

ADMINISTRATIVE CIRCULAR NO. 46
Office of the Chief Human Resources Officer

SAN DIEGO UNIFIED SCHOOL DISTRICT

Date: January 7, 2014

To: School Principals, Division and Department Heads, Child Development Center Administrators, Certificated Staff Members and San Diego Education Association Representatives

Subject: CERTIFICATED STAFF CATEGORY I AND III LEAVE OF ABSENCE APPLICATIONS FOR 2014-2015 SCHOOL YEAR

Department and/or Persons Concerned: Certificated Staff Members

Due Date: March 1, 2014

Reference: 2010-2013 Collective Negotiations Contract between San Diego Unified School District and San Diego Education Association, Article 10.

Action Requested: Please disseminate information regarding the Leave of Absence Program. Interested staff members need to submit form and required information, as explained below.

Brief Explanation:

Article 10 of the Collective Negotiations Contract between the San Diego Unified School District (SDUSD) and the San Diego Education Association (SDEA) specifies that eligible staff members may request an unpaid leave of absence. The requirements and specific details of the leave depend upon the type of leave requested. Three categories of long-term leaves are defined in the contract. This circular addresses Category I and Category III Unrestricted leaves of absence. Category I includes leaves which support Professional Study, Travel, Opportunity Leave, Service to Other Public Agencies, Service to Professional Associations and Other Leaves Determined by the Superintendent. Category III includes Military Leaves and Unrestricted leaves. Requests to begin Category I leaves and Category III Unrestricted leaves of absence must be received in the Human Resource Services Division (HRSD) by March 1, 2014 for a leave to be effective for the subsequent school year. Eligible staff members must submit their request for leave, using attachment 1. Request to extend a Category I leave must also be received by March 1, 2014. Military and Category II leaves may be requested at any time.

Category I Planned Leaves (Article 10, Section 10.7)

Category I leaves are planned leaves granted to **permanent** staff members for a period of up to one academic school year, and such leaves may be extended year-to-year for a total period not to exceed three (3) full academic school years within a ten (10) year period. Only **permanent** status staff members are eligible to apply for Category I long-term leaves of absence, which may be granted for any of the following reasons:

Professional Study: Permanent unit members may apply for professional study leave by outlining in writing the plan that is to be followed and the institution to be attended. In addition, a clear statement must be included in the request indicating the need for education study and the potential value to the District upon completion of such study. (Appendix A, 4.033).

Travel for Educational Purposes: Applicants must provide a statement of potential value to the district.

Opportunity Leave: Permanent unit members may be eligible for an opportunity leave for the purpose of improving job-related skills and knowledge that will directly benefit the district and the instructional program.

Service to Other Public Agencies: The purpose of this leave is to serve another public agency in a capacity which the Superintendent determines will benefit the district and the staff member, including elected full-time public service. Applicants must provide a statement explaining how the leave will directly benefit the district and the instructional program.

Service to Professional Associations: The purpose of this leave is to serve a local, state, or national professional organization in an elected or a staff capacity. Applicants must provide a statement explaining how the leave will directly benefit the district and the instructional program.

Other Leaves Determined by the Superintendent: The Superintendent may, in unusual cases, recommend the approval of other long-term, unpaid leaves of absence to permanent staff members for purposes that will benefit the district and serve the best interest of the pupils. Applicants must provide a statement explaining how the leave will directly benefit the district and the instructional program.

Category III (Other Long-Term Leaves) (Article 10, Section 10. 8)

Unrestricted Leave. The District may grant a one (1) year leave of absence without pay to a permanent unit member for a reason that is mutually agreed to be of benefit to the District and the unit member. The request for an unrestricted leave of absence must be received by the Human Resource Services Division no later than March 1. An unrestricted leave of absence shall begin at the beginning of an academic school year and shall end at the conclusion of the same academic school year. An unrestricted leave is not renewable.

Military Leave. Upon receipt of proper orders, a probationary or permanent teacher shall be granted a military leave of absence under the provisions of state law for the period of time he or she is required to serve. (Appendix A, 4.031).

Return to previous site or program:

For any Category I, II, or III, long-term leave involving up to one (1) academic school year, a unit member, upon request prior to beginning the leave, may return to the previous site or program placement. This assurance can be given only if the unit member is ready to commence paid service at the beginning of the academic school year of the site or program in which the unit member was previously placed.

Health benefits coverage:

A long-term leave of absence in a non-paid status for an academic school year does not include any paid benefits. Staff on unpaid leave of absence may continue their health benefits coverage on a self-pay basis. Information relating to benefits is on the district web site at: <http://www.sandi.net//Domain/48> for questions regarding health, medical and dental benefits. Please contact the Benefits Department at 619-725-8130.

Application procedure:

Please complete the attached Long-Term Leave of Absence Request form it is also available through the district web site at: <http://www.sandi.net/Page/34707> Attach any required statements or documentation and obtain the signature of the school principal or the supervisor. Forward the completed leave request form and attachment(s) prior to March 1, 2014 via school mail to: Eugene Brucker Education Center, Room 1241, Attention: Gloria Rangel, or by fax to (619) 296-7522

Additional information regarding Long-Term Leaves of Absence is provided on the district website under Departments/Labor Relations and in the SDEA Contract, which can be accessed at: <http://www.sandi.net/Page/1339> Specific questions may be referred to Gloria Rangel in Human Resources Services Division, