

VENTURA COUNTY OFFICE OF EDUCATION

SUPERINTENDENT POLICY NO. 4161.1

ADOPTED: 2/14/96

CLASSIFICATION: Personnel

REVISED:

SUBJECT: Personal Illness and Injury Leave

Every certificated full-time employee paid from the County School Service Fund shall be entitled to leave of absence with pay because of illness or injury, whether such absence arises out of or in the course of employment. The amount of leave per fiscal year shall be credited as follows:

- 175 to 189 day contract - 10 days per year
- 190 to 214 day contract - 11 days per year
- 215 to 224 day contract - 12 days per year

Personnel employed for less than full time shall be entitled to that portion of ten (10) days leave of absence as the number of days employed per week bears to five (5) days. (This does not apply to hourly employees.) (E.C. 44978)

Sick Leave-Summer Session: Teachers employed to teach summer session shall be granted one (1) day sick leave for each eighteen (18) days worked. Sick leave earned during summer session may be accumulated from summer to summer, and can only be used during the summer session. Sick leave earned in the County Office of Education during the academic school year shall not be applicable during summer session.

Sick leave accrued in accordance with Education Code Section 44978 may be used when disability is the result of pregnancy. For this purpose, disability is limited to the period of time the employee is certified by a medical doctor to be unable to perform the duties of the employee's position.

If the employee does not take the full amount of leave allowed in any school year, the amount not taken shall be accumulated from year to year, with such additional days as the County Superintendent of Schools may allow. (E.C. 44978)

When a person employed in a position requiring certification qualifications is absent from duties on account of illness or accident for a period of five (5) school months or less, whether or not the absence arises out of or in the course of the employment of the employee, the amount deducted from the salary due for any month in which the absence occurs shall not exceed the sum which was actually paid a substitute employee employed to fill the position during the absence. If no

substitute employee was employed, the deduction shall be the amount which would have been paid to the substitute had one been employed. The County Superintendent of Schools shall make every reasonable effort to secure the services of a substitute employee. (E.C. 44977)

The County Superintendent of Schools shall adopt a salary schedule for substitute employees. The salary schedule shall indicate a salary for a substitute for all categories or classes of certificated employees. (E.C. 44977)

“Sub difference” pay referenced in Section 2611.3, above, shall apply after all regular sick leave accumulated per Education Code Section 44978 has been exhausted. “Five school months” shall begin upon exhaustion of 10 days (or proportion of 10 days if employed less than five days a week) current year sick leave granted per Education Code Section 44978 (E.C. 44978)

The County Superintendent of Schools shall keep permanent records of all sick leave taken by personnel and the number of days of accumulated sick leave that each certificated employee has accumulated.

Leave of absence for illness or injury, accumulated under section 44978 of the Education Code, of a certificated employee who has been an employee of a school district or the State Department of Education for one (1) year or more, will be transferred to the second district with which employment is accepted. (E.C. 44979) (This also applies to personnel of a County Office of Education transferred from the County School Service Fund.)

Use of accumulated sick leave for purposes other than absence for illness or injury shall be allowed, pursuant to section 44981 of the Education Code. Proof of a personal necessity shall be furnished to the division head to which the employee is assigned. (See Superintendent Policy 4690)

Upon retirement from employment of the County Office of Education, any unused sick leave will be certified to the State Teachers’ Retirement System (STRS) or the Public Employees’ Retirement System (PERS) for purpose of extra service credit for retirement, if applicable under State Teachers’ Retirement System or Public Employees’ Retirement System regulations.

Employees utilizing sick leave may be required to furnish a certificate issued by a medical doctor licensed to practice medicine, pursuant to California Business and Profession Code section 2000, or other satisfactory evidence of illness. A certificate from the employee’s physician may be accepted, or the employee may be required to submit to a physical by a physician designated by the County Superintendent. If required to see a physician designated by the County Superintendent, it shall be at the expense of the County Superintendent.

If an employee fails to furnish a certificate or refuses to submit to a physical upon request, the employee’s sick leave will not be in effect and the days of absence will be considered unauthorized personal leave without pay.

The evidence of treatment and the need therefore as a practice of the religion of any well recognized church or denomination will be recognized in a non-discriminatory manner.

A contracted employee who has exhausted all entitlement to sick leave or other available paid leave and who is absent because of non-industrial accident or illness may be granted additional leave without pay not to exceed six (6) months. The County Superintendent of Schools may renew the leave of absence without pay for two (2) additional six (6) month periods or such lesser periods as may be deemed appropriate but not to exceed a total of eighteen (18) months. (E.C. 44964)