

DAGD: Sick Leave

Every full-time employee shall receive paid sick leave as per Negotiated Agreement and Classified Salary Benefit Sheet. This leave may be used for any personal illness. If paid sick leave is used because of a serious health condition, it will count toward the total 12 weeks of unpaid leave that the employee is entitled to under the Family and Medical Leave Act. A serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility or continuing treatment by a health care provider.

NOTE: School districts are subject to the Family and Medical Leave Act. However, employees of the district are only eligible if the district has 50 or more employees. Therefore, districts with fewer than 50 employees do not need the above reference to FMLA.

The administration has the right at its discretion to request medical certification as a prerequisite for the awarding of sick leave. In the event of such a request, sufficient medical evidence must be provided to the Superintendent indicating the nature of the disabling condition, the exact period of disability and the statement of a licensed health care provider verifying that the employee is unable to carry out his/her duties.

In the event a second medical opinion is requested by the administration, the expense shall be paid by the Board.

Pregnancy disability shall be treated as any other sick leave and is subject to the limitations of the sick leave policy.

Cross Ref: Policy DAGFA: Child Care Leave
Policy DAGFD: Family and Medical Leave

Legal Ref: NDCC 15.1-16-19: Sick leave - Accumulation
P.L. 103-3: Family and Medical Leave Act of 1993
29 CFR Part 825: Regulations

NOTE: To the extent sick leave is governed by a negotiated agreement, this policy should either be modified accordingly, or deleted, or amended by a clause which states: "Subject only to the provisions of any negotiated agreement,"

**Divide County
School District**

**POLICY ADOPTED: 12/01/1988
POLICY REAFFIRMED:
POLICY AMENDED: 09/12/2006**