

Leave Benefits

Policy: 5022

Section: 5000 - Personnel

I. Policy Statement

- A. The Board agrees to participate in a leave benefit program for all eligible employees as described in this policy. South Summit School District values its employees and the sacrifices they make to be in attendance at work. Nothing shall require the District to provide paid sick leave, vacation leave, annual leave, or other type of paid leave in any situation where it is not otherwise provided by District policies. South Summit School District certified staff recognize the importance of having the regular professional staff in the school and that substitutes for excessive numbers of days has a negative impact on student achievement.

II. Employee Eligibility

- A. In order to qualify for the District's leave benefits an employee hired after July 1st 2012 must regularly average thirty (30) or more hours per week in one job classification.

III. Sick and Personal Leave

- A. Eligible employees will receive fourteen (14) days per year of leave to be used as sick leave and personal leave. Up to four (4) of the fourteen (14) days may be used for personal leave each year. Unused days will accrue to the employee as unused sick leave. Leave is recorded in hours and rounded to the nearest quarter hour.
- B. Exchange of 2 sick days for 1 personal day
 - 1. Exchange of sick days to personal day: Leave eligible staff have the option of exchanging sick days for personal days but cannot exceed more than 15 personal days in a school year.
 - 2. All professional staff (individuals paid on the licensed salary schedule) who have been employed by South Summit School District for 20 or more years will receive on extra personal leave

day, making a total of 5 personal leave days.

IV. Use of Sick and Personal Leave

A. Sick leave may be used only in connection with:

1. Illness or injury of the employee
2. Illness or injury of a member of the employee's immediate family. Immediate family includes the following: spouse, child, parents, parents-in-law, or sibling. Special allowances to the above-mentioned may be made in joint decision of the employee's supervisor and Superintendent.

B. South Summit School District and/or an employee's supervisor may request a doctor's note from an employee who is out for sick leave for four (4) consecutive days.

C. The principal/supervisor or Superintendent can deny personal leave if it will cause undue hardship to the school, staff, or students. Employees should not expect personal leave to be approved when it is requested directly prior to or after a calendar break or on a professional learning day.

D. Personal days may not be used during the first 10 contract days or last 5 contract days of the school year, exceptions made with administration approval (principal and superintendent).

V. Sick Leave Bank

A. A sick leave bank is created from accumulated sick leave days donated from other employees within their respective classification. Classified employees may not contribute days for licensed employees or vice versa without express permission of the Superintendent of Schools. Employees are not required to contribute to the sick leave bank.

B. An employee may draw up to ten (10) days of sick leave per year from the sick leave bank in cases of long-term illness or injury where an employee's sick leave is insufficient. More than ten (10) days may be allowed in unique situations upon approval of the Superintendent. The Superintendent will notify the Board of Education this has been done.

C. Employees electing to participate in this benefit must donate once during a three-year period, one or more sick day(s) to their respective sick leave

pool. Employees that draw from the sick bank will be required to donate another day at the beginning of the new school year in order to participate again. The sick leave bank will be administered by Human Resources in accordance to this policy and the procedures outlined in the Procedures and Administrative Guidelines.

VI. Accumulated Sick Leave

A. All employees eligible for sick leave may accumulate any number of sick leave days and will be compensated for unused sick leave as follows:

1. Licensed employees who retire or leave the South Summit School District shall be compensated:
 - a. Ten (10) percent of accumulated sick leave days up to 150 days, based on the average daily pay (average of beginning and ending salary of the employee) per salary schedule.
 - b. Twenty-five (25) percent of accumulated sick leave for days accumulated over 150 days, based on the average daily pay (average of beginning and ending salary of the employee) per salary schedule.
 - c. Classified employees who retire or leave the South Summit School District shall be compensated twenty-five (25) percent of their accumulated sick leave based on an hourly rate at the time the employee leaves the district.

