Consistent contact with students and staff is important to the learning environment and district operation and therefore is an essential duty of a professional staff member's position. However, the Board recognizes that there are circumstances that require an employee to miss work, and the purpose of this policy is to identify situations where paid and unpaid leave from work are appropriate.

The district may require an employee to provide the district verification of illness from a healthcare provider or supply other documentation verifying the absence before the district applies sick leave or other applicable paid leave to the absence. In accordance with law, the district may require an employee to present a certification of fitness to return to work whenever the employee is absent from work due to the employee's health.

The following leaves with pay will be provided to full-time professional staff employees. If leave is available and appropriate for the absence, that leave must be taken before unpaid leave may be authorized. Unpaid leave may only be authorized by the Chief Human Resources Officer. Regular part-time professional staff employees will receive leaves on a pro rata basis. This policy does not apply to temporary or substitute staff members unless otherwise noted.

1. Sick Leave - At the beginning of the school year, professional staff (other than full-year central office, other professional staff and parent educators) will receive sick leave for every complete month for which the staff member is contracted for the school year, based on the employee's work calendar. Employees will be notified of the number of days they will receive on their August payroll remittances.

Full-time employees will earn sick leave based on work calendars as follows:

- 9 months - 7 days
- 10 months - 8 days
- 11 months - 9 days
- 12 months - 10 days

Part-time employees or employees who begin in the middle of the school year will receive sick leave on a pro rata basis or in proportion to the percentage of full-time equivalency for which they are employed.

Full-year central office and other professional staff and parent educators will accrue paid sick leave per completed month of employment beginning with the month of initial employment.

Part-time employees shall accrue sick leave at the conclusion of each full month of employment in proportion to the percentage of full-time equivalency for which they are employed.

Professional staff may accrue sick leave from year to year.

Absences may be charged against sick leave for the following reasons:

a. Illness, injury or incapacity of the employee or members of the employee's immediate family. Immediate family is defined as:

- The employee's spouse. For the purposes of this policy, the district will use the same definition of "spouse" the district uses for eligibility in the district's medical and dental benefit plans.
- The employee's domestic partner. For the purposes of this policy, the district will use the same definition of "domestic partner" the district uses for eligibility in the district's medical and dental benefit plans.
• The following relatives of the employee or the employee's spouse or domestic partner: parents, children, children's spouses, grandparents, grandchildren, siblings and any other family member residing with the employee.
• Any other person over whom the employee has legal guardianship or for whom the employee has power of attorney and is the primary caregiver.

(Note: "Family" for FMLA purposes is more limited.)

The district reserves the right to require a healthcare provider's certification attesting to the illness or incapacity of the claimant and/or inclusive dates of the employee's incapacitation. Family and Medical Leave Act (FMLA) health certification procedures apply to FMLA-qualifying absences, even if such absences are paid sick leave. Certification of potential FMLA-qualifying absences will proceed according to FMLA regulations, even if such absences are paid sick leave.

Staff members who are ill are encouraged to stay home to promote healing and reduce the risk of infecting others, especially during a pandemic or other significant health event. In the event of a pandemic or other significant health event, schools may be closed to all staff and students or just students. If schools are closed only to students, district staff members are expected to work regular schedules or use appropriate leave as determined by district administration. Teachers will follow work schedules associated with student attendance.

**Workers' Compensation**

Please refer to workers' compensation policy GBEA for use of leave for time lost due to work-related incidents.

**Payment Upon Retirement or Death - Employees of Record June 30, 2011**

A staff member who has completed a period of five continuous years of employment for his/her position(s), who has resigned and is eligible for retirement benefits under the Public School Retirement System of Missouri or the Public Education Employee Retirement System of Missouri, or is eligible for total disability under Social Security, or is eligible for Social Security due to age, and has not previously retired from the district, is eligible for compensation for accumulated days of sick leave. The compensation shall be determined by multiplying the total number of accumulated days of sick leave by the applicable standard daily compensation rate for substitute personnel.

Any staff member of the Columbia School District will be eligible to receive a direct payment of the accumulated leave earned at the date of death, if the death occurs while the individual is employed with the district. All accumulated leave is paid to the direct deposit account on file. The compensation shall be determined by multiplying the total number of accumulated days of sick leave by the applicable standard daily compensation rate for substitute personnel.

