

Absences, Leave and Vacation

Professional Staff Short-Term Leaves

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 documentation verifying the reason for an absence before the district applies 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. Regular part-time professional staff employees will receive these leaves on a pro-rated basis. This policy does not apply to temporary or substitute staff members unless otherwise noted.

1. Paid Time Off (PTO) - Professional staff employees earn one day of PTO for each month worked, but full credit for total eligible leave days will be awarded at the beginning of each school year. Professional staff employees whose assignments call for 12 months of full-time employment will receive 12 days of paid leave each year; those with 11 months of full-time employment will receive 11 days of paid leave; and those whose assignments call for ten months of full-time employment will receive ten days of paid leave. Unused PTO may be cumulative to 150 days.

Absences may be charged against PTO for the following reasons:

- a. Illness, injury or incapacity of the employee. The Board 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. FMLA health certification procedures apply to FMLA-qualifying absences, even if such absences are paid leave.
- b. Illness, injury or incapacity of a member of the immediate family. The Board defines "immediate family" to include:
 - The employee's spouse.
 - The following relatives of the employee or the employee's spouse: parents, stepparents, children, stepchildren, children's/stepchildren's spouses, grandparents, grandchildren, siblings and any other person 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 or any person as granted by the superintendent.

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

- c. Pregnancy, childbirth and adoption leave in accordance with this policy.
- d. Military leave.
- e. Court appearances, unless applicable law or policy provides for paid leave.
- f. Wedding or graduation.
- g. Observance of a religious holiday.
- h. Conducting personal business of such a nature that it cannot be performed on a Saturday, Sunday, or before or after school hours, including parent-teacher conferences.
- i. Absences under leaves authorized by law, policy or the Board that would otherwise be unpaid including, but not limited to, leave under FMLA.
- j. Funerals that do not qualify under the definition of bereavement leave below.
- k. Other significant personal situations approved by the superintendent or designee.

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, staff members are expected to work regular schedules or use appropriate leave.

Guidelines for PTO Use

- a. A district employee shall be allowed to use PTO during the work comp benefit waiting period for time lost to work-related incidents. A district employee may not use PTO during the period the employee receives Workers' Compensation for time lost to work-related incidents.
- b. A district employee shall be required to use all PTO hours prior to an unpaid absence.

- c. Any certificated employee who is a member of a retirement system shall remain a member during any period of leave under paid 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.
- d. With the exception of unexpected illnesses, emergencies or unusual circumstances, requests for PTO may be limited based upon substitute availability and must be made in writing to the designated administrator at least five days in advance of the time leave is requested. However, 30 days' notice is required by law if the leave qualifies as FMLA leave and such notice is practical. Additionally, employees must comply with established building/department procedures for notification of absence and arrangement for substitute coverage.
- e. An employee who is unexpectedly absent and provides proper notification to obtain a substitute, but is unable to receive prior approval by his or her supervisor, may be subject to denial of PTO use and/or disciplinary action if the absence does not fall within one of the exceptions identified in item "d" above.
- f. Where allowed by law, requests for PTO may be denied if said usage will adversely affect the district or its students. Examples of reasons a supervisor may deny PTO are inclement weather days or vacation.
- g. PTO is limited to a maximum of three consecutive days, one time per year. Remaining PTO can be taken in a combination of one and/or two days during the school year unless taken for unexpected illnesses, emergencies, unusual circumstances or with prior approval of the superintendent or designee.
- h. With the exception of unexpected illnesses, emergencies or unusual circumstances, PTO will generally not be granted on the following days without approval of the superintendent or designee:
 - i. Before or after a holiday or break in school attendance.
 - ii. During the first or last five student contact days of the school year.
 - iii. Professional development days, including early release days and contract days prior to the first day of the school year.
 - iv. Parent-Teacher conferences.
 - v. During the district assessment window (applies to consecutive PTO).
- i. Unused PTO will carry forward to the following year as banked leave and may be used exclusively for illness, pregnancy, childbirth, adoption, bereavement or other circumstances as approved by the superintendent or designee.

