

Educational Support Personnel

5:330 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.

Sick and Bereavement Leave

Full or part-time educational support personnel who work at least 600 hours per year receive 12 paid sick leave days per year. Part-time employees will receive sick leave pay equivalent to their regular workday. Unused sick leave shall accumulate to a maximum of 180 days, including the leave of the current year. This policy is the District's written plan allowing eligible employees to convert eligible accumulated sick leave to service credit upon a District employee's retirement under the Ill. Municipal Retirement Fund.

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 or designee shall monitor the use of sick leave.

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

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

Newly hired full-time 12-month employees who started their employment on July 1 or after of a fiscal year will be awarded one vacation day for each month they work, with a maximum of 5 days per 6-month period or 10 days per 12-month period, through June 30 of the first fiscal year of employment. Employees may only utilize days that have accumulated and may not borrow days from future months during the first fiscal year of employment.

Full-time, 12-month employees shall be eligible for vacation as follows:

Beyond the first full or partial fiscal year of employment, vacation days are awarded as follows:

| | |
|---------------------|---------|
| 2nd-4th Years | 10 Days |
| 5th-9th Years | 15 Days |
| 10 Years | 20 Days |
| 11 Years | 21 Days |
| 12 Years | 22 Days |
| 13 Years | 23 Days |
| 14 Years | 24 Days |
| 15 Years and beyond | 25 Days |

The Fiscal Year runs July 1 through June 30 each year. Vacation time earned in one fiscal year shall be used by December 31 of the next fiscal year or the employee shall lose it.

Requests for vacation shall be submitted to the administrator to whom the employee is responsible and must be approved by the Superintendent. Every effort shall be made to meet the desires of the employee and the needs of the school system in establishing vacation dates. The Superintendent or his designee shall keep a record of vacations earned and the dates taken.

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 Year's Eve | Labor Day |
| New Year's Day | Columbus Day |
| Martin Luther King Jr.'s Birthday | Veterans Day |
| Presidents' Day | 2022 Election Day |
| Casimir Pulaski's Birthday | Thanksgiving Day |
| Local School Holiday | Day Before Thanksgiving |
| Memorial Day | Day After Thanksgiving |
| Juneteenth National Freedom Day | Christmas Eve |
| Independence Day | Christmas Day |

Should the District be in session or an employee be scheduled (with Supervisor approval) to work on any of the above noted days, an employee may utilize discretionary days in replacement of the expected holiday.

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

Full-time educational support personnel have five paid personal leave day per year. The use of personal days are subject to immediate supervisor's approval:

1. Except in cases of emergency or unavoidable situations, a personal leave request should be submitted three (3) days before the requested date.
2. Personal leave may not be used in increments of less than one-half day.
3. Personal leave is subject to any necessary replacement's availability.
4. Personal leave may not be used when the employee's absence would create an undue hardship.

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 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. Family Bereavement Leave.
6. Leave to serve as an election judge.
7. COVID-19 Paid Administrative Leave.

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).

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

Adopted: January 24, 2023

Cass School District 63