



Title: **Staff Member Leave Procedure**

Code: GBC R

Section: Section G: Personnel Policies

The following procedures are intended to implement the various forms of staff member leave addressed in the accompanying policy.

Staff Leave

All staff are allocated annual staff leave commensurate with their individual work year. staff leave is intended to provide salary protection for absence due to defined reasons in policy. It is not intended to provide for vacation leave.

Staff shall enter their own absence data into the absence reporting system (Workday) and notify their administrator or supervisor at the earliest reasonable time prior to the request by following procedures for notification of time off request and no later than one hour prior to their scheduled report time. Failure to do so may result in denial of leave. In addition, if the position requires a substitute, staff must verify the substitute request is in the substitute management system

Administrators or supervisors shall approve requested absences, affirming that, to the best of their knowledge, the requested absence falls within the absence categories identified in Administrative Policy GBC Staff Member Time Off.

Staff members are granted staff leave based upon the length of their scheduled annual work calendar days consistent with the table below. Staff members working less than full time or less than a full year will be credited with a prorated share of staff leave. The annual allotment of staff leave days exceeds the accrual of hours required by the Colorado Healthy Families and Workplaces Act.

Scheduled Work Calendar Days	Staff Leave Day Equivalents
Fewer than or equal to 200	8
More than 200	11

Retired staff member returning to the District will be able to carry over 48 hours each year and will receive their annual allotment of staff leave days. Temporary staff members who do not have a scheduled annual work calendar will be granted one hour of staff leave for every thirty hours worked, in accordance

with the Healthy Families and Workplaces Act. Temporary staff members shall only be able to use 48 hours of staff leave in a school year and shall only carry over 48 hours from school year to school year.

Staff Leave Guidelines:

- The District strongly discourages and reserves the right to deny staff leave just prior to or immediately following a District break, holidays, during the first or last week of the staff member's scheduled work year, during the first and last week of student contact days, parent-teacher conference days, or on professional learning days.
- In considering student and organizational needs the administrator or supervisor may deny a staff member's staff leave request based on the reason for staff leave or the timing of such staff leave.
- Staff leave cannot be used for engaging in vacations or other recreational activities.
- Staff members who are absent after a denied request will be docked at their full daily rate for each day of absence for the pay period in which the absence occurred.
- Staff members who intend on using more than three (3) consecutive workdays are expected to seek administrator or supervisor approval prior to initiating the request.
- The District reserves the right to request documentation from a health care provider for unscheduled absences of four (4) or more consecutive workdays due to illness, personal injury, or other health-related reasons.
- Absences due to illness, personal injury or other health-related injuries that could affect a staff member's ability to perform essential duties may require documentation from a health care provider before returning to work.
- Absences of more than five (5) consecutive workdays will not be approved unless the staff member qualifies for a Leave of Absence type as indicated below.
- If no remaining staff leave exists and a staff member is absent, a deduction of a full (or prorated, if applicable) daily rate of pay will be made unless otherwise identified in Administrative Policy GBC Staff Member Time Off and Leave and Staff Member Leave Procedure (Non-Year-Round Positions) (GBC R).
- At no time is it permissible for a staff member to use staff leave to work at another place of employment. A staff member who violates this will be docked for the applicable amount of time used.
- Inappropriate use of staff leave may result in the loss of some, or all, accumulated staff leave and further disciplinary action, up to and including termination of employment.

No Questions Asked Leave (NQA)

All staff are also allocated NQA leave commensurate with their individual work year. NQA leave can be used for time off that is not permitted with staff leave such as recreational activities, personal trips, etc.

No Questions Asked Leave (NQA) Guidelines:

- The District restricts the use of NQA leave for school-based staff members just prior to or immediately following a District break, holidays, during the first or last weeks of the staff member's scheduled work year, during the first and last weeks of student contact days, parent-teacher conference days, or on professional learning days.

- Staff members shall notify their administrator or supervisor of their request for NQA leave at least 48 hours or more prior to the use of this leave.
- In considering student and organizational needs the administrator or supervisor may deny the staff member's NQA leave request.
- Unused NQA leave will convert to staff leave on June 30th of each school year for purposes of accrued leave.
- If NQA is being requested in the absence of available staff leave, a supervisor may consider the absence under the qualifying parameters for staff leave listed above.

Scheduled Work Calendar Days	No Questions Asked (NQA) Day Equivalents
Fewer than or equal to 200	4
More than 200	4

Staff Leave Attendance Incentive for Continuing Service:

Staff members shall not exceed 840 hours of unused staff leave at any given time.

