



Code: **GCBD/GDBD**  
Adopted: 1/04/07  
Readopted: 10/14/10  
Orig. Code(s): GDBD/GDBD

## **Sick Leaves and Absences**

### **Sick Leave**

Leave entitlement for personal illness or injury will accrue at the rate of one day for each month worked with a minimum of 10 days per year as provided by Oregon Revised Statutes.

In accordance with state law, this leave will accumulate without limit.

The accumulation of sick leave to all 12-month administrators is 12 days per year. For administrators working 236 days per year, the accumulation shall be 11 days per year.

The district reserves the right after an absence of more than five or more consecutive working days, to require proof of personal illness or injury from all employees. In addition, the district may require a medical examination by a physician chosen and paid for by the district. Any employee refusing to submit to such an examination or to provide other evidence as required by the district shall be subject to appropriate disciplinary action, up to and including dismissal.

All medical information will be kept confidential, in a separate file from personnel records, and released only in accordance with the requirements of the Americans with Disabilities Act or other applicable law.

Other paid and unpaid leaves will be governed by the district's negotiated agreements and/or board policy and administrative regulations as applicable.

Sickness or other unavoidable circumstances which prevent a teacher from teaching 20 school days immediately following exhaustion of sick leave accumulated under Oregon law will result in the teacher being placed on unpaid leave for the remainder of the school year or until the teacher's disability is removed and he/she is able to return to work. If the teacher is unable to return to work the following August 1 the board may terminate the teacher's employment, subject to state and federal laws regarding family illness leave.

Upon retirement, the unused portion of accumulated sick leave may be applied to the individual's retirement formula computation in accordance with ORS 238.350.

### **Military Leave**

The district shall follow all procedures required in State and federal law regarding the granting of military leave and any resulting need to consider reemployment.

Increment credit may be allowed on the salary schedule, up to two years maximum, for those employees who are granted military leave from the district. No credit will be granted for service less than 181 days.

## **Jury Duty**

An employee's call to jury duty shall be considered paid leave. Any remuneration to the employee from the court which goes beyond costs incurred (i.e., travel, parking, meals, etc.) shall be forwarded to the district.

The district may request that the court reset an employee's jury time to a time that fits the special needs of the district or its students.

## **Family Medical Leave**

The district will comply with all provisions of the Family and Medical Leave Act of 1993 the Oregon Family Leave Act of 1995, the Military Family Leave Act as part of the National Defense Authorization Acts of 2008 and for Fiscal Year 2010 (which expanded certain leave to military families and veterans for specific circumstances), Oregon Military Family Leave Act of 2009 and other applicable provisions of state leave laws, board policies and labor agreements regarding family medical leave.

In order for an employee to be eligible for the benefits under federal law, he/she must have been employed by the district for the previous 12 months and have worked at least 1250 hours during the past 12 month period.

In order to be eligible under state law, an employee must work an average of 25 hours per week and have been employed at least 180 days prior to the first day of the family medical leave of absence. For parental leave purposes, however, an employee becomes eligible upon completing at least 180 days immediately preceding the date on which the parental leave begins. There is no minimum average number of hours worked per week when determining employee eligibility for parental leave.

Federal and state leave entitlements generally run concurrently.

The superintendent will develop administrative regulations as necessary for the implementation of the provision of both federal and state law.

## **Other Leave**

Any other categories of leave not mentioned in this policy shall be governed by appropriate law, administrative regulation or negotiated agreement.

END OF POLICY

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**Legal Reference(s):**

[ORS 332.507](#)

[ORS 342.545](#)

[ORS 342.610](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).

Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601-2654 (2006); Family and Medical Leave Act of 1993, 29 C.F.R. Part 825 (2006).

National Defense Authorization Act of 2008, Public Law 110-181, Section 585(a).

National Defense Authorization Act for Fiscal Year 2010, Public Law 111-84, Section 565.