



## PERSONNEL

5400

### Leaves of Absence

The Board believes that the provision of leave helps to attract and retain staff members who will continue to grow professionally, maintain their physical health, and have a feeling of security.

The Board has the authority to grant any employee's request for a leave of absence. A leave of absence may be at the request of the employee or may be done involuntarily by action of the Board. The Board may also delegate this authority to a designee.

### Delegation of Authority

Through this policy, the Board has delegated this ongoing authority to the Executive Director, both with regard to acceptance of an employee's request for leave of absence as well as an action of placing a certificated employee on an involuntarily leave of absence.

Upon the Executive Director's action to place a certificated employee on a period of involuntary leave of absence, the Board shall ratify or nullify action of the Executive Director at the next regularly scheduled meeting of the Board or at a special meeting of the Board should the next regularly scheduled meeting of the Board not be within a period of 21 days from the date of the action.

An Executive Director's acceptance of a certificated employee's request for leave of absence shall be put before the Board for ratification at the next regularly scheduled meeting of the Board or within 21 days, whichever comes first.

### Sick Leave

Classified employees who regularly work 20 hours or more per week and certificated employees who work half time or more per week shall be granted sick leave and other leaves in accordance with State law. Each such employee shall be granted sick leave with full pay of one day as projected for the employment year for each month of service in which he or she works a majority portion of that month.

Sick leave for classified employees shall be calculated proportionate to the average hours worked per day.

Sick leave for certificated employees shall be calculated by the day, or percentage thereof, as defined in his or her individual employment contract.

The Charter School, may in its discretion, require proof of illness when deemed appropriate, including but not limited to suspicion of abuse of sick leave or false claims of illness.

Compensation shall not be provided for unused sick leave.

“Sick leave” means a leave of absence, with pay, for a sickness suffered by an employee or his or her immediate family. “Immediate family” for purposes of sick leave shall mean the employee’s spouse and children residing in the employee’s household.

Nothing in this policy guarantees approval of the granting of such leave in any instance. Each request will be judged by the Charter School in accordance with this policy and the needs of the Charter School.

It is understood that seniority shall accumulate while a teacher or employee is utilizing accumulated sick leave credits. Seniority will not accumulate unless an employee is in a paid status.

Abuse of sick leave is cause for discipline up to and including termination. For a certificated employee, falsifying, deliberately misrepresenting, or deliberately omitting reasons for absences or leaves is a violation of the Code of Ethics for Idaho Professional Educators and may result in a report to the Professional Standards Commission.

#### Accrual of Unused Sick Leave

Employees may accrue unused sick leave. Upon retirement, an employee’s accumulated unused sick leave must be reported by the Charter School to the public employee retirement system.

#### Bereavement Leave

An employee who has a death in the immediate family shall be eligible for bereavement leave. The Executive Director shall have the authority to give bereavement leave for up to five days.

Bereavement leave of greater than five days must be approved by the Board. Such leave shall not exceed ten days and it shall be the discretion of the Board as to whether such additional days are with or without pay and/or the application of other possible paid leave benefits can cover such absence with pay.

#### Personal and Emergency Leave

Upon recommendation of the Executive Director, and in accordance with law and Charter School policy, classified staff may be granted personal leave pursuant to the following conditions:

1. Leave will be without pay unless otherwise stated. If leaves are to include expenses payable by the Charter School, the leave approval will so state;
2. Leave will only be granted in units of half or full days;
3. Notice of at least one week is required for any personal leave of less than one week. Notice of one month is required for any personal leave exceeding one week;
4. The Executive Director, with approval of the Board, shall have the flexibility, in unusual or exceptional circumstances, to grant personal leave to employees not covered by sick or any other Charter School recognized leave. During any personal leave of greater than 15 days, the employee will not receive fringe benefits. During the leave, the employee may pay the Charter School's share of any insurance benefit program in order to maintain those benefits, provided that such is acceptable to the insurance carrier. Staff using personal leave shall not earn any sick leave or annual leave credit or any other benefits during the approved leave of absence.

Legal References:	42 USC § 2000(e), et seq.  IC § 33-1228  IDAPA 08.02.02.076	Title VII of the Civil Rights Act of 1964 – Subchapter VI – Equal Employment Opportunities Teachers - Severance Allowance at Retirement Code of Ethics for Idaho Professional Educators
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Policy History:  
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