

### **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.

#### **Sick and Bereavement Leave**

Full or part-time educational support personnel who work at least 600 hours per year receive 10 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.

Sick leave is defined in State law as personal illness, 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 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 to practice medicine and surgery in all its branches, (2) a chiropractic physician licensed under the Medical Practice Act, (3) a licensed advanced practice registered nurse, (4) a licensed physician assistant who has been delegated the authority to perform health examinations by his or her supervising physician, or (5) 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 3 days for personal illness, the District 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 and/or designee may require that the employee provide evidence that the formal adoption or foster care process is underway.

A maximum of three (3) **bereavement days** per year shall be allowed on account of death of an immediate family member. Bereavement must be taken in either half-day or full-day increments. Bereavement leave will not be counted against an educational support staff member's sick leave accumulation. Unused bereavement leave days shall not carry over from one year to the next.

**Vacation**

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

<b>Years of Continual Service</b>	<b>Monthly Accrual Rate</b>	<b>Equivalent Days</b>
0 – 5	1 day	12 days
6 – 15	1.5 days	18 days
16 plus	2 days	24 days

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.

**ISBE Legal School Holidays**

The following is a listing of ALL Legal holidays listed in 105 ILCS 5/24-2(a), (e), amended by P.A.s 101-642, 102-14, 102-15 and 102-334; 10 ILCS 5/2A-1.1c, added by P.A. 102-15 and scheduled to be repealed on 1-1-23:

New Year's Day Martin Luther King Jr.'s Birthday Abraham Lincoln's Birthday (President's Day) Casimir Pulaski's Birthday Memorial Day	Juneteenth National Freedom Day Independence Day Labor Day Columbus Day/ Indigenous Peoples Day	Veterans Day 2022 Election Day Thanksgiving Day Christmas Day
---	---	--

Pursuant to waiver modification allowed by School Code (105 ILCS 5/24-2(b)/see 2-20-E *Waiver and Modification Request Resource Guide*), District employees will not be required to work on the following holidays:)

New Year's Day Martin Luther King Jr's Birthday President's Day Memorial Day Juneteenth National Freedom Day Independence Day	Labor Day Columbus Day/Indigenous Peoples Day 2022 Election Day Thanksgiving Day Christmas Day
--	--

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 two paid personal days per year. The use of a personal day is subject to the following conditions:

1. Except in cases of emergency or unavoidable situations, a personal leave request should be submitted three days in advance of the requested date.
2. No personal leave days 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 or designee grants prior approval.
3. Personal leave days may not be used in increments of less than one-half day.
4. Personal leave days are subject to any necessary replacement's availability.
5. Personal leave days may not be used on an in-service training day and/or institute training days.
6. Personal leave days 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 105 ILCS 5/24-6.3.

### **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. Leaves for Service in the Military.
2. Leaves 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 Bereavement Leave.
6. Leave to Serve as an Election Judge.

LEGAL REF: 105 ILCS 5/10-20.7b, 5/24-2, and 5/24-6.  
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 (1<sup>st</sup> Dist. 1987);  
Elder v. Sch. Dist. No. 127 ½, 60 Ill. App. 2d 56 (1<sup>st</sup> Dist. 1965).

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

Revised: November 8, 2010  
Adopted: November 22, 2010  
Revised: March 10, 2014  
Adopted: April 14, 2014  
Revised: December 14, 2015  
Adopted: January 11, 2016  
Revised: February 13, 2017  
Adopted: February 27, 2017  
Revised: November 27, 2017  
Adopted: December 11, 2017  
Reviewed: November 11, 2019  
Approved: December 9, 2019  
Reviewed: March 16, 2020  
Approved: April 6, 2020  
Reviewed: October 26, 2020  
Approved: November 16, 2020  
Reviewed: January 10, 2022  
Approved: January 24, 2022