

Health and Disability

Statement of Policy

The Alpine School District Board of Education recognizes that health and disability leave for employees may be needed. Therefore, the Board provides such leave as an important fringe benefit to its employees. The Board has designated the Business Administrator and the Executive Director of Human Resources to work collaboratively to apply this policy.

Definition

1. "Calendar day" includes contract days, weekends, and holidays combined.

1. HEALTH AND DISABILITY

- 1.1. Educators with less than three years of continuous current experience in the district, are granted health and disability leave as follows:
 - 1.1.1. A maximum of up to seven (7) working days may be granted annually in the event of health or disability absence.
 - 1.1.2. Health and disability may accumulate up to a maximum of twenty-one (21) working days at the beginning of the third year of employment.
 - 1.1.2.1. During the absence of an educator for health or disability reasons, the educator's full salary shall be paid for the cumulative days used.
 - 1.1.3. Beyond the cumulative health and disability leave, when an educator is absent because of health or disability reasons, an educator's salary shall be paid as follows:

1.1.3.1. A certified educator's salary shall have the cost of a personal day deducted for any health or disability leave taken beyond the earned cumulative days up to a combined maximum of one hundred eighty (180) calendar days.

1.2. Educators who have completed three or more current consecutive years of employment with the district, are granted health and disability leave for one hundred eighty (180) calendar days beginning with the first day of disability

1.2.1. An educator who has exhausted the one hundred eighty (180) calendar days of health and disability leave and returns to work on the one hundred eighty-first (181st) calendar day must obtain a release to return to work letter from their primary care physician, releasing them to return to work without restriction, or reasonable accommodation.

1.2.1.1. Any accommodation must be in place before the one hundred eighty-first (181st) calendar day of absence. (This will mean that accommodations must be requested with enough advance notice for the District to comply.

1.2.1.2. The employee who uses one hundred eighty (180) calendar days of health and disability leave and returns to work will be placed on sick leave probation. Sick leave probation begins with the upcoming year and extends to the employee twenty-one (21) calendar days annually, of health and disability leave for two (2) years. These days are not cumulative. Upon successful completion of sick leave probation, the employee will have their one hundred eighty (180) calendar days of health and disability leave restored.

1.2.2. Should an employee be unable to return to work on the one hundred eighty-first (181st) calendar day of health and disability leave, they will be separated from employment.

1.2.3. Health and disability leave will be recorded relative to the percent of contract of the employee. (A .5 teacher who takes a sick day is

charged one (1) full day of health and disability leave.) There is not an intent to extend to part-time employees more health and disability leave than full-time employees.

1.2.4. Employees who use ten (10) consecutive contract days of health and disability leave, or establish a pattern of sick leave usage, which may indicate misuse, will, upon the recommendation of the principal/supervisor and at the discretion of Human Resources, trigger the beginning count of the one hundred eighty (180) calendar days of sick leave usage. The calendar count will begin with the first day of the illness/disability for which the one hundred eighty (180)-day sick leave count is considered. The one hundred eighty (180) days of sick leave count may only go back for two years, unless a recommendation by the sick leave panel to go beyond the two (2) years is reached.

1.2.4.1. Employees whose sick leave usage indicates a possible misuse will be notified in writing of the triggering of the one hundred eighty (180) calendar days of health and disability leave.

1.2.5. A retired career educator will not be eligible for the 180 days of sick leave benefit. They will earn seven (7) days of sick leave per year which may accrue to a maximum of twenty-one (21) days. Individuals other than retired Alpine employees who were hired prior to March 1, 2006, are eligible for the one hundred eighty (180) days of sick leave benefit.

1.3. An educator who is absent from work for a period of ten (10) consecutive contract days for health or disability reasons must upon the request of the principal/supervisor, supply the Human Resources department with a medical doctor's statement regarding the exact nature of the disability and shall include the doctor's prognosis of when the employee can return to work.

1.4. An educator who has taken ten (10) consecutive contract days or more of health and disability leave in any one school year or who establishes a

pattern of sick leave use which might indicate a possible misuse, will, upon the request of the principal/supervisor, have the reasons for leave reviewed by Human Resources. If Human Resources determines after an initial review that there is possible misuse, a panel consisting of three (3) administrators to be appointed by the superintendent will make a formal review of the situation. The employee may be asked to appear before the panel and in all cases will have an opportunity to provide an explanation. In the event it is determined that the benefit is being misused, the panel will make recommendations for action to the superintendent and to the employee.

