

Staff Personnel
400 Series

EMPLOYEE LEAVE OF ABSENCE
Code No. 409.2

The board will offer the following leave to full-time regular licensed employees:

- **Personal Illness (Sick) Leave –**
 - 1st year of employment 10 days
 - 2nd year of employment 11 days
 - 3rd year of employment 12 days
 - 4th year of employment 13 days
 - 5th year of employment 14 days
 - 6th year of employment 15 days

Unused sick leave may be accumulated up to a maximum of 180 days for employees that were employed prior to July 1, 1985. For employees hired thereafter, unused sick leave may be accumulated up to a maximum of 120 days.

Should the personal illness occur after or extend beyond the sick leave accumulated allowance the employee may apply for disability benefits under the group insurance plan. If the employee does not qualify for disability benefits, the employee may request a leave of absence without pay.

Evidence may be required regarding the mental or physical health of the employee when the administration has a concern about the employee's health. Evidence may also be required to confirm the employee's illness, the need for the personal illness leave, the employee's ability to return to work, and the employee's capability to perform the duties of his/her position. It shall be within the discretion of the Board or the superintendent to determine the type and amount of evidence necessary.

- **Family Sick Leave-**
Licensed personnel shall be granted leave of absence at full pay for illness in the immediate family (spouse, children, mother, father, mother-in-law, and father-in-law) not to exceed five (5) days per year.
- **Bereavement Leave-**
Not to exceed 5 days per year. – Leave to mourn the loss of a family member or close friend
- **Professional Leave –**
Licensed personnel may be granted leave of absence for professional purposes as agreed to in the negotiated contract or master agreement with a duly recognized bargaining unit.

Attendance at educational meetings or visiting other schools is permitted at full pay if such absence is approved by the superintendent or his/her designee. If any supervisor, principal, teacher or other employee wishes to be absent from duty for a brief period to attend a professional meeting, to visit schools, a written request for the aforesaid superintendent's approval of such absence should be signed by the principal and filed in the superintendent's office at least one (1) week prior to the first day of anticipated absence. Approval/disapproval of request for professional leave must be returned to employee not less than two (2) days prior to requested date(s) of absence.

- **Personal Leave –**
Licensed personnel shall be granted leave of absence at full pay for personal reasons provided that said leave is requested at least five (5) days in advance of requested leave date (unless of emergency nature). Personal leave shall not exceed three (3) days per year and cannot be accumulated from year to year.
- **Unpaid Leave –**
Licensed personnel may be used to excuse an involuntary absence not provided for in this or other leave policies of the board. Unpaid leave for licensed employees must be authorized by the superintendent.

The superintendent shall have complete discretion to grant or deny the requested unpaid leave. In making this determination, the superintendent shall consider the effect of the employee's absence on the education program and school district operations, length of service, previous record of absence, the financial condition of the school district, the reason for the requested absence and other factors the superintendent believes are relevant to making this determination.

If unpaid leave is granted, the duration of the leave period shall be coordinated with the scheduling of the education program whenever possible to minimize the disruption of the education program and school district operations.

Whenever possible, licensed employees shall make a written request for unpaid leave five (5) days prior to the beginning date of the requested leave.

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding the unpaid leave of such employees shall be followed.

- **Jury Duty Leave –**

An employee who is called for jury service shall notify his/her immediate supervisor within twenty-four (24) hours after receipt of notice of call to jury duty, and suitable proof of jury service pay must be presented to the school district. The employee will report to work within one hour on any day when the employee is excused from jury duty during regular working hours.

Licensed employees will receive their regular salaries. Any payments for jury duty shall be assigned or paid to the school district.

- **Military Leave –**

The Board recognizes that licensed employees may be called to participate in the armed forces, including the National Guard. If a licensed employee is called to serve in the armed forces the employee shall be granted a leave of absence for military service. The leave shall be without loss of status or efficiency rating, and without loss of pay during the first thirty (30) calendar days of leave.

Leaves of absence for military purposes - not to exceed the enlistment or draft period - will be granted. On completion of the military service, the individual is entitled to re-instatement at the same salary he/she would have received had he/she not taken such leave; provided, however; that the position was not abolished; that the individual is physically and mentally capable of performing the duties of the position; that the individual applies for re-instatement, in writing to the superintendent, within ninety (90) days after termination of military service; and that the individual submits proof of an honorable discharge from the military service.