- j. PTO is considered time worked for benefit purposes, but shall not be considered as hours worked for overtime purposes.

Paid Time Off Reimbursement - An employee may elect to accumulate leave up to the maximum number of days allowable (150 days). However, upon request, an employee will be reimbursed at the rate of one-half substitute rate for each day of unused PTO above 100 accumulated days at the conclusion of any contract year in which this occurs.

An employee who, at the time of retirement, is eligible for benefits from PSRS or PEERS and who has completed five years of service in the district will be reimbursed for unused PTO at the rate of one-half substitute rate up to 150 days.

2. **Bereavement Leave** – Bereavement leave shall be granted at the rate of up to five days per occurrence for full-time employees and two days per occurrence for part-time employees. It is to be non-cumulative and is separate and in addition to PTO. This leave is to be used in the event of a death in the immediate family, as defined above.

3. **Vacation** - All full-time professional staff employed on a 12-month basis will accrue 15 days of paid vacation per year. After five consecutive years of service, full-time professional staff will accrue 20 days of vacation per year. Exempt employees moving from a less than 12-month position to a 12-month position will be given credit toward vacation accrual for their years of service in the district. An employee must submit a written request for vacation to his/her supervisor and receive written authorization before taking vacation days. If the employee's absence may disrupt district operations, the superintendent or designee has the discretion to deny a request for vacation or to limit the time of year the employee may take his or her vacation.

A district employee shall be allowed to use vacation days during the work comp benefit waiting period for time lost to work-related incidents. A district employee may not use vacation days during the period the employee receives Workers' Compensation for time lost to work-related incidents.

Additional Benefit-Related Leave

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

1. **Holidays** - The Board currently recognizes the following holidays: New Year's Day, Martin Luther King Jr. Day, Presidents' Day, Good Friday, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day and the day after, and Christmas Day. The district will grant paid and unpaid holidays in accordance with the academic calendar adopted by the Board. Holidays may be modified or eliminated as needed when the academic calendar is

changed due to inclement weather or for other reasons. Holidays may change from year to year.

2. **Professional Leave** - Employees may be granted professional leave to attend approved professional development activities if requested in advance and approved by the supervising administrator. Professional leave is separate from PTO.

Professional Organization Meeting Leave - Each professional organization (MST A/NEA) may send staff members to meetings and seminars to a maximum of ten leave days per year, providing the organization reimburses the district for the cost of the substitute. (Individual staff members may use no more than four days of this leave per year.) Leave will not be deducted from the individual employee under these conditions. Should the professional organization send an employee who does not require a substitute, his or her absence shall be considered one of the ten leave days granted by this policy. Other staff members may attend these meetings or seminars through the use of professional or personal leave. All such leave must be pre-arranged with the principal and is subject to the availability of substitute teachers.

3. **Military Leave**-The Board shall grant military leave as required by law. Members of the National Guard or any reserve component of the U.S. Armed Forces who are engaged in the performance of duty or training will be entitled to a leave of absence 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.
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. The employee will be paid regular pay after the jury duty pay vouchers are assigned to the school district.

7. **Leave for Court Subpoena-** If the subpoena is directly related to the employee's duties, the employee will be released for court appearance without loss of leave. Other court appearances will be deducted from PTO.
8. **Firefighter Leave -** Employees will be allowed to use PTO, 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 or PTO 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 only apply up to 12 weeks of accrued paid leave to such absences.

Employees who are ineligible for FMLA leave may take up to 12 weeks of leave for the birth, first year care, adoption or foster care of a child and may use any combination of accrued PTO, vacation or unpaid leave.

Pregnant employees who need additional paid or unpaid leave for a pregnancy-related incapacity must provide certification of the medical necessity for such leave.

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Raymore-Peculiar R-II School District

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