

## **8.6.1---LEAVE OF ABSENCE**

The Family Medical Leave Act (FMLA) provides up to twelve (12) work weeks (or in some cases 26 weeks) of job-protected leave to eligible employees with absences that qualify under the FMLA. Employees not eligible for FMLA or employees that have exceeded leave under FMLA, must return to work or request a leave of absence. Failure to return to work or request a leave of absence will be considered job abandonment and will result in a recommendation of termination.

An employee must have completed a minimum of three (3) years of service within the District to be eligible for a leave of absence. A leave of absence, for the types of reasons named in this policy, shall be a leave of not less than one semester and not more than two semesters without pay, salary increment or benefits (including health insurance). Approved types of leave include:

- A serious health condition that makes the employee unable to perform the functions of the position of such employee.
- To care for the spouse, son, daughter, or parent of the employee if such spouse, son, daughter, or parent has a serious health condition.
- Educational pursuits (request must identify courses and/or field of study and hours to be earned).

All requests for leave of absence shall be filed in writing or via email at least one (1) month before the leave shall take effect, except in an emergency situation (8.6.1F1 Leave of Absence Form). The employee must clearly state in detail the specific reasons for the request of leave. The appropriate documentation must accompany the request if applicable. The completed request for leave shall be filed with the employee's principal/supervisor and the Superintendent. In determining whether to approve or deny an application, the Superintendent will consider the employee's request, the potential effect on district operations, the employee's length of service to the District, and other appropriate factors. The decision of the Superintendent is final. In the event the request for leave of absence is denied and the employee is unable to return to work, it will be considered job abandonment and will result in a recommendation of termination.

Employees on leave of absence during the fall semester must notify the Superintendent in writing by November 1 of the intent to resume work for the following spring semester. Employees on leave of absence during the spring semester must notify the Superintendent in writing by April 1 of the intent to resume work for the following fall semester. Failure to submit written notice to the Superintendent of intention to resume work as indicated or failure to report for duty at the expiration of a leave of absence shall be considered a resignation.

Upon return to work from an approved leave of absence, all benefits to which an employee was entitled at the time of the leave will be restored to the extent that these benefits are offered to and provided to all employees. A returning employee will be placed on the salary schedule at the level achieved prior to the approved leave. The reinstatement of any insurance plan(s) will be the

responsibility of the employee. Employees returning from leave of absence will be assigned a position by the Superintendent in an area for which they are certified.

Violation of this policy and/or submitting false information as determined by the Superintendent will be considered a breach of contract and will be considered cause for termination.

Approved by Board of Education 05/10/16

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