

PERSONNEL: Professional

Absences, Leaves, Vacations and Holidays: Short-term Leaves

1. Family Illness

The employee is required to submit, to the appropriate administrator, the appropriate form or letter, stating the exact relationship of the ill relative, the nature of the illness, and the necessity for assisting the ill member of the family. If it is known that the employee will be absent for ten (10) or more days, the employee will be directed by the administrator to complete an application for leave under the Family Medical Leave Act of 1993 (FMLA) and submit it to Human Resources. Family illness leave is a subset of an employee's sick leave and will be reviewed as part of the employee attendance monitoring program if the use of family illness is not designated and applied to FMLA.

2. Sick Leave-Accumulation and Use

- a. A regular part-time employee shall accrue sick leave proportionately as it relates to a full-time assignment

Sick leave is a benefit provided to employees to protect against the loss of income in the event of absence due to illness or non-work related injury.

The appropriate use of sick leave is essential to meeting or exceeding the established employee attendance standard (EAS) approved by the Superintendent. Regular attendance at work has a profound and positive effect on student achievement, on the maintenance of a safe and orderly learning environment and on the effective and efficient operation of the school system. The Employee Attendance Monitoring Program supports the employee attendance standard and provides procedures for the monitoring of absences which are reported as being due to personal or family illness.

- b. Using the procedures in the Employee Attendance Monitoring Program

The appropriate administrator will review the employee's use of sick leave. The administrator will discuss the review with the employee and shall provide the employee with a written notice of the review. Under the standards in the Employee Attendance Monitoring Program if the absences

continue, the administrator will require the employee to submit written certification by a physician confirming the necessity for absences due to illness. The Superintendent or the Superintendent's designee may also require the employee to have an independent medical examination. If undocumented or excessive absences continue, appropriate disciplinary action, up to and including termination, will be taken.

- c. An employee who is absent due to injury or illness for ten consecutive days will be reported on the appropriate form to the Integrated Disability Management Program. The employee is required to submit, to the Integrated Disability Management Program, a disability slip or letter by an appropriate healthcare provider documenting the reason for absence including the diagnosis, the expected length of absence and a return to work date. The Board of Education reserves the right to designate the use of paid sick leave that meets the requirements of the Family Medical Leave Act (FMLA) as FMLA leave and will be applied to the 12 weeks of FMLA leave for eligible employees during a one-year period.
- d. Failure to submit the required documentation may result in the discontinuation of sick leave benefits. Benefits will be reinstated once the documentation is received and reviewed by the Integrated Disability Management Program.
- e. When appropriate documentation is received, it may be determined that additional contact or referral to Medical Case Management is necessary. The Integrated Disability Management Program will obtain consent for the release of additional medical information and may require appropriate medical evaluations to be conducted by a Board-approved healthcare provider. All medical information will be maintained in accordance with applicable federal, state, or local laws and regulations.
- f. A medical release to return to work is required from an appropriate healthcare provider before an employee may return to work and needs to be sent to the Integrated Disability Management Program.
- g. A "Transitional Duty" Program which meets the employee's documented medical restrictions is offered to employees whenever possible. An appropriate healthcare provider must document all medical restrictions. Transitional duty is a temporary assignment for less than three months except in the case when medical case management has recommended that transitional duty be continued. Transitional duty is not available to

employees who have reached maximum medical improvement or for whom reasonable assurance has been received from an appropriate healthcare provider that the employee will not be able to return to his/her current position. Transitional duty will be coordinated and monitored by the Integrated Disability Management Program in cooperation with site-based personnel.

- h. An employee may not use sick leave to postpone a disability retirement consistent with the requirements of sick leave bank outlined in the Master Agreements. Sick leave benefits will terminate if conditions are met for approval of disability retirement and a physician has given reasonable assurance that the employee will not be able to return to his/her current position.
- i. An employee who has received approval for a medical retirement from the Maryland State Retirement and Pension System, or been approved for disability benefits by the Social Security Administration or other disability plan, will have sick leave benefits terminated and consistent with the following sick leave bank procedures:
 - If the decision of the Medical Review Board is received by the BCPS Retirement Coordinator from the 1st through the 20th of the month, sick leave will terminate on the last day of that month.
 - If the decision of the Medical Review Board is received by the BCPS Retirement Coordinator from the 21st through the last day of the month, sick leave will terminate on the last day of the following month.

Procedures to separate the employee from the Board of Education will be carried out by the Department of Human Resources and will be initiated on the date benefits are terminated.

- j. Employees in the Integrated Disability Management Program or using sick leave bank at the end of the school year will be sent a letter concerning their intention to return for the upcoming school year. The Integrated Disability Management Program personnel will send the letter.
- k. The procedures for the management of sick leave usage carried out by the Integrated Disability Management Program will be incorporated into

training programs for administrative, supervisory and other appropriate personnel.

- l. Consistent with sick leave bank procedures, in no case will the granting of sick leave benefits cause an employee to receive more than his or her annual salary.

- m. When an employee is granted an extended formal sick leave of absence, without pay, the accumulated sick leave days may either be utilized prior to the granting of this leave or may be retained for future use after the employee has returned to duty. The Board of Education reserves the right to designate paid and unpaid leaves which meet the requirements of the Family Medical Leave Act (FMLA) as FMLA leave and will be applied to the 12 weeks of FMLA leave for eligible employees within a one-year period. The designation of FMLA leave will be the responsibility of the Department of Human Resources.

Rule

Superintendent of Schools

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