

(This exhibit is taken from the Certified Employee Master Agreement.)

Article VIII Absence and Leaves

Definition

Immediate family, in relation to leave, shall mean spouse, children, brother, sister, mother, father, mother-in-law, father-in-law, grandmother, grandfather, grandchild, uncle, aunt, niece, nephew and other similar relationships..

1. Personal Illness (Sick)

- a. Certificated employees shall be granted leave of absence for personal illness with pay and benefits at the rate of 186 days = 10 days; each additional 10 days work = 1/2 day leave, to a maximum of 12 days. Personal illness leave shall accrue without limit. Such leave will be credited at the beginning of each year employed for the ensuing year. Personal illness leave may be utilized for absences caused by illness or injury and for the care of immediate family members who are ill or injured.
- b. If all personal illness leave is used, deductions from the employee's salary will be made on the basis of the employee's daily rate of pay (1/186th of salary).

2. Bereavement

- a. Certificated employees will be granted up to a maximum of five (5) days per year leave with pay and benefits for death in their immediate family. Sick leave may be used for additional bereavement leave.

3. Parental Leave

- a. Certificated employees may use accumulated personal illness leave for absence due to pregnancy and childbirth in accordance with their health care provider's recommendations. Employees may use additional accumulated personal illness leave for the purpose of child rearing for newborns or newly adopted children, defined as the period of time not to exceed ten days. Employees eligible for FMLA may request additional leave without pay but with continuation of benefits such that all FMLA leave shall not exceed 12 workweeks in any 12-month period.
- b. In any case in which a husband and wife are entitled to leave under this section, the aggregate number of workweeks of leave to which they may be entitled will be limited to 12 workweeks during any 12-month period.

4. Professional Leave

- a. Certificated employees may be absent for a variety of professional reasons, including attendance at in-service or professional meetings. Leave and benefits will be provided in these instances, provided that the absence has been approved by the immediate supervisor and the superintendent on forms provided by the district. This approval must be made at least three days prior to the leave. The teacher may be reimbursed at the rates established by the state of Idaho for mileage, fares, meals, and rooms.
- b. This district will allow 8 days absence, with pay, to the aggregate (not individually) of the certificated personnel to attend sanctioned MDEA, IEA and NEA activities that will not require approval of either the principal or superintendent. The employee may apply to the superintendent for up to 5 additional aggregate days. Notification of this absence shall be given in writing to the principal at least 3 days prior to the absence.
- c. With written application to the superintendent, teachers may be granted leave without loss of pay and a substitute provided for the purpose of attendance at activities deemed appropriate by the teacher and principal. Application for use of this leave shall be made in writing to the superintendent at least 5 working days in advance of the date of the leave. The teacher may be reimbursed at the rates established by the state of Idaho for mileage, fares, meals and rooms.
- d. If the district requires the teacher to take professional leave, the district will reimburse the teacher for mileage, fares, meals, and rooms.

5. Jury Duty and Subpoena Leave

- a. In the event that certificated personnel are called for jury duty, or ordered by a court (also known as being “subpoenaed”) to appear as a witness in a lawsuit, the employee will receive full pay and benefits from the district for any absence from work that is required for the employee to comply with the jury duty or order. If the employee is paid for complying with the jury duty or order, the employee must present evidence to the district of the amount of all such payments (excluding travel and meal allowances). The amount of any such payments shall be paid to the district within 5 days of the employee’s receipt of payment; if such payment is not received by the district within 5 days of the employee’s receipt, the amount will be deducted from the employee’s pay in the next pay period.

6. Emergency Leave

- a. Leave with pay and benefits may be granted to certificated employees for emergency purposes. The superintendent's approval will be given only when verification is provided that an emergency situation did occur that precluded

the employee's presence at work. The employee will pay for the cost of the substitute.

7. Leave of Absence

- a. Certificated personnel who have completed 3 years of employment in the McCall-Donnelly Schools will be eligible for a leave of absence, without pay and benefits, for one year for activities that will enhance their teaching or administrative abilities, for obtaining additional schooling, teaching in another school district, or working in a professionally related field. **The approved leave of absence will take place during the fifth year.**
- b. Certificated personnel who have completed 5 years of successful service in the McCall-Donnelly Schools will **be to apply for a leave of absence during their sixth year, without pay and benefits, for one year, for personal reasons. The approved leave of absence will take place during their seventh year.**
- c. Eligibility for another (2nd, 3rd...) leave of absence will begin upon return from either type of leave, with the same requirements applying as outlined above. The employee must be in the district a minimum of 3 years prior to making application for another (2nd, 3rd...) leave of absence.
- d. Application for leave will be made in writing to the superintendent for approval, setting forth reasons for such leave, as early as possible, but no later than February 1 of each year for the following school year. Following the request, the district will conduct a timely and customary search process for a replacement. In the event that a replacement cannot be found, the superintendent may deny the leave request. The district will notify the requesting employee(s) of leave approval as soon as possible and no later than April 15th. Professional employees are thereby encouraged to apply for Leave of Absence(s) as early as possible before May 1st so that replacements may be identified. The superintendent may make exceptions to the February 1 date, if in his/her judgment, there would be minimal disruption in the operation of the district and if a replacement can be hired.
- e. A teacher may be granted a one-year extension on his/her professional leave of absence for teaching overseas, or for pursuing an advanced degree. The teacher must request the extension by March 1 of the year he/she is on leave.
- f. A teacher may be granted a one-year extension on his/her personal leave of absence if the school board and administration deem it is in the best interests of the district and teacher.
- g. If the request is denied by the superintendent, the certificated employee may ask that the request be reviewed by a committee consisting of a professional staff member appointed by the building principal, the building principal, the superintendent and a board member.

