

MOA: Article 8.4 Personal Day Language Change to "Restricted"

This Memorandum of Agreement ("MOA") between the Board of Education of DuPage High School District No. 88, DuPage County ("Board"), and the DuPage District 88 Council, Local 571, American Federation of Teachers ("Union") is made and entered into on August 27, 2021, and shall be subject to the terms and provisions of the collective bargaining agreement ("CBA") between the parties regarding changing "black-out" to "restricted" days.

Article 8.4, Clauses A, C, and D of the CBA refers to "black-out days" in the language of Personal/Emergency day usage. The Board and the Union agree to change the term "black-out day" referenced in the CBA to "restricted Personal /Emergency day".

There is no change in conditions of Article 8.4. The word change is "restricted" from "black-out." Teachers will follow the procedures outlined in Article 8.4 for administrative approval.

8.4 Paid Emergency/Personal Leave

The Board recognizes that occasional emergency/personal obligations in the lives of Teachers make it advisable to establish a provision for these occasions through a basic leave policy. Emergency/personal leave shall be granted for personal business. Personal leave days must be arranged with the proper Administrator.

Three (3) emergency/personal leave days shall be granted annually to each Teacher for personal business.

Emergency/personal leave days may not be used during the first two (2) or last two (2) weeks of the school year, institute days, nor immediately preceding or following a school holiday, school vacation, or other Teacher non-attendance day as provided on the official school calendar. Emergency/personal leave days shall not be available for use during a work stoppage of any kind nor for any activity which shall result in taxable income to the Teacher.

Emergency/personal leave days shall be immediately available for use as sick leave and unused emergency/personal leave days shall, at the end of each school year, accumulate as unused, available sick leave.

A. An exception to the "~~black-out days~~ restricted days set forth in the Collective Bargaining Agreement may be granted by a decision of the Superintendent (or designee). Exceptions will be granted on rare occasions at the discretion of the Superintendent based upon the following guidelines:

The request must be submitted in writing to the building principal at least ten (10) calendar days before the date the Teacher wants to use a personal day.

The written request must set forth detailed reason(s) for the exception.

B. The building principal will bring the request to the Superintendent (or designee), who shall review the request and determine whether an exception should be approved.

C. In the event that an emergency occurs within the ten (10) day time frame, and a Teacher needs to request a "personal leave ~~blackout~~ restricted period exception," the Teacher will provide a detailed

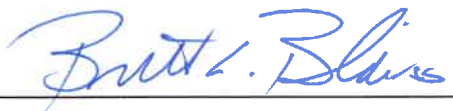
written request to the building principal. The building principal will work with the Superintendent (or designee) to render a more immediate decision.

D. In making the decision on whether to grant a "personal leave ~~blackout~~ restricted period exception," the Superintendent (or designee) will consider the following:

1. The request must be for a significant once-in-a-lifetime event for which the Teacher has no control over the scheduling, including, but not limited to the following examples:
 - a. Attendance at a school graduation ceremony/recognition of achievement ceremony of a Teacher's child, stepchild or member of the Teacher's immediate family.
 - b. Attendance at a college graduation/recognition of achievement ceremony of a Teacher, a Teacher's spouse, child, stepchild, or member of the Teacher's immediate family.
 - c. Attendance at a military graduation ceremony or an overseas military deployment ceremony of a Teacher's spouse, child, stepchild, or member of the Teacher's immediate family.
 - d. Appearance in a court of law as a litigant when sincere but unsuccessful efforts have been made to reschedule an appearance
 - e. Attendance at a funeral (for situations not covered under the leave policy)
2. No request will be approved for vacation, travel or recreational purposes or similar reasons.

E. Determinations by the Superintendent to grant or deny an exception pursuant to this Article shall not establish a practice or a precedent, and shall not be subject to the grievance procedure set forth in the Collective Bargaining Agreement.

DuPage District 88 Council, Local 571, American Federation of Teachers

By: 

Union President

Date: 9/3/2021

Board of Education of DuPage High School District No. 88, DuPage county

By: 

Board President

Date: 9/13/2021