Any certificated employee who is a member of a retirement system shall remain a member during any period of leave under sick leave provisions of the district or under Workers' Compensation. The employee shall also receive creditable service credit for such leave time, if the employee makes contributions to the system equal to the amount of contributions that he or she would have made had he or she been on active service status.

**Payment upon Retirement or Death - Employees Hired on or after July 1, 2011**

A staff member who has completed a period of 15 continuous years of employment for his/her position(s), who has resigned and is eligible for retirement benefits under the Public School Retirement System (PSRS) of Missouri or the Public Education Employee Retirement System (PEERS) of Missouri, or is eligible for total disability under Social Security, or is eligible for Social Security due to age, is eligible for compensation for accumulated days of sick leave up to 120 days. The compensation shall be determined by multiplying the total number of accumulated days of sick leave (not to exceed 120 days) by the applicable standard daily compensation rate for substitute personnel. Any days accrued beyond 120 will be paid out at half the standard daily subrate.

Any staff member of the Columbia School District will be eligible to receive a direct payment of the
accumulated leave earned at the date of death, if the death occurs while the individual is employed with the district. All accumulated leave is paid to the direct deposit account on file. The compensation shall be determined by multiplying the total number of accumulated days of sick leave by the applicable standard daily compensation rate for substitute personnel.

Any certificated employee who is a member of a retirement system shall remain a member during any period of leave under sick leave provisions of the district or under Workers' Compensation. The employee shall also receive creditable service credit for such leave time, if the employee makes contributions to the system equal to the amount of contributions that he or she would have made had he or she been on active service status.

2. Personal Leave - All employees may be allowed paid personal leave each year for reasons other than those charged to the accumulated sick leave. These days, if not used, will accumulate as sick leave. Part-time employees will receive personal leave days on a pro rata basis. Employees who begin their employment after July 1 will earn personal leave on the following schedule:

July 1-December 31 5 days
January 1-March 31 2.5 days
April 1-June 30 0 days

Absences may be charged against personal leave for court appearances, unless applicable law or policy provides for paid leave, and for leaves authorized by law, policy or the Board that would otherwise be unpaid including, but not limited to, leave under the FMLA.

Requests for personal leave during the year are subject to prior approval by the immediate supervisor. Personal leave at the start or close of school or more than one day in conjunction with a holiday must receive prior approval by the Chief Human Resources Officer due to extenuating circumstances.

Workers' Compensation

Please refer to workers' compensation policy GBEA for use of leave for time lost due to work-related incidents.

3. Emergency Leave - Emergency leave may be granted by the Chief Human Resources Officer for absences that are due to the death, injury and/or illness of a critical or emergency nature, involving members of the immediate family of the staff member. ("Immediate family" is previously defined in this section, #1.a. - Sick Leave.) The Chief Human Resources Officer may grant emergency leave, based upon the specific circumstances involved, in situations involving the death, injury or illness of a critical nature of persons other than those specifically listed, but with whom a staff member has a similar close relationship.

Leave may also be granted, within the judgment and discretion of the Chief Human Resources Officer, in circumstances beyond the staff member's control or that involve unforeseen and complicated circumstances, that necessitate temporary absence of the staff member from the job.

Leave granted under this section will be paid leave, up to a maximum of ten days for any one emergency, only to the extent of the staff member's fully earned and available paid sick days, and such days absent from work will be subtracted from the staff member's accrued sick leave.

In addition to the leave provided under this section, an employee may be eligible for additional leave as provided in the section regarding Family/Medical Leave.

4. Vacation - All members of the professional staff who serve in a 12-month position shall be eligible for one day of paid vacation per completed month of employment beginning with the month of initial employment. Secondary building administrators are not vacation-eligible positions.

After completion of five full consecutive anniversary years and beginning the first month of the sixth anniversary year, the vacation grant shall be one and one-fourth days per completed
employment month. After completion of ten consecutive anniversary years and beginning the first month of the eleventh anniversary year, the vacation grant shall be one and one-half days per completed employment month.

