

1219: Sick Leave Policy for 11 Month Employees

I. Purpose:

- a. 11-Month full-time employees of Providence Creek Academy (“PCA”) will be awarded eleven (11) sick days with full pay per fiscal year (which will run from July 1 – June 30 annually) in accordance with applicable laws, rules, and regulations, including 14 *Del. C.* § 1318. This Policy covers full-time staff contracted to work 207 days per fiscal year.

II. Policy Statement:

a. Eligibility:

- i. Sick leave may be used for an employee’s own illness (whether physical or mental), injury, temporary disability, or receipt of medical treatment (including preventative care) or in connection with the serious illness of a member of the employee’s immediate family that requires the employee’s personal attention.
- ii. An employee who needs sick leave shall inform PCA of the fact and reason in advance, when possible, or otherwise before the expiration of the first hour of absence or as soon thereafter as practicable. A sick day begins when an employee reports that they will be absent from work.
- iii. An absence will be not be considered a sick leave day if an employee has prepared for/engaged in gainful employment other than for PCA or has participated in any activity inconsistent with the employee’s claim of need for sick leave. Fraudulent use of sick leave is a violation of PCA policy and may result in discipline.

b.

c. Process:

- i. PCA’s Head of School or their designee may grant requests for unpaid sick leave, in their sole discretion, beyond what is covered by applicable state and federal laws, rules, and regulations on a case-by-case basis. Unpaid sick leave days will be deducted from an employee’s annual salary based on the daily per diem set forth in 14 *Del. C.* §§ 1301, *et seq.*
- ii. Any employee who has unexcused absences in excess of the number of sick leave days accumulated as set forth herein (i.e., an employee who is in deduct) may be placed on an improvement plan in PCA’s sole discretion. This provision does not apply to employees whose absences are excused under applicable state or federal laws, rules, and regulations or other PCA policies.
- iii. Prior approval for future sick leave days will be rescinded by PCA if an employee enters deduct prior to the date of such future leave.

d. Records:

- i. PCA'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 applicable laws, rules, and regulations.
- ii. A doctor's certificate or a written statement signed by the employee setting forth the reason for an absence may be required by PCA in connection with any request for, or attempted use of, sick leave, in its sole discretion. Employees will always be required to submit the aforementioned documentation where:
 1. The employee requests sick leave, but has exceeded the number of sick leave days accumulated in accordance with this Policy; or
 2. The employee is absent for three (3) or more contracted days consecutively.

Any information PCA receives supporting an employee's use of sick leave will be kept confidential and not disclosed to anyone without the employee's written permission or as required by applicable laws, rules, and regulations.

- 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 with all applicable laws, rules, and regulations, upon approval.
- v. Employees will be paid for accumulated sick leave earned upon retirement in accordance with applicable laws, rules, and regulations.

e. Personal Leave:

- i. In accordance with 14 *Del. C.* §§ 1301, *et seq.*, employees are eligible to use up five (5) of their sick leave days for personal leave each fiscal year.
- ii. To ensure continuity of educational services and PCA's operations, PCA will not approve more than two (2) 11-month employees for personal leave on the same day. Personal leave days will generally be approved on a first come, first serve basis, in PCA's sole discretion.
- iii. To ensure the effective operation of PCA, personal leave will not be permitted or approved for applicable employees under this Policy for the following days:
 1. First student day
 2. Last student day
 3. Field day
 4. Meet and Greet
 5. Parent conferences (instructional staff)

- a. Instructional staff are required to complete 22.5 hours of conferences and/or professional development approved by their supervisor
- 6. State testing
 - a. Personal leave may only be approved for the following employees if the leave is approved prior to March 1st or 60 days before the first day of testing should state testing be moved to a month other than May:
 - i. An employee who is in a state testing grade including special education teachers working in the impacted grade;
 - ii. An employee facilitating state testing; or
 - iii. An employee who is supervising those in a state testing grade or those who facilitate it

III. Responsibility:

- a. The Head of School or their designee is responsible for maintaining accurate records regarding employee leave.
- b. Employees are responsible for adhering to all applicable aspects of this Policy.

IV. Related Policies:

- a. [Vacation Policy for 11 Month Employees](#)

V. Related Procedures and Documents:

- a. Title 14 Chapter 13 Section 1318:
delcode.delaware.gov/title14/c013/index.shtml#1318
- b. Title 14 Chapter 13 Section 1320:
<https://delcode.delaware.gov/title14/c013/index.shtml#1320>

Approval and Revision Dates:

APPROVED BY THE BOARD OF DIRECTORS JULY 28, 2020

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

APPROVED BY THE BOARD OF DIRECTORS JULY 29, 2024