

Professional Personnel – Vacation, Holidays, and Leaves of Absence

This policy applies to all professional personnel (e.g. employees with a Professional Educator License (“PEL”)) to the extent 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 collective bargaining agreement or individual agreement will control.

Professional Non-Administrative Personnel

All professional personnel represented by the Unit Five Education Association-IEA/NEA (the “Association”) shall be entitled to the leaves provided in the Negotiated Contract between the Association and the Board and the holidays and, if eligible, leaves listed below under heading “All Professional Personnel”.

Professional Administrative Personnel

Vacation

Professional administrative personnel shall be entitled to the vacation, if applicable, provided in their individual employment contracts.

Leaves

All professional administrative personnel shall be entitled to the following leaves:

Personal Leave

All professional administrative personnel are granted two (2) days annually for personal leave. Personal leave may be taken in full or half-day increments. Unused personal days may accumulate up to a total of four (4) personal days. Any additional unused personal days will not roll over into sick or vacation days.

Sick Leave

Each full-time 9 ½-month or 10-month professional administrative employee is granted 14 paid sick leave days per school year which shall entitle the employee to be absent for reasons as defined below without loss of pay. Each full-time 11-month professional administrative employee is granted 15 paid sick leave days per school year which shall entitle the employee to be absent for reasons as defined below without loss of pay. Each full-time 12-month professional administrative employee is granted 16 paid sick leave days per school year which shall entitle the employee to be absent for reasons as defined below without loss of pay. Each full-time professional administrative employee who has completed at least 10 years of consecutive full-time employment with the District shall receive two additional sick leave days per year. Unused sick leave days shall accumulate and may be used as needed up to the accumulated amount.

Sick leave is defined in State law as personal illness, mental or behavioral health complications, quarantine at home, or 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 immediate family shall include parents, legal guardians, children, spouse, partner in a civil union, brothers, sisters, grandparents, great grandparents, grandchildren, parents-in-law, daughters-in-law, sons-in-law, brothers-in-law, sisters-in-law, grandparents-in-law, great-grandparents-in-law, aunts, uncles, and all step relatives in the aforementioned relationships.

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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 employee provide a certificate from: (1) a physician licensed in Illinois to practice medicine and surgery in all its branches, (2) a mental health professional licensed in Illinois providing ongoing care or treatment to the staff member, (3) a chiropractic physician licensed under the Medical Practice Act, (4) a licensed advanced practice registered nurse, (5) a licensed physician assistant who has been delegated the authority to perform health examinations by their supervising physician, or (6) 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 as a basis for pay during a leave of less than three days for personal illness, the District shall pay the expenses incurred by the employee in obtaining the certificate (e.g. if the employee has already seen a medical provider listed above, the Board will not be required to pay for the services provided to the employee solely by requesting a certificate).

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 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, 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.

Medical Leave

Each full-time 9 ½-month or 10-month professional administrative employee is granted 12 days unpaid medical leave annually. Each full-time 11-month professional administrative employee is granted 13 days unpaid medical leave annually. Each full-time 12-month professional administrative employee is granted 14 days unpaid medical leave annually.

Unused days of medical leave shall accumulate up to a maximum of 132 days for 9 ½-month and 10-month professional administrative employees, 144 days for 11-month professional administrative employees, and 156 days for 12-month professional administrative employees.

Medical leave may only be used for personal illness and only after accumulated sick leave has been exhausted.

As proof of illness or fitness to resume duties after any absence, the Board may require a certificate from a physician licensed in Illinois to practice medicine and surgery in all its branches.

Use of allotted medical leave days in a 12-month professional administrative employee's contract year will not affect the vacation days to which the employee would otherwise be entitled.

During a leave for personal illness in any employee's contract year, the medical leave days the employee would otherwise be entitled to for that year will not be affected.

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During that period of time an employee is utilizing medical leave benefits, the Board will maintain the health insurance coverage for the employee, if allowable by the insurer.

Leave for Personal Illness

The decision to grant a leave for personal illness for any length of time shall only be made by the Board.