Continuing staff members with unused staff leave balances greater than 720 hours at the close of the fiscal year (June 30th) and who remain employed with the District without a break in service as of October 31st of the same calendar year, shall be eligible for this attendance incentive. The incentive for qualifying staff is calculated as follows: The financial incentive will be determined by subtracting unused staff leave by 720 hours divided by scheduled work hours for a full-time equivalent staff member and then multiplied by current M-Th licensed guest staff rate. (defined in the table below) *.

A maximum of 15 unused staff leave days may be used toward the calculation of the Staff Leave Attendance Incentive for Continuing Service each year.

Category	Rate*
Administrator and Staff Specialist	50% of M-Th daily licensed sub rate
Classified	50% of M-Th daily licensed sub rate
Licensed (non-administrative staff)	50% of M-Th daily licensed sub rate

* The daily licensed sub rate is based on the amount established in Guest Staff Teacher Employment Procedure GCG R. Incentive hours will be divided by the daily scheduled work hours for a full-time equivalent staff member and multiplied by the current M-Th daily licensed sub rate.

For example (based on 8 hour per day staff member):

Staff member has 748 hours of accumulated Staff Leave on June 30th. On July 1, this staff member will have 28 hours of excess staff leave and 720 hours of staff leave carryover for the upcoming school year. The 28 hours of excess staff leave will equate to 3.5 days ($28/8 = 3.5$ days) which would mean this staff member would receive 3.5 times 50% of the M-Th daily licensed sub rate for their incentive payout in October. The payout will be added to the October paycheck and will be subject to typical withholdings and deductions (PERA, Federal and State taxes, etc.).

If a staff member has fewer than 720 hours of unused Staff Leave on June 30th, the staff member is not eligible for the attendance incentive. Temporary staff and PERA retirees are not eligible for this incentive and shall only be able to carry over 48 hours of accrued staff leave from one year to the next.

Only staff who continue service with the District into the following school year and eligible to receive a paycheck in October will be eligible to receive the Staff Leave Attendance Incentive. Staff members who resign or retire on or before June 30th will not be eligible to receive the incentive.

Staff members on FMLA, unpaid leave or other approved District leave will be eligible for the Staff Leave Attendance Incentive if they have unused Staff Leave in excess of 720 hours.

Vacation Leave

Vacation Leave only applies to 260-day classified staff members.

Vacation shall be scheduled at the convenience of the District and as nearly as possible at the convenience of the staff members. Staff members shall be encouraged to take vacation during the times that have the least impact to the instructional day/year.

Staff members must obtain the permission of their supervisor prior to taking vacation.

Staff members who resign or whose employment is terminated shall receive paid vacation to which they are entitled as part of their final pay. Unused vacation shall not expire.

New staff members whose term of service is less than one full year shall be entitled to be paid for any remaining unused, accrued vacation as of their separation date.

Only classified staff in 260-day positions will be credited with a prorated amount of leave. Full-time classified staff in 260-day positions will be eligible for and accrue vacation based upon the following:

Vacation Eligibility	Day Equivalent
1-4 Years	10
5+ Years	15
Vacation Accrual	Monthly Equivalent
1-4 Years	6.667 hours
5+ Years	10 hours

When a staff member is going to request vacation time, the staff member shall inform his or her principal/supervisor at the earliest reasonable time prior to the request by following procedures for notification of time off request. Staff shall record their vacation time off requests through the absence reporting system. If the position requires it, staff must use the substitute management system to arrange for a substitute at the time of the request. In no event will a staff member be allowed to use vacation to

work another job.

Personal Time Off (PTO)

School based administrators, non-school based administrators, and certain Staff Specialist positions are eligible for Personal Time Off (PTO) days allocated based on the days the District is open yearly for business minus their work calendar.

PTO days do not apply to weekends or other District-closed days. PTO days are unpaid and do not convert to pay. Starting in the 2023-24 school year, five PTO days may carryover for non-site-based administrators and staff specialists but must be used in the month of July or be forfeited. PTO days are intended to record time away from the staff member's position. School-based administrators may not use PTO on days when school is in session, unless approved by the Superintendent or designee.

Protected Leave and Current Staff Leave Payout

This procedure applies only to staff who were employed by Academy District 20 on or before June 30, 1999.

Protected Leave:

On June 30, 1999, the payout rate and number of accumulated leave hours for each eligible staff member was calculated and recorded in each eligible staff member's personnel file. This leave is called "protected leave." Upon leaving the District after 15 years or more of continuous full-time service, any remaining protected leave of exempt staff will be paid at the June 30, 1999, substitute rate of pay of \$65.00 per day. Non-exempt staff protected leave days will be paid at 50% of the maximum hourly rate as of June 30, 1999, that correlates to the staff member's classification.

