basis. Special circumstances may be appealed to the Sick Leave Review Committee for consideration of immediate family status.

The sick leave policy shall be administered according to the approved sick leave regulations.

1. Licensed employees with continuous service, shall be allocated sick leave in accordance with the following schedule: (See, **Exhibit—2**)
2. **Calculating Sick Leave Allowances**
  - 2.1. Licensed employees hired after a contract year has started shall receive sick leave benefits on a prorated basis for the remainder of that year. (For example, an employee who is on contract for 50 percent of the contract year would be eligible to receive 50 percent of the allocated days.)
  - 2.2. When calculating Sick Leave allowances in subsequent years, licensed employees shall be awarded a full year of service for the first partial year of employment if their hire date is prior to January 1. If their hire date is after January 1, no service shall be awarded for the first partial year of employment.
3. **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 critically ill person residing on a permanent basis in the employee's home.

  - 3.1. Use of Sick Leave for Critical Family Care must be authorized by the Sick Leave Review Board. The licensed employee must submit his/her request in writing to the Sick Leave Review Board using the form available in the Human Resources Department.
  - 3.2. Licensed employees may not access Critical Family Care days until two (2) personal leave days, all vacation leave (if applicable), and all Family Leave days are used. Licensed employees will be allowed to use up to five (5) personal leave days, but may not use more than five (5) personal leave days in any contract year as set forth in this policy section 410.4-4.
  - 3.3. In cases of extended critical illness, licensed employees may apply for additional days beyond the twelve (12) day allowance.
    - 3.3.1. If circumstances warrant it, the Sick Leave Review Board may authorize up to three (3) additional Critical Family Care days equal to the number of unused Family Sick Leave available at the beginning of the critical illness.

Licensed employees who have exhausted two personal leave days, and the initial twelve (12) days of Critical Family Care days, but who must continue to deal with a critically ill family member (as defined above) may apply to the Sick Leave Review Board for additional days. One additional Critical Family Care day may be granted for each year of service in the District up to a maximum of fifteen (15) days.

**4. Converting Sick Leave for Adoption.**

- 4.1. A licensed employee who adopts a child may apply to convert up to thirty (30) accrued Sick Leave days for Adoption leave by submitting his/her request in writing to the Sick Leave Review Board using the form available in the Human Resources Department. Licensed employees may use up to a maximum of thirty (30) days of converted Sick Leave for Adoption at the time of physical custody of the child.
- 4.2. Any additional leave must fall under the regulations of Policy—400.26—Family Medical Leave Act.

ADMIN-REG:  
410.4-7

APPROVED:  
5.8.18

**ADMINISTRATIVE REGULATION—410.4-7: (Licensed Employee-Funded Sick Bank)**

**1. Establishment of Sick Leave Bank and Eligibility.**

- 1.1. Each year, licensed employees who donate one (1) Family Sick day create a Sick Leave Bank.
- 1.2. To be eligible to participate in the sick bank a licensed employee must voluntarily donate annually one day of allocated Family Sick Leave to the Sick Leave Bank. Employees wishing to opt out of participation in the Sick Leave Bank must annually complete the appropriate form no later than September 1 of each school year.

**2. Use of Sick Leave Bank**

- 2.1. 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.
- 2.2. Medically documented intermittent leave for long-term illness may be approved.
- 2.3. Days from the Sick Leave Bank shall be granted to eligible licensed employees only after all accrued Sick Leave, Family Sick Leave, all vacation leave (if applicable), and two (2) personal leave days have been used. However, employees who have health or medical situations that likely will necessitate use of the Sick Leave Bank are encouraged to apply to the Sick Leave Bank when they have more than 15 days of accrued Sick Leave left to avoid the deduction of a \$110.00 fee per day.
- 2.4. Licensed employees will be required to sign a release of medical information when making application to the Sick Leave Bank. Sick Leave Review Board members must sign a confidentiality agreement to protect licensed employees' medical information and confidentiality.
- 2.5. A combination of continuous years of service and accumulated sick leave days shall be used to determine the number of days of Sick Leave Bank which a



licensed employee qualifies to receive and any pay loss to be sustained (see Exhibits 3 and 4). (Years of service shall be computed in accordance with established guidelines.)

**ADMINISTRATIVE REGULATION (Sick Bank Leave Allowances)**

**1. Sick Bank Leave Allowances**

**1.1. First Year Licensed Employees**

1.1.1. First year licensed employees shall be allowed up to 10 Sick Leave Bank days.

1.1.2. A fee of \$110.00 shall be deducted from the first two days of Sick Leave Bank used.

**1.2. Second Year Employees**

1.2.1. Second Year Employees shall be allowed up to 10 Sick Leave Bank days at full pay according to **Exhibit—3**.

1.2.2. After all Sick Leave Bank days allowed according to the schedule listed under item (1.2.1) are used, second year employees may be granted up to 10 additional Sick Leave Bank days if circumstances warrant it. A fee of \$110.00 shall be deducted for each additional day used under this option.

