

## **Leaves and Absences – Sick Leave**

Leave entitlement for personal illness or injury will accrue at the rate of ten days each year as provided by Oregon Revised Statutes. Twelve-month employees will accrue one day per month or 12 days each year.

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

The district reserves the right, after an absence of more than five consecutive days, to require proof of personal illness or injury from all employees, including 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.

Other paid and unpaid leaves will be determined by the district's negotiated agreements.

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.

With the exception of circumstances covered by ADA and/or FMLA, employees are expected to be absent no more than an average of one day per month. Excessive absences that exceed this average could lead to disciplinary action, up to and including dismissal, and/or placement on a Program of Assistance for Improvement.

For absences beyond accumulated sick leave, the employee will be charged one day of salary for each day so missed; and the deduction will be made by the district clerk from the employee's salary in the next regular pay period.

The board reserves the right to waive the deductions in cases involving terminal illness, debilitating illness or injury. It is the practice of the board to grant no more than 50 days of waivers at any one time. Waivers will only be available in those cases where employees voluntarily transfer unused sick leave days to a sick leave bank for the benefit of a fellow employee who has requested and been granted permission by the board to participate in a sick leave bank established solely for the employee's benefit. Only employees with 12 or more unused sick leave days may contribute to a sick leave bank. No employee may contribute

more than 2 days to any single 50 days or less sick leave bank. The board may at its sole discretion terminate a sick leave bank at any time if deemed in the best interest of the public.

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).