

**PERSONNEL SERVICES**

**Regulation 4320**  
**(Form 4320)**

**Absences, Leave, and Vacation**

**Personnel Leave**

**Paid Time Off (PTO)**

**A. Leave Days**

All certificated and support staff who work 20 or more hours per week shall be granted paid time off in accordance with the number of months employed, cumulative to 150 day limit:

9 month employees	10 PTO days = up to \$1,000 annual leave payout
9 ¼-9 ½ months employees	11 PTO days = up to \$1,100 annual leave payout
10 month employees	11 PTO days = up to \$1,100 annual leave payout
11 month employees	12 PTO days = up to \$1,200 annual leave payout
12 month employees	13 PTO days = up to \$ 1,300 annual leave payout

In July 2024, the Board will pay an annual leave payout of \$100 a day for any unused days or fraction of days from the allotted days given in 2023-2024. All full-time employees will be eligible to receive a \$100 a day annual leave payout for days that were not used during the school year. The unused annual leave payout will be paid on June 15 each year for 9-10 month employees and on July 15 for 11-12 month employees.

All unused days paid (paid time off) in the annual leave payout will be added to the employee's overall accumulated leave as paid time off, but will not be eligible for additional payment when leaving the district. The cumulative limit of 150 days is allowed in the accumulated leave, this includes sick days accumulated prior to July 1, 2023, which have a nominal value of \$53.33 per day, and the days (sick and personnel) accumulated after July 1, 2023, that do not have a nominal value. Any individual who had accumulated personal leave prior to July 1, 2023, will retain the leave (valued at \$53.33 per day) in a separate accumulated leave and these days will not count toward the total 150 aforementioned.

The employee's current bank of days as of June 30, 2023, will be maintained and subject to leave payout upon leaving the district at the rate of \$53.33 unless used based upon the example below.

The order in which employees will use their leave days.

1. Days subject to \$100 a day stipend
2. Days subject to \$53.33 a day payout when leaving the district per policy
3. Days subject to \$0 a day payout, due to receiving stipend.

Certified employees will receive the annual leave payout in 1/4 day increments, if applicable.

Payout for unused paid time off leave does not count toward retirement.

Certificated and support staff will accumulate paid time off at the rate of one (1) day per month or fraction thereof worked during their first year. Employees returning to the district in subsequent years will have leave loaded on July 1<sup>st</sup> to be used for the upcoming year. Employees who separate from the district after leave has been awarded will have their leave prorated back to one (1) day per month or fraction of the time worked during the year. If the employee has taken more leave time than reflected in their adjusted balance, the employee may have a salary reduction on their final check.

Any paid time off that extends beyond three (3) consecutive working days will require a note from a physician explaining the absence. In cases where the employee will be involved with a pre-scheduled paid time off of more than five (5) successive days, the leave must be confirmed in writing by the employee and his/her doctor.

Staff may be asked to provide the district with a physician's verification of illness at the discretion of the supervisor for excessive absences, extended absences, or patterns of absence. Individuals who have accumulated leave in their bank prior to July 1, 2023, are eligible for payment for sick leave for only these accumulated days. Payment for unused sick leave will be made to all employees who have completed five (5) years of full-time work in the District prior to their date of separation. Payment for unused sick leave for classified staff will be calculated at a daily rate of twenty dollars (\$25) per day for the first fifty (50) days and thirty dollars (\$30) per day for all days over fifty (50) for each unused sick leave day. Payment for unused sick leave for certificated staff will be calculated at a daily rate of \$53.33. Payment for unused sick leave for retirees will be made in January following retirement of the employee. Payment for unused sick leave for all others will be made within ninety (90) days of the date of the separation of employment. In the event of death, the named beneficiary will receive the amount due for unused sick leave.

All employees are required to contact their supervisor or a designated individual if they will not be at work or if they need to leave work. Failure to do so will be a cause for disciplinary action and may lead to termination.

These days are used at the discretion of the employee for occasions that are not covered under the sick leave policy or one of the other leave policies listed in other sections of this regulation, and cannot be performed before or after school hours. Beginning July 1, 2023, all accumulated personal leave banked will have a value of \$53.33, for certificated staff and \$25.00 per day for classified staff.

