

1644 DISCRETIONARY UNCOMPENSATED LEAVE

The Board of Education recognizes, under certain circumstances, the interests of the school district and of an individual staff member may be served by the staff member's extended absence from the school district for a purpose other than personal disability. Leaves for a staff member's personal disability shall be in accordance with the provisions of applicable personal disability leave law. Nothing in this policy shall be construed as to limit a staff member's right to request a reasonable accommodation pursuant to P.L. 101-336, Americans with Disabilities Act of 1990 (ADA).

The Board reserves the right to establish the conditions under which a discretionary uncompensated leave may be requested by a staff member, recommended by the Superintendent, and approved by the Board. A staff member may only request a discretionary uncompensated leave to commence after the staff member has used all their eligible sick days; vacation days, if applicable; personal days; and Federal and State Family Leave time in accordance with the provisions of the applicable law.

Professional certificated staff employed in the district for ten years or longer of continuous full-time service may be granted a discretionary uncompensated leave for an academic sabbatical only for full-time study in an accredited institution, which cannot be accomplished while employed full-time. If granted, a sabbatical leave will not require the employee to use any sick, vacation, or personal days.

The duration of a discretionary uncompensated leave requested by a staff member must extend to the end of the school year in which the leave is requested to cause the least interruption to the school's instructional program. **However, short-term uncompensated discretionary leave requests of ten (10) work days or fewer are exempt from this requirement and do not need to extend to the end of the school year.** A staff member may only request a discretionary uncompensated leave to occur once every third school year after a prior discretionary uncompensated leave was taken. For example, a staff member on an approved discretionary uncompensated leave ending on June 30, 2024 (2023-24 school year) is not eligible to request a subsequent discretionary uncompensated leave to commence until the 2027-2028 school year.

An approved discretionary uncompensated leave shall be without pay and without health insurance paid for by the school district. A twelve-month staff member on an approved discretionary uncompensated leave shall pay the total cost of their health insurance from the

day their leave commences through June 30 of that school year. The Board will pay its share of the staff member's health insurance when the twelve-month staff member returns to work on July 1. A ten-month staff member on an approved discretionary uncompensated leave shall pay the total cost of their health insurance from the day their leave commences through August 30 of that school year. The Board will pay its share of the staff member's health insurance when the ten-month staff member returns to work on or about September 1. If the staff member wants to maintain the school district's health insurance while on an approved discretionary uncompensated leave, the staff member shall pay the total cost of their health insurance for the subsequent month by the first day of each month of the leave.

A staff member requesting a discretionary uncompensated leave must submit a written request to the Superintendent at least thirty calendar days prior to the requested leave commencing unless the leave is not foreseeable, at which time the written request must be provided to the Superintendent as soon as practicable. The Superintendent will review the request and make a recommendation to the Board upon considering the reason for the leave; the documentation submitted supporting the leave; the duration of the leave; the level of disruption to the students and the school district operations; the budgetary implications of approving the request; the staff member's attendance history; the staff member's assignment; the staff member's performance evaluations; the availability of a qualified substitute; the staff member's specialized certification or qualifications; and any other issues and concerns in considering such a request. The Superintendent shall review each request with the Board, and an approval or denial of the request will be provided to the staff member within five business days of the Board's decision. All requests will be determined on a case-by-case basis, considering all the circumstances of the request. Any approval or denial of a request for a discretionary uncompensated leave shall not establish a precedent to be followed by any subsequent discretionary uncompensated leave requests.

Adopted: