

Miami-Yoder School District JT-60 values the regular, consistent work of every employee and believes that even the most competent substitute is less effective than the person regularly assigned to a position.

The district recognizes that there are circumstances and events which may require the absence of an employee and that an employee will always consider the impact of his or her absence on the work site and those that are served in making a professional decision for using leave days.

It is a requirement for any position in the district that an employee establishes and maintains regular and ongoing attendance in one's work.

**LEAVE (DEFINED):**

LEAVE IS AN EMPLOYEE BENEFIT IN THE FORM OF PAID TIME OFF, WHICH WORKERS CAN USE AS NEEDED WITHOUT LOSING PAY OR THEIR JOBS.

*In loco parentis* is a person acting in the position or place of a parent.

Leave may also be used for pregnancy or following the birth or adoption of a child to care for that child, not to exceed 12 weeks. (Board Policy- GBGF)

**LEAVE SPECIFICATIONS:**

1. Leave will be granted to all employees (16 hours of work per week or more) of the District at the established rates with a restriction of accumulating no more than 120 days.

- a. 9 and 10 month employees (16 hour to 29 hours per week)                      5 days per year
- b. 9 month employees (30 hours plus per week)                                      10 days per year
- c. 10/11 month employees (30 hours plus per week)                                12 days per year
- d. 12 month employees (30 hours plus per week)                                      14 days per year

- Employees having prior knowledge of a required absence should contact their immediate supervisor and the Teacher Substitute Coordinator's office, as soon as possible, of the impending leave so that arrangements may be made to secure a substitute and insure continuity in the educational day.
- Leave used on a non-instructional day or by non-instructional personnel shall be reported directly to the building/department supervisor or Superintendent.

1. In any case in which the school district reasonably believes it is necessary to do so, the district may require the employee to provide additional information to the reason for the need of leave or continued leave.

Accumulate days- up to 120 days:

- Available after all leave and personal days have been used during the contract year.
- Used to cover extended absences for medical purposes. Verification of need may be required per #2, above.

Sell back days- Up to 90 of the 120 accumulated days may be sold back upon retirement district.

- The District will reimburse the said employee at fifty percent (50%) of current substitute pay, not to exceed \$50.00 per day for accumulated days at retirement provided notification of retirement is provided to the Board prior to June 1 of the contract year.
- The employee must be in, or have conclude the 10<sup>th</sup> year of consecutive employment with the District to qualify for payment for days sold back, as provided for in the provision listed above.

4. Employees qualifying for the use of leave will be eligible for benefits provided by the Family Medical Leave Act of 1993 (FMLA) and will be required to utilize FMLA leave as required by school district policy. Employees shall apply for FMLA leave in accordance with the district FMLA leave request form.

#### **FUNERAL/BEREAVEMENT LEAVE**

Funeral leave grants employees paid time to attend the funeral and for travel and bereavement time, upon the death of an employee's immediate family or certain other relatives.

Employees are granted **four days** of paid leave (not associated with leave or accrued leave, vacation, or personal days) for immediate family members, which includes:

- Father
- Mother
- Sister
- Brother
- Spouse/Significant Other
- Children
- Grandparent
- Grandchild
- Biological, adopted, foster, legal wards, step or *in loco parentis* relationships
- In-laws (grandmother-, grandfather-, mother-, father-, brother-, sister-, son-, and daughter-in-law)
- Members of the employee's household

Employees are granted **up to three days of leave** for a relative other than the above who is not a member of the employee's household - aunt, uncle, niece, nephew, or cousin of the employee. (Such relatives are regarded as members of the immediate family only if in residence in the employee's household.)

An employee may be granted **two days**, per school year, **of leave** for a friend or an acquaintance of the employee for funeral services.

The Superintendent of Schools may grant a leave to an employee who cannot, because of special circumstances, return to work at the completion of the allowable funeral leave days. Such leave will be taken from accrued leave or accrued vacation time, or on an unpaid status, not to exceed an additional four working days. All days requested in excess of the four working days granted by the Superintendent must be approved by the Board of Education and be in compliance with FMLA requirements (Board Policy GBGF).

### **Community Service Leave**

Any employee may be granted up to 2 days of leave/accrued leave to perform volunteer work approved by a school administrator to assist our preschool, elementary school, middle school, or high school. Any employee may be granted up to 4 days of leave/accrued leave, per year, to provide volunteer service through a non-profit organization that is community based or that have extensions of their organizations within our district boundaries that provides services through voluntary efforts of any citizen. Supervisors must approve the use of leave in advance and may require documentation. Use of leave in excess of these limitations requires the employee to use personal days, vacation time, or take unpaid leave. The use of more than 4 working days per year, for Community Service Leave, shall require a review of the employee's attendance record by the Superintendent of Schools and the Board of Education.

### **Request for Exception to Policy:**

The Board of Education recognizes that every reason for a leave cannot be covered in a policy and that in some rare cases employees may need relief from the rigidity of a policy. It is the intent of the Board of Education to provide a process of possible resolution to employees who find themselves in these circumstances.

An employee who feels that a necessary leave is not included in the leave policy and extends beyond limited personal days may submit a request to the Board of Education, to be addressed at its next regularly scheduled monthly meeting. Requests for use of sick leave for other purposes besides those provisions included in GCC will only be considered at regularly scheduled board meetings. A district employee is required to fill out the form included in GCC-E/GDC-3-E and submit it to the Superintendent of Schools, a minimum of 10 days before a scheduled board meeting to have the item included on the monthly board agenda.

Legal References: Colorado School Laws: Article 32: 22-32-110(K) Board of Education-specific powers.

ADOPTED: August 13, 2009

REVISED: November 19, 2015