

COMPENSATION AND BENEFITS:  
LEAVES AND ABSENCES

DEC  
(LOCAL)

DEFINITIONS

For the purposes of state sick leave accrued before May 30, 1995, and local sick leave, the term “immediate family” shall include:

1. Spouse
2. 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*.
3. Parent, stepparent, parent-in-law, or other individual who stands *in loco parentis* to the employee.
4. Sibling, stepsibling, sibling-in-law.
5. Grandparent and grandchild.
6. Any person who may be residing in the employee’s household at the time of illness or death.

FAMILY EMERGENCY

The term “family emergency” shall be limited to natural disasters and life-threatening situations involving the employee or a member of the employee’s immediate family.

WORKDAY

An “equivalent workday” for purposes of accumulation, use, or recording shall mean the number of hours per day associated with the employee’s usual work assignment, whether full-time or part-time.

STATE PERSONAL  
LEAVE – RATE OF  
ACCRUAL

Each employee shall earn state personal leave, in equivalent work-days, at the rate of one workday per month of employment, up to the statutory maximum of five workdays annually.

TYPE OF STATE  
PERSONAL LEAVE

Under authority of Education Code 22.003 and to preserve the employee’s leave entitlement while minimizing disruption to the instructional program, the Board requires employees to differentiate between uses of personal leave:

DISCRETIONARY

1. To be taken at the individual employee’s discretions, subject to limitations set out below.

NON-  
DISCRETIONARY

2. To be used for the same reasons and in the same manner as state sick leave accumulated prior to May 30, 1995. [See DEC(LEGAL)]

USE OF  
DISCRETIONARY  
LEAVE

Discretionary leave shall be taken with advance notice and administrative approval. Discretionary personal leave may not be taken for more than three consecutive days, except in extenuating circumstances as determined by the Superintendent.

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SCHEDULE LIMITATIONS	Discretionary leave shall not be allowed on the day before a school holiday, the day after a school holiday, days scheduled for end-of-semester or end-of-year exams, days scheduled for TAAS tests, or professional or staff development days.
ADDITIONAL LOCAL LEAVE	All employees shall earn an additional five equivalent workdays of local sick leave per school year, at the same rate as state personal leave. Local sick leave shall accumulate to a maximum of 25 equivalent workdays and shall be taken with no loss of pay.  All employees shall earn an additional equivalent workday of local personal leave per school year. Local personal leave shall require advance notice and administrative approval, and shall be subject to the same schedule limitations as discretionary leave. Local personal leave shall accumulate without limit.
USE AND RECORDING	For purposes of personal illness, illness in the immediate family, family emergency, or death in the immediate family, available leave shall be used in the following order: <ol style="list-style-type: none"><li>1. Local sick leave.</li><li>2. State sick leave accumulated prior to the 1995-96 school year.</li><li>3. State personal leave</li></ol> Local sick leave shall be used under the terms and conditions applicable to state sick leave accumulated prior to the 1995-96 school year, except as otherwise provided by this policy.  Employees shall be charged leave as used even if a substitute is not employed.  Leave shall be recorded in whole workdays and half workdays only, except when coordinated with Workers' Compensation benefits, as provided in this policy.

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**AVAILABILITY** Leave shall not be approved for more workdays than have been accumulated in prior years plus those earned during the current year. Leave for the current year shall be available for use at the beginning of the school year. When an employee who has used more leave than he or she had accumulated ceases to be employed by the District, the cost of the unearned leave days shall be deducted from the employee's final paycheck.

**OTHER ABSENCES** Any other leaves granted or days of absence shall result in a deduction of the daily rate of pay for each day of absence, unless otherwise provided. [See DMD(LOCAL)]

**DOCTOR'S CERTIFICATION** An employee absent for personal illness for more than three consecutive workdays shall submit a doctor's certification of illness and of the employee's fitness to return to work. For an illness of a member of the employee's immediate family for which the employee requests leave of more than three consecutive workdays, a certification of the family member's illness shall be required.

**HEALTH CARE PROVIDER** Certification of illness shall be by a doctor who is duly registered and licensed under the Medical Practice Act of Texas, a licensed doctor of dentistry, a licensed chiropractor, or a licensed podiatrist. Members of the Christian Science church may have their illness attested to by a Christian Science practitioner. This documentation shall be submitted to the principal.

**BEREAVEMENT (FUNERAL) LEAVE** Approved leave for death in the immediate family shall be for not more than five workdays for each occurrence, subject to the approval of the District.

**TEMPORARY DISABILITY LEAVE** The maximum length of temporary disability leave for educators shall be 180 calendar days.

**JURY DUTY** An employee shall be granted leave with pay and without loss of accumulated leave for jury duty. The employee shall be required to present documentation of the service and shall be allowed to retain any compensation for this service.

**OTHER COURT APPEARANCES** Absences for court appearances related to an employee's personal business shall be deducted from the employee's personal leave or shall be taken by the employee as leave without pay.

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WORKERS'  
COMPENSATION

An employee who is receiving workers' compensation benefits may choose to use accumulated sick leave and/or personal leave concurrently. If the employee chooses this option, the District shall pay the difference between the weekly income benefit received under workers' compensation and the employee's regular weekly compensation. Paid leave shall be charged proportionately.

If an employee chooses not to use accumulated paid leave benefits while receiving workers' compensation benefits, the employee shall not receive any compensation from the District during that time. See CRD (LOCAL) for provisions regarding health care benefits during an extended leave without pay.

FAMILY AND  
MEDICAL LEAVE  
ACT

Employees who wish to request leave in accordance with the Family and Medical Leave Act of 1993 shall first ascertain their eligibility as determined by provisions in DEC(LEGAL), preceding.