- 1.5. If the spouse, child, or parent of an educator has surgery or is hospitalized, the educator may be excused for up to three (3) days for the admittance, release and the day of surgery, but unless the patient is critical the educator should be in school during the period of recovery.
- 1.6. An educator may be excused for up to a maximum of two (2) working days annually in the event of a dependent, immediate family member illness.
 - 1.6.1. Dependent members of the immediate family may include mother, father, child, brother, sister and person living in the same immediate household.
 - 1.6.2. An absence taken under this policy will be construed as health/disability leave.
 - 1.6.2.1. Health and disability leave will be recorded relative to the percent of the contract of the employee. (An educator with a .5 contract who takes a sick day is charged one full day of health and disability leave.) There is not an intent to extend to part-time employees more health and disability leave than full-time employees.
- 1.7. All special requests for health/disability leave beyond that which is specified in this policy shall be referred to the principal for individual consideration. At the principal's discretion up to five (5) additional days may be allowed or denied. Upon denial, the employee may appeal directly to the Superintendent to request additional days.

- 1.8. Upon approval of Workman's Compensation ([Policy 4224](#)), the Health and Disability leave as described in this policy will run concurrently.
- 1.9. Release to return to work after prolonged illness or disability will be determined by the educator's attending physician. In the event of a conflict with the attending physician and the District administration, a second physician may be consulted at school board expense. In the event of a disagreement between the two doctors, a third doctor may be consulted to determine disposition of the case.
- 1.10. When poor health seems to impair an educator's ability to carry on work in a satisfactory manner, the Board of Education may request the educator to have a complete physical examination by a competent doctor of medicine.
- 1.11. Educators should plan their work and provide lesson plans so that their work will progress normally whenever they must be absent themselves from school.
- 1.12. Sick leave data is protected by HIPPA and will not be shared with any unqualified District employee or employee representative without written consent of the employee.
- 1.13. Employees may use sick leave for organ donation.

2. LONG TERM DISABILITY

- 2.1. Educators shall be provided with a long-term disability insurance policy with the full cost of the premium being paid by the Board of Education for a full time employee. The benefits of this policy become effective following the expiration of the one hundred eighty (180) days on health and disability leave. The employee must apply and meet the qualification of Educators Mutual (EMI Health).
- 2.2. Individuals who were on Long-Term Disability prior to the 1988-89 contract year and who qualify to stay on Long-Term Disability beyond the initial two (2) years shall have a waiver of premium to age 65.

- 2.3. Individuals who qualify for Long-Term Disability during the 1988-89 contract year and qualify to stay on Long-Term Disability beyond the initial two (2) years shall be provided a conversion policy for health and accident insurance only to age 65. This benefit will discontinue at the close of the employee's 1988-89 contract year, but no later than August 31, 1989.
- 2.4. Employees who qualify for Long-Term Disability and qualify to stay on Long-Term Disability beyond the initial two (2) years shall be provided a supplemental conversion policy to their Medicare coverage for health and accident insurance for a three (3) year period. This benefit will discontinue five (5) years from the date the individual qualified for Long-Term Disability. This is a benefit to the employee only and is effective to most employees qualifying subsequent to the 1988-89 school year.
- 2.5. Employees who qualify for Long-Term Disability after June 30, 2011 will no longer be provided a supplemental conversion policy to their Medicare coverage for health and accident coverage for a three (3) year period.
- 2.6. Beginning September 26, 2015 Tier 1 employees (as defined by the Utah Retirement System) who qualify for Long-term Disability (LTD) will have an elimination period of one hundred twenty (120) days. Tier 2 employees (as defined by the Utah State Retirement System) who qualify for Long-Term Disability (LTD) will have an elimination period of one hundred eighty (180) days.

Board Approvals

- *See Policy No. 4037, Item 1.61
- Negotiated: November 1, 1985; Negotiated Revision: August 25, 1987, September 27, 1988, June 16, 1989, November 1991, May 2011, May 2013, May 2014, May 2015, April 2017, May 2018
- Negotiated: 2019
- Negotiated Revisions: September 2020
- Negotiated Revisions: June 2024
- Board approved revisions: June 17, 2025

Procedures

1. EXTENDED SICK LEAVE

- 1.1. An employee absent from work for a period of ten (10) consecutive contract days for health or disability reasons must, upon request of his/her principal/supervisor, supply Human Resources with a medical doctor's statement regarding the exact nature of the disability and shall include the doctor's prognosis of when the employee can return to work.
- 1.2. Those employees who have been required to supply a medical doctor's statement to substantiate extended health and disability leave are not to be permitted to return to work without a doctor's release. If the employee is given only a partial release, please check with the Human Resource office before allowing the person to return to work. Principals/supervisors are to forward these releases without delay to the Human Resource office so they may be placed in the employee's medical file.
- 1.3. Employees who have been absent for an extended period shall not be allowed to return to work for a day or a few days and then be absent due to health or disability reasons for another extended period of time without proper medical documentation. Principals/supervisors will need to monitor this type of situation.

