



ADMINISTRATIVE PROCEDURE
SAN DIEGO UNIFIED SCHOOL DISTRICT

NO: 7130
PAGE: 1 OF 9
EFFECTIVE: 1-29-62
REVISED: 8-1 1-95

CATEGORY: **Personnel, Leaves/Absences**

SUBJECT: **Sick Leave**

A. PURPOSE AND SCOPE

1. To outline administrative procedures governing the use of sick leave benefits.
2. This procedure applies to contract certificated or monthly classified employees. Temporary or hourly employees are **no?** eligible for sick leave benefits.
3. **Related Procedures:**
 - Industrial accident and illness leave No. 713 1
 - Long-term leave of absence for health reasons No. 7152
 - Physician's certification under conditions of concerted withdrawal of services . No. 8450
 - Use of sick leave benefits in personal emergencies No. 7136
 - Workers' compensation for on-the-job injuries No. 5170

B. LEGAL AND POLICY BASIS

1. **Reference:** Board policy: I-1360, I-2100, I-2200, I-2250, J-8500; Board minutes, 7-15-69; Education Code Sections **44931, 44964, 44978-81, 45190-96, 45199-202**; Govt. Code Section 20862-5; Admin. Code, Title 5, Section 5601; Merit System Rules, Art. XI; Collective Negotiations Contracts.
2. This procedure pertains to matters within the scope of collective bargaining. Contract language within specific collective bargaining agreements on this topic shall prevail over any language to the contrary in this procedure.

C. GENERAL

1. **Originating Office.** Suggestions or questions concerning this procedure should be directed to the Payroll Unit, Classification and Compensation Department, Human Resource Services Division.
2. **Definitions**
 - a. **Sick leave:** The allowance made to an employee to cover absence from duty because of illness, injury, or exposure to contagious disease. Accumulated sick leave benefits also may be used by an employee in designated cases of personal emergency (Procedure No. 7136). Sick leave may not be used for medical or dental appointments unless such appointments are of an emergency nature or are necessary because of an illness, injury, or exposure to contagious disease.
 - b. **Monthly employees:** Contract certificated **and** regular monthly **classified** employees.

3. Sick Leave Accrual and Allowances for Monthly Employees

- a. Earned sick leave is credited in hours each month to each monthly employee's account by computer program. **Exceptions:** Eleven-month employees do not accrue sick leave in August; ten-month employees do not accrue sick leave in July and August; nine-month employees do not accrue sick leave in June, July, and August.
- b. Accrual is based on the sum of the employee's position equivalents on the date when credits are recorded, with eight hours recorded for a full-time (1 .00 position equivalent) assignment.
- c. Classified employees assigned to monthly positions during summer sessions accrue sick leave hours in accordance with the length of assignment and percentage of time assigned per day.
- d. Employees in an unpaid status for any reason for more than 15 days in a month shall not accrue sick leave during the unpaid period of absence.
- e. **Sick Leave Allowances**

Work Year	Full-Salary Sick Leave Earned (accumulated without limit)				Half-Salary Sick Leave (noncumulative) Earned Per Year		Annual Maximum Combined Allowance‡	
	Per Month		Per Year†		Days	Hours*	Days	Hours*
	Days	Hours*	Days	Hours*				
9-month	1	8	9	72	100	800	109	872
10-month	1	8	10	80	100	800	110	880
11-month	1	8	11	88	100	800	111	888
12-month	1	8	12	96	100	800	112	896

† An employee serving for less than a full assignment year will have that year's allowance prorated for **the** number of months of actual service.

‡ An employee who has accumulated full-salary sick leave greater than **the** annual maximum combined allowance shall not be eligible for additional half-salary sick leave but may take the entire accumulated full-salary sick leave in one fiscal year.

* Assuming a **fill-time assignment**. A proportionate number of hours is granted for **part-time assignments**.

