

PERSONAL ILLNESS AND INJURY/HEALTH AND HARDSHIP

**Certificated Staff**

In accordance with title 18:13-23.8, all teachers shall be entitled to sick leave with full pay for ten school days in any school year. If any teacher required in any school year less than this specified number of days of sick leave with pay allowed, all days of such sick leave not used that year shall be accumulative to be used for additional sick leave as needed in subsequent years.

When absence due to sickness exceeds the accumulated sick leave, a day's salary is to be defined as 1/200th of the annual salary (18:13-23.11). Thereafter the teacher shall receive no further pay until he or she resumes employment.

The board of education will be prepared to give special consideration to exceptional cases involving extreme hardship.

In case of sick leave claimed, the board of education may require a physician's certificate to be filed with the secretary of the board of education per 18:13-23.9.

The board will consider requests for extension of sick leave benefits on a case-by-case basis.

The Chief School Administrator must submit any contract or calendar changes to the Board for approval.

**Support Staff**

This policy applies to the school aides, school secretaries and custodians who are employed as full-time employees for either ten or twelve months.

- A. Absence Due to Personal Illness:
1. Sick leave is defined as absence from duty because of personal disability due to illness or injury, or because of exclusion from school by the medical authorities on account of contagious disease or being quarantined for such a disease in the immediate household. Any absence for three or more days must include a note from a physician.
  2. Ten-month employees;  
In case of absence from school on account of personal illness, ten month employees shall be allowed full pay for ten (10) days sick leave during the school year.
  3. Twelve-month employees;  
In case of absence from work on account of personal illness, twelve month employees shall be allowed full pay for twelve (12) days sick leave during the work year. The unused number of sick days is accumulative without limit to be used for additional sick leave as needed in subsequent years.

B. Temporary Leaves of Absence:

1. All support staff employees shall be eligible for the following temporary non-accumulative leaves of absence with full pay each school year;
  - a. Up to three (3) days of absence for personal, legal, business, household, or family matters that cannot be transacted outside the employee's scheduled work day. A request to take personal leave shall be made in writing to the chief school administrator at least two (2) work days before the requested leave date.
  - B. Up to five (5) days at any one time in the event of death of the employee's spouse, brother, sister, child, father, mother, mother-in-law, father-in-law, sister-in-law, brother-in-law or grandparent. Circumstances and length of leave will be based on a minimum of two days leave.

C. Vacation Entitlements: TWELVE MONTH EMPLOYEES ONLY

Year 1:	5 days of paid vacation after 6 months service 5 additional days after the conclusion of one year
Year 2:	10 Days
Years 3-5:	12 Days
Years 6-8:	15 Days
Years 9-11:	17 Days
Years 12+:	20 Days

Vacation days are to be approved by the chief school administrator. Vacation day changes will be effective July 1, 2012

All twelve-month employees will be granted holiday leave during the year. (BOE Policy 4152) **All vacation leave days are to be used by the anniversary date: July 1 – June 30.**

- D. When absence due to sickness exceeds the accumulated sick leave, there will be a payroll deduction equivalent to one day's pay for each absence.
- E. The board of education may give consideration to exceptional cases when an employee's absence exceeds accumulated sick leave, or death leave.
- F. An employee shall report any absence(s) on the form provided for that purpose. The report is to be completed on the day he/she returns to work.
- G. In the case of sick leave claimed, the board of education may request that the employee obtain a physician's certificate to be filed with the board of education on the day the employee returns to work.

The board will consider requests for extension of sick leave benefits on a case-by-case basis.

**Maternity Leave**

The board shall not maintain or enforce any policy or practice for removal of any tenured or non-tenured teacher from her teaching duties that is based solely on the fact of pregnancy or a specific number of months pregnant.

Upon reasonable notice, any tenured or non-tenured teacher seeking a leave of absence on the basis of medical reasons associated with pregnancy or birth shall apply to the board for said leave at any time prior to birth. At the time of application, which shall be made upon reasonable notice to the board, the teacher shall specify in writing the date on which she wishes to commence leave, the date of anticipated birth, and the date on which she wishes to return to work after birth.

The board need not grant or extend the leave of absence of any non-tenured teacher beyond the end of the contract school year in which the leave is obtained. All tenured teachers will have one full school year in which to return following the birth of the baby.

The board may remove any pregnant teacher from her duties on any one of the following basis:

- A. Performance; Her teaching performance has substantially declined from the time immediately prior to her pregnancy.
- B. Physical Incapacity; Her physical condition or capacity is such that her health would be impaired if she were to continue teaching, and which physical incapacity shall be deemed to exist only if the pregnant teacher fails to produce a certification from her physician that she is medically able to continue teaching.

**Date:**

**FIRST READING: October 19, 2006/ March 15, 2007**

**SECOND READING/ADOPTION: April 16, 2007**

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**Review Date: December 29, 2010 – No Changes**

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**Revision and Adoption: January 26, 2012**

**Review Date: December 28, 2016**

**LEGAL REFERENCES:**

N.J.S.A. 18A:6-6	No sex discrimination
N.J.S.A. 18A:6-66	Rights and benefits of personnel (education services commission)
N.J.S.A. 18A:16-2	Physical examinations; required
N.J.S.A. 18A:16-3	Character of examinations
N.J.S.A. 18A:27-4	Power of boards of education make rules governing employment of teacher, etc.; Employment thereunder
N.J.S.A. 18A:30-1	Definition of sick leave
N.J.S.A. 18A:30-2	Sick leave allowable
N.J.S.A. 18A:30-6	Prolonged absence beyond sick leave period

Ramsey Teachers Association vs. Ramsey Board of Education, 1979 S.L.D. 862, St. Bd. Rev'g. 1978 S.L.D. 518, aff'd App. Div. 1980 S.L.D. 1528

Marion Cole and Nancy Minneci vs. Board of Education of the Essex County Vocational School District, Essex County, 1986 S.L.D., (July 15)

**POSSIBLE CROSS REFERENCES:**

4150/4250 Leaves      4151/4251 Attendance patterns      4152 Holidays