


<b>Bridges Charter School</b> 	<b>Board Policy-</b>  <b>Personal Illness / Injury Leave</b>	
<b>Policy Number:</b>  <b>4161</b>	<b>Adopted:</b>  <b>2/10/14</b>	<b>Revised:</b>  <b>3/13/17</b>

Bridges School Board believes that we will provide a quality work environment for all employees.

### **Personal Illness/Injury Leave**

Full-time employees are entitled to 10 days' leave of absence for personal illness or injury (sick leave) per school year, with full pay. Employees working less than five days per week shall be granted comparable sick leave in proportion to the time they work. (Education Code 44978) Employees who work eleven (11) months earn eleven (11) days of sick leave.

Employees who accrue sick leave may use up to seven (7) days from their sick leave as personal necessity as defined in Education Codes 45207 and 44981. The employee may not use more than seven (7) in a single school year for personal necessity. Once an employee reaches the maximum amount of personal necessity days, any further days will be taken without pay. This still applies even if the employee still has sick days accrued. The employee may use up to two (2) days of personal necessity for personal business leave defined later in this policy.

An employee may take sick leave at any time during the school year, even if credit for sick leave not yet accrued. (Education Code 44978)

An employee who does not complete a given year of service shall be charged for any unearned sick leave used as of the date of termination.

Unused days of sick leave shall be accumulated from year to year without limitation. (Education Code 44978)

At the beginning of each school year, employees shall be notified of the amount of sick leave they have accumulated.

Any certificated employee who leaves the school after at least one year of employment and accepts a certificated position in another charter school, school district, County Office of Education or community college district within one year shall have transferred

with him/her the total amount of accumulated sick leave. Bridges shall not require new employees to waive their leave accumulated in a previous district. (Education Code 44979, 44980)

Sick leave may be used for:

1. Cases of temporary inability to perform duties because of illness, accident or quarantine, whether or not the cause of absence arises out of and in the course of employment (Education Code 44964)
2. Absences due to pregnancy, miscarriage, childbirth and recovery (Education Code 44965, 44978)
3. Cases of personal necessity (Education Code 44981, 45207)
  - Death of a member of his or her immediate family\*
  - Accident, involving his or her person or property, or the person or property of a member of his or her immediate family.
  - Appearance in any court or before any administrative tribunal as a litigant, party, or witness under subpoena or any order made with jurisdiction.
  - Other reasons that the governing board may prescribe.
- \* Members of the immediate family, means the mother, father, grandmother, grandfather, or a grandchild of the employee or of the spouse of the employee, and the spouse, son, son-in-law, daughter, daughter-in-law, brother, or sister of the employee, or any relative living in the immediate household of the employee.
4. Medical and dental appointments, in increments of not less than one hour for classified employees and one half day increments for certificated employees.
5. Cases of industrial accidents or illnesses when leave granted specifically for that purpose has expired (Education Code 44984)
6. Illness of the employee's child, parent, spouse, registered domestic partner or domestic partner's child, up to the amount of sick leave that would be accrued during seven months (Labor Code 233)
7. A documented serious health condition of an employee's immediate family that qualifies as a serious health condition under FMLA. (See Exhibit 4161.1/4361.1.)
8. Personal Business for participation in life cycle events or personal business that cannot be addressed outside of school hours. Personal business leave must be requested in writing in well in advance, must receive prior approval by the Director and

is dependent on availability of substitute personnel. Personnel business leave is generally not granted to extend time off immediately before or after a school recess.

An employee shall notify the district of his/her need to be absent as soon as such need is known, so that substitute services may be secured. This notification shall include an estimate of the expected duration of absence. If the absence becomes longer than estimated, the employee shall so notify the office. If the duration of absence becomes shorter than estimated, the employee shall notify the school not later than 3 p.m. of the day preceding the day on which he/she intends to return to work.

#### Sick Leave Beyond 10 Days

A certificated employee shall receive 50 percent of his/her regular salary during any period of absence due to illness or injury up to five months, beginning after all available paid leave has been exhausted.

After five months, if a certificated employee has exhausted all available sick leave and is not medically able to resume his/her duties, the employee shall be placed either in another position or on a reemployment list. If the employee is on probationary status, he/she shall be placed on the reemployment list for 24 months beginning at the expiration of the five-month period provided pursuant to Education Code 44977; if on permanent status, the employee shall be placed on the reemployment list for 39 months. If during this time the employee becomes medically able, he/she shall be returned to employment in a position for which he/she is credentialed and qualified. (Education Code 44978.1)

#### Verification Requirements

After any absence due to illness or injury, the employee shall verify the absence by submitting a completed and signed district absence form to his/her immediate supervisor.

The Director may, at any time, require additional written verification by the employee's physician or practitioner. Such verification shall be required whenever an employee's absence

record shows chronic absenteeism or a pattern of absences immediately before or after weekends and/or holidays or whenever clear evidence indicates that an absence is not related to illness or injury.

The Director may require an employee to visit a physician selected by the district and at district expense in order to receive a report on the medical condition of the employee.

The report shall include a statement as to the employee's need for further leave of absence and a prognosis as to when the employee will be able to return to work. If the report concludes that the employee's condition does not warrant continued absence, the Director may, after giving notice to the employee, deny further leave.

Before returning to work, an employee who has been absent for surgery, hospitalization or extended medical treatment may be asked to submit a letter from his/her physician stating that he/she is able to return and stipulating any recommended restrictions or limitations.

Legal Reference:

EDUCATION CODE

- 44964 Power to grant leave of absence in case of illness, accident, or quarantine 44965 Granting of leaves of absence for pregnancy and childbirth
- 44976 Transfer of leave rights when school is transferred to another district
- 44977 Salary deduction during absence from duties up to five months after sick leave is exhausted
- 44978 Provisions for sick leave of certificated employees
- 44978.1 Inability to return to duty; placement in another position or on reemployment list
- 44979 Transfer of accumulated sick leave to another district
- 44980 Transfer of accumulated sick leave to a county office of Education 44981 Leave of absence for personal necessity
- 44983 Exception to sick leave when district adopts specific rule