Vacation shall not accrue to more than 288 hours for full-time employees. Part-time employees shall accrue vacation at the conclusion of each full month of employment in proportion to the percentage of full-time equivalency for which they are employed. Vacation may continue to accrue from year to year. A staff member who terminates employment after a period of six months shall be compensated for accrued vacation days not used.

The scheduling of vacations must be in the best interest of the Columbia School District and is subject to the approval of the superintendent or a designee. Staff members are strongly encouraged to use the allowable days of vacation.

A district employee shall be entitled to use vacation days in accordance with policy GBEA during the period the employee receives Workers' Compensation for time lost to work-related incidents.

Unless otherwise provided, the following leaves will be provided to full-time and part-time professional employees.

1. **Holidays** - Professional staff members employed for fewer than 12 months shall observe the holidays included in the official school calendar. These staff members are not required to work days when school is not in session, except to fulfill specific contract terms. Work schedules are subject to approval by the superintendent.

Professional staff members employed on 12-month contracts shall observe the holidays included in the official school calendar and are not required to work on Independence Day, the day after Thanksgiving, the day before Christmas and the day after Christmas.

It is recognized that the calendar may be adjusted due to inclement weather or other emergencies and that staff members must adhere to the adjusted calendar. Administrative staff members shall be on duty, if possible, during days when school is closed due to inclement weather or other emergencies.

2. **Education Leave** - Employees may be granted education leave to attend classes or conferences, meet with mentors or conduct other activities intended to improve their professional skills within the district upon the approval of the superintendent or designee. Education leave must be arranged well in advance and is not considered personal leave.

3. **Military Leave** - Members of the National Guard or any reserve component of any branch of the Armed Services of the United States who are engaged in the performance of duty or training shall be entitled to leave of absence from their respective duties of 120 hours in any federal fiscal year (October 1 - September 30) without impairment of efficiency rating or loss of time, pay, regular leave or any other rights or benefits. Employees shall provide the district an official order verifying that they are required to report to duty.

If the time period of military service is determined by the employee, the employee is encouraged to choose times during which school is not in session.

4. **Election Leave** - Any employee who is appointed as an election judge pursuant to state law may be absent on any election day for the period of time required by the election authority. The employee must notify the district at least seven days prior to any election in which the employee will serve as an election judge. No employee will be terminated, disciplined, threatened or otherwise subjected to adverse action based on the employee's service as an election judge.

5. **Leave to Vote** - Employees who do not have three successive hours free from work while the polls are open will be granted a leave period of up to three hours to permit the employees three successive hours while the polls are open for the purpose of voting. Requests for such leave must be made prior to election day, and the employee's supervisors will designate when during the workday the leave should be taken. Any employee who properly requests leave to vote and uses the leave for that purpose will not be subject to discipline, termination or loss of wages or salary.
6. **Jury Duty Leave** - An employee will be granted paid leave for time spent responding to a summons for jury duty, time spent participating in the jury selection process or time spent actually serving on a jury. An employee will not be terminated, disciplined, threatened or otherwise subjected to adverse action because of the employee's receipt of or response to a jury summons.

7. **Subpoenas/Court Appearances** - If an employee is subpoenaed to provide testimony related to his or her duties as an employee of the school district, the absence will not count against any of the employee's leave time. If, however, the employee is subpoenaed or must appear in court for any other reason, the absence will count against the employee's emergency leave time as outlined in the section in this policy addressing Sick Leave.

8. **Firefighter Leave** - Employees will be allowed to use personal, vacation and/or unpaid leave for any time taken to respond to an emergency in the course of performing duties as a volunteer firefighter. For the purposes of this section, "volunteer firefighter" includes members of Missouri-1 Disaster Medical Assistance Team, Missouri Task Force One, Urban Search and Rescue Team or those activated by the Federal Emergency Management Agency (FEMA) in times of national disaster. Employees covered under this section shall not be terminated from employment for joining a volunteer fire department or for being absent from or late to work in order to respond to an emergency. Employees shall make every reasonable effort to notify the principal or supervisor if the employee may be absent from or late to work under this section. Employees are required to provide their supervisors with a written statement from the supervisor or acting supervisor of the volunteer fire department stating that the employee responded to an emergency along with the time and date of the emergency.

