

1 535 . ANTICIPATED DISABILITY

2 **1. Purpose**

3 Leaves of absence for classified employees of the district not otherwise covered by the terms of a collective
4 bargaining agreement, whose absence from duties will be required for a foreseeable event of disability such
5 as childbirth or surgery, shall be in accordance with the following guidelines. Such provisions shall be
6 governed by considerations for the health of employees, the need for continuity in school operations, and
7 the maintenance of a qualified district staff.
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9 **2. Authority**

10 The Board has the authority and responsibility to establish reasonable guidelines that specify the point at
11 which such leave shall commence, the length of time for which leave shall continue after the disabling
12 event, and the conditions of pay during such leave. Disclosure of anticipated disability and the continuing
13 certification of an employee's fitness to perform duties thereafter shall be required.
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15 **3. Guidelines**

16 **A. Effect of Anticipated Disability upon Employment**

- 17 1. **Notice** - An employee shall notify his/her supervisor of the anticipated disability as soon
18 as s/he is under medical supervision for the condition and a date is projected for the
19 anticipated disability.
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21 2. **Certification of Fitness** - The employee shall present to his/her supervisor a written
22 statement by his/her physician of the employee's physical capacity to perform duties
23 assigned at the time of notification.
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25 When, notwithstanding such certification of fitness, the performance of an employee anticipating disability
26 has been substantially affected, the employee shall then be required to submit a physician's statement
27 stating that s/he is physically fit to continue to perform the duties assigned.
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29 The district need not assume that an employee's statement or his/her physician's statement conclusively
30 establishes fitness, but may require a review and examination by the school physician or a physician
31 selected by the district.
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33 In the event the physician of an employee shall be of an opinion contrary to that of the physician selected
34 by the district, then the employee and the Board shall mutually agree upon the appointment of an impartial
35 third physician whose medical opinion shall be conclusive and binding on the issue of medical capacity to
36 continue in the performance of assigned duties.
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38 If, as a result of such examination, the employee is found to be fit to perform assigned duties, s/he may do
39 so or request a leave of absence in accordance with Part C, of this policy.
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41 If, as a result of such examination, the employee is found to be unfit to perform assigned duties, the
42 employee shall be placed on mandatory sick leave with such compensation to which s/he is entitled under
43 the sick leave policies of the district until proof of recovery satisfactory to the district is furnished.
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45 Refusal to submit certification of fitness as required by this policy shall be considered as grounds for
46 disciplinary action or dismissal.
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48 **B. Employee Request for Additional Leave for Reasons of Disability**

49 Any employee may request disability leave of absence to commence before the Board
50 requires that s/he leave or to extend beyond the period of absence required by the Board
51 following disability. Such request shall be accompanied by a written statement of the
52 employee's physician certifying that s/he is unable to perform the duties of his/her position.

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Such disability leave shall be subject to the policies of this Board for sick leave or uncompensated leave.

C. Employee Request for Additional Leave for Reasons Not Related to Disability

An employee may request leave of absence to commence before the Board requires that s/he leave or to extend beyond the period of absence required by the Board following disability. Such request shall be subject to the Board's policy on leave of absence, and the leave, when granted, shall be without pay. The employee on voluntary leave of absence is not eligible for sick leave pay if disability does then occur.

School Code: §§1154(e), 1418

Other Cites: P.G. 539