Current Staff Leave:

When an exempt staff member retires from the District after 15 years of continuous full-time employment, the staff member shall receive payment for any unused current staff leave (including NQA) days up to a maximum of 90 days, at 50% (\$45 half-day rate) of the 2010-11 designated substitute rate. When a non-exempt staff member retires from the District after 15 years or more of continuous full-time employment, the staff member shall receive payment for any unused current staff leave (including NQA) days at 25% of their current hourly rate of pay as of his/her retirement date.

For staff with an effective Academy District 20 hire date prior to July 1, 1999, all leave days accumulated July 1, 1999, or thereafter must be used prior to using "protected leave" leave days. "Protected leave" leave days, if used, may not accrue again.

Approved Leave of Absence

Application for an approved leave of absence shall be made to the principal/supervisor and must be

approved by a Director for Human Resources using the Leave Request Form, GBC E 1. Any request for an extension of a previously approved leave must be submitted in writing to a Director for Human Resources 30 days prior to the termination of the granted leave. A leave of absence shall only be granted for a maximum of one year. Leave types may run concurrently.

Staff on a leave and who are outside of a Family and Medical Leave Act (FMLA) period, have the option to continue District benefits through the Consolidated Omnibus Budget Reconciliation Act (COBRA).

The District will continue the contribution to medical and dental insurance premiums during leaves covered by the Federal Family and Medical Leave Act (FMLA).

Family and Medical Leave Act (FMLA) Provisions

Application shall be made to the principal/supervisor at least 30 days prior to the leave when possible, using the Leave Request Form, GBC E 1, and must be approved by a Director for Human Resources. The District will designate the first date of leave as the beginning date of FMLA leave.

When the need for leave for the birth or adoption of a child or the placement of a foster child or for medical treatment is foreseeable, the staff member must provide at least 30 days' prior notice, unless circumstances dictate otherwise. With respect to foreseeable treatments of a staff member's family members, partner in a civil union, and/or domestic partner, the staff member must make a reasonable effort to schedule treatment so as not to disrupt District operations.

In cases eligible for FMLA leave, the staff member is required to report periodically on his or her leave status and intention to return to work.

The District requires that a staff member provide, within 15 calendar days of the request, certification from a health care provider of a serious health condition affecting the staff member or that of a family member, partner in a civil union, and/or domestic partner, as applicable. Depending on the circumstances, either the Health Care Provider's Statement (Inability to Perform Job Duties) or Health Care Provider's Statement (Need to Care for Family Member), GBC E 2 and GBC E 3, respectively, should be used.

The FMLA provides special guidelines, as follows, for a teacher's reinstatement because the end of the semester is a critical time for students and teachers:

1. Where the teacher begins any category of family and medical leave five or more weeks prior to the end of the semester and the leave is more than three weeks, the District may require the teacher seeking to return during the last three weeks of the semester to remain on leave through the end of the semester;
2. Where the teacher begins any category of family and medical leave, except due to the teacher's own serious health condition, fewer than five weeks before the end of the semester and the period of leave is greater than two weeks, the District may require the teacher seeking to return within the last two weeks to remain on leave through the end of the semester;
3. Where the teacher begins any category of family and medical leave, except due to the teacher's own serious health condition, three or fewer weeks before the end of the semester and the period

of leave is greater than five working days, the District may require the teacher to remain on leave through the end of the semester.

Maternity Leave

A medically necessary leave for maternity purposes shall be available to any staff member who becomes pregnant. The leave will be allowed during such period of the pregnancy and a reasonable time immediately following termination of the pregnancy as is medically necessary to safeguard the health of the mother and/or child. Additionally, a pregnant staff member may apply for unpaid maternity leave in accordance with Administrative Procedure GBC R. Such requests shall be made in writing to a Director for Human Resources and submitted with Leave Request Form, GBC E 1. Such leave, when approved, shall not be considered an interruption of service.

A maternity leave for which a staff member applies will run concurrently and will be counted as part of the total twelve weeks of allowed FMLA leave. The effective date for FMLA leave is the first date of absence. Pursuant to the staff member's request, medically necessary leave for maternity purposes shall be available to any staff member who becomes pregnant. The leave will be allowed during such period of the pregnancy and a reasonable time immediately following the end of the pregnancy as is medically necessary to safeguard the health of the staff member and/or child.

1. Determination of Necessity

The determination and designation of the period of time during which maternity leave is necessary may be initiated by either the staff member or the school district. Such determination shall be based on information provided by the staff member, the staff member's health care provider, the administration, and if deemed necessary, by a health care provider designated by the District.

2. Reinstatement

A staff member who has been granted a leave in accordance with this policy shall be assured reinstatement following the end of the period of time during which leave is necessary. However, any leave granted shall in no way affect the powers or duties of the Board of Education including but not limited to the nonrenewal of a contract of a probationary teacher.

