

EMERGENCY AND DISCRETIONARY LEAVE

Emergency leave may be granted and may be taken in the case of emergencies as defined in the following:

An emergency arises out of unforeseen and unexpected circumstances which create an air of crisis or extreme need. The circumstances must present a grave and clear danger that imminently threatens physical or mental health or would result in irremediable harm or in immediate disaster to life or property unless some action is taken.

A written application for emergency leave must be returned to the district office on the day of return to school.

Emergency Leave

The Board recognizes that the demands of the workplace and of families need to be balanced to promote family stability and economic security for school district employees. Conditions for the authorized use of accumulated sick leave for family leaves are to be fairly construed in a manner consistent with this policy, and other relevant district policies.

Unless otherwise stated, any leave used under terms of this policy will be deducted from the staff member's accumulated sick leave. In the event the staff member's sick leave or other paid leave has been exhausted, the leave may be granted without pay.

Unless a situation is governed by an applicable collective bargaining agreement, the following apply:

A. Domestic Violence Leave

The district will allow victims of domestic violence, sexual assault, or stalking and family members of victims to take reasonable leave from work, intermittent leave or leave on a reduced leave schedule. The leave may be sick leave, other accrued leave or leave without pay. Family member includes a child, spouse, parent, parent in-law, grandparent or an individual with whom the victim has a dating relationship. The employee will provide advance notice of their intent to take leave. If advance notice is not possible, due to an emergency, notice should be provided no later than the end of the first day that the employee takes the leave.

B. Family Illness

District staff members may use accrued sick leave or other accrued leave, at the employee's choice, to care for a child of the employee with a health condition that requires treatment or supervision. Staff members may use accrued sick leave or other accrued leave, at the employee's choice, to care for a spouse, parent, parent-in-law or grandparent of the employee who has a serious health condition or an emergency condition. The district may require a signed statement from a licensed medical practitioner to verify the need for treatment, care or supervision for any absence that exceeds five (5) consecutive days.

C. Death in the Family

The district will allow each full-time staff member a maximum of five (5) days of non-accumulative leave with pay upon the death of an employee's spouse, mother, father, son, daughter, sister, brother, mother-in-law, or father-in-law. Leave with pay not to exceed three (3) work days will be allowed upon the death of a son-in-law,

daughter-in-law, brother-in-law, sister-in-law, grandmother, grandfather, granddaughter or grandson. The deaths of more than one family member resulting from a common occurrence will be treated as a single death with respect to the length of leave granted.

D. Birth or Adoption of a Child

The district will grant leave upon the same terms to male employees as is available to female employees upon the birth or adoption of the employee's child. Leave will be granted upon the same terms to employees who become adoptive parents or stepparents, at the time of birth or initial placement for adoption of a child under the age of six, as is available to employees who become biological parents. Such leave is available only when the child lives in the employee's household at the time of birth or initial placement.

Employee requests for leave of absence due to birth or initial placement for adoption of a child will be submitted in writing to the superintendent not less than 30 days prior to the beginning date of the leave. The notice will include the approximate beginning and ending dates for the leave requested.

An extended unpaid leave of absence for a period up to the beginning of the next school term or school year may be approved at the discretion of the superintendent based upon consideration of educational program needs and the desires of the staff member, together with any recommendation of professionals such as medical practitioners or counselors regarding the leave request.

Nothing in this section will preclude the use of accumulated sick leave to care for a child with a health condition that requires treatment or supervision, as provided in the 'Family Illness' section of this policy.

Eligible employees will be entitled to a total of twelve workweeks of uncompensated leave during any twelve (12) month period measured backward from the date leave is first used for one or more of the following:

- A. To care for a newborn child, an adopted child, or placement of a state-placed foster care child of the employee, or
- B. To care for a spouse, parent or child of the employee who has a serious health condition, or
- C. The employee's own serious health condition, as defined herein, which renders the employee unable to perform his or her job. Incidental sick days are not considered to be applicable unless they relate to a serious health conditions (i.e., chemotherapy treatment for cancer, kidney dialysis, etc.).

The twelve (12) week entitlement will include weeks within which a holiday occurs but will not include periods of time for which the district's activities have temporarily ceased and employees are not expected to report for work for one or more weeks (i.e., spring break or summer vacation for school year employees).

Exhaustion of Other Leaves

An employee must first exhaust accrued sick leave, vacation leave, adoption leave, and other available family leaves provided under collective bargaining agreements (or Board policy for employees not covered by collective bargaining agreements) if such leave may be used for the situation requiring childbirth, adoption/foster care, family care, or personal disability leave. The twelve-week leave entitlement will include and count such time used for other leaves except it may not count the days used as sick leave for pregnancy or childbirth disability.

Leave of Absence

The district may grant leave of absence for specific periods of time for up to one school year upon application by a staff member, the recommendation of the superintendent and the approval of the Board. Such leave will be without pay or fringe benefits and, with the approval of the Board, and may be extended for one additional school year. During the leave the staff member may pay the district's share of any insurance benefits program in order to maintain those benefits. The needs of students and the district program warrant primary consideration. Leave of absence will be granted only when they will not have an undesirable impact upon the educational program or business operations.

A staff member will be entitled to return to a position in the district at the end of the leave of absence subject to the availability of a position for which the staff member is qualified. The staff member granted a leave of absence will inform the Board by April 1 as to his/her intentions to assume a position in the district for the ensuing school year. If said notification is not received, the individual's employment rights with the district will be terminated.

Staff on leave of absence will not earn any salary schedule experience credit or any sick leave credit or benefits during the leave of absence.

Administrative Program Leaves

The Board, upon request of the Superintendent, may approve up to one-year leaves of absence for employees from their current director classification position, to serve in a vacant director classification position within the District to meet District program needs. The leave request must document (1) a lack of sufficiently qualified candidates to meet educational program needs in the vacant position; (2) the administrator has the qualifications and performance record sufficient to meet the program needs required; (3) the employee has agreed in writing to take the leave of absence and to fill the vacant position as provided in this section; and (4) the position vacated by the employee can be filled by an employee who meets the program needs for the position either on a leave replacement or regular employment contract. If the employee granted a leave of absence is not offered on-going employment in their new position at the end of the leave, or chooses not to continue in that position, then the employee shall be returned to a vacant director classification position selected by the District for which the staff member is qualified; provided the employee must have attained a Proficient evaluation rating for the position held during the leave of absence. In the event no director level positions are available, the employee attained said Proficient rating on leave, the employee then shall be granted priority rights under the reduction in force procedures in Procedure 5280P to be retained for a director classification position, as selected by the District, for which they are qualified and have a greater Washington State seniority than the incumbent employee.

Leave to Attend Meetings/Conferences

The district may grant leave, subject to the recommendation of the superintendent and approval by the Board, to staff for the purpose of attending meetings or conferences that are likely to be of value to the staff member's performance. Meetings and conferences wherein bargaining unit activities are conducted are excluded. Such leave may be granted without pay and with or without travel expense reimbursement.

Cross References:	Policy 5021	Applicability of Personal Policies
Legal References:	RCW 28A.400.300	Hiring and discharging of employees -- Written leave policies -- Seniority and leave benefits; of employees transferring between school districts
	RCW 49.12.270	Sick leave, time off -- Care of family members
	RCW 49.76	Domestic Violence Leave
Management Resources:	<i>Policy News</i> , October 2011	Policy Manual Revisions
	<i>Policy News</i> , April 2009	Domestic Violence Leave

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North Kitsap School District