Commented [A1]: This policy is highly customizable. You will want to be sure that this policy matches the school's current practices with respect to leave offerings.

Sec. 1. PERSONAL LEAVE

Midland Academy Charter does not directly participate in the State Personal Leave Program or provide or recognize "State Days" under Education Code, Chapter 22; therefore, accumulated state personal leave days from other Texas School Districts or public schools may not be transferred in or out of the Midland Academy Charter system.

a) *Local Leave*

Midland Academy Charter grants all employees 5 local leave days annually. The Superintendent shall adopt procedures to implement and control Local Leave benefits.

b) *Medical Certification*

Any employee who is absent more than three days because of a personal or family illness must submit a medical certification from a qualified health care provider confirming the specific dates of the illness, the reason for the illness, and – in the case of personal illness – the employee's fitness to return to work.

c) *Forfeiture of Leave*

Local Leave does not accumulate or roll forward from year to year, and is forfeited upon resignation, retirement, or termination from employment.

Sec. 2. EXTENDED SICK LEAVE

Midland Academy Charter shall also provide all employees who have worked for Midland Academy Charter will grant this with a case to case basis for extended sick leave. This leave may only be used if an employee has exhausted his or her earned Local Leave benefits and only for the employee's personal illness or disability, including pregnancy-related disability.

Extended sick leave is to be used for single, long-term illnesses or conditions. "Single" is defined as one illness or condition; "long-term" is defined as an absence of ten or more consecutive days. An employee is eligible for extended sick leave once every three years.

A doctor's written statement confirming the need for extended sick leave shall be required before leave is granted, and periodically thereafter as determined by Midland Academy Charter. Extended sick leave will stop on the date the doctor releases the employee or when all extended sick leave has been exhausted, whichever comes first.

The daily rate of a substitute shall be deducted from an employee's daily pay during a period of extended sick leave, even if a substitute is not used. The Superintendent shall adopt procedures to implement and control Extended Sick Leave benefits.

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Sec. 3. EMERGENCY LEAVE

Employees may be granted up to 2 days of emergency leave without loss of pay or accumulated Local Leave for destruction of their home or domicile due to flood, fire, or storm, other natural disasters or force majeure. Such leave is subject to the approval of the Superintendent or designee. Any further leave granted will result in a deduction of accumulated Local Leave, a deduction of the daily rate of pay, or unpaid leave, unless otherwise provided by Midland Academy Charter.

Sec. 4. BEREAVEMENT LEAVE

Midland Academy Charter employees may be absent, without loss of pay, in the event of the death of one of the following relatives of the employee or his or her spouse: husband, wife, child (including a biological, adopted, stepchild, a child for whom the employee stands in loco parentis, or foster child), father, mother, brother, sister, grandfather, grandmother, grandchildren, or any person who may be residing in the employee's household at the time of illness or death. No more than 3 paid local leave days will be used for this purpose in any one school year unless otherwise approved by the Superintendent or designee.

Sec. 5. RELIGIOUS OBSERVANCES

An employee requesting to attend a religious observance on a regularly scheduled school day may use Personal Leave. In the event that all Personal Leave has been used, deductions from the employee's salary shall be made on the basis of the employee's daily rate of pay.

Sec. 6. JURY DUTY AND OTHER COURT APPEARANCES

Midland Academy Charterwill pay a non-exempt employee his or her normal daily compensation for each regularly scheduled workday on which the employee serves in any phase of jury service. Any employee selected for jury duty must notify his or her supervisor within 48 hours of the court's notice. The employee must also present documentation of jury service to his or her supervisor.

Employees will be paid while on leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding. Absences for court appearances related to an employee's personal business must be taken as local leave or leave without pay (if no local leave is available). Employees may be required to submit documentation of their need for leave for court appearances.

Midland Academy Charter shall not discharge, threaten to discharge, intimidate, or coerce any permanent employee because the employee serves as a juror or grand juror, or for the employee's attendance or scheduled attendance in connection with the service, in any court in the United States.

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Sec. 7. VOTING LEAVE

Any employee who does not have two consecutive non-work hours while the polls are open on election day will be given up to two hours off with pay in order to vote, unless more time is required by state law. The employee should notify the appropriate supervisor before Election Day if time off is needed, so that the timing of the employee's absence can be pre-arranged.

Sec. 8 PEACE OFFICER PAID QUARANTINE LEAVE

Pursuant to Local Government Code 180.008, peace officers employed by or appointed by Midland Academy Charter receive full pay and benefits when ordered to quarantine or isolate due to a possible or known exposure to a communicable disease while on duty. During this Paid Quarantine Leave, a peace officer will receive all employment benefits and compensation, including leave accrual, pension benefits, and health benefit plan benefits for the duration of the leave. Peace officers will also receive reimbursement for reasonable costs related to the quarantine, including lodging, medical, and transportation. Paid Quarantine Leave will be ordered by the peace officer's supervisor or the applicable health authority.

A peace officer's sick leave balance, vacation leave balance, holiday leave balance, or other paid leave balance will not be reduced in connection with Paid Quarantine Leave taken in accordance with this Sec. 8.

Sec. 9 LIMITATIONS ON LEAVES OF ABSENCE

With the exception of leaves of absence for military duty, peace officer leave, or approved leave under the Family and Medical Leave Act, if an employee accumulates more 10 days of absence after exhausting all available paid and unpaid leave, the employee shall be separated due to unavailability for work, subject to any reasonable accommodation duties Midland Academy Charter may have under the Americans with Disabilities Act (ADA) or similar law. Any employee separated for unavailability for work following exhaustion of all available leave will be eligible for rehire, and will be able to apply for any vacancies that may exist at any given time, depending upon qualifications and availability of job openings.

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