VII. Bereavement Leave

- A. Bereavement leave up to five (5) days on full pay without deductions may be allowed for the death of a spouse or child.
- B. Bereavement leave up to three (3) days on full pay without deductions may be allowed for the death of a parent, parent-in-law, son/daughter-in-law, grandchild, sibling or any relative living in the immediate household of the employee.
- C. Bereavement leave for one (1) day on full pay without deductions may be allowed for the death of a brother/sister-in-law, grandparent, grandparent-in-law, aunt, uncle, aunt/uncle in-law, and first cousin.

- D. Special allowances to the above-mentioned may be made in joint decision of the building principal and the Superintendent.

VIII. Definitions

- A. “Adoption leave” means paid leave the District provides to an adoption leave eligible employee.
Utah Code § 53G-11-209(1)(a) (2026)
“Adoption leave eligible employee” means an employee who accrues paid leave in accordance with District leave policies who is legally adopting a young child, unless the employee is the spouse of the pre-existing parent.
Utah Code § 53G-11-209(1)(b) (2026)
- B. “Birth parent” means: (a) the biological mother of a child, (b) a man whose paternity of a child is established, (c) a man who has been identified as the father of a child by the child’s birth mother who has not denied paternity, or (d) an unmarried biological father.
- C. “Child” means an individual younger than 18 years old.
Utah Code § 53G-11-209(1)(c) (2026)
- D. “Foster leave” means paid leave the District provides to a foster leave eligible employee.
Utah Code § 53G-11-209(1)(d) (2026)
- E. “Foster leave eligible employee” means an employee who accrues paid leave in accordance with District leave policies who is the foster parent of a child.
Utah Code § 53G-11-209(1)(e) (2026)
- ~~A.~~ ~~Utah Code § 78B-6-103(10), (11) (2024)~~
- B.F. “Paid leave hours” means leave hours the District provides to an employee who accrues paid leave benefits in accordance with District policies, including annual, vacation, sick, paid time off, or any other type of leave that may be taken while still receiving compensation. It includes but is not limited to paid parental leave or paid postpartum recovery leave.
Utah Code § 53G-11-209(1)(a) (2024)
- C.G. “Parental leave” means ~~paid~~ leave hours provided to a parental leave eligible employee to bond with a child or incapacitated adult.
Utah Code § 53G-11-209(1)(b) (2024)
- D.H. “Parental leave eligible employee” means an employee who accrues paid leave in accordance with District leave policies who is (a) a birth parent,
(b) legally adopting a ~~minor~~ child (except when the employee’s spouse is the child’s pre-existing parent), (c) the intended parent of a child born under a validated gestational agreement under Utah Code Title 78B Chapter 15, Part 8, or (d) appointed the legal guardian of a minor child or

an incapacitated adult.

~~Utah Code § 53G-11-209(1)(c) (2024)~~

E.I. _____ “Postpartum recovery leave” means leave provided to a postpartum recovery leave eligible employee to recover from childbirth at 20 weeks or greater gestation.

~~Utah Code § 53G-11-209(1)(d) (2024)~~

~~Utah Code § 63A-17-511(1)(d) (2024)~~

F.J. _____ “Postpartum recovery leave eligible employee” means an employee who accrues paid leave in accordance with District leave policies who gives

birth to a child at 20 weeks or greater gestation.

~~Utah Code § 53G-11-209(1)(e) (2024)~~

~~Utah Code § 63A-17-511(1)(d) (2024)~~

~~G.K.~~ “Qualified employee” means a parental leave eligible employee, ~~or a postpartum recovery leave eligible employee, an adoption leave eligible employee, or a foster leave eligible employee.~~

~~Utah Code § 53G-11-209(1)(f) (2024)~~

~~L.~~ “Young child” means an individual younger than six year old.

~~M.~~ “Unmarried biological father” means a man who is the biological father of a child but who was not married to the biological mother at the time of the child’s conception or birth.