2. PARENTAL LEAVE

- 2.1. Definitions
 - 2.1.1. "Parental leave" means leave hours provided to a parental leave eligible employee to bond with a child or, in the case of a guardianship appointment, an incapacitated adult.
 - 2.1.2. "Parental leave eligible employee" means an employee who, on the date an event described in Subsections 2.1.2.4.1 through 2.1.2.4.5 occurs:

- 2.1.2.1. is a contracted district employee;
- 2.1.2.2. is in a position that accrues paid leave benefits that can be used in the current and future calendar years;
- 2.1.2.3. is not reemployed as defined in Section [49-11-1202](#);
- 2.1.2.4. is assuming a parental role with respect to the child or the incapacitated adult for which parental leave is requested; and
 - 2.1.2.4.1. is the child's biological parent;
 - 2.1.2.4.2. is the spouse of the person who gave birth to the child;
 - 2.1.2.4.3. is the adoptive parent of the child, unless the employee is the spouse of the pre-existing parent;
 - 2.1.2.4.4. is the intended parent of the child and the child is born under a validated gestational agreement in accordance with [Title 78B, Chapter 15, Part 8](#), Gestational Agreement; or
 - 2.1.2.4.5. is appointed the legal guardian of the child or the incapacitated adult
- 2.1.3. "Postpartum recovery leave" means leave provided to a postpartum recovery leave eligible employee to recover from childbirth that occurs at 20 weeks or greater gestation. (Such leave is offered in satisfaction of the period of parental leave and, if applicable, consecutive period postpartum recovery leave required under [53G-11-209\(2\)](#) and [63A-17-511\(2\)-\(4\)](#)).
- 2.1.4. "Retaliatory action" means to do any of the following to an employee:
 - 2.1.4.1. dismiss the employee;
 - 2.1.4.2. reduce the employee's compensation;
 - 2.1.4.3. fail to increase the employee's compensation by an amount that the employee is otherwise entitled to or was promised;

- 2.1.4.4. fail to promote the employee if the employee would have otherwise been promoted; or
 - 2.1.4.5. threaten to take an action described in Subsections 2.1.4.1 through 2.1.4.4.
- 2.1.5. "Postpartum recovery leave eligible employee" means an employee who:
 - 2.1.5.1. Would otherwise qualify as a "parental leave eligible employee" and
 - 2.1.5.2. gives birth to a child.
- 2.1.6. "Qualified employee" means:
 - 2.1.6.1. a parental leave eligible employee; or
 - 2.1.6.2. a postpartum leave eligible employee.
- 2.2. Except as provided in Subsections 2.5 and 2.6, the district shall:
 - 2.2.1. allow a parental leave eligible employee to use up to three work weeks of paid parental leave for:
 - 2.2.1.1. the birth of the parental leave eligible employee's child;
 - 2.2.1.2. the adoption of a child; or
 - 2.2.1.3. the appointment of legal guardianship of a child or incapacitated adult; and
 - 2.2.2. allow a postpartum recovery leave eligible employee up to six (6) consecutive calendar weeks (30 days) of paid Maternity Leave for vaginal birth or up to eight (8) consecutive calendar weeks (40 days) of paid Maternity Leave for cesarean birth.
- 2.3. A qualified employee who is part-time may use the amount of parental leave available to the qualified employee under this section on a pro rata basis as determined by the percentage of his/her contract.
- 2.4. Leave will be recorded relative to the percent of contract of the employee. (A .5 teacher who takes a day of parental leave is charged one full day of

parental leave.) There is not an intent to extend to part-time employees more health and disability leave than full-time employees.

2.5. Parental leave described in Subsection 2.2.1:

2.5.1. may not be used before the day on which:

- 2.5.1.1. the parental leave eligible employee's child is born;
- 2.5.1.2. the parental leave eligible employee adopts a child; or
- 2.5.1.3. the parental leave eligible employee is appointed legal guardian of a child or incapacitated adult;
- 2.5.1.4. may not be used more than six months after the date described in Subsection 2.2.1;

2.5.2. may not be used intermittently, unless:

- 2.5.2.1. by mutual written agreement between the district and the parental leave eligible employee; or
- 2.5.2.2. a health care provider certifies that intermittent leave is medically necessary due to a serious health condition of the child;

2.5.3. runs concurrently with any leave authorized under the Family and Medical Leave Act of 1993, [29 U.S.C. Sec. 2601](#) et seq.; and

2.5.4. runs consecutively to postpartum recovery leave.