- h. When a leave of absence is granted, the teacher will be notified in writing. Certificated personnel on leave must state in writing on or before March 1 of the year in which the leave occurs, his/her desire to return to the McCall-Donnelly Schools. This date is firm and will not be adjusted. The district will attempt to notify the individual on leave of the approaching deadline, providing a current address is on file in the district office.
- i. A teacher may remain a part of the group insurance plan during his/her leave as allowed by group carrier. The teacher will be responsible for paying the monthly premiums.
- j. Upon his/her return, the district will offer the teacher a salary to which the teacher is entitled on the schedule. An additional step will be granted to those who taught full time in another public school district or worked in a professionally related field. Additional personal or professional leave, beyond the initial year and one-year extension year, may be granted at the discretion of the board and administration.

8. Personal Leave

- k. Personal leave with pay will be limited to 3 days per year except for those hired prior to September 1, 2001. For employees hired prior to September 1, 2001, personal leave with pay shall be granted at the following rate:
 - 5 days per year for teachers employed for more than 14 years.
- l. Personal leave shall be granted for any reason deemed necessary by the teacher. Personal leave may be used on in-service days with prior approval of the building principal; however, the school board and the association strongly encourage participation in staff development opportunities and discourage the use of personal leave on in-service days except under unavoidable circumstances and with the understanding that professional employees are responsible for acquiring the in-service materials and content following the personal leave.
- m. Except in cases of illness and personal emergencies, a teacher shall notify his/her building principal at least 48 hours prior to using personal leave.
- n. A teacher may elect to carry the unused personal leave to the following school year. The number of personal days that can be accumulated at any one time is limited to 15 days. The number of consecutive days an employee may use is limited to 5 days, except in the case of illness.
- o. Upon request, the employee shall be reimbursed for unused personal days under the following conditions:
 - i. The number of days that will be reimbursed is capped at five days per year, except for those teachers who will be retiring or terminating services at the end of the contract. For them, the cap is lifted.

- ii. The reimbursement rate shall be determined using the base rate of pay on the certified teachers' salary schedule for the current school year. Teachers will be reimbursed on a daily rate of pay based on that figure.
 - iii. All employees who wish to be reimbursed for unused personal leave must notify the district of their intent to sell back days by June 15 of the current school year.
- p. Personal leave requests prior to or following a vacation, or during the last two weeks of school, must be made in writing to the building principal and are contingent upon his/her written approval. Additional days may be granted by the superintendent with the teacher paying the substitute's wage.
- q. Personal leave will not be deducted from sick leave.

9. Sick Leave Incentive

- a. Employees who in the prior school year were employed by the district and used 2 days or less of sick leave, exclusive of death in family and sick leave bank contribution, shall be entitled to 1 day of additional personal leave with pay. This day must be taken the year earned or it will be lost.
- b. Personal leave earned in accordance with the paragraph above shall be granted to the employee without any limitation on the use of such days.

10. Sabbatical Leave

- a. A professional employees who have been employed by the district for a period of fifteen (15) years immediately prior to the year in which the sabbatical leave is to commence, and who has not previously been granted a sabbatical leave, will be eligible to apply for a sabbatical leave for one (1) full year. Up to two (2) such sabbaticals may be granted in any one school year, district-wide. Salary payment during a sabbatical leave shall be 1/2 of the employee's rate of salary for the year prior to the sabbatical. The employee will also receive 1/2 of all benefits.
- b. Application for sabbatical leave will be made to the Association prior to February 1 of the year preceding the sabbatical. Applications will be reviewed by the Association and the Superintendent.
- c. On the recommendation of the Association and the Superintendent, the Board may authorize sabbatical leave of absence when it deems such leaves of absence to be reasonable and for good cause and not detrimental to education within the system. Sabbatical leaves may be granted only for the purpose of allowing a professional employee to continue professional education and advancement. Board

approval shall be made no later than April 15th.

- d. The Association shall, by February 1st for the ensuing school year's grants, forward all applications to the office of the Superintendent with an accompanying recommendation and a list of reasons justifying that recommendation. The recommendation must be for approval or disapproval.
- e. The salary shall be paid upon condition that the professional employee shall return not later than one (1) year after the commencement of the leave for renewal of employment. Should the professional employee fail to return within such a period he / she shall repay to the District the amount paid to him / her during the leave period, and should such amount not be repaid, the Board may direct the District's attorney to institute suit against such person to collect the amount in question.
- f. Within ninety (90) days after the professional employee returns to full-time duty from sabbatical leave, he / she shall submit to the Superintendent and the McCall-Donnelly Education Association a comprehensive written report describing with the educational aspects of his / her study. This report shall include transcripts of all college or university studies while on leave, and other items of information pertinent to an evaluation of his / her program. The professional employee shall also meet with the Sabbatical Leave Committee within one (1) academic year of returning to full-time Duty to summarize the progress and / or results of his / her study.
- g. The professional employee shall include with his / her application for sabbatical leave a recommendation from the appropriate supervisor and a plan of study, which includes details either for study in an approved college or university, or a problem or project for research or writing to be pursued independently by the applicant. This plan shall be approved by the Association and the Superintendent before the sabbatical leave can be granted. If the professional employee finds it necessary to change his / her plans, he / she shall notify the Association and the Superintendent and receive the approval of both before the changes can be authorized.
- h. Among the qualifications of the applicant, the following should be considered: successful service during the previous seven (7) years, contributions to the teaching profession, the extent of the applicant's professional study, travel, and research.
- i. A professional employee on sabbatical leave shall not engage in full-time employment or in study for another trade or profession during his / her leave unless the employment is accepted by the Association and the Superintendent as a necessary part of the plan of study.

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- j. The district guarantees the teacher his/her same building assignment on his/her return from the sabbatical.

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