Leave for personal illness may only be used at such time as accumulated sick leave and accumulated medical leave has been exhausted.

Requests for leave for personal illness should be made of the Board prior to such time as accumulated medical leave has been exhausted and accompanied by a doctor's certificate as proof of disability.

When granted a leave for personal illness, the Board will maintain the health insurance coverage for an employee through the month following the date of the beginning of such leave and/or according to provisions set forth in the Family and Medical Leave Act of 1993. Coverage beyond the Board's contribution will be an option of the employee by remitting the premium on a monthly basis; however, the last day of coverage will not be extended beyond the last day the employee is considered employed by the District unless the employee is eligible for coverage as a retiree.

Leave for personal illness is terminated on the last day of an employee's contract year.

Permission Absence

"Permission absence" is a term denoting an excused absence from job duties, with pay. It is not a right, but a privilege. A professional administrative employee may request an excused absence be granted by the Superintendent or designee on rare occasions for significant lifetime events or for other reasons. The circumstances may differ with each case and the length of time granted for a permission absence may vary.

Bereavement Leave

A bereavement leave will be granted to allow a professional administrative employee to be absent for up to three days to deal with funeral matters of the immediate family as defined in this policy. These days will not be charged against the employee's sick leave allotment. In addition, employees may use paid sick leave for death in the immediate family or household and, if eligible, unpaid Family Bereavement Leave or Child Extended Bereavement Leave listed below under heading "All Professional Personnel".

Emergency Leave

Professional administrative personnel may request up to fifteen (15) days of paid emergency leave to accommodate extreme situations when other paid leaves do not apply and all other paid leaves have been exhausted. A member must give a reason for the request, and such leave will be approved or denied by the Superintendent or designee.

Professional Leave

Professional administrative personnel may request professional leave day(s) for professional development activities. The employee shall request professional leave in writing at least one (1)

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week prior to the day of the requested absence. The Superintendent or designee will approve or deny such requests.

Family Hardship Leave

The Board may grant a professional administrative employee a family hardship leave of absence without pay for a specific period of time up to six months. In no instance shall this leave be granted unless the Board determines that a suitable replacement can be hired.

1. The employee shall not be eligible for sick leave pay during the period of a family hardship leave, nor will the employee be eligible for family hardship leave if the employee has applied for or used sick leave, medical leave and/or personal illness leave in reference to the reason the family hardship leave is being requested.
2. All benefits available to the employee shall be suspended during a family hardship leave. The employee may maintain membership in the group health insurance program during the leave, according to provisions of the Family and Medical Leave Act of 1993. The employee may maintain the group health insurance after the benefit from FMLA has expired by remitting in advance payments of all premiums due. These payments shall be made to the District Office.
3. Professional administrative employees will retain their tenure status during a family hardship leave of absence.
4. An employee on leave for a full school year shall not receive a salary increase while on leave.

At the expiration of the leave period, the employee will be placed in an administrative or non-administrative position for which the employee is qualified.

All Professional Personnel

Holidays

Except as provided in Board Policy 6.20, all professional personnel, whether represented by the Association or administrative personnel, will not be required to work on the legal school holidays listed in Board Policy 6.20 School Year Calendar and Day.

Leaves

In addition to the leaves provided above, all professional personnel, whether represented by the Association or administrative personnel, shall be entitled to the following leaves:

Family and Medical Leave

An eligible employee may use unpaid family and medical leave (FMLA leave), guaranteed by the federal Family and Medical Leave Act as provided in Board policy 5.185, *Family and Medical Leave*.

Family Neonatal Intensive Care Leave

An unpaid leave from work is available to any staff member whose child is a patient in a neonatal intensive care unit (NICU) in accordance with the requirements of the Family Neonatal Intensive Care Leave Act. An employee is entitled to a total of 20 days of unpaid leave while a child of the

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employee is a patient in a NICU. The District may require reasonable verification of the employee's child's length of stay in a NICU.