4. **Sick Leave Accrual and Allowances for Summer School/Intersession Teachers**
 - a. Summer school and intersession teachers serving in summer school assignments of less than six hours and 35 minutes per day shall accrue one hour of sick leave for each week of service. Full-salary sick leave accumulated during the regular school year, charged at a rate of four hours per day, may be used.
 - b. Summer school and intersession teachers serving in summer school assignments of six hours and 35 minutes per day shall accrue two hours of sick leave for each week of service. Full-salary sick leave accumulated during the regular school year, charged at the rate of eight hours per day, may be used.
5. **Transfer of Accumulated Sick Leave (Certificated Employees).** A *certificated* employee who previously worked for another California school district may have accumulated sick leave from the former district transferred to San Diego Unified School District provided the following conditions are met:
 - a. Employment in the previous district as a certificated employee was for at least one year.
 - b. Employment with San Diego Unified School District began within one year after terminating from the previous district.
 - c. Employment with San Diego Unified School District began on or after September 17, 1965.
6. **Transfer of Accumulated Sick Leave (Classified Employees).** A *classified* employee who previously worked for another California school district may have accumulated sick leave from the former district transferred to San Diego Unified School District, provided the following conditions are met:
 - a. Employment in the previous district was for a period of one calendar year or more.
 - b. Termination of employment with the previous district was for the sole purpose of accepting a position in San Diego Unified School District.
 - c. Employment in San Diego **Unified** School District began within one year of termination from the other school district.
7. **Reinstatement of Accumulated Sick Leave.** A monthly employee in permanent status who resigns and is reemployed in monthly status within thirty-nine months of the last date of monthly paid service shall have all accumulated, unused, full-time sick leave credits restored to a current sick leave account as of the date he/she reports for duty.

8. Use of Sick Leave

- a. **New monthly employees** become eligible for full-salary and half-salary sick leave on the effective day of their appointments provided that they in fact report for duty. Employees may incur a negative balance in their sick leave accounts not to exceed their projected annual sick leave allowance for that particular fiscal year (one day per month of service remaining until next July 1). Sick leave balances are printed monthly on the stub of each employee's monthly pay warrant. If an employee terminates employment with the district after serving for less than a year, a reduction in the final pay warrant will be made to cover any negative balance in the sick leave account.
- b. **Personal Emergencies.** Use of accumulated full-time sick leave for personal emergencies is limited to eight days in any fiscal year (see Procedure No. 7136).
- c. **Sick Leave While on Vacation.** An employee who, while on paid vacation, has suffered a disability due to injury or illness may substitute sick leave for vacation pay for each day of such disability and/or restriction. A physician's certification may be required on a "Leave Application" card.
- d. **Illness Preceding Death.** In the event of the death of an employee while absent because of illness, application for sick leave benefits may be made by the estate, heirs, or dependents by filing a properly executed certificate within thirty days after death. Only that period of illness immediately prior to and including the day of death of an employee is claimable as a sick leave benefit by the estate.
- e. **Quarantines.** Employees unable to perform their duties due to legally established quarantines shall be entitled to the same leave as though personally ill, provided a certificate from the County Department of Health Services is filed verifying the quarantine.
- f. **Use of Sick Leave During Convalescence.** During illness or while convalescing, if able to perform normal duties of the job on a reduced-hour basis, an employee may be authorized by the department head to return to work on a part-time basis and make application for sick leave benefits for the remainder of the day. Certification of the employee's physician is normally required.
- g. **Service credit for unused sick leave at retirement** is granted to school employees who became new members of the STRS and **PERS** retirement systems on or before June 30, 1980:
 - (1) **STRS:** A member who retires after leaving district employment will be granted service credit for each day of accumulated, full-salary sick leave at the time of separation.

- (2) **PERS:** A member whose effective date of retirement is within four months of the last day of paid service or termination of an approved leave of absence will receive .004 year of service credit for each unused day of full-salary sick leave at the time of retirement.

Exception: Effective Nov. 1, 1996, service credit for unused sick leave at retirement is granted to sworn monthly peace officer regardless of the PERS starting date.

Note: Retiring employees may not convert accrued vacation hours to sick leave hours for the purpose of increasing retirement service credit.