~~H.~~ Utah Code § 53G-11-209(1)(m) (2026)

~~Utah Code § 78B-6-103(28) (2024)~~

IX. Postpartum Recovery Leave

- A. Beginning July 202~~56~~, an eligible employee who is full-time may take up to 3 work weeks of paid postpartum recovery leave. This leave is additional to and is not charged against any other type of paid leave the employee has. The leave must be taken beginning with the date of birth unless a health care provider certifies that it is medically necessary to begin the leave earlier. The leave must be used in a single continuous period unless prior written authorization otherwise is given by the Superintendent or the human resources director. This leave is consecutive to parental leave but consistent with Policy ~~5023DKC~~ is concurrent with FMLA leave. The leave allowance is not increased if more than one child is born from the same pregnancy.

~~Utah Code § 53G-11-209(2)(a), (c), (4) (2024)~~

~~Utah Code § 63A-17-511(2)(a)(ii), (4) (2024)~~

- B. An eligible employee shall give the District at least 30 days’ notice before the date the employee plans to begin using postpartum recovery leave and before the date the employee plans to stop using postpartum recovery leave unless circumstances beyond the employee’s control prevent giving the notice. In that case, the employee shall give the notice as soon as reasonably practicable.

~~Utah Code § 63A-17-511(5) (2024)~~

X. Parental Leave

A. Beginning July 2025~~6~~, an eligible employee who is full-time may take up to 3 work weeks of paid parental leave in a 12-month period. This leave is additional to and is not charged against any other type of paid leave the employee has. The leave cannot be taken before the date of the event making the employee eligible for the leave and must be taken within 6 months following the date of the qualifying event. The leave may not be used on an intermittent basis unless the District and the employee mutually agree in writing to intermittent use or unless a health care provider certifies that intermittent leave is medically necessary due to a serious medical condition of the child to whom the leave relates. This leave is consecutive to parental leave but consistent with Policy 5023 ~~DKC~~ is concurrent with FMLA leave. The leave allowance is not increased if more than one child is born from the same pregnancy, more than one child is adopted, or the employee is appointed as the guardian of more than one child or incapacitated adult. A qualified employee may not use both parental leave and foster leave with respect to the same child.

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~~Utah Code § 53G-11-209(2)(a), (c), (4) (2024)~~
~~Utah Code § 63A-17-511(2)(a)(i), (3) (2024)~~

B. An eligible employee shall give the District at least 30 days' notice before the date the employee plans to begin using parental leave unless circumstances beyond the employee's control prevent giving the notice. In that case, the employee shall give the notice as soon as reasonably practicable.

Adoption Leave—

Beginning July 2026, an eligible employee who is full-time may take up to 3 work weeks of paid adoption leave in a 12-month period. The amount of leave for eligible employees who are part-time or who work more than full-time is the prorated amount reflecting the amount by which the employee works less than or more than full-time. This leave is additional to and is not charged against any other type of paid leave the employee has. The leave cannot be taken before the day on which the young child is adopted and must be taken within 6 months following the adoption. The leave may not be used on an intermittent basis unless the District and the employee mutually agree in writing to intermittent use or unless a health care provider certifies that intermittent leave is medically necessary due to a serious medical condition of the adopted young child. A qualified employee may not use both adoption leave and foster leave with respect to the same young child. This leave is consecutive to parental leave taken for adoption of the child but consistent with Policy 5023 is concurrent with FMLA leave. The leave allowance is not increased if more than one young child is adopted. If a young child is adopted by two adoption leave eligible employees, those employees are entitled to a single 3-work-week period of paid adoption leave which they may allocate between them.

~~Utah Code § 53G-11-209(2)(a)(iii), (c), (5) (2026)~~
~~Utah Code § 63A-17-511(5), (7) (2026)~~

Utah Code § 63A-17-511(5) (2024)

Foster Leave—

Beginning July 2026, an eligible employee who is full-time may take up to 4 work weeks of paid foster leave in a 12-month period. The amount of leave for eligible employees who are part-time or who work more than full-time is the prorated amount reflecting the amount by which the employee works less than or more than full-time. This leave is additional to and is not charged against any other type of paid leave the employee has. The leave cannot be taken before the day on which the child is placed in foster care with the eligible employee, must be taken within 6 months following the foster care placement, and may not be used after the child is no longer placed in foster care with the eligible employee. A qualified employee may not use both foster leave and parental leave with respect to the same child. A qualified employee may not use both foster leave and adoption leave with respect to the same young child. The leave may be used intermittently and runs concurrently with FMLA leave. The leave allowance is not increased if more than one child is placed in foster care with the employee. If a child is placed in foster care with two eligible employees, those employees are entitled to a single 4-work-week period of paid foster leave which they may allocate between them.