1.2.3. In cases of catastrophic illness or injury, the Sick Leave Review Board may grant second year employees up to 20 additional days of Sick Leave Bank after all other Sick Leave Bank days provided under items (1.2.1 and 1.2.2) are exhausted. A fee of \$110.00 shall be deducted for each additional day used under this option.

**1.3. Third Year Licensed Employees**

1.3.1. Third year licensed employees shall be allowed up to 40 Sick Leave Bank days at full pay according to **Exhibit—4**.

1.3.2. After all Sick Leave Bank days allowed according to the schedule listed under item (1.3.1) are used, third year licensed employees may be granted up to 40 additional Sick Leave Bank days if circumstances warrant it. A fee of \$110.00 shall be deducted for each additional day used under this option.

1.3.3. In cases of catastrophic illness or injury, the Sick Leave Review Board may grant third year licensed employees sufficient Sick Leave Bank days to cover their transition to long-term disability after all other Sick Leave Bank days provided under items (1.3.1) and (1.3.2) are exhausted. A fee of \$110.00 shall be deducted for each additional day used under this option.

1.4. Licensed employees with four or more years of service shall be allowed up to 120 days from the Sick Leave Bank at full pay less a fee of \$110.00 for each day the licensed employee falls below 15 days of accumulated Sick Leave at

the beginning of the school year. (A fee of \$110.00 will be deducted for a maximum of 15 days.)

**2. Sick Bank Leave Limitations**

- 2.1. Prior to granting Sick Leave Bank days, a licensed employee shall agree in writing to repay compensation received for Sick Leave 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.
- 2.2. 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.
- 2.3. A second opinion may be required with any costs not covered by insurance borne by the District.
- 2.4. When a licensed employee requests Sick Leave 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 Leave Bank days are granted. Use of Sick Leave Bank leave days shall be limited to 120 days within a 48-month period. The licensed employee will also be required to meet all other qualifying criteria.
- 2.5. Under catastrophic conditions, licensed employees may appeal to the Sick Leave Review Board for a waiver of pay loss provisions. The committee shall review the licensed employee's attendance record and other related factors and either grant or deny the waiver based on the findings. No appeal beyond the Sick Leave Review Board is provided.

**ADMINISTRATIVE REGULATION: (Sick Leave Board Review, Abuse of Sick leave, Payment for Sick Leave, and Notification of Absence).****1. Sick Leave Review Board**

- 1.1. A Sick Leave Review Board shall be organized to review issues related to Sick Leave Bank usage and cases of suspected sick leave abuse.
- 1.2. The Sick Leave Review Board shall be composed of one administrator appointed by the superintendent and two members appointed by the president of the licensed employee agent.

**2. Abuse of Sick Leave**

- 2.1. Administrators shall periodically review Sick Leave usage.
- 2.2. If an abuse of sick leave is suspected, the administrator shall confer with the licensed employee and, if necessary, ask the Sick Leave Review Board to review the case. Cases will be reviewed according to Administrative Guidelines developed by the Sick Leave Review Board.
- 2.3. If it is determined that an abuse of Sick Leave has occurred:



- 2.3.1. The Sick Leave days which were paid inappropriately shall be reclaimed from the licensed employee.
- 2.3.2. The licensed employee may be suspended for up to five (5) days without pay during the next pay period.
- 2.3.3. A reprimand shall be entered in the licensed employee's personnel file.
- 2.4. A second proven abuse of Sick Leave may result in immediate termination.

**3. Payment for Sick Leave**

- 3.1. In order to receive full pay for work missed due to illness or injury, licensed employees shall complete an absence request, through the District's online attendance website, which is approved by the immediate supervisor and submitted to the Payroll Department for processing.
- 3.2. Licensed employees may be required to verify the nature and duration of an illness or injury with a doctor's verification.

**4. Notification of Absence**

- 4.1. Licensed employees are required to notify their immediate supervisor as soon as they know that they will be absent from work.
- 4.2. Licensed employees shall request leave through the District's online attendance website as soon as they know that they will be absent from work, so a substitute may be arranged, if needed.

**REFERENCES**

None

**EXHIBITS**

- Exhibit—1—Leave Allocation
- Exhibit—2—Sick Leave Allowance Schedule
- Exhibit—3—Second Year Licensed Employees
- Exhibit—4—Third Year Licensed Employees

**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.