9. **Limitations on Use of Half-Pay and Accumulation of Full-Pay Sick Leave.** An employee can continue an absence in half-salary sick leave allowance from the previous year remaining as of June 30. **However, an employee will not be entitled to any additional half-salary sick leave allowance and will not accrue any additional full-salary sick leave for the new fiscal year until medically cleared and he/she has returned to regular duty assignment for at least one full day.** Vacation time cannot be used to reinstate a new fiscal year's entitlement. At that time, full-salary and half-salary sick leave allowance will be established as of that date for the new fiscal year. Any half-salary sick leave already taken since July 1 of the new fiscal year shall be deducted from the new half-salary sick leave allowance.
10. **Notification of Absence on Sick Leave.** In order to receive sick leave benefits while absent on sick leave, employees shall notify their supervisor of their intended absence for each day of absence. Unless conditions make notification impossible, such daily notice shall be in accordance with site or departmental procedures. The burden of proof of impossible conditions shall be upon the employee.
11. **Applications for Sick Leave Benefits.** Absent employees must submit a leave application card to the principal or department head within ten days after return to duty or after termination of period of disability.
- a. The card must be signed by the employee and principal or department head.
 - b. If illness or injury at any one time exceeds five work days, the card must normally be signed by a licensed physician. If for any reason a licensed physician is not consulted when required, a personal statement by the employee setting forth the nature of the illness or injury must be submitted to the Student Services Team, and shall be subject to approval by a physician designated by the district. For exceptions applying to absences during withdrawal of services, see C. 11 .d. below. (Requirements of this section shall not discriminate against evidence of treatment and need **therefor** by practice of the religion of any well-recognized church or denomination.)

- c. The card must be signed by a licensed physician for absences of five days or less at the request of the principal or department head if in his/her judgment, such certification is deemed appropriate.
 - d. In the event there is a concerted withdrawal of services by employees, it shall be district policy to require a physician's certification from **any employee** who is absent on the date of such withdrawal of services and applies for sick leave benefits; C. 11 .b. above will not be operable. (See Procedure No. 8450.)
 - e. Failure by the employee to consult a physician or obtain certification of a licensed physician when required, or to obtain district approval of a personal statement of illness or injury, shall result in the absence being charged to unpaid leave and may be grounds for disciplinary action.
 - f. The district-appointed physician may, at district expense, require a complete report from the employee's physician concerning any absence for which sick leave benefits have been requested. Such requests by district officials must be submitted to the Personnel Administration Department, which will coordinate with the district Student Services Team in arranging for a physician to communicate with the employee's physician. Interpretation of information provided by the employee's physician is the sole responsibility of the district-designated physician.
 - g. An employee whose illness or injury occurs as a result of employment with the district must submit an industrial accident leave benefits application (see Procedure No. 7131).
12. **Absences of Thirty Days or More.** Each employee absent for thirty or more consecutive calendar days shall secure written clearance of his/her private physician indicating fitness to resume normal duties and submit it to the principal or department head at least three days prior to return to duty. The principal or department head shall notify the employee on extended absence of these requirements. (See D.3 .)

13. Sick Leave Reporting

- a. **Regular School Year.** Sick leave absences are recorded on official district time sheets in **hours**, with **eight hours** representing a full-time (1 .00 position equivalent) assignment. Absences may be recorded in units of one-tenth of an hour, although absences for two hours or less may be considered personal business leave for monthly employees. Such leave is limited to two hours or less and normally is not recorded (see Procedure No. 7134). A full day's absence will be eight hours for a full-time employee; six hours for a three-fourths-time employee; four hours for a half-time employee; etc.
- b. **Summer School and Intersession.** Classified employees on monthly pay rates report sick leave in the same manner as during the regular school year. Certificated employees who elect to use sick leave accrued during the regular school year to

cover absences during summer session or intersession must charge four hours or eight hours, depending on summer assignment, of sick leave for each date absent. (See C.4.)

D. IMPLEMENTATION

1. Transfer of Accumulated Sick Leave

- a. **Personnel Administration Department** screens employment of all new employees at time of hire; sends form letter, "Request for Notification of Accumulated Sick Leave Benefits" (E.2.), to previous school district when conditions outlined in C. 5. or C.6. are met.
- b. Payroll **Unit** prepares computer input to credit employee's sick leave account in data base with sick leave amounts verified by previous districts.

