

Regulation 4161: Leaves

Status: ADOPTED

Original Adopted Date: 12/01/1988 | **Last Revised Date:**
 06/01/2024 | **Last Reviewed Date:** 06/01/2024

Failure to Return to Service After Leave

The district may terminate the employment of a certificated employee who was on leave of absence for 20 or more consecutive working days after April 30 of the previous school year if all of the following circumstances exist: (Education Code 44842)

1. The employee fails to report for duty, without good cause, at the beginning of the school year after having notified the Governing Board of the intention to remain in service with the district in accordance with Education Code 44842
2. The district had specifically notified the employee, at least five days in advance, of the time and place at which the employee was to report to work
3. The employee continues to be absent from work for 20 consecutive working days, beginning from the date the employee was to report to work.
4. The employee did not request or was not granted a leave of absence authorized by the Board

Use of Leaves by Classified Employees

A classified employee may interrupt or terminate vacation leave in order to begin another type of paid leave without a return to active service, as long as the employee provides adequate notice and relevant supporting information regarding the basis for such interruption or termination. (Education Code 45200)

State	Description
Ed. Code 22850-22856	<u>Pension benefits; STRS members on military leave</u>
Ed. Code 44018	<u>Compensation for employees on active military duty</u>
Ed. Code 44036-44037	<u>Leaves of absence for judicial and official appearances</u>
Ed. Code 44043.5	<u>Catastrophic leave</u>
Ed. Code 44800	<u>Effect of active military service on status of employees</u>
Ed. Code 44842	<u>Reemployment notices; certificated employees</u>
Ed. Code 44940	<u>Compulsory leave of absence for certificated persons</u>
Ed. Code 44962-44988	<u>Leave of absence; certificated</u>
Ed. Code 45059	<u>Employee ordered to active military/naval duty; computation of salary</u>
Ed. Code 45190-45210	<u>Leaves of absence; classified</u>
Fam. Code 297-297.5	<u>Rights, protections, benefits under the law; registered domestic partners</u>
Gov. Code 12945.1-12945.21	<u>California Family Rights Act</u>
Gov. Code 12945.7	<u>Bereavement leave</u>
Gov. Code 20990-21013	<u>Pension benefits; PERS members on military leave</u>
Gov. Code 3543.1	<u>Rights of employee organizations</u>
Gov. Code 3543.2	<u>Scope of representation</u>

Lab. Code 230-230.2

Leaves for victims of domestic violence, sexual assault or specified felonies

Lab. Code 230.3

Leave for emergency personnel

Lab. Code 230.4

Leave for volunteer firefighters

Lab. Code 230.8

Time off to visit child's school

Lab. Code 233

Leave to attend to family illness

M&V Code 395-395.9

Military leave

M&V Code 395.10

Leave when spouse on leave from military deployment

Federal

Description

29 USC 2601-2654

Family Care and Medical Leave Act

38 USC 4301-4334

Uniformed Services Employment and Reemployment Rights Act of 1994

Management Resources

Description

Website

CSBA District and County Office of Education Legal Services

Code

Description

2121

Superintendent's Contract

4112.1

Contracts

4112.42

Drug And Alcohol Testing For School Bus Drivers

4112.42

Drug And Alcohol Testing For School Bus Drivers

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Dismissal/Suspension/Disciplinary Action

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Dismissal/Suspension/Disciplinary Action

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Collective Bargaining Agreement

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Health And Welfare Benefits

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Health And Welfare Benefits

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Personal Illness/Injury Leave

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Industrial Accident/Illness Leave

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Personal Leaves

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Family Care And Medical Leave

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Catastrophic Leave Program

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Catastrophic Leave Program

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Drug And Alcohol Testing For School Bus Drivers

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Drug And Alcohol Testing For School Bus Drivers

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Dismissal/Suspension/Disciplinary Action

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Catastrophic Leave Program

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Catastrophic Leave Program

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Administrative And Supervisory Personnel

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Administrative And Supervisory Personnel

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Contracts

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Drug And Alcohol Testing For School Bus Drivers

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Drug And Alcohol Testing For School Bus Drivers

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Employee Assistance Programs

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