

EXTENDED SICK LEAVE POLICY FOR TEACHERS

Every parish and city school board shall permit each full-time teacher to take up to ninety (90) days and each half-time teacher to take up to forty-five (45) days of extended sick leave in each six year period of employment which may be used for personal illness or illness of an immediate family member in the following manner provided at any time that the teacher has no remaining sick leave balance.

- A. The following terms shall have the following meanings:
1. **Child** – means a biological son or daughter, an adopted son or daughter, a foster son or daughter, a stepson or daughter, or a legal ward of a teacher standing in *loco parentis* to that ward who is either under the age of eighteen (18), or who is eighteen (18) years of age but under twenty-four (24) years of age and is a full-time student, or who is nineteen (19) years of age or older and incapable of self-care because of a mental or physical disability.
 2. **Immediate family member** – means a spouse, parent, or child of a teacher.
 3. **Parent** – means the biological parent of a teacher or an individual who stood in *loco parentis* to the teacher.
- B. Unused days during any six-year period of employment shall not cumulate or carry forward into the next six-year period of employment.
- C. The balance of days of extended leave available to a teacher shall transfer with such teacher from one public school employer to another without loss of days and without restoration of days.
- D. Interruptions of service between periods of employment with a public school employer shall not be included in any calculation of a six-year period, such that any employment with any public school employer, regardless of when it occurs, shall be included in any determination of the balance of days of extended sick leave available to a teacher.
- E. Any teacher on extended sick leave shall be paid sixty-five (65%) percent of his/her daily rate of pay at the time the extended sick leave begins.
- F. No teacher may undertake additional gainful employment while on extended sick leave, unless all of the following conditions are met:

1. The teacher can demonstrate that he will be working not more than twenty (20) hours a week in a part-time job that he has been working for not less than one hundred and twenty days (120) prior to the beginning of any period of extended sick leave.
 2. The physician who certifies the medical necessity of the leave indicates that such part-time work does not impair the purpose for which the extended leave is required.
- G. Any violation of this prohibition may require the teacher to return to the employer all compensation paid during any week of extended leave in which the teacher worked more than twenty (20) hours and to reimburse the employer all related employment costs attributable to such period as calculated by the employer, without any restoration of such days.
- H. On every occasion when a teacher uses extended sick leave, a statement from a licensed physician certifying that the leave is medically necessary for the teacher or that the immediate family member's illness is serious and requires the presence of the teacher shall be presented prior to the extension of such leave. The physician statement required by this paragraph may be presented and the extended leave may be requested subsequent to the teacher's return to service. In cases where leave is requested subsequent to the teacher's return to service, the application for extended sick leave and the physician's statement must be presented to the Human Resources Department within three (3) working days after the teacher returns to service.
- I. If the Board, upon review of the application, questions the validity or accuracy of the certification, the employer may require the teacher or the immediate family member, as a condition for continued extended leave, to be examined by a licensed physician selected by the employer. In such a case, the employer shall pay all costs of the examination and any tests determined to be necessary. If the physician selected by the employer finds medical necessity, the leave shall be granted.
- J. If the physician selected by the public school employer disagrees with the certification of the physician selected by the teacher or the immediate family member, then the employer may require the teacher or the immediate family member, as a condition for continued extension of sick leave, to be examined by a third licensed appropriate physician whose name appears next in the rotation of physicians on a list established by the local medical society for such purpose and maintained by the board. All costs of an examination and any required tests by a third doctor shall be paid by the employer. The opinion of the third physician shall be determinative of the issue.

- K. The opinion of all physicians consulted as provided above shall be submitted to the board in the form of a sworn statement which shall be subject to the provisions of R.S. 14:125. All information contained in any statement from a physician shall be confidential and shall not be subject to the public records law.

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