2.6. The amount of parental leave authorized under Subsection 2.2.1 does not increase if a parental leave eligible employee:

- 2.6.1. has more than one child born from the same pregnancy;
- 2.6.2. adopts more than one child; or
- 2.6.3. is appointed legal guardianship of more than one child or incapacitated adult.

2.7. A parental leave eligible employee may not use more than three work weeks of paid parental leave within a single 12-month period, regardless of whether during that 12-month period the parental leave eligible employee:

- 2.7.1. becomes the parent of more than one child;
 - 2.7.2. adopts more than one child; or
 - 2.7.3. is appointed legal guardianship of more than one child or incapacitated adult.
- 2.8. Postpartum recovery leave described in Subsection 2.2.2:
- 2.8.1. shall be used starting on the day on which the postpartum recovery leave eligible employee gives birth, unless a health care provider certifies that an earlier start date is medically necessary;
 - 2.8.2. shall be used in a single continuous period, unless otherwise authorized in writing by the Executive Director of Human Resources;
 - 2.8.3. runs concurrently with any leave authorized under the Family and Medical Leave Act of 1993, [29 U.S.C. Sec. 2601](#) et seq.; and
 - 2.8.4. includes any claim to parental leave.
- 2.9. The amount of postpartum recovery leave authorized under Subsection 2.2.2 does not increase if a postpartum recovery leave eligible employee has more than one (1) child born from the same pregnancy.
- 2.10. Except as provided in Subsection 2.10.3, a qualified employee shall give the district notice at least thirty (30) days before the day on which the qualified employee plans to:
- 2.10.1. begin using parental leave or postpartum recovery leave under this section; and
 - 2.10.2. stop using postpartum recovery leave under this section.
 - 2.10.3. If circumstances beyond the qualified employee's control prevent the qualified employee from giving notice as described, the qualified employee shall give each notice as soon as reasonably practicable.
- 2.11. Except as provided in Subsections 2.5.3 and 2.8.3, the district will not charge parental leave or postpartum recovery leave under this section against any other leave for which a qualified employee is entitled.

- 2.12. The district will not compensate a qualified employee for any unused parental leave or postpartum recovery leave upon termination of employment or if not used when eligible.
- 2.13. Following the expiration of a qualified employee's parental leave or postpartum recovery leave under this section, the district shall ensure that the qualified employee may return to:
 - 2.13.1. the position that the qualified employee held before using parental leave or postpartum recovery leave; or
 - 2.13.2. a position within the district that is equivalent in seniority, status, benefits, and pay to the position that the qualified employee held before using parental leave or postpartum recovery leave.
- 2.14. If during the time a qualified employee uses parental leave or postpartum recovery leave under this section, the district experiences a reduction in force and, as part of the reduction in force, the qualified employee would have been separated had the qualified employee not been using the parental leave or postpartum recovery leave, the district may separate the qualified employee in accordance with any applicable process or procedure as if the qualified employee were not using the parental leave or postpartum recovery leave.
- 2.15. During the time a qualified employee uses parental leave or postpartum recovery leave under this section, the qualified employee shall continue to receive all employment related benefits and payments at the same level that the qualified employee received immediately before beginning the parental leave or postpartum leave, provided that the qualified employee pays any required employee contributions.
- 2.16. The district will not:
 - 2.16.1. interfere with or otherwise restrain a qualified employee from using parental leave or postpartum recovery leave in accordance with this section; or
 - 2.16.2. take retaliatory action against a qualified employee for using parental leave or postpartum recovery leave in accordance with this section.

- 2.17. The district shall provide each employee written information regarding a qualified employee's right to use parental leave or postpartum recovery leave under this section.
- 2.18. Up to three (3) days may be allowed for an eligible employee for the placement of a foster child.

Citations

[Policy No. 4224 | Workers' Compensation](#)

[78B-15-8](#)

[49-11-1202](#)

[53G-11-209\(2\)](#)

[63A-17-511\(2\)-\(4\)](#)

Family and Medical Leave Act of 1993, [29 U.S.C. Sec. 2601](#) et seq.

Approvals

- Negotiated: May 12, 2021
- Negotiated: May 11, 2023
- Negotiated: June 11, 2024
- Negotiated: June 17, 2025

HEALTH AND DISABILITY LEAVE INTERPRETATION (NOT POLICY)

Guidelines for administering the health/disability policy are:

1. The principal shall review the health/disability leave policy with the entire staff during the first month of each school year.