

Board Policy 5400: Leave of Absence

Status: Adopted

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**5400
PERSONNEL**

Leaves of Absence

The Board believes that the provision of leaves 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. The Board may also delegate this authority to a designee. If the Board delegates this authority it shall ratify or nullify the action regarding the request for a leave of absence at the next regularly scheduled meeting, or at a special meeting should the next regularly scheduled Board meeting not be within a period of twenty-one (21) days from the date of such action.

Sick Leave

Classified employees who regularly work twenty (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 (1) 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 District, may in its discretion, require proof of illness when deemed appropriate, including but not limited to 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, parent, Child, sibling, grandparents a or grandchild including any step or in law relationships.. Nothing in this policy guarantees approval of the granting of such leave in any instance. Each request will be judged by the District in accordance with this policy and the needs of the District.

It is understood that seniority shall accumulate when a teacher or employee is in a paid status. Utilizing accrued sick leave places the employee in paid status. Unpaid leave of absence or

unpaid sick leave does not place the employee in paid status and the employee will not accumulate seniority. There is no accrual of sick leave during paid or unpaid leaves of absence.

Accrual of Unused Sick Leave

Employees may accrue up to one hundred eighty (180) days of unused sick leave. Upon retirement, an employee's accumulated unused sick leave must be reported by the District to the public employee retirement system.

Bereavement Leave

An employee who has a death in the immediate family shall be eligible for bereavement leave. "Immediate family" for purposes of bereavement leave shall mean the employee's spouse, parent, Child, sibling, grandparents or grandchild including any step or in law relationships. The Superintendent shall have the authority to give bereavement leave for up to five (5) days. Bereavement leave of greater than five (5) days must be approved by the Board. Such leave shall not exceed ten (10) days.

If an employee or employee's spouse experiences a miscarriage, bereavement leave will be allowed. Employees cannot access bereavement leave for miscarriage for other family members. Dietrich School District reserves the right to request a doctor's note.

Personal and Emergency Leave

Upon recommendation of the Superintendent, and in accordance with law and District 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 District, 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 (1) week is required for any personal leave of less than one (1) week. Notice of one (1) month is required for any personal leave exceeding one (1) week;
4. The Superintendent, 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 District recognized leave. During any personal leave of greater than fifteen (15) days, the employee will not receive fringe benefits. During the leave, the employee may pay the District'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 Reference: 42 USC 2000(e) Equal Employment Opportunities I.C. §

33-513 Professional Personnel

I.C. § 33-1216 *et seq.* Sick and Other Leave

I.C. § 33-1228 Severance Allowance at Retirement