

October 2022

5:330

## Educational Support Personnel

### Sick Days, Vacation, Holidays, and Leaves

Each of the provisions in this policy applies to all educational support personnel to the extent that it does not conflict with an applicable collective bargaining agreement or individual employment contract or benefit plan; in the event of a conflict, such provision is severable and the applicable bargaining agreement or individual agreement will control.

#### Definitions

- ~~1. Educational Support Personnel whose employment day is more than seven and one half (7.5) hours, are defined as full time.~~
- ~~2. Educational Support Personnel whose employment day is equal to or less than seven and one half (7.5) hours are defined as part time.~~

#### Sick and Bereavement Leave

- ~~1. Each employee shall be allowed during each fiscal year Full or part-time educational support personnel who work at least 600 hours per year one (1) equivalent work day of receive 10 paid sick leave each month without loss of pay. Twelve month employees will receive 12 days annually, eleven month per year. Part-time employees will receive 11 days annually and ten-month employees will receive 10 days annually.~~
- ~~2. Each employee shall be allowed to sick leave pay equivalent to their regular workday. Unused sick leave shall accumulate up to 240 equivalent days of sick leave, through continuous employment with to a maximum of 180 days, including the District.~~
- ~~3. If an employee was absent for a period of four (4) days or more for illness, a doctor's statement may be required prior to leave of the employee returning to work. If the employee is absent for serious illness or for hospitalization, a doctor's release for regular duties must be presented before returning to work-current year.~~

Sick leave is defined in State law as personal illness, mental or behavioral complications, quarantine at home, serious illness or death in the immediate family or household, or birth, adoption, placement for adoption, or the acceptance of a child in need of foster care. The Superintendent ~~and~~ or designee shall monitor the use of sick leave.

As a condition for paying sick leave after three days absence for personal illness or ~~30 days for birth or~~ as the Board or Superintendent deem necessary in other cases, the Board or Superintendent may require that the staff member provide a certificate from: (1) a physician licensed in Illinois ~~or Wisconsin~~ to practice medicine and surgery in all its branches, (2) a mental health professional licensed in Illinois providing ongoing care or treatment to the staff member, (3) a chiropractic physician licensed under the Medical Practice Act, (34) a licensed advanced practice registered nurse, (45) a licensed physician assistant who has been delegated the authority to perform health examinations by his or her supervising physician, or (56) if the treatment is by prayer or spiritual means, a spiritual adviser or practitioner of the employee's faith. If the Board or Superintendent requires a certificate during a leave of less than three days for personal illness, the District shall pay the expenses incurred by the employee.

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Employees are entitled to use up to 30 days of paid sick leave because of the birth of a child that is not dependent on the need to recover from childbirth. Such days may be used at any time within the 12-month period following the birth of the child. Intervening periods of nonworking days or school not being in session, such as breaks and holidays, do not count towards the 30 working school days. As a condition of paying sick leave beyond the 30 working school days, the Board or the Superintendent may require medical certification.

For purposes of adoption, placement for adoption, or acceptance of a child in need of foster care, paid sick leave may be used for reasons related to the formal adoption or the formal foster care process prior to taking custody of the child or accepting the child in need of foster care, and for taking custody of the child or accepting the child in need of foster care. Such leave is limited to 30 days, unless a longer leave is provided in an applicable collective bargaining agreement, and need not be used consecutively once the formal adoption or foster care process is underway. The Board or Superintendent may require that the employee provide evidence that the formal adoption or foster care process is underway.

Vacation

Twelve-month employees shall be eligible for paid vacation days according to the following schedule:

<u>Length of Employment</u>		<u>Monthly Accumulation</u>	<u>Maximum Vacation Leave Earned Per Year</u>
<u>From:</u>	<u>To:</u>		
Beginning of year 2	End of year 5	0.83 Days	10 Days per year
Beginning of year 6	End of year 15	1.25 Days	15 Days per year
Beginning of year 16	End of year	1.67 Days	20 Days per year

Part-time employees who work at least half-time are entitled to vacation days on the same basis as full-time employees, but the pay will be based on the employee’s average number of part-time hours per week during the last vacation accrual year. The Superintendent will determine the procedure for requesting vacation.

Vacation days earned in one fiscal year must be used by the end of the following fiscal year; they do not accumulate. Employees resigning or whose employment is terminated are entitled to the monetary equivalent of all earned vacation.

