

**Leave  
Administration**

The Superintendent shall develop administrative regulations addressing employee leaves and absences to implement the provisions of this policy.

**Definitions**

The term "immediate family" is defined as:

Immediate Family

1. Spouse.
2. Son or daughter, including a biological, adopted, or foster child, a son- or daughter-in-law, a stepchild, a legal ward, or a child for whom the employee stands *in loco parentis*.
3. Parent, stepparent, parent-in-law, or other individual who stands *in loco parentis* to the employee.
4. Sibling, stepsibling, and sibling-in-law.
5. Grandparent and grandchild.
6. Any person residing in the employee's household at the time of illness or death.

Family Emergency

The term "family emergency" shall be limited to disasters and life-threatening situations involving the employee or a member of the employee's immediate family.

Leave Day

A "leave day" for purposes of earning, using, or recording leave shall mean the number of hours per day equivalent to the employee's usual assignment, whether full-time or part-time.

School Year

A "school year" for purposes of earning, using, or recording leave shall mean the term of the employee's annual employment as set by the District for the employee's usual assignment, whether full-time or part-time.

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**Note:** For District contribution to employee insurance during leave, see CRD(LOCAL).

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**Availability**

The District shall make state personal leave and local leave for the current year available for use at the beginning of the school year.

**State Leave  
Proration**

If an employee separates from employment with the District before his or her last duty day of the school year or begins employment after the first duty day of the school year, state personal leave shall be prorated based on the actual time employed.

If an employee separates from employment before the last duty day of the school year, the employee's final paycheck shall be reduced for state personal leave the employee used beyond his or her pro rata entitlement for the school year.

<b>Medical Certification</b>	<p>An employee shall submit medical certification of the need for leave if:</p> <ol style="list-style-type: none"><li>1. The employee is absent more than five consecutive workdays because of personal illness or illness in the immediate family; or</li><li>2. The District requires medical certification due to a questionable pattern of absences or when deemed necessary by the supervisor or Superintendent.</li></ol> <p>In each case, medical certification shall be made by a health-care provider as defined by the Family and Medical Leave Act. [See DECA(LEGAL)]</p>
<b>State Personal Leave</b>	<p>The Board requires employees to differentiate the manner in which state personal leave is used.</p>
Nondiscretionary Use	<p>Nondiscretionary use of leave shall be for the same reasons and in the same manner as state sick leave accumulated before May 30, 1995. [See DEC(LEGAL)]</p> <p>Nondiscretionary use includes leave related to the birth or placement of a child and taken within the first year after the child's birth, adoption, or foster placement.</p>
Discretionary Use	<p>Discretionary use of leave is at the individual employee's discretion, subject to limitations set out below.</p>
<i>Request for Leave</i>	<p>In deciding whether to approve or deny a request for discretionary use of state personal leave, the supervisor shall not seek or consider the reasons for which an employee requests to use leave. The supervisor shall, however, consider the duration of the requested absence in conjunction with the effect of the employee's absence on the educational program and District operations, as well as the availability of substitutes.</p> <p>Discretionary use of state personal leave shall not exceed five consecutive workdays.</p>
<b>Local Leave</b>	<p>Each employee shall earn three paid local leave days per school year in accordance with administrative regulations.</p> <p>Local leave shall be noncumulative.</p> <p>Local leave shall be used according to the terms and conditions of state personal leave. [See State Personal Leave, above]</p>
<b>Extended Sick Leave</b>	<p>After all available paid leave days and any applicable compensatory time have been exhausted, an employee shall be granted in a school year a maximum of 30 leave days of extended sick leave to be used for the employee's personal illness or injury, including</p>

pregnancy-related illness or injury, or for absences related to the illness or injury of a member of the employee's immediate family.

A written request for extended sick leave must be accompanied by medical certification of the illness or injury.

The District shall deduct the average daily rate of pay of a substitute for the employee's position for each day of extended sick leave taken, whether or not a substitute is employed.

**Temporary Disability Leave**

Any full-time employee shall be eligible for temporary disability leave. The maximum length of temporary disability leave shall be 180 calendar days. [See DBB(LOCAL) for temporary disability leave placement and DEC(LEGAL) for return to active duty.]

An employee's notification of need for extended absence due to the employee's own medical condition shall be forwarded to the Superintendent as a request for temporary disability leave.

The District shall require the employee to use temporary disability leave and paid leave, including any compensatory time, concurrently.

**Workers' Compensation**

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**Note:** Workers' compensation is not a form of leave. The workers' compensation law does not require the continuation of the District's contribution to health insurance.

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An absence due to a work-related injury or illness shall be designated as temporary disability leave and/or assault leave, as applicable.

**No Paid Leave Offset**

The District shall not permit the option for paid leave offset in conjunction with workers' compensation income benefits. [See CRE]

**Court Appearances**

Absences due to compliance with a valid subpoena or for jury duty shall be fully compensated by the District and shall not be deducted from the employee's pay or leave balance.

Absences for court appearances related to an employee's personal business shall be deducted from the employee's leave or, at the employee's option, shall be taken as leave without pay.

**Annual Payment for Unused Leave**

Each employee shall receive an annual payment for unused local leave at the rate of \$25 for each unused day.

Days for which the employee received payment shall not be available to that employee for use in the District.

The rate established by the Board shall be in effect until a new rate is adopted. Any changes to the rate shall apply beginning with the school year following the adoption of the rate change.