Family Bereavement Leave

State law allows a maximum of 10 unpaid work days for eligible employees (Family and Medical Leave Act of 1993, 20 U.S.C. §2601 et seq.) to take family bereavement leave. The purpose, requirements, scheduling, and all other terms of the leave are governed by the Family Bereavement Leave Act. Family bereavement leave allows for: (1) attendance by the bereaved employee at the funeral or alternative to a funeral of a covered family member, which includes an employee's child, stepchild, spouse, domestic partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent, (2) making arrangements necessitated by the death of the covered family member, or (3) grieving the death of the covered family member, or (4) absence from work due to a (i) miscarriage, (ii) an unsuccessful round of intrauterine insemination or of an assisted reproductive technology procedure, (iii) a failed adoption match or an adoption that is not finalized because it is contested by another party, (iv) a failed surrogacy agreement, (v) a diagnosis that negatively impacts pregnancy or fertility, or (vi) a still birth, without any adverse employment action.

The family bereavement leave must be completed within 60 days after the date on which the employee received notice of the death of the covered family member or the date on which an event under item (4) above occurs. However, in the event of the death of more than one covered family member in a 12-month period, an employee is entitled to up to a total of six weeks of bereavement leave during the 12-month period, subject to certain restrictions under State and federal law. Other existing forms of leave may be substituted for the leave provided in the Family Bereavement Leave Act. This policy does not create any right for an employee to take family bereavement leave that is inconsistent with the Family Bereavement Leave Act.

Child Extended Bereavement Leave

Unpaid leave from work is available to employees who experience the loss of a child by suicide or homicide. The Child Extended Bereavement Leave Act governs the duration, scheduling, continuity of benefits, and all other terms of the leave. Accordingly, since the District employs 250 or more employees on a full-time basis, an employee is entitled to a total of 12 weeks of unpaid leave within one year after the employee notifies the District of the loss. An employee may elect to substitute other forms of leave to which the employee is entitled for the leave provided under the Child Extended Bereavement Leave Act.

Military Leave

The District will comply with the Uniformed Services Employment and Reemployment Rights Act ("USERRA"), the Illinois Service Member Employment and Reemployment Rights Act ("ISERRA"), 330 ILCS 61/1-1 et seq., and Section 10-20.7b of the Illinois School Code (105 ILCS 5/10-20.7b), as amended from time to time.

A professional employee who is a "service member" as defined in ISERRA, is entitled to military leave while performing "active service".

During such leaves, the employee's seniority, tenure track, and other benefits shall continue to accrue. An employee who is absent on military leave shall, minimally, for the period of military leave, be credited with the average of the performance ratings or evaluations received for the three years immediately before the absence for military leave. Additionally, the rating shall not be less than the rating that he or she received for the rated period immediately prior to his or her absence

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on military leave. The contractual continued service status of a teacher or other professional employee shall not be affected because of absence while in the military service of the United States.

During periods of military leave for annual training, the employee shall continue to receive full compensation (i.e. concurrent compensation) for up to 30 days per calendar year.

During periods of military leave for active service, the employee shall receive differential compensation subject to the following:

1. Differential compensation for voluntary active service is limited to 60 work days in a calendar year.
2. Differential compensation shall not be paid for active service without pay.

Employees who have exhausted concurrent compensation for annual training in a calendar year shall receive differential compensation when authorized in the same calendar year.

School Visitation Leave

An eligible professional employee is entitled to eight hours during any school year, no more than four hours of which may be taken on any given day, to attend school conferences, behavioral meetings, or academic meetings related to the employee's child, if the conference or meeting cannot be scheduled during non-work hours. Professional employees must first use all accrued vacation leave, personal leave, and any other leave that may be granted to the professional employee, except sick and disability leave.

The Superintendent shall develop administrative procedures implementing this policy consistent with the School Visitation Rights Act.

Leave to Serve as an Election Judge

Any professional employee who has been appointed to serve as an election judge under State law may, after giving at least 20-days' written notice to the District, be absent without pay for the purpose of serving as an election judge. The employee is not required to use any form of paid leave to serve as an election judge. No more than 10% of the District's employees may be absent to serve as election judges on the same Election Day.