Insurance/Annuity Benefits

- ~~1. Full time employees are entitled to District insurance/annuity benefits.~~
- ~~2. Part time employees shall not receive District insurance/annuity benefits.~~
- ~~3. —~~

Leave of Absence

- ~~1. Employees may be granted up to one (1) year leave of absence without pay and benefits. Requests for such leave should be made in writing and submitted to the Superintendent for approval.~~
- ~~2. Leave of absence requests for more than twelve (12) weeks must be approved by the Board.~~

Holidays

Unless the District has a waiver or modification of the School Code pursuant to Section 2-3.25g or 24-2(b) allowing it to schedule school on a legal school holiday listed below, District employees will not be required to work on:

- |  |                                   |
|--|-----------------------------------|
| New <del>Year's</del> Year's Day                         | <del>Columbus</del> Labor Day     |
| Martin Luther <del>King's</del> King Jr.'s Birthday      | <del>Veteran's</del> Columbus Day |
| <del>President's Day</del> or Abraham Lincoln's Birthday | <del>Veterans Day</del>           |
| Casimir Pulaski's Birthday                               | <del>2022 Election Day</del>      |
| <del>Memorial Day</del>                                  | Thanksgiving Day                  |
| <del>Juneteenth National Freedom Day</del>               | <del>Christmas Day</del>          |
| <del>Independence Day</del>                              |                                   |
| Good Friday  | Friday after Thanksgiving Day     |
| Memorial Day   | Christmas Eve Day                 |
| Independence Day   | <del>Christmas Day</del>          |
| Labor Day  | New Years Eve Day                 |

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~~In the event the Board seeks and receives a waiver that allows student attendance on any of the identified holidays, the employees shall work on that day for straight time and shall receive a floating holiday. In the event the holiday falls on a weekend, the employee shall receive a floating holiday. Floating holidays are subject to the same conditions as personal leave days. Floating holidays will be determined by the employee's direct supervisor.~~

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A holiday will not cause a deduction from an employee's time or compensation. The District may require educational support personnel to work on a school holiday during an emergency or for the continued operation and maintenance of facilities or property.

Personal Leave

~~Educational~~ Full-time educational support personnel have ~~four (4)~~ one paid personal leave days equivalent to their regular workday per year. The use of a personal day is subject to the following conditions:

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1. Except in cases of emergency or unavoidable situations, a personal leave request should be submitted to the Building Principal three days before the requested date.
2. No personal leave day may be used immediately before or immediately after a holiday, or during the first and/or last five days of the school year, unless the Superintendent grants prior approval.
3. Personal leave may not be used in increments of less than one-half day.
4. Personal leave is subject to any necessary replacement's availability.
5. Personal leave may not be used on an in-service training day and/or institute training days.
6. Personal leave may not be used when the employee's absence would create an undue hardship.

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Leave to Serve as a Trustee of the Ill. Municipal Retirement Fund

Upon request, the Board will grant 20 days of paid leave of absence per year to a trustee of the Ill. Municipal Retirement Fund in accordance with ~~105 ILCS 5/24 6.3~~.State law.

Other Leaves

Educational support personnel receive the following leaves on the same terms and conditions granted professional personnel in Board policy 5:250, *Leaves of Absence*:

1. Leave for Service in the Military.
2. Leave for Service in the General Assembly.
3. School Visitation Leave.
4. Leaves for Victims of Domestic Violence, Sexual Violence, Gender Violence, or Other Crime of Violence.
5. ~~Child~~Family Bereavement Leave.
6. Leave to serve as an election judge.
7. COVID-19 Paid Administrative Leave.

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LEGAL REF.: 105 ILCS 5/10-20.7b, 5/~~10-20.83~~ (final citation pending), 5/24-2, 5/24-6, and 5/24-6.3.  
10 ILCS 5/13-2.5, Election Code.  
 330 ILCS 61/, Service Member Employment and Reemployment Rights Act.  
 820 ILCS 147, School Visitation Rights Act.  
 820 ILCS 154/, Child Bereavement Leave Act.  
 820 ILCS 180/, Victims' Economic Security and Safety Act.  
School Dist. 151 v. ISBE, 154 Ill.App.3d 375 (1st Dist. 1987); Elder v. Sch. Dist. No.127 1/2, 60 Ill.App.2d 56 (1st Dist. 1965).

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CROSS REF.: 5:180 (Temporary Illness or Temporary Incapacity), 5:185 (Family and Medical Leave), 5:250 (Leaves of Absence)

~~ADOPTED: November 6, 2001~~

~~AMENDED: January 18, 2022~~