

# Policy

BOARD OF EDUCATION  
HORTONVILLE AREA SCHOOL DISTRICT

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## EMPLOYEE LEAVES

The Board recognizes that there may be instances in which employees cannot report to work and recognizes that in certain circumstances it is appropriate to provide compensation or job protection during those absences. The leave provided for in this policy is provided in conjunction with other Board leave policies, including Policy 3161 - Unrequested Leaves of Absence/Fitness for Duty, Policy 3430 - Leaves of Absence, Policy 3430.01 - Family & Medical Leaves of Absence ("FMLA"), and the Contractual Staff Handbook.

### A. **Bereavement Leave or Funeral Leave**

Three (3) days of paid funeral leave will be available for each contract year (non-cumulative). Funeral leave shall be for a death in the immediate family and in the death of a loved one. Immediate family is defined as husband, wife, children, parents, parents-in-law, grandparents, grandchildren, brothers, sisters, brothers-in-law, and sisters-in-law. A loved one is defined as another relative not listed above or other person who had an impact on the employee's life.

An additional two (2) days of leave may be requested but they will be deducted from accumulated sick leave which will be approved by the building administrator.

### B. **Military Leave**

Staff members will be afforded protected leave from employment to perform their obligations to the United States Armed Forces, whether for reserve duty or a call to active duty, and potential deployment. Leave shall be provided in accordance with the law.

Absences due to military leave covered by the Uniformed Services Employment and Reemployment Act (USERRA) shall be unpaid unless the employee elects to use other paid leave available to the employee.

Any compensation received for absences under this section shall be reduced by the amount the employee is paid for required service.

### C. **Leave for Jury Duty**

The teacher shall notify the Building Administrator immediately upon receipt of a summons for jury duty or a subpoena that requires a court appearance in state or federal court.

When a teacher is called for jury duty or subpoenaed to appear in state or federal court during the school year, the teacher shall receive his/her regular salary for each day of absence. No leave will be charged to the teacher as a result of jury duty or testimony pursuant to a subpoena. Teachers must return to work immediately if not selected for jury duty on those days called.

The teacher shall remit to the Board of Education the compensation paid to him/her, less mileage, for such jury duty or witness fee no later than the close of the pay period. All expenses

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or other liabilities incurred by the teacher as a result of jury duty or testimony pursuant to subpoena will be the total responsibility of the teacher and not the Board of Education.

Upon completion of jury duty an official record of jury service shall be presented to the District Administrator.

**D. Volunteer Firefighter, Emergency Medical Technician, First Responder, or Ambulance Driver**

A staff member who is a volunteer firefighter, emergency medical technician, first responder, or ambulance driver for a volunteer fire department or fire company, a public agency, or a nonprofit corporation may be late for or absent from work without pay if the lateness or absence is due to the staff member responding to an emergency that begins before the staff member is required to report to work and if the staff member complies with all of the following requirements:

1. By no later than thirty (30) days after becoming a member of a volunteer fire department or fire company or becoming affiliated with an ambulance service provider, submits to the District a written statement signed by the chief of the volunteer fire department or fire company or by the person in charge of the ambulance service provider notifying the District that the staff member is a volunteer firefighter, emergency medical technician, first responder, or ambulance driver for a volunteer fire department or fire company, a public agency, or a nonprofit corporation;
2. When dispatched to an emergency, makes every effort to notify the District that the staff member may be late for or absent from work due to the staff member responding to the emergency or, if prior notification cannot be made due to the extreme circumstances of the emergency or the inability of the staff member to contact the District, submits to the District a written statement from the chief of the volunteer fire department or fire company or from the person in charge of the ambulance service provider explaining why prior notification could not be made; and
3. When late for or absent from work due to responding to an emergency, provides, on the request of the District, a written statement from the chief of the volunteer fire department or fire company or from the person in charge of the ambulance service provider certifying that the staff member was responding to an emergency at the time of the lateness or absence and indicating the date and time of the response to the emergency.

When the status of a staff member as a member of a volunteer fire department or fire company or as an affiliate of an ambulance service provider changes, including termination of that status, the staff member shall notify the District of that change in status.

