

PROFESSIONAL STAFF LEAVES AND ABSENCES

The Board shall provide a plan for leaves and absences designed to help members of the certificated staff maintain their physical health, take care of family and other personal emergencies, improve professionally, and discharge important and necessary obligations.

Such leaves and absences shall be granted in accordance with the law and Board policies pertaining to specific types of leaves.

FEDERALLY-MANDATED FAMILY LEAVE

The provisions of this section shall apply to all family and medical leaves of absence except to the extent that paid leaves are covered under other Board policies for any part of the 12 weeks of leave to which the employee is entitled. If an employee is entitled to paid leave under another policy, the employee shall take the paid leave first.

To be eligible for leave under this policy, an employee shall have been employed for at least 12 months and shall have worked at least 1,250 hours during the 12-month period preceding the commencement of the leave. A full-time classroom teacher shall be deemed to be eligible for family leave. An eligible employee shall be entitled to a combined total of 12 weeks' leave per year under particular circumstances that are critical to the life of a family.

Leave may be taken upon the birth and for the first-year care of the employee's child; upon the placement of a child with the employee for adoption or foster care; when the employee is needed to care for a child, spouse or parent who has a serious health condition; or when the employee is unable to perform the functions of his position because of a serious health condition.

Spouses who are both employed by the district shall be entitled to a total of 12 weeks of leave (rather than 12 weeks each) for the birth or adoption of a child or for family illness.

Entitlement for child care leave shall end after the child reaches age one or 12 months after adoption or foster placement. Leave to care for a child shall include leave for a step-parent or person *in loco parentis*.

If medically necessary for a serious health condition of the employee or the employee's spouse, child or parent, leave may be taken on an intermittent or reduced leave schedule subject to certain conditions which pertain to instructional employees. The district may require the employee to transfer temporarily to an alternative position which better accommodates recurring periods of absence or a part-time schedule provided that the position has equivalent pay and benefits.

The district shall maintain coverage under any group health insurance plan for any employee who is granted an approved leave of absence under this policy for the duration of the leave (up to 12 weeks). Such coverage shall be maintained at the same level and under the same conditions as coverage would have been provided if the employee were not on leave. The district reserves the right to seek reimbursement for this benefit in the event that an employee elects not to return to work, as allowed by law.

Reinstatement shall be determined in accordance with any applicable Board policies. If the employee on leave is a salaried employee and is among the highest paid 10 percent of district employees and keeping the job open for the employee would result in substantial economic injury to the district, the employee may be denied reinstatement provided the district notifies the employee of its intent to deny reinstatement at the time economic hardship occurs and the employee elects not to return to work after receiving the notice.

The superintendent is directed to develop procedures to require appropriate medical certifications, notification and reporting which are consistent with law. The procedures shall describe how the district will post notice concerning the federal law and other steps the district shall take to inform employees of its requirements.

ADOPTION DATE: January 15, 1985

REVISION DATE: April 17, 1996

LEGAL REF.: 29 U.S.C. 2601 *et seq.* (Family and Medical Leave Act)
29 C.F.R. Part 825 (regulations)

Note: This law provides that the district shall not be in violation of other federal laws such as those governing the district's responsibility to educate handicapped children solely as the result of an eligible employee taking family medical leave.

CROSS REFS.: GCBDA, Instructional Staff Sick Leave
GCBDC, Instructional Staff Personal/Emergency/Legal/Religious Leave
GCBDB, Instructional Staff Maternity/Paternity/Parental Leave