

Policy 4361: Leaves

Status: ADOPTED

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

The Governing Board shall provide for paid and unpaid leaves of absence for employees in accordance with law, Board policy, administrative regulation, collective bargaining agreements, and merit system rules, as applicable.

Employees have the right to take leaves as authorized by law and/or collective bargaining agreements, including, but not limited to:

1. Personal illness or injury
 2. Industrial accident or illness
 3. Family care and medical leave
 4. Military service
 5. Personal necessity and personal emergencies

 6. Disability leave for certificated employees in accordance with Education Code 44986
 7. Vacations for classified staff and certificated management staff, as applicable
 8. Sabbaticals for purposes of study or training related to the employee's job duties
 9. Attendance at work-related meetings and staff development opportunities

 10. Compulsory leave
 11. Maternity, parental leave, and reproductive loss leave for both certificated and classified staff, as applicable under state law

 12. Bereavement
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Long-Term Leaves

With Board approval, an employee may receive a leave of absence, without pay and without accruing 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 agreements shall be in writing and shall state the terms and conditions of the leave,

including the conditions governing the employee's return.

At the end of a long-term leave, the employee shall be reinstated to a similar position as that employee 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.

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 administrative 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.

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

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	<u>Leaves for victims of domestic violence, sexual assault or specified felonies</u>
Lab. Code 230.3	<u>Leave for emergency personnel</u>
Lab. Code 230.4	<u>Leave for volunteer firefighters</u>
Lab. Code 230.8	<u>Time off to visit child's school</u>
Lab. Code 233	<u>Leave to attend to family illness</u>
M&V Code 395-395.9	<u>Military leave</u>
M&V Code 395.10	<u>Leave when spouse on leave from military deployment</u>
Federal	Description

29 USC 2601-2654
38 USC 4301-4334

Management Resources
Website

Family Care and Medical Leave Act
Uniformed Services Employment and Reemployment Rights Act
of 1994

Description
CSBA District and County Office of Education Legal Services

Code

2121
4112.1
4112.42
4112.42
4118
4118
4131
4141
4154
4154
4159
4161.1
4161.11
4161.2
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4161.8
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4212.42
4212.42
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4231
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4261.1
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4312.1
4312.42
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4331
4354
4354
4359
4361.1
4361.11
4361.2
4361.5
4361.8
4361.9
4361.9

Description

Superintendent's Contract
Contracts
Drug And Alcohol Testing For School Bus Drivers
Drug And Alcohol Testing For School Bus Drivers
Dismissal/Suspension/Disciplinary Action
Dismissal/Suspension/Disciplinary Action
Staff Development
Collective Bargaining Agreement
Health And Welfare Benefits
Health And Welfare Benefits
Employee Assistance Programs
Personal Illness/Injury Leave
Industrial Accident/Illness Leave
Personal Leaves
Professional Leaves
Military Leave
Family Care And Medical Leave
Catastrophic Leave Program
Catastrophic Leave Program
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