

Certificated and Classified Personnel

LEAVES

The Board of Education shall provide for paid and unpaid employee leaves of absence in accordance with law, Board policy, administrative regulation and collective bargaining agreements.

The Board recognizes the following justifiable reasons for absence as provided by law:

1. Personal illness or injury
2. Industrial accident or illness
3. Family care and medical leave (i.e., Childbirth and recovery, care of newborn, placement of a child with the employee for foster care or adoption of a child)
4. Military service
5. Family illness or accident; bereavement; fire, flood or other immediate danger to the employee's home or property; and other personal emergencies
6. Vacations for classified staff and certificated management staff, as applicable
7. Jury duty or required court appearances
8. Religious observances
9. Participation in child's school or day care activities
10. Attendance at work-related meetings and staff development opportunities
11. Compulsory leave
12. Disability leave for certificated employees in accordance with Education Code 44986

Long-Term Leaves

With Board approval, employees may receive a long-term leave of absence without pay and without increment, seniority or service credit, for a period of up to one school year. Applications for long-term leave shall be made in writing and shall state the purpose for which leave is requested. All long-term leave applications shall be in writing and shall state the terms and conditions of the leave, including the dates for which the leave is requested and the conditions governing the employee's return.

LEAVES (continued)

Long-Term Leaves (continued)

The Superintendent or designee may deny a long-term leave application if it is determined that granting of such a request would not be in the best interest of the District. At the end of a long-term leave, the employee shall be reinstated in a position classified at the same level as that held at the time leave was granted, unless otherwise agreed upon.

The Board shall consider any written request by an employee to return to work prior to the expiration date of the leave.

Other Leaves

Other leaves of absence may also be approved or denied by the Superintendent or designee.

Administrative and Supervisory Personnel

Certificated administrative and supervisory employees who are not subject to the District's bargaining agreement for certificated employees shall generally be entitled to those leave provisions provided in the bargaining agreement for other certificated employees unless otherwise specified in individual contract, memorandums of understanding, Board policy, administrative regulation, or law.

Classified management and supervisory employees who are not subject to the District's bargaining agreement for classified employees shall generally be entitled to those leave provisions provided in the bargaining agreement for other classified employees unless otherwise specified in individual contract, memoranda of understanding, Board policy, administrative regulation, or law.

Legal Reference: (See next page)

LEAVES (continued)

Legal Reference: Education Code
22850-22856 Pension benefits, STRS members on military leave
44018 Compensation for employees on active military duty
44036-44037 Leaves of absence for judicial and official appearances
44043.5 Catastrophic leave
44800 Effect of active military service on status of employees
44842 Failure to provide notice or to report to work
44940 Sex offenses and narcotic offenses; compulsory leave of absence
44962-44988 Leaves of absence (certificated)
45059 Employee ordered to active military/naval duty, computation of salary
45190-45210 Leaves of absence (classified)
Family Code
297-297.5 Registered domestic partner rights, protections and benefits
Government Code
3543.1 Release time for representatives of employee organizations
3543.2 Scope of representation
12945.1-12945.2 California Family Rights Act
20990-21013 Pension benefits, PERS members on military leave
Labor Code
230-230.2 Leaves for victims of domestic violence, sexual assault or specified felonies
230.3 Leave for emergency personnel
230.4 Leave for volunteer firefighters
230.8 Leave to visit child's school
233 Illness of child, parent, spouse or domestic partner
Military and Veterans Code
395-395.9 Military leave
395.10 Leave when spouse on leave from military deployment
United States Code, Title 29
2601-2654 Family and Medical Leave Act of 1993
United States Code, Title 38
4301-4334 Uniformed Services Employment and Reemployment Rights Act of 1994