2. Recording of Sick Leave Accrued. Payroll Unit

- a. Enters accrued sick leave in employee data base in accordance with district policies.
- b. Establishes accruals for monthly employees and for summer school and intersession teachers.

3. Recording of Sick Leave Taken

- a. **Employee** submits completed "Leave Application" (E. 1.) for each period of absence and signs completed card to certify that facts stated are true to the best of his/her knowledge; if absence is for extended period, completes separate card for each pay reporting period.
- b. **Principal or department head** checks for physician's certification (if requested) for absences of more than five days, and signs completed cards; may request physicians certification for absences of five days or less if, in his/her judgment, such **certification** is deemed appropriate.
- c. **Time-recording secretary** enters information concerning absence on official time sheets, following instructions *in Personnel - Payroll Handbook*; **sends** time sheets to Payroll Unit. Leave application cards for occurrences of three (3) days or less are filed at the site for two years and then destroyed. For sick leave occurrences of four (4) or more consecutive days or three or fewer days where a doctor's signature has been requested, cards are forwarded to Payroll Unit. All Industrial Accident Cards are also forwarded to Payroll Unit.
- d. Payroll **Unit** audits leave application cards received against time sheet entries and follows up on discrepancies; prepares computer input required to process **half-**salary sick leave. When it is apparent that employee will remain in half-time sick

leave for extended period of time, payroll technician must project this absence information and control monthly pay each month to ensure that employee is not overpaid. As a result of this process, an employee cannot presume that he/she will receive one-half of his/her monthly pay each month during the absence.

4. Request for Temporary Disability Sick Leave Due to Pregnancy

- a. **Employee** wishing to use sick leave benefits for period of temporary **pregnancy**-related disability notifies Personnel Administration Department at least five days in advance of date such benefits should begin. (Notice must include physician's statement of medical reasons for temporary disability.)
- b. **Employee** submits "Leave Application" (E. 1.) cards to individual site or appropriate School Services Division office if certificated, and to individual school or site if classified. At end of eight-week period of disability, notifies Personnel Administration Department whether return to active duty or to unpaid leave of absence is desired.

5. Absences of Thirty Days or More

- a. **Principal or department head**, following third week of absence, notifies absent employee of requirement for health examination if absence will extend for thirty or more consecutive calendar days; forwards "Physician's Approval to Resume Normal Duties" (E.3.) to employee.
- b. **Employee** obtains physician's approval to resume normal duties; forwards form to principal or department head at least three work days prior to date of intended return.
- c. **Principal or department head** notes day of intended return to duty, adds any pertinent information available, and forwards **form** to Personnel Administration Department. If there is any question regarding ability of employee to resume normal duties, telephones executive director, Human Resource Services Division.
- d. **Personnel Administration Department** arranges for further health review as deemed necessary; advises employee and principal or department head promptly of results.

6. Reports on Sick Leave Balances and Sick Leave Taken. Information Services Bureau prints sick leave balances on stub of employee pay warrants each month.

7. Service Credit for Unused Sick Leave at Retirement (See C. 8.g. above for eligibility limitations.)

- a. **Payroll Unit** determines unused full-salary accumulated sick leave at time of employee's retirement.

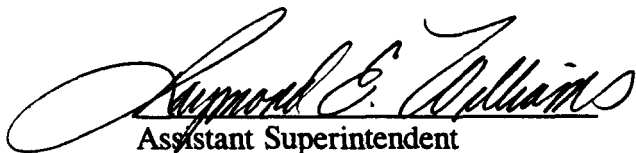
- b. **Fiscal Control Department** computes service credit; submits information and required payment to State Teachers' Retirement System or Public Employees' Retirement System.


E. FORMS AND AUXILIARY REFERENCES

- 1. Leave Application, Stock No. 22-S-2140.
- 2. Request for Notification of Accumulated Sick Leave Benefits, form letter used by Human Resource Services Division.
- 3. Physician's Approval to Resume Normal Duties, available from Human Resource Services Division.
- 4. Personnel - Payroll Handbook.

F. REPORTS AND RECORDS

G. APPROVED BY


Assistant Superintendent
Human Resource Services


Superintendent