A leave of absence will be granted for reservist training, but not for more than a total of thirty (30) days in any calendar year. Training leaves are granted without loss of pay, but employees are expected whenever possible to take their training at times when school is not in session.

- **Political Leave –**

The Board will provide a leave of absence to licensed employees to run for elective public office. The superintendent shall grant a licensed employee a leave of absence to campaign as a candidate for an elective public office as unpaid leave. The licensed employee will be entitled to one period of leave to run for the elective public office, and the leave may commence within thirty (30) days of a contested primary, special, or general election and continue until the day following the election.

The request for leave must be in writing to the superintendent of schools at least thirty (30) days prior to the starting date of the requested leave.

Any provisions for political leave in a master agreement with a duly certified bargaining unit which are contrary to provisions stated in this policy shall supersede such statements.

- **Maternity-Paternity Leave**

An employee who becomes pregnant or adopts a child will be granted parental leave under the following conditions:

1. Pregnancy renders the employee physically and/or mentally unable to perform regular job duties as determined by the administration.
2. Such leave may commence at the beginning of the seventh month of pregnancy. However such leave may commence sooner if the attending physician certifies it is medically necessary for the health of the employee.
3. The District reserves the right to have any pregnant employee examined by a medical doctor and that determination as to the ability of the employee to work shall prevail.
4. The initial leave shall be for a period extending through not more than four (4) weeks after termination of pregnancy, but may be extended for an additional eight (8) weeks upon a certification of inability to work signed by the employee's doctor.

5. In the case of adoption of a child, leave shall commence with the day of adoption. Employees may have up to four (4) weeks leave for birth/adoption to be used by the mother or father. Leave will be deducted from accumulated sick leave. Leave may be extended through no more than four (4) weeks after the birth/adoption date but may be extended for up to and additional eight (8) weeks of unpaid leave.
6. Maternity/paternity leave shall be charged to sick leave

The board will offer the following paid leave to full-time regular classified employees:

- **Personal Illness (Sick) Leave – Leave for medically-related disability or illness**

1.	1st year of employment	.	.	.	.	10 days
2.	2nd year of employment	.	.	.	.	11 days
3.	3rd year of employment	.	.	.	.	12 days
4.	4th year of employment	.	.	.	.	13 days
5.	5th year of employment	.	.	.	.	14 days
6.	6th and subsequent years of employment	.	.	.	.	15 days

The above numbers of days shall apply only to consecutive years of employment in the same school district; unused portions shall be cumulative to a maximum of 180 days for employees that were employed prior to July 1, 1985. For employees hired thereafter, unused sick leave may be accumulated up to a maximum for 120 days.

Should the personal illness occur after or extend beyond the sick leave accumulated allowance the employee may apply for disability benefits under the group insurance plan. If the employee does not qualify for disability benefits, the employee may request a leave of absence without pay.

Evidence may be required regarding the mental or physical health of the employee when the administration has a concern about the employee's health. Evidence may also be required to confirm the employee's illness, the need for the personal illness leave, the employee's ability to return to work, and the employee's capability to perform the duties of his/her position. It shall be within the discretion of the Board or the superintendent to determine type and amount of evidence necessary.

- **Family Sick Leave –**

Classified employees shall be granted leave of absence with pay for immediate family illness (spouse, children, mother, father, mother-in-law, father-in-law & grandchildren) not to exceed five (5) days per year.

- **Bereavement Leave –**

Classified employees shall be granted leave of absence with pay for funerals not to exceed five (5) days per year.

- **Professional Leave –**

Professional purposes leave may be granted to classified employees for the purpose of attending meetings and conferences directly related to their assignments. Application for the leave must be presented to the superintendent or his/her designee at least three (3) working days prior to the meeting or conference.

It shall be within the discretion of the superintendent to grant or deny professional purposes leave. Leave may be denied on the day before or after a vacation or holiday, on special days when services are needed, when it would cause undue interruption of the education program or school district operations, or for any other reasons deemed relevant by the superintendent.

- **Unpaid Leave –**

Unpaid leave may be used to excuse an absence not provided for by other leave policies when authorized by the superintendent or his/her designee. Whenever possible, classified employees shall make a written request for unpaid leave at least ten (10) days prior to the beginning date of the requested leave, or if advance application is not possible, no later than five (5) days after the leave begins.

- The superintendent shall have complete discretion to grant or deny the requested unpaid leave. In making this determination, the superintendent shall consider the effect of the employee's absence on the education program and school district operations, previous record of absence, the reason for the requested absence and any other factors the superintendent believes are relevant in making this determination.