3. Notice

A staff member who becomes pregnant shall be encouraged to notify their supervisor and Human Resources regarding the pregnancy well in advance of the expected leave so that the District may make appropriate staffing decisions. When a staff member is no longer pregnant, they shall notify their supervisor and Human Resources of this fact.

4. Benefit

A staff member on maternity leave for medical necessity as determined by the staff member's or the District's health care provider shall receive pay, insurance, and other benefits to the same extent and on the same basis as staff leave used for other purposes. Any additional leave granted by the District for maternity purposes beyond that which is medically necessary shall be without pay or other benefits unless the provisions of the federally mandated family leave policy apply.

Parental Leave

The District may grant a parental leave of absence to staff members for the purpose of child rearing, childcare, or adoption. Parental leave may be granted for a period of time not to exceed one year for each staff member.

A request for parenting leave shall be made to Human Resources. In determining whether to grant the leave request, the District will consider any special needs of the child, the staffing needs of the District, and any other relevant factors.

Such request shall be made in writing to a Director for Human Resources and submitted with the Leave Request Form, GBC E 1. Such leave, when approved, shall not be considered an interruption of service.

A parental leave for which a staff member applies will run concurrently and will be counted as part of the total twelve weeks of allowed FMLA leave. The effective date for FMLA leave is the first date of absence.

If the leave period is for an entire school year, notice of intent to return from leave must be given to Human Resources before April 1 preceding the school year the staff member wishes to return to work. If the leave is for a period less than an entire school year, notice of intent to return shall be given at least three months prior to the date the staff member wishes to return to work.

Nothing in this policy shall be construed to limit the powers or duties of the Board of Education or administration to make employment decisions for the District including but not limited to non-renewing a contract in accordance with law and policy.

Medical Leave

A staff member may apply for a medical leave because of illness or injury. The leave request form, GBC E 1, with the completed Health Care Provider's Statement, appendix GBC E 2, shall be required of any staff member applying for a medical leave.

Upon expiration of a medical leave, staff members who wish to return to active employment shall submit a Fitness for Duty Certificate from a health care provider, stating that the staff member is able to perform the essential functions of the position to return to duty.

A staff member must first use accumulated staff leave, protected staff leave, and vacation leave for the absence. Such leave, when approved, shall not be considered an interruption of service.

Critical Illness or Injury of a Family Member Leave

A staff member may apply for a critical illness or injury of a family member leave for up to one year for the purpose of caring for a sick member of the staff member's immediate family or household. Such requests shall be in writing to the Director for Human Resources. The Leave Request Forms, GBC E 1 and GBC E 3, shall be attached to the application for leave.

Critical illness or injury of a family member leave is not renewable. A staff member must first use accumulated staff leave, protected staff leave, and vacation leave for the absence. Such leave, when approved, shall not be considered an interruption of service.

Military Leave

See Administrative Policy GBCB Military Leave for specific details.

Staff Victim Leave

See Administrative Policy GBGG Staff Victim Leave for specific details.

Unpaid Continuing Education Leave

Staff members who have been employed in the District for at least five consecutive years may apply for a continuing education leave for advanced study in a program at an accredited college or university for up to one year. Such application shall be made in writing to a Director for Human Resources no later than February 1 preceding the school year of the requested leave. The written application shall include documentation of intended enrollment in job-related coursework and the resulting benefit for the school district. The staff member shall enroll for a minimum of twelve semester hours per semester of job-related coursework. A transcript demonstrating successful (passing grade) completion of the coursework shall be provided to a Director for Human Resources at the conclusion of each semester. If, for any reason, the staff member does not fulfill the commitment for the leave, the staff member shall notify a Director for Human Resources immediately. If the semester is not completed, the remainder of the leave is forfeited.

Such leave is not renewable. Credit hours earned may be eligible for educational increment, and such leave shall not be considered an interruption of service.

The Leave Request Form, GBC E 1, shall be submitted with the letter of application for leave.

Unpaid Teacher Exchange Leave

A staff member who has been employed by the District for at least five consecutive years may apply for a one year leave of absence for the purpose of working in an environment that offers a licensed teacher a teacher exchange experience in another country.

Such application shall be made in writing to a Director for Human Resources no later than February 1 preceding the school year of the requested leave. For assignments in the southern hemisphere the deadline for application shall be August 1. Such application shall address the resulting benefit for the school district. Such leave is not renewable.

Such leave, when approved, shall not be considered an interruption of service.

The Leave Request Form, GBC E 1, shall be submitted with the letter of application for leave.

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October 9, 2007
June 30, 2008

June 30, 2009

August 23, 2009

May 13, 2010

November 1, 2010

February 24, 2011

July 1, 2011

July 1, 2013

July 1, 2014

July 1, 2015

July 1, 2016

July 1, 2017

July 1, 2019

August 26, 2019

July 17, 2020

January 1, 2021

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