

At the beginning of the employment year, all non-certificated employees of this district, who regularly work twenty (20) hours or more per week, and all certificated employees, who work half-time or more per week, will be entitled to sick leave with full pay of one (1) day for each month of service in which they work a majority portion of that month, as projected for the employment year. Employees who work more than twenty (20) hours per week, but less than full-time, will have the sick leave prorated by the full-time equivalent (FTE) worked.

## **DEFINITIONS**

**“Employment year”** begins July 1 and continues through June 30 of the following year.

**“Month of service”** means the individual employee’s monthly work schedule for which they are hired to work.

**“Substitute employee”** means an employee who works on an as-needed basis and who is not given a regular work schedule.

## **CALCULATION OF SICK LEAVE**

Sick leave will be calculated pursuant to the employee’s “month of service,” as projected at the beginning of the employment year. If it is projected that the employee will work a majority portion of the hours for which he/she is normally scheduled during any given month, he/she will be entitled to sick leave for that month. Sick leave benefits will not be credited for those months in which the employee is not projected to work a majority portion of his/her month of service.

Certificated Employees: Sick leave for certificated employees will be calculated by the day, or percentage thereof, as defined in the individual employee’s contract. Additional sick leave may be provided to certificated personnel when the negotiated agreement between the district and the local education organization so specifies.

Non-Certificated, Full-Time Employees: Non-certificated, full-time employees who are scheduled to work forty (40) hours per week, twelve (12) months per year, will be credited sick leave at the rate of one (1) eight-hour day per month of service. Non-certificated, twelve (12) month employees who work less than full-time, but more than twenty (20) hours per week, will be credited sick leave at a rate calculated proportionate to the average hours worked per day.

Non-Certificated, School-Year Employees: Non-certificated employees who work less than full-time will be credited sick leave at a rate calculated proportionate to the average hours worked per school day for the months of September through June.

**NOTICE OF CREDITED SICK LEAVE**

Each employee will be credited sick leave for the employment year, and notified of the sick leave benefits to which he/she is entitled, at the beginning of the employment year, or first day of employment if employment commences during the employment year.

Sick leave entitlement indicating the balance of sick leave credited to the employee will be listed on SkyPort Employee Access.

**MEDICAL DOCUMENTATION**

To protect the district against malingering and false claim of illness, an employee may be required to provide proof of illness at the discretion of the superintendent or designee. Failure to provide such verification when requested will result in disallowance of such sick leave claimed by the employee. The superintendent or designee may require proof of the employee's ability to return to work following an illness.

**ACCUMULATION OF SICK LEAVE**

Unused sick leave will accumulate to an unlimited amount as long as an employee remains continually in the service of this district.

Any new employee of this district who was employed by another district or state educational agency during the year immediately preceding, or within (3) school years immediately preceding if termination was due to a reduction in force, will be credited with that individual's accumulated sick leave up to a maximum of ninety (90) days.

In no event will the board compensate an employee for unused sick leave. This policy does not prohibit the board from approving retirement severance pay.

**SICK LEAVE UTILIZATION**

Sick leave will be allowed for personal illness. With the principal's approval, it may also be allowed for the death of immediate family members and for illness of immediate family members if no other family member is home to care for the ill individual. The immediate family is defined to include spouse, children, parents, siblings, grandparents, grandchild, in-laws at the same level and other relatives who have spent a substantial amount of time in the employee's home (or the employee in their home).

If the number of sick days/hours taken exceeds the employee's accumulated sick leave balance, an adjustment will be made reducing his/her pay on the basis of the employee's current rate of pay.

Employees must sign their own sick leave claims.



**LEGAL REFERENCE:**

*Idaho Code Sections*

*33-1216 through 33-1218 – Sick Leave*

*Family and Medical Leave Act (FMLA)*

*29 USC Section 2654*

*58 CFR 31812 through 31839*

*Porter, et al. v. Bd. of Trustees, Preston School District No. 201, 105 P.3d 671 (Idaho 2004).*

**ADOPTED:** January 27, 2015