



TO: BOARD OF DIRECTORS

FROM: Maurene Stanton, Executive Director of Teaching and Learning

SUBJECT: First Reading Policy 5403 Family Emergency and Discretionary Leaves

DATE: February 15, 2022

This is the first reading of updated Personnel Policy 5403 Family Emergency and Discretionary Leaves. Updates on this policy reflect changes recommended by The Washington State School Directors Association (WSSDA). It is identified as a discretionary policy by WSSDA.

This policy will come before the Board for second reading on March 1, 2022. If you have any questions regarding this policy, please contact me.

FAMILY EMERGENCY and DISCRETIONARY LEAVES

~~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 leave for family leaves are to be fairly construed in a manner consistent with this policy, and other relevant district policies.~~

~~In the event the staff member's sick leave has been exhausted, the leave may be granted without pay. Unless otherwise provided by an applicable collective bargaining agreement, the following shall apply:~~

Emergency leave may be granted as outlined in applicable Collective Bargaining Agreements and may be taken in the case of emergencies.

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.

Family Emergency Leaves

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 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 has been exhausted, the leave may be granted without pay.

Unless a situation is governed ~~Unless otherwise provided by~~ an applicable collective bargaining agreement, the following shall 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 which exceeds five (5) consecutive days.

C. Death in the Family

The district shall allow each full-time staff member a maximum of five (5) days leave upon the death of an employee's spouse, mother, father, son, daughter, sister, brother, mother-in-law, or father-in-law. Leave also shall 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 shall be treated as a single death with respect to the length of leave granted.

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.

~~Birth or Adoption of a Child~~

~~The district shall 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 shall 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 shall be submitted in writing to the superintendent not less than 30 days prior to the beginning date of the leave. The notice shall include the approximate beginning and ending dates for the leave requested.~~

~~An extended unpaid leave of absence for a period of 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 shall preclude the use of accumulated sic 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 (See citations).~~

Leaves of Absence

The district may grant leaves 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 leaves 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. Leaves 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.

Leaves to Attend Meetings/Conferences

The district may grant leaves, 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 leaves may be granted without pay and with or without travel expense reimbursement.

Cross References:	Board Policy 5021	Applicability of Personnel Policies
Legal References:	<u>RCW 28A.400.300</u>	<u>Hiring and discharging employees – Written leave policies – seniority and leave benefits of employees transferring between school districts and other educational employers</u>
	RCW 49.12.270	Sick leave, <u>time off</u> -- care for <u>of</u> family members
	<u>Chapter 49.76 RCW</u> 49.12.360	<u>Domestic Violence leave</u> Parental leave – discrimination prohibited

Adoption Date: 8.17.93
Stanwood-Camano School District
Revised: 6.17.03