

Leaves and Absences

Policies DEC, DECA, DECB

The district offers employees paid and unpaid leaves of absence in times of personal need. This handbook describes the basic types of leave available and restrictions on leaves of absence. Employees who expect to be absent for an extended period of more than five days should contact the human resources coordinator of employee services for information about applicable leave benefits, payment of insurance premiums, and requirements for communicating with the district.

Paid leave must be used for any absence. Earned comp time must be used before any available paid state and local leave. Unless an employee requests a different order, available paid state and local leave will be used in the following order:

- Local leave
- State sick leave accumulated before the 1995-96 school year
- State personal leave

Employees must follow district and department or campus procedures to report or request any leave of absence and complete the appropriate form or certification.

Immediate Family. For purposes of leave other than family and medical leave, immediate family is defined as the following:

- Spouse
- 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.
- Parent, stepparent, parent-in-law, or another individual who stands in loco parentis to the employee.
- Sibling, stepsibling, and sibling-in-law
- Grandparent and grandchild
- Any person residing in the employee's household at the time of illness or death

For purposes of family and medical leave, the definition of family is limited to spouse, parent, son or daughter, and next of kin. The definition of these are found in Policy DECA (LEGAL).

Medical Certification. Any employee, who is absent more than five days because of a personal or family illness, must submit a medical certification from a qualified health care provider

confirming the specific dates of the illness, the reason for the illness, and—in the case of personal illness—the employee’s fitness to return to work.

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits covered employers from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we ask that employees and health care providers do not provide any genetic information in any medical certification. ‘Genetic information,’ as defined by GINA, includes an individual’s family medical history, the results of an individual’s or family member’s genetic tests, the fact that an individual or an individual’s family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual’s family member, or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

Continuation of Health Insurance. Employees, on an approved leave of absence other than family and medical leave, may continue their insurance benefits at their own expense. Health insurance benefits for employees on paid leave and leave designated under the Family and Medical Leave Act will be paid by the district as they were prior to the leave. Otherwise, the district does not pay any portion of insurance premiums for employees who are on unpaid leave.

Under TRS-Active Care rules, an employee is no longer eligible for insurance through the district after six months of unpaid leave other than FML. If an employee’s unpaid leave extends for more than six months, the district will provide the employee with notice of COBRA rights.

Personal Leave

State law entitles all employees to five days of paid personal leave per year. Personal leave is available for use at the beginning of the year. A day of personal leave is equivalent to the number of hours per day in an employee’s usual assignment, whether full-time or part-time. State personal leave accumulates without limit, is transferable to other Texas school districts, and generally transfers to education service centers. Personal leave may be used for two general purposes: nondiscretionary and discretionary.

Nondiscretionary. Leave taken for personal or family illness, family emergency, a death in the family, or active military service is considered nondiscretionary leave. Reasons for this type of leave allow very little, if any, advance planning. Nondiscretionary may be used in the same manner as state sick leave.

Discretionary. Leave taken at an employee’s discretion that can be scheduled in advance is considered discretionary leave. An employee wishing to take discretionary personal leave must submit a request to his or her principal or supervisor three days in advance of the anticipated absence. The effect of the employee’s absence on the educational program or department operations, as well as the availability of substitutes, will be considered by the principal or supervisor.

Leave Proration. If an employee separates from employment with the district before his or her last duty day of the year, or begins employment after the first duty day, state personal leave will be prorated based on the actual time employed. When an employee separates from employment before the last duty day of the school year, the employee's final paycheck will be reduced by the amount of state personal leave the employee used beyond his or her pro rata entitlement for the school year.

State Sick Leave

State sick leave accumulated before 1995 is available for use and may be transferred to other school districts in Texas. State sick leave can be used only in full or half day increments, except when coordinated with family and medical leave taken on an intermittent or reduced-schedule basis or when coordinated with workers' compensation benefits.

State sick leave may be used for the following reasons only:

- Employee illness
- Illness in the employee's immediate family
- Family emergency (i.e., natural disasters or life-threatening situations)
- Death in the immediate family
- Active military service

Local Leave

All employees shall earn five workdays of paid local leave per school year. A day of earned leave is equivalent to the number of hours per day in an employee's usual assignment, whether full-time or part-time. A "workday" for purposes of earning, use, or recording shall mean the number of hours per day equivalent to the employee's usual assignment, whether full-time or part-time. Employees hired after September 1 shall be granted days on a prorated basis. Local leave shall accumulate to a maximum of 60 days. Local leave may be used with the same restrictions as state personal leave.

Vacation

Policy DED

Employees in positions normally requiring 12 months of service, and at least 248 duty days, may earn 10 vacation days. Employees who are assigned to work fewer than 248 days in a school year are not eligible for vacation days.

Vacation days may be taken during the duty year and shall be taken at such times that will least interfere with the performance of the employee's duties and the staffing needs of the District. An employee shall be required to obtain advance approval from his/her supervisor before taking vacation days and must provide sufficient notice to allow the supervisor to consider the District's staffing needs before approval of the schedule.

Earned compensatory time shall be used before any available paid state and local leave. [See DEA and DEC] Unless an employee requests a different order, available leave shall be used in the following order, as applicable:

1. Vacation Days, if applicable.
2. Local leave.
3. State sick leave accumulated before the 1995–96 school year. See reasons in State Sick Leave information.
4. State personal leave.

Non-Duty Days

Professional and paraprofessional employees in positions normally requiring 12 months of service, and at least 226 duty days, may earn non-duty days. The number of non-duty days available in a school year shall be those days remaining in the school year after an employee's holidays and scheduled duty days have been satisfied, in accordance with the instructional calendar.

Employees who are assigned to work fewer than 226 days in a school year are not eligible for non-duty days.

Non-duty days may be taken during the duty year and shall be taken at such times that will least interfere with the performance of the employee's duties and the staffing needs of the District. An employee shall be required to obtain advance approval from his/her supervisor before taking non-duty days and must provide sufficient notice to allow the supervisor to consider the District's staffing needs before approval of the schedule.

Earned compensatory time shall be used before any available paid state and local leave. [See DEA and DEC] Unless an employee requests a different order, available leave shall be used in the following order, as applicable:

1. Non-Duty Days, if applicable.
2. Local leave.
3. State sick leave accumulated before the 1995–96 school year.
4. State personal leave.