

## 1218: Sick Leave Policy for 12 Month Employees

### I. Purpose:

- a. Employees will be awarded twelve (12) sick days with full pay per year (July 1 – June 30), following the guidelines listed in Delaware code. This includes full-time staff contracted for 222 days per fiscal year. Any unused days of sick leave will be accumulated to the employees Liberal Leave credit without limit.

### II. Policy Statement:

#### a. Eligibility:

- i. A sick leave begins when the employee, who is sufficiently disabled to attend work, reports the absence.
- ii. Whatever the claims of disability, no day absence will be considered a sick leave day if the employee has prepared for/engaged in other gainful employment or has participated in any activity which would raise doubts regarding the validity of the sick leave request.

#### b. Proof of Disability:

- i. A physician's written statement that certifies the employee's disability may be required. These statements may not be presumed efficient to establish the employee's disability.

#### c. Duration of Leave:

- i. PCA's Head of School Board of Directors may grant or deny unpaid sick leave beyond what is covered by state and federal laws on a case by case basis. These will be deducted from an employee's annual salary based on the daily per diem, per Delaware Code.
- ii. Any employee who has exceeded his/her sick leave bank due to absences not covered by state/federal laws (ex. FMLA) will be placed on an improvement plan.
- iii. Should an employee have future leave days approved, these approvals will be rescinded once the employee enters deduct.

#### d. Records:

- i. The school's personnel records for employees will show the attendance of each employee and the days that employee has been absent will be recorded with the reason for such absence noted. A record shall be made of the unused sick leave days accumulated by each employee, which will be made available to the employee in accordance with Delaware State Law.

- ii. PCA reserves the right to require any employee claiming sick leave to provide sufficient proof, including a physician's note, for any leave. Employees will always be required to submit sufficient proof for sick leave under the following conditions:
  - 1. Exceeded sick bank
  - 2. Absent three (3) or more days consecutively
- iii. All sick leave time will be earned on a monthly basis. To be eligible for sick leave time, an employee must work more than half of the scheduled work days in that month. No sick leave will be accrued while an employee is on administrative leave.
- iv. Sick time may be transferred in accordance to Delaware Code and upon approval. Employees will be paid for accumulated sick leave earned upon retirement in accordance with Delaware Code and only for the amount reimbursed by the state to the school.
- e. Personal Leave:
  - i. In accordance with Delaware Code, employees are eligible to use up to five (5) of their sick leave days for personal leave each fiscal year.
  - ii. To ensure continuity of education and operations, PCA will not approve more than three (3) 10-month employees for personal leave on the same day. These days will be approved on a first come, first serve basis.
  - iii. To ensure the effective operation of the school, personal leave will not be permitted or approved for the applicable employees under this policy for the following days:
    - 1. First student day
    - 2. Last student day
    - 3. Field day
    - 4. Meet and Greet (if attendance is required)
    - 5. Parent conferences (instructional staff)
      - a. Instructional staff are required to complete 22.5 hours of conferences and/or professional development approved by his/her supervisor
    - 6. State testing (instructional staff outlined below)
      - a. Personal leave may only be approved for the following employees if the leave is approved prior to March 1<sup>st</sup> or 60 days before the first day of testing should state testing be moved to a month other than May –
        - i. Employee who is in a state testing grade including special education teachers working in the impacted grade
        - ii. Employee facilitating state testing
        - iii. Employee who is supervising those in a state testing grade or those who facilitate it

- f. ~~Definition: Liberal leave refers to any unscheduled leave PCA employees may take in the event of extreme weather or a similar emergency, which prevents them from reporting to work as usual.~~
  - i. ~~When a liberal leave policy is in effect, PCA employees who are absent from work must request to use annual leave, leave without pay or compensatory time.~~
  - ii. ~~Employees taking liberal leave, or unscheduled leave, are required to inform their supervisors of that choice as quickly as possible; normally no later than two hours after the beginning of their scheduled work shift.~~
  - iii. ~~Exceptions: PCA employees whose work is deemed essential are designated "emergency employees" and are generally expected to report to work, even when a liberal leave policy is announced.~~
- g. ~~PCA follows the federal definition of liberal leave.~~

### III. Responsibility:

- a. ~~The Board reserves the right to require any employee claiming sick leave, provide sufficient proof, including a physician's certification of the employee's illness or disability. The Board shall consider the application of any eligible employee for an extension of sick leave, pursuant to law where applicable, when the employees own accumulated sick leave is exhausted.~~
- b. The Head of School or designee is responsible for maintaining accurate records regarding employee leave.
- c. Employees are responsible for adhering to all applicable aspects of this policy.

### IV. Related Policies:

- a. Vacation Policy for 12 Month Employees

### V. Related Procedures and Documents:

- a. Title 14 Chapter 13 Section 1318:  
[delcode.delaware.gov/title14/c013/index.shtml#1318](http://delcode.delaware.gov/title14/c013/index.shtml#1318)

### Approval and Revision Dates:

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Policy changes relating to formatting have not been notated. All policy changes will become effective August 1<sup>st</sup>, 2024. Any leave requests approved before this date will be grandfathered in with the previous policy.

APPROVED BY THE BOARD OF DIRECTORS