**E. Organ Donor Leave**

A staff member may take up to six (6) weeks of leave in a twelve (12) month period as necessary for the employee to undergo bone marrow or organ donation procedure and to recover from the procedure. The employee may be required to provide written medical certification that s/he

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will serve as a donor and the amount of leave time necessary.

Leave taken for this purpose is unpaid, however, an employee is eligible to substitute available accrued paid leave for all or some of the leave taken under this policy. An employee must provide as much advance notice as possible so as not to unduly disrupt the District's operations. The employee will be returned to the same position upon return or if that position is no longer available an equivalent position and shall not lose any benefits during leave, including the right to continue health insurance coverage as provided for in the District's FMLA policy, Policy 3430.01.

## F. Leave for Voting

A staff member who is eligible to vote may take up to three (3) consecutive hours of unpaid leave to vote while the polls are open on Election Day. The staff member must submit a leave request to the District Administrator prior to Election Day. The District Administrator must approve the leave but may identify a specific three (3) hour period during the staff member's work hours that the staff member is permitted to utilize for voting.

Leave for voting is provided on an unpaid basis. However, the District Administrator may approve the leave with pay or allow the employee to substitute paid leave for the unpaid Election Day leave. Staff members may not be penalized for using voting leave.

## G. Election Official Leave

The District Administrator shall approve a one (1) day unpaid leave of absence for any staff member who is appointed to serve as an election official, provided the staff member has given the District at least seven (7) days' notice of the leave. In accordance with State law, the District may request confirmation from the municipal clerk of the staff member's appointment as an election official.

Leave to serve as an election official is provided on an unpaid basis. If available, a staff member may substitute paid leave such as personal leave. Staff members may not be penalized for using leave to serve as an election official.

## H. Leave to Testify

Any employee who is issued a subpoena to testify in a legal proceeding shall be provided the following:

1. If the proceeding relates to matters under Chapters 48 or 938 of the Wisconsin Statutes, the employee may not be discharged from employment for absences due to testifying, provided that the employee immediately notifies the District Administrator of receipt of the subpoena (see Policy 8325 – Receipt of Legal Documents by District Employees );
2. Any employee subpoenaed to testify in a matter that involves a crime committed against the employer or against the employee in the course of employment (including an act committed by a juvenile that would be a crime if committed by an adult), shall be provided paid time off to do so such that no loss of wages or benefits occurs as a

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result of compliance with the subpoena. Any employee who is issued a subpoena for matters described in this section shall immediately notify the District Administrator of receipt of the subpoena (see Policy 8325 – Receipt of Legal Documents by District Employees ).

- I. **Personal and Emergency Leave** - *(Any leave taken, which includes the day before Thanksgiving and the holiday break and the last workday in June, will be a full day deduction.)*

Teachers are to request personal leave via Frontline Absence Management. **No more than 10% of Contractual Staff may be out on any given day for personal leave.**

Two (2) days of personal or emergency leave will be granted per year without the loss of pay. An additional Personal Day will be granted to employees who have been employed fifteen (15) years with the District (Three (3) personal leave days) and another personal leave day will be granted to employees after twenty (20) years with the District (Four (4) personal leave day). Personal leave not used in any particular year shall be credited to the total accumulative number of sick leave days on the employee's current record.

The administration must be notified at least five (5) school days in advance for any request for personal days.

Personal days taken after May 1 are at the discretion of the administrator. No more than two (2) teachers may be gone on any one day in May in each building unless a special circumstance is approved by an administrator.

No personal time will be granted on an in-service or professional learning day, partial day, or in-service day without administration pre-approval. If personal time is used on a teacher paid day (1/2-day in-service, before holidays, or in June), eight (8) hours of personal time will be deducted. If a personal day has been requested and a full snow day is called, the staff member does not lose their personal day.

- J. **Unpaid Leave**

The Director of Human Resources may grant short leaves of absence, not to exceed three (3) school days per year, but without pay. After three (3) unpaid days the Board of Education must approve the request.

Employees must use paid time off prior to taking deduct/unpaid leave.

Staff must submit an unpaid time off request form through Frontline Central to the Director of Human Resources for approval. All approved unpaid leave will be entered into Absence Management by the Human Resource Office.

