

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.*

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DEFINITIONS

“Employment year” ~~is defined as~~ beginning July 1 and continuesing through June 30 of the following year.

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

“Substitute employee” ~~is defined as 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. 11 days per year or as assigned by the Board of Trustees.~~

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~~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, but more than twenty (20) hours per week, 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.~~

~~Substitute Employees: Sick leave for substitute employees, who work more than twenty (20) hours per week, will be projected by reviewing the hours typically worked in a particular job category. The total number of hours worked during the prior year in the particular job category will be divided by the total number of employees employed in that job category. The superintendent or designee may adjust the projection as necessary to account for anticipated changes in hours to be worked in a substitute status.~~

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.

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. The superintendent or designee may require proof of the employee’s ability to return to work following an illness.

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ACCUMULATION OF SICK LEAVE

Unused sick leave will be accumulated from year to year, up to ninety (90) days, or as otherwise provided in the negotiated agreement, as long as an employee remains continually in the service of this district.

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~~If a Any new employee of this district who was has been 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 (NEED TO CHOOSE EITHER: the maximum number of days allowed to accumulate in this district OR a maximum of ninety (90) days), will be secured for, and credited to, that new employee.~~

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In no event will the board compensate an employee for unused sick leave, but the ability of the board of trustees to approve retirement severance pay is not limited or prohibited by this policy. This policy does not prohibit the board from approving retirement severance pay.



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: [March 15, 2006](#)

AMENDED: [December 17, 2014](#)

**Language in text set forth in italics is optional.*

Note: If the school district board of trustees or the charter school board of directors does not approve a policy identifying the amount of sick leave that may be accumulated, the accumulation is limited by statute to no more than ninety (90) days. Retiring employees will be limited by the accumulation policy on the amount of sick leave that can be determined available to convert for payment of continuing health insurance premiums. Idaho Code expressly states that employees cannot be compensated for unused sick leave, but retirement severance pay is not prohibited.