

Personnel

General Personnel - Family and Medical Leave

Employees who have been employed by the District for at least 12 months (the 12 months need not be consecutive) and have been employed either as a full-time classroom teacher or for at least 1,250 hours during the preceding 12 month period may request up to 12 weeks of unpaid Family and Medical leave within the 12 month period measured backward from each date an employee uses any Family and Medical leave as set forth in this policy and Administrative Procedures.

Employees may request family and medical leave in the following instances:

1. The birth and first-year care of a son or daughter;
2. The adoption or foster placement of a child;
3. The serious health condition of an employee's spouse, parent or child; or
4. The employee's own serious health condition.

A serious health condition is an illness, injury, impairment, or physical or mental condition involving (1) any period of incapacity or treatment connected with in-patient care (e.g., an overnight stay) in a medical-care facility; (2) any period of incapacity requiring absence of more than three calendar days from work, school, or other daily activity that also involves continuing treatment by a health-care provider; or (3) continuing treatment by a health-care provider for a chronic or long-term health condition that -- without such treatment -- could result in a period of incapacity of more than three calendar days.

5. The existence of a qualifying exigency arising out of the fact that the employee's spouse, child, or parent is a covered military member on active duty (or has been notified of an impending call or order to active duty) in support of a contingency operation. A "covered military member" must be either a member of a Reserve component or a retired member of the regular Armed Forces or Reserve. "Qualifying exigencies" exist in the following categories: short-notice deployment, military events and related activities, childcare and school activities, financial and legal arrangements, rest and recuperation, post-deployment activities, and additional activities as provided in the FMLA regulations.
6. To care for the employee's spouse, child, parent, or next of kin who is a covered service member with a serious injury or illness. A "covered service member" is a member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty for which he or she is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list.

If spouses are employed by the District, they may together take only 12-weeks for FMLA leaves when the reason for the leave is 1 or 2, above, or to care for a parent with a serious health condition, or a combined total of 26 weeks for item 6 above.

The Superintendent shall develop procedures to implement this policy consistent with the federal Family and Medical Leave Act.

LEGAL REF.: Family and Medical Leave Act, 29 U.S.C. 2601 et seq., 29 C.F.R. Part 825.

CROSS REF.: 5.180, 5.250, and 5.330

Adopted: October 9, 1997
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