Employees must have worked in the District full time for five (5) years or more in order to receive pay for unused personal leave and must have banked the hours prior to the 2023-2024 school year.

Paid time off days should not be taken on the first day of school, the last day of school, teacher work days including orientation days, grade days, professional development days, the day conferences are scheduled on, the day before or after holidays, and scheduled school breaks. The direct supervisor may make exceptions to this rule.

Staff must request approval from the Superintendent's office to use more than two days consecutively.

Staff who accumulate personal leave days prior to July 1, 2023, may request up to five (5) days at a time to be used as paid leave. This leave must be requested from the principal at least one (1) month prior to the date of the paid leave and may not be used immediately preceding or following a school holiday (excluding a regular weekend), or other types of leave. Paid leave may only be used after five (5) full years have passed since any previous paid leave or short-term unpaid leave has been taken. If extenuating circumstances occur, the Superintendent of Schools may approve additional usage of accumulated personal leave as the situation dictates. The current year's paid time off valued at \$100.00 a day will be counted first followed by the lower-value days in the individual's accumulated personal leave bank.

#### **B. Sick Leave Bank**

Employees may elect to join the sick leave/catastrophic leave bank using the following criteria.

If an individual owes days to the sick bank, prior to July 1, 2023, they may elect to pay back as many days they owe from their accumulated leave as they are able to or they may elect to pay the value in accordance with our current sub rate. After July 1, 2023, if an individual owes days to the sick bank, their leave will be charged 5 days per year from their leave (these would be \$100 days) and the amount if they pay for days in cash after July 1, 2023 will be the new sub rate.

1. Participation is to be offered to all staff during their first year of employment with the district. To join the bank, individuals must return the registration form to the Superintendent's office within 60 days of their 1<sup>st</sup> day of work.
2. Employees must have worked for the district for one year, in a position other than a substitute, before they are eligible to borrow from the sick leave bank.
3. During the second year of participation in the sick leave/catastrophic leave bank, individuals may use only the sick leave portion of the policy and may use the catastrophic leave portion of the policy during the third year and beyond.

4. Individuals must have two (2) days contributed to the sick leave bank and two (2) days contributed to the catastrophic bank before they are eligible to submit an application to use catastrophic leave.
5. Participants do not have to qualify for FMLA to borrow days from the bank.
6. Participants are allowed to borrow days only if they or a member of their immediate family (child, spouse or parent) have a qualifying serious health condition as defined by the Family Medical Leave Act (FMLA). Participants may borrow from the sick leave bank account after they have used up their own accumulated leave which includes all of their sick leave, personal leave, vacation days, comp time and accumulated person days.
7. Participants may borrow a maximum of thirty-five (35) days from the sick leave bank account after they have used up their own leave. Participants will be allowed to borrow days only if they present documentation indicating that they have a serious health condition as defined by the Family and Medical Leave Act (FMLA). The employee requesting the leave must submit to the Superintendent/designee a written medical certification form (available in the Superintendent/designee's office) from a health care provider of the serious health condition. Failure to provide such certificate upon request may result in denial or delay of leave.
8. After a participant has used up the thirty-five (35) days of sick leave bank allotment, they may request up to sixty (60) catastrophic leave days due to a serious health condition as defined by the Family Medical Leave Act (FMLA). The employee requesting the leave must submit to the Superintendent/designee a written medical certification form (available in the Superintendent/designee's office) from a health care provider of the serious health condition. Failure to provide such a certificate upon request may result in denial or delay of leave.
9. Days borrowed from the sick leave bank account must be repaid to the account at five (5) days per year. Beginning the school year immediately following the year an individual borrowed from the bank 5 days of leave will be docked.
10. All thirty-five (35) days must be repaid before additional days may be borrowed from the sick leave bank account. If an individual qualifies he/she may borrow from the catastrophic leave account prior to repaying all thirty-five days to the sick leave bank. The Superintendent may allow exceptions for repayment for the remaining days borrowed due to extenuating circumstances defined as another serious health condition as defined by the FMLA.
11. The sick leave debt will be cancelled at the death of the participant.