Utah Code § 53G-11-209(2)(a)(iv), (c), (5) (2026)

Utah Code § 63A-17-511(6), (7) (2026)

An eligible employee shall give the District at least 30 days' notice before the date the employee plans to begin using foster leave unless circumstances beyond the employee's control prevent giving the notice. In that case, the employee shall give the notice as soon as reasonably practicable. If two employees are entitled to a single period of paid foster leave, then they must give the District notice of the allocation between the employees at least 30 days before beginning to use the paid foster leave.

Utah Code § 63A-17-511(8) (2026)

Unused Leave—

A qualified employee who terminates employment with the District is not entitled to compensation for any unused postpartum recovery leave, parental leave, adoption leave, or foster leave.

Utah Code § 63A-17-511(10) (2026)

XI. Notice of Leave Benefits

- A. The District shall provide written notice to all employees regarding a qualified employee's right to use postpartum recovery leave, ~~and~~ parental leave, adoption leave, and foster leave.

Utah Code § 53G-11-209(2)(d) (2024)

XII. Concurrent Leave

~~A.~~ The Board designates all paid or unpaid leave for any reason to be counted as part of and included in the Family Medical Leave so that an employee shall be entitled to no more than twelve (12) weeks of Family Medical Leave and other types of leave taken together. The Superintendent of Schools must approve any exception to this.

B.A. The District hereby requires the employee to substitute any accrued vacation leave, personal leave, or family leave of the employee in place of any part of the twelve (12) week period of any leave under this policy.

XIII. Unpaid Personal Leave

A. Employees who choose to take more personal leave days than are allowed by contract will have a day's wages deducted from their contract for each day they are off. In addition, employees will be charged the daily costs of health insurance for each day they are off over and above those allowed by contract. The District will pay for a substitute that may be required.

XIV. Foreseeable Leave

A. An employee shall make reasonable effort to provide the District with at least thirty (30) days prior written notice of any anticipated leave under this policy whenever the leave is foreseeable.

XV. Jury Leave

A. An employee, who is summoned to serve on a jury, or required by subpoena to appear as a witness, shall be entitled to the difference between his or her regular compensation and compensation fees received for court duty or as a witness.

XVI. Military Leave

A. Unpaid "Military Leaves of Absence" shall be granted only upon the filing of letters of appointment or official orders, issued by a verifiable military authority, with the Superintendent. Military leave is subject to the following guidelines.

1. Military leave of absence shall be granted for the period of extended active duty as stated in the official orders plus an additional three (3) months.
2. In cases where extended active duty is terminated at a date earlier than the date in the original orders, the additional three (3) months of military leave shall begin on the date of release from active duty or honorable discharge.

3. Employees returning from military leave shall be assigned to a position comparable to the one terminated when they entered upon extended active duty. The Board may request a statement of medical history before re-appointment.
4. Special requests for military leave for periods of active duty for training shall be considered on an individual basis.
5. Employees who are members of the United States Army, Navy, Air Force, or Marine Organized Reserve shall be allowed not to exceed ten (10) working days per year to attend mandatory annual encampment or active-duty training in connection with the Reserve requirements. For those reservists whose base pay for the ten (10) day training results in a decrease in their District's monthly gross income, the District will guarantee no loss will be incurred in the monthly gross pay.

XVII. Other Leave

- A. South Summit School District will follow current federal and state law in regard to Worker's Compensation and Americans with Disabilities Act.

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