9. **Crime Victim Leave** - Any employee who is a crime victim, who witnesses a crime or who has an immediate family member who is a crime victim will not be required to use vacation, personal or sick leave in order to honor a subpoena to testify in a criminal proceeding, attend a criminal proceeding or participate in the preparation of the criminal proceeding.

10. **Civil Air Patrol Leave** - Any employee who is a member of Civil Air Patrol and has qualified for a Civil Air Patrol emergency service specialty or who is certified to fly counternarcotics missions shall be granted unpaid leave to perform Civil Air Patrol emergency service duty or counternarcotics missions without loss of time, regular leave or any other rights or benefits in accordance with law. The leave is limited to 15 working days in any calendar year, but is unlimited when responding to a state- or nationally declared emergency in Missouri. The district may request that the employee be exempted from responding to a specific mission.

11. **Coast Guard Auxiliary Leave** - Employees who are members of the United States Coast Guard Auxiliary will be granted an unpaid leave of absence for periods during which they are engaged in the performance of United States Coast Guard or United States Coast Guard Auxiliary duties, including travel related to such duties, when authorized by the director of auxiliary or other appropriate United States Coast Guard Authority. Such leaves of absence will be given without loss of time, regular leave or any other rights or benefits to which such employees would otherwise be entitled. The leave is limited to 15 working days in any calendar year, but is unlimited when responding to a state- or nationally declared emergency in Missouri or upon any navigable waterway within or adjacent to the state of Missouri. The district may request that an employee be exempted from responding to a specific mission.

**Pregnancy, Childbirth and Adoption Leave**

This section creates no rights extending beyond the contracted period of employment. FMLA certification and recertification procedures apply to FMLA-eligible employees. An employee must notify the district of the need for and anticipated duration of the leave at least 30 days before leave is to begin, if foreseeable. If 30 days' notice is not practical, the employee must give as much notice as possible. A pregnant employee shall continue in the performance of her duties as long as she is able to do so and as long as her ability to perform her duties is not impaired, based on medical opinion.

Employees eligible for FMLA leave for the birth, first-year care, adoption or foster care of a child will have such leave applied in accordance with the FMLA. The district shall allow the usage of up
to 12 weeks of any combination of accrued sick leave, personal leave, vacation or unpaid leave.

Employees who are ineligible for FMLA leave may take up to six weeks of leave for the birth, first-year care, adoption or foster care of a child and may use any combination of accrued sick leave, personal leave, vacation or unpaid leave.

In addition, medical certification shall also be required for any period of requested leave for such purpose occurring more than four weeks prior to the expected due date, as determined by the employee's healthcare provider. If the employee qualifies for leave under the FMLA, the entire portion of the leave taken for pregnancy-related incapacity will count toward the employee's FMLA leave.

Leave taken for medical conditions related to pregnancy and for which FMLA leave is not available shall be subject to reasonable requirements consistent with business necessity established by the Chief Human Resources Officer including, but not limited to, requirements related to notice, medical certification and return to duty.

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Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.

Columbia Public Schools

Date Adopted: 3/3/1997
Last Revised: 6/10/2019

State Reference
41.1000, RSMo.
41.1005, RSMo.
105.270-.271, RSMo.
320.330-.339, RSMo.
115.102, RSMo.
115.639, RSMo.
168.122, RSMo.
169.595, RSMo.
320.200, RSMo.
494.460, RSMo.
595.209, RSMo.

Federal Reference
29 C.F.R. 1604.10
29 U.S.C. 2611-2619
29 U.S.C. 216(c)

Policy Reference
DLB
HA
HPA
IC

Description
State Statute
State Statute
State Statute
State Statute
State Statute
State Statute
State Statute
State Statute
State Statute
State Statute

Description
Federal Regulation
Family and Medical Leave Act
Fair Labor Standards Act
Title VI of the Civil Rights Act of 1964
Title VII of the Civil Rights Act of 1964

Description
SALARY DEDUCTIONS
NEGOTIATIONS WITH EMPLOYEE REPRESENTATIVES
EMPLOYEE WALKOUTS, STRIKES AND OTHER DISRUPTIONS
ACADEMIC CALENDAR/YEAR/DAY
Helen Wade
Board of Education President

ATTESTED:

Tracy L. Davenport
Board of Education Secretary