- If unpaid leave is granted, the duration of the leave period shall be coordinated with the scheduling of the education program whenever possible, to minimize disruption of the education program and school district operations.

- **Personal Leave –**

Classified personnel shall be granted leave of absence at full pay for personal business that cannot be conducted when school is not in session. This shall not exceed three (3) days *(a day shall be only the number of hours per day on an individual contract), and cannot be accumulated from year to year.

Personal leave will not be granted the day before or after a school holiday or vacation period, during in-service days, and/or during the first or last full week of school. *Example: If an employee works five (5) hours per day, he/she would be limited to three (3) days leave of five hours each.

- **Jury Duty Leave –**

An employee who is called for jury service shall notify his/her immediate supervisor within twenty-four (24) hours after receipt of notice of call to jury duty, and suitable proof of jury service pay must be presented to the school district. The employee will report to work within one hour on any day when the employee is excused from jury duty during regular working hours.

Classified employees will receive their regular salaries. Any payments for jury duty shall be assigned or paid to the school district.

- **Military Leave –**

The Board recognizes that classified employees may be called to participate in the armed forces, including the National Guard. If a classified employee is called to serve in the armed forces the employee shall be granted a leave of absence for military service. The leave shall be without loss of status or efficiency rating, and without loss of pay during the first thirty (30) calendar days of the leave.

An employee granted a military leave of absence shall be eligible to return to a position in the School district, with annual increments equivalent to the number of years spent in the service of the country.

The School District shall not require classified employees to use paid vacation time for the National Guard training camp, although nothing shall prevent an employee from using paid vacation time for such purpose. However, if the employee does not use paid vacation time for National Guard training camp his/her pay will be reduced by an amount equal to the pay earned for attending such National Guard training camp.

- **Political Leave –**

The Board will provide a leave of absence to classified employees to run for elective public office. The superintendent shall grant unpaid leave of absence to a classified employee to campaign as a candidate for an elective public office as unpaid. The classified employee will be entitled to one period of leave to run for the elective public office. Leave may commence within thirty (30) days of a contested primary, special, or general election and continue until the day following the election.

The request for leave must be in writing to the superintendent of schools at least thirty (30) days prior to the starting date of the requested leave.

Any provisions for political leave in a master agreement with a duly certified bargaining unit which are contrary to provisions stated in this policy shall supersede such statements.

- **Maternity-Paternity Leave**

An employee who becomes pregnant or adopts a child will be granted parental leave under the following conditions:

1. Pregnancy renders the employee physically and/or mentally unable to perform regular job duties as determined by the administration.
2. Such leave may commence at the beginning of the seventh month of pregnancy. However such leave may commence sooner if the attending physician certifies it is medically necessary for the health of the employee.
3. The District reserves the right to have any pregnant employee examined by a medical doctor and that determination as to the ability of the employee to work shall prevail.
4. The initial leave shall be for a period extending through not more than four (4) weeks after termination of pregnancy, but may be extended for an additional eight (8) weeks upon a certification of inability to work signed by the employee's doctor.
5. In the case of adoption of a child, leave shall commence with the day of adoption. Employees may have up to four (4) weeks leave for birth/adoption to be used by the mother or father. Leave will be deducted from accumulated

sick leave. Leave may be extended through no more than four (4) weeks after the birth/adoption date but may be extended for up to and additional eight (8) weeks of unpaid leave.

6. Maternity/paternity leave shall be charged to sick leave to the extent of such accumulated sick leave. Extended leave beyond accumulated sick leave shall be without pay.

Leave offered by the district will not be less than what is required by law. In the event of an emergency or unforeseen circumstance, the superintendent may authorize additional paid leave.

Legal Reference: 29 U.S.C. §§ 2601 et seq.

Pub.L. 116-127

29 C.F.R. §§ 825; 826.

Iowa Code §§ 20; 29A; 55; 85; 216; 279.40; 607A.

Whitney v. Rural Ind. School District, 232 Iowa 61, 4 N.W.2d 394

(1942).

Bewley v. Villisca Community School District, 299 N.W. 2d 904 (Iowa

1980).

Cross Reference: 403.2 Employee Injury on the Job
409.3 Licensed Employee Family and Medical Leave
409.8 Licensed Employee Unpaid Leave

Approved: 11/16/2020

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