12. An individual under continuing employment has the option to repay the sick leave bank at the current substitute rate for the position. Repayment can be made at any time. For positions that do not require a substitute, the substitute teacher rate will be used. Upon leaving the District, those not retiring or being placed on disability will repay the balance of days owed to the sick leave bank at two-thirds (2/3) of their daily rate of pay during their final year of employment in the District. Those retiring or being placed on disability shall repay using the substitute pay for that year.
13. Days borrowed from the catastrophic leave account will not require repayment.
14. A minimum balance of 300 days must be maintained in the sick leave bank account before any days can be transferred. If the sick leave bank account exceeds 300 days, the excess number of days can be transferred into the catastrophic leave account as needed.
15. If the catastrophic leave account drops below 100 days and the sick leave bank account is below 300 days, a deduction of one (1) day per participant may be made. The district will notify participants before the deduction is made.
16. The Superintendent of Schools or designee shall be charged with the administrative responsibility of determining if a staff member qualifies for sick leave/catastrophic leave. The criteria to be used to determine an individual's qualifications will be the same as the Family Medical Leave Act (FMLA) standards: A serious life threatening health condition of the employee or family member (child, spouse or parent) as defined by FMLA.

### **Emergency Leave**

Any employee unable to report to work due to emergencies other than illness will be charged PTO. If the emergency should extend beyond one day, a salary reduction will be made.

### **Short-Term Leave of Absence Without Pay**

The Board of Education realizes that, on occasion, a need to be away from the job occurs that cannot be accommodated within the confines of the PTO policy. The purpose of the short-term leave of absence without pay is to allow each employee an opportunity to fulfill a leave that occurs because of unusual circumstances.

1. Must have completed three (3) full years of employment.

2. May request leave up to five (5) days on a one-time request during a five (5) year period. After three (3) years employment, an employee may be eligible any year within the five (5) year period, except the leave may not occur in two (2) consecutive years. (An employee may request an unpaid leave for the 4<sup>th</sup> or 6<sup>th</sup> years of employment with the next year of eligibility not until the 11<sup>th</sup> year.)
3. The employee must notify the respective supervisor, i.e., principal, director, etc., at least fifteen (15) calendar days prior to the start of leave.
4. Each building principal and/or director shall approve this type of leave, maintain a record of each employee's requested leave, and forward a copy, immediately, of the approved request to the Central Office for payroll purposes.
5. Personal leave may not be used concurrently before, after, or during, in conjunction with unpaid leave. Any employee considering unpaid leave should check his/her daily rate of pay with the secretary of the Board of Education before applying.
6. Forms for requesting this type of leave may be obtained from the respective building principal and/or director.

### **Long-Term Leave of Absence Without Pay**

Aside from the granted leave conditions, the Board of Education will consider other requests for leaves of absence for non-Family and Medical Leave (FMLA) or other good cause. Such leave requests will be considered on an individual basis and may be granted depending on urgency and (or) merit in the stated reason for absence. Such leave, if granted, will be without pay or Board-paid insurance premiums, even though group medical insurance can be continued with the employee being responsible for the total insurance cost. Furthermore, if leave is granted, District tenure (tenure meaning years of experience) and accrued leave benefits will be frozen during the actual leave and reinstated on their respective next step of the salary schedule upon the end of leave. The Board will not necessarily reserve the employee's same position, unless in unusual circumstances, but will give prime consideration to the employee for another position which may be open and for which the employee would be qualified to fill.

Leave of absence, if granted under this policy, is to be good for one (1) school year or the balance of the school year in which the leave is granted. Application for the renewal of such leave must be made in writing to the Board of Education before a new school year begins, and a subsequent commitment made to return no later than April 1<sup>st</sup> during the year of absence. Failure to notify the Superintendent /designee of such intention will be regarded as a resignation.

Upon completion of an approved leave, provided proper notification is given, a teacher will be re-employed by the District unless placed on involuntary leave of absence if tenured, or if notified of nonrenewal of contract by April 15, if a probationary teacher.

