

## LEAVE BENEFITS

**GENERAL.** Each employee must secure official permission in advance from the appropriate administrator, for any absence from his/her work, unless physically impossible. Absence for illness in excess of accumulated sick leave will be covered by leave without pay. When any employee is absent for illness for a period in excess of his/her accumulated sick leave time, he/she should make timely application for such leave for the period involved.

Any employee who is willfully absent from duty without leave shall forfeit compensation for the time of such absence, and his/her contract, if any, shall be subject to cancellation by the School Board.

Any absence not officially approved in advance breaks continuity of service; that is, any such absence by a teacher on annual contract status breaks continuity of service toward possible recommendation for a continuing contract. If the teacher is already on continuing contract status, such absence renders him/her subject to being returned to annual contract status.

**ANNUAL (VACATION) LEAVE BENEFITS.** Only persons employed on a twelve month basis are granted vacations. Vacation time must be approved by your immediate supervisor. Accruals for twelve month personnel are established as follows, up to a maximum balance of 240 hours:

- 0-5 consecutive years of 12 month employment - 1 day per month.
- 6-10 consecutive years of 12 month employment - 1 1/4 day per month
- 11 or more consecutive years of 12 month employment- 1 1/2 day per month

**HOLIDAYS.** The calendar, which is adopted annually by the Board, establishes paid and non-paid holidays to be observed during the year. Paid holidays are considered one of the normal number of work days on your work calendar. (Ex. - teachers are paid for 196 days, 190 working days plus 6 paid holidays.) Non-paid holidays are not counted as working days.

**SICK/PERSONAL/EMERGENCY LEAVE.**

1. Each person employed on a full-time basis who is unable to perform his/her duties as such employee because of his/her own illness, or because of the illness or death of his/her father, mother, brother, sister, husband, wife, child or other close relative such as grandfather, grandmother, grandson, granddaughter or member of his/her own household, and who consequently has to be absent from his/her work, shall for such necessary absence be entitled to four days of personal/sick leave as of the first day of employment of each contract year. Employees shall thereafter earn one day of personal/sick leave for each month of employment, which shall be credited to the employees at the end of that month, and which shall not be used prior to the time it is earned and credited to that employee provided that the employee shall be entitled to earn no more than one day of personal/sick leave times the number of months of employment during the year of employment; and provided, further, that such leave shall be taken only when necessary because of sickness as herein prescribed. Such sick leave shall be cumulative from year to year without limitation on the number of days of sick leave that may accrue to any employee; and provided, further, that at least one-half of such cumulative leave must be established within this school district. Six days per year may be used for personal leave, with any unused personal time added to the sick leave balance at year end.
2. In case of reasonable doubt as to the validity of any sick leave claim, the Superintendent or his/her designee may require a supporting certificate of illness from a licensed physician or, at the Superintendent's discretion, from the county health officer.
3. Any employee who does not use sick leave, which includes personal and emergency leave, during their contractual year shall be awarded one (1) day's pay within five (5) working days after the close of their contractual year.
4. Any employee participating in the summer school program shall earn, be credited with, and be eligible to use, one additional day of sick leave provided that he/she is contracted for the full term of the summer program.

**TRANSFERRING SICK LEAVE TO FAMILY MEMBER.** In accordance with Section 1012.61 of the Florida Statutes, a full time district employee may donate accrued sick leave to a family member (spouse, child, parent or sibling) who is also a full time district employee. In-law and step relationships are excluded. Transferred sick leave cannot benefit the recipient until their accrued sick/personal leave is depleted. A Request to Transfer Family Member Sick Leave Form must be completed and approved. Any unused sick leave will be returned to the donating employee.

**TEMPORARY PROFESSIONAL LEAVE (TEMPORARY DUTY).** Professional leave days with pay may be granted to personnel to represent the DeSoto County School System on temporary reassignment for the purpose of attending or participating in school system approved educationally related professional meetings. These may include but are not limited to educational workshops, seminars, or conferences sponsored by professional organizations, colleges, universities, or government or private agencies concerned with public school matters; or visitations for the purpose of observing instructional techniques or programs. Any time an employee leaves their worksite to attend events listed above, or, to visit out-of-county sites, a *Temporary Duty* form must be completed and approved. All such leaves must be approved by the Superintendent at least five (5) days in advance.

**ILLNESS/INJURY-IN-LINE-OF-DUTY LEAVE.**

1. Employees shall be eligible for Illness/Injury in the Line of Duty as specified in Florida Statute § 1012.63. Any full-time employee covered by the master agreement between the School Board and DCTA shall receive illness-in-line-of-duty benefits in keeping with the most current negotiated agreement. All other employees shall be covered as contained herein.
2. Any full-time employee shall be entitled to illness-in-line-of-duty leave when he/she has to be absent from duty because of illness from any contagious or infectious disease contracted therein. This policy is intended to deal with uncommon diseases such as measles, mumps, chicken pox, lice, and scabies. It is not intended to include normal adult illness such as common colds or influenza.
3. Any employee requesting an illness-in-line-of-duty leave shall provide proof, when so requested, that illness was contracted while discharging the duties and an employee of the School Board. Such leave may be authorized for a total of not over ten (10) school days during any fiscal year.
4. Employees injured in the line of duty and entitled to Worker's Compensation benefits shall be granted the use of additional sick leave days as he/she may have accumulated until the Worker's Compensation indemnity benefits begin. The employee may elect to continue full salary by the use of the accumulated sick leave, or if he/she chooses, receive payments from Worker's Compensation. Any payment received from Worker's Compensation for the same period paid by the School Board shall be reimbursed to the School Board.
5. Upon written request an employee injured in the line of duty and entitled to Worker's Compensation benefits shall be granted up to five (5) work days upon verification of the injury as work related. The Board, at its sole option, may increase the number of days in keeping with Florida Statutes on a case by case basis as is brought before the Board. Any payment received from Worker's Compensation for the same period paid by the School Board shall be reimbursed to the School Board.

**LEAVE FOR LEGAL COMMITMENTS AND TRANSACTIONS.** Requests for the following shall be made at least five working days in advance of the date of absence.

1. An employee who is absent because of a mandatory subpoenaed appearance shall incur no reduction in pay because of such appearance. A copy of the subpoena must accompany the leave request.
2. An employee may serve on temporary assignment on jury duty without loss of pay. Any jury duty compensation shall be retained by the employee.
3. An employee released from jury duty with sufficient time remaining to return to his/her job center to complete at least one half day of duty shall do so, unless released by the supervisor.

**DOMESTIC VIOLENCE.** An employee may take up to three working days of uncompensated leave in any 12-month period if the employee or a family or household member of an employee is the victim of domestic violence. The employee must have been employed for at least three months and must use the leave to seek an injunction, to obtain medical care and/or mental health counseling, to obtain services from a victim-services organization, to secure their home or seek new housing, or to seek legal assistance. Except in cases of imminent danger an employee seeking leave must provide appropriate advance notice of the leave according to school policy along with sufficient documentation. All information relating to the employee's leave will be kept confidential and will be exempt from disclosure to the extent authorized by law.

**MILITARY LEAVE.** Military leave shall be granted as required by law or Florida State Board of Education Regulations.

**FAMILY AND MEDICAL LEAVE ACT.** For employees with at least twelve (12) months of employment with DeSoto County Schools who have worked 1,250 hours or more over the preceding 12 months, leave, for childbirth, adoption of a child or placement in foster care, or a serious health condition of the employee or his/her immediate family member (spouse, child, parent), will be granted without pay for up to a maximum of twelve weeks in any twelve month period. Additional sick leave shall not accrue while on leave. For additional information, please refer to the school board policy in Chapter §151.

**UNCOMPENSATED PERSONAL LEAVE; PARENTAL LEAVE**

1. A leave of absence for a period not to exceed twelve (12) months of time must be approved by the Principal or other immediate supervisor and the Superintendent. Such leaves are not renewable on consecutive years. Employee shall notify the personnel office on or before April 1 of their intent for the coming year.
2. Except as provided in Board Policy Title XV, Chapter §151.01 through 151.11, personal leave shall be without compensation. Absence for reasons not covered in other sections must be covered by duly approved personal leave.

3. A written request for personal leave must be filed in the Superintendent's office and approved by the Superintendent prior to the period of absence covered by the personal leave requested. Failure to do this may result in serious forfeitures and/or impairment of contract status.

4. Any full-time employee may be granted leave without pay, not to exceed one year in duration, incident to the birth or adoption of a child.

- a. The application for such leave must be accompanied by a licensed physician's certificate attesting to the pregnancy of the applicant or the spouse of the applicant; the probable term thereof and the recommended period of confinement or, in the case of adoption, by satisfactory evidence of the date custody of the child shall be delivered to the applicant.
- b. Upon filing of an application for parental leave, the employee and the immediate supervisor shall, subject to the approval of the Superintendent and the Board, mutually determine the commencement date for such leave based on evaluation of the capacity of the prospective mother to discharge her duties as an employee and/or the expected date of birth of the child or receipt of custody of the child to be adopted, as the case may be; and the leave shall continue for the remainder of the school year unless otherwise requested by the employee and approved by the Superintendent and School Board.
- c. Application for other qualifying unpaid leave requests must be accompanied by certification from the employee's health care provider about the necessity and duration of the leave. Employee shall provide certification from the health provider that the employee may return to work.
- d. Instructional employees returning from leave may be required to wait until the following semester if a) leave begins five or more weeks prior to semester's end, lasts more than three weeks and the employee wants to return within the last three weeks of the semester; b) leave (except personal) begins less than five weeks prior to semester's end, lasts more than two weeks and the employee wants to return within the last two weeks; and c) leave (except personal) begins three or fewer weeks before semester's end and the leave period is greater than five working days.

**EXTENDED PROFESSIONAL LEAVE.** Long term instructional employees of not less than four full years of service in DeSoto County Schools may request non-paid extended professional leave for the purpose of job related educational improvement study for a period of time not less than one semester nor more than one school year.