All requests for a leave of absence must be made fifteen (15) days in advance of the leave.

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Unpaid leaves of absence, that are not subject to FMLA, may be granted on an exceptional basis to employees for rare circumstances and when it does not conflict with the best interest of the District. The HR Department will be responsible for approving unpaid leave after consideration is given to the following: ability to operate effectively in the absence of the employee requesting leave; the reason for the leave; the direct supervisor's input; and need/availability of substitute coordination.

No unpaid leave may be used during Parent-Teacher Conferences.

Unpaid leave may not be used to extend holidays or recesses, except for emergency or educational reasons.

Unpaid leave may not be taken the last ten (10) days of the school year. The Director of Human Resources may waive this restriction with good cause.

The Director of Human Resources may approve additional unpaid leave at any time at their discretion.

K. **Family Medical Leave (FMLA)** – *See Policy #3430.01*

L. **Leaving during Preparation Period**

If a teacher has an appointment during their lunch or prep period, they must contact the office. Teachers will not be docked sick time if they return before the next class period begins. If a teacher returns after their prep time, they will be deducted sick time, to the nearest quarter hour, from the time they were gone.

Staff members are to attend (in their entirety) all faculty meetings, unless prior administrative approval has been granted. Attendance is required at IEP's or other meetings scheduled after school as part of staff's professional duties. This includes part time staff.

As part of a staff member's responsibilities, if a part time staff member is unable to attend a meeting, the staff member must make arrangements and work with the building administrator for an alternative to attending the meeting using technology. It is the teacher's responsibility to coordinate an option. This is with no additional compensation.

M. **Sick Leave**

The teacher shall be granted eight (8) days sick leave or absences necessitated by illness or medical appointment of an employee or an employee's spouse, or child, parent or parent-in-law. This does not include pets. Administration may request a medical excuse when gone from work. All sick leave absences must be recorded in Frontline Absence Management.

If sick leave is needed and all benefitted time has been exhausted, the staff member must contact their Building Administrator by 6:30am.

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The full allowance for sick leave for the school year will be credited at the beginning of the school term. The first official day of the school year is defined as the first working day of the contract. Teachers who are employed after the official start of the contract period or who resign prior to the end of the contract period shall receive prorated sick leave for that year, based on the actual contract days worked of the standard 190-day contract.

If any sick time is needed on a partial professional learning school day, approval from the building principal is needed or the full eight (8) hours of sick leave will be deducted. If a sick day is used on a snow day, the sick day will not be deducted from the employee.

Sick days shall accumulate to a maximum of 120 sick days.

**Sick Day Pool** - Each year staff may designate and donate up to two (2) of their sick days to a District sick day pool. A sick day will be deducted from the staff member’s total sick days for the 2024-2025 school year. Once the day is donated, it cannot be given back to the staff member. The sick days in the pool will be distributed upon request by a team of administrators and a teacher representative for a teacher in need. Teachers must have exhausted all leave days, or the employee is eligible for long term disability, in order to request use of the Sick Day Pool. To the extent that permitted by law, sick day pool donation and use will be kept confidential. Employees on FMLA leave may apply for the use of the sick day pool.

The Sick Day Pool Request form must be completed by the teacher and returned to the district office at least 30 days prior to the requested use of the pool leave days.

For the current school year, any teacher who uses one (1) or less full day for sick or personal leave will be reimbursed a sum of \$100.00 at the conclusion of the year. The school district will include an additional \$100.00 bonus (\$200 total) at the conclusion of this year for each teacher who has not used a sick or personal day, or any part of that day, for the year just ended.

Sick leave will not be granted for required physical examinations for employment purposes.

Sick leave requests for appointments that require a full day absence must be accompanied by a medical note indicating the time of the appointment or may result in a deduction in pay.

**Return to work** - Upon return to work, employees absent for more than three (3) consecutive workdays due to illness or injury, must provide a physician’s certificate or other written statement showing the cause or nature of illness or injury for duty and any medical restrictions. Other medical procedures leading to work restrictions should include a physician certificate.

Legal References:  
6.76, 7.33, 103.88, Wis. Stats.

Reference: Current Contractual Staff Handbook

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