NOTE: Leave of absence without pay under the provisions of this regulation does not apply as service towards tenure for probationary teachers.

### **Bereavement Leave**

Bereavement leave will be up to five (5) days upon the death of a husband, wife, child, parent or parents-in-laws, brother, sister and grandchild. Three (3) days shall be allowed for the death of grandparents, grandparents-in-law, brother-in-law, sister-in-law, aunt, uncle, niece, nephew, or other persons residing in the household.

This leave is designated to be taken at the time of death and funeral/memorial of the deceased. Days must be used consecutively, unless prior approval is granted by the Superintendent or designee. This leave cannot be saved and used at the some later date.

For purposes of this leave, the definition of relative will include by marriage (affinity) or by blood (consanguinity). Half relationship is the same as a whole relationship. Step relationship is the same as blood relationship. Any funeral leave taken outside the definition of relative will be personal leave. Arrangements should be made through the principals with final approval resting with the Superintendent.

### **Leave for Jury Duty**

Employees called for jury duty, for participation in the jury selection process, or subpoenaed to testify in a civil or criminal proceeding will be granted leave with pay. Employees will receive their normal pay. Employees called for jury selection or service on a jury will not be requested or required to use annual vacation, personal leave, or sick leave for time required in such civic service.

### **Military Leave**

An employee who is a member of the National Guard, or an organized military service of the United States, and who is required by laws of the United States or the State of Missouri to report for military duty, including training, shall be eligible for a grant of military leave.

Application for military leave shall be made in advance, as soon as practicable after the employee becomes aware of his/her obligation to report, and immediately upon the employee's receipt of official notice to report. A copy of the official orders must be added to the leave

application. The Superintendent/designee must approve the application. Emergency mobilization orders shall be dealt with on an individual basis.

The District recognizes that employees who receive notice to report for duty typically are not provided with discretion as to when to report. However, whenever an employee has a choice as to when to report for military duty, the employee's military leave shall be arranged during periods in which school is not in session. When the employee is given a choice as to when to report for duty, the Superintendent/designee may request that the employee seek a change in military orders if such a change appears to be in the best interest of the District.

Employees shall receive leave with pay for up to one hundred twenty (120) hours of military leave in each federal fiscal year. Additional military leave shall be without pay, except as required by federal and state law. Any person entitled to military leave shall only be charged military leave for any hours which the person would otherwise have been required to work had it not been for such military leave at a minimum of one hour and additional charges will be in multiples of one hour.

Each employee shall furnish a copy of the employee's military payroll voucher to the Superintendent/designee within thirty (30) days of the employee's return to regular assignment so that the necessary salary adjustments can be made.

Employee eligibility for reinstatement after military duty is completed shall be determined in accordance with federal and state laws.

Each employee shall furnish a copy of the employee's military payroll voucher to the Superintendent/designee within thirty (30) days of the employee's return to regular assignment so that the necessary salary adjustments can be made.

Employee eligibility for reinstatement after military duty is completed shall be determined in accordance with federal and state laws.

Domestic/Sexual Violence Victim Leave (See Policy and Regulation 4322)

### **Sabbatical Leave**

A sabbatical leave may be granted to any tenured teacher provided the teacher shall have received the approval of the Board of Education, and that the following conditions apply:

1. Sabbatical leave may be applied for after the completion of at least five (5) years of service in the DeSoto School District.



2. The duration of the sabbatical leave shall be for only one school year.
3. The person receiving sabbatical leave shall use this leave for the purpose of obtaining additional formal education.
4. The person receiving sabbatical leave shall return to the DeSoto School District and resume teaching for at least one (1) year. Those teachers not returning will notify the District prior to March 1.
5. The person receiving sabbatical leave will receive no reimbursement.
6. Upon returning to the District, the person will be reinstated at his/her former position on the salary schedule.
7. The person requesting sabbatical leave must put his/her request in writing. If the person's request is not granted by the Board, a written notice from the Board with reasons as to rejection will be given.