General Assembly Leave

Leaves for service in the General Assembly, as well as re-employment rights, will be granted in accordance with State and federal law. A professional employee hired to replace one in the General Assembly does not acquire tenure.

Leaves for Victims of Domestic Violence, Sexual Violence, Gender Violence, or Other Crime of Violence

An unpaid leave from work is available to any employee who: (1) is a victim of domestic violence, sexual violence, gender violence, or any other crime of violence, or (2) has a family or household member who is a victim of such violence whose interests are not adverse to the employee as it relates to the domestic violence, sexual violence, gender violence, or any other crime of violence. The unpaid leave allows the employee to seek medical help, legal assistance, counseling, safety planning, and other assistance, and to grieve and attend to matters necessitated by the death of a family or household member who is killed in a crime of violence, without suffering adverse employment action.

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The Victims' Economic Security and Safety Act (VESSA) governs the purpose, requirements, scheduling, and continuity of benefits, and all other terms of the leave. Accordingly, since the District employs at least 50 employees, and subject to any exceptions in VESSA, an employee is entitled to a total of 12 work weeks of unpaid leave during any 12-month period. Neither the law nor this policy creates a right for an employee to take unpaid leave that exceeds the unpaid leave time allowed under, or is in addition to the unpaid leave time permitted by, the federal Family and Medical Leave Act of 1993 (29 U.S.C. §2601 et seq.).

Leave Without Pay

The Board recognizes that a leave without pay is sometimes necessary due to circumstances beyond an individual's control. Therefore, requests for absences from work beyond an individual's control and that do not fall under any other leave policy may be granted by the building administrator or a District Office administrator without pay on a day for day basis. A leave without pay shall not be granted for vacation. Personnel assigned to a specific building or homebased at a specific building shall submit their request to the building administrator. Other personnel shall submit their request to the District Office administrator responsible for their performance.

Unless circumstances warrant, leave without pay shall not be granted immediately prior to or immediately following holidays or vacations.

Employees who are granted a leave without pay shall have their pay reduced at a per diem rate based on the number of days paid in the current contract year.

Leave to Serve as an Officer, Trustee or Representative of a Specific Organization

The Board provides for Association Leave in the Negotiated Contract with the Association. In addition, upon request, the Board will grant: (1) an unpaid leave of absence to an elected officer of a State or national teacher organization that represents teachers in collective bargaining negotiations, and (2) up to ~~twenty~~ 20 days of paid leave of absence per year to a trustee of the Teachers' Retirement System in accordance with 105 ILCS 5/24-6.3, (3) up to 10 days of paid leave per school term for teachers elected to represent a statewide teacher association in federal advocacy work in accordance with 105 ILCS 5/24-3.5.

COVID-19 Paid Administrative Leave

When applicable, paid administrative leave related to COVID-19 will be granted to eligible employees in accordance with State law.

Injury During Performance of Duties

An employee injured during the performance of duties shall be entitled to a maximum of three consecutive days absence with pay provided a licensed physician certifies the employee is unable to perform the duties of the position. If after three days the employee is still unable to perform the duties of the position, accumulated sick leave may be used. A licensed physician must certify at the end of each pay period that the employee is unable to perform the duties of the position. The employee, in addition, shall be entitled to benefits pursuant to the Worker's Compensation Act but in no event shall the employee receive more than a regular day's pay. Sick leave pay shall be utilized, if needed, to supplement worker's compensation benefits so as to ensure a regular day's pay.

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LEGAL REF.: 105 ILCS 5/10-20.83, 5/24-6, 5/24-6.1, 5/24-6.2, 5/24-6.3, 5/24-13, and 5/24-13.1.
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/, Family Bereavement Leave Act.
820 ILCS 156/, Child Extended Bereavement Leave Act.
820 ILCS 157/, Family Neonatal Intensive Care Leave Act.
820 ILCS 180/, Victims' Economic Security and Safety Act.

CROSS REF.: 5.180 (Temporary Illness or Temporary Incapacity), 5.185 (Family and Medical Leave), 5.330 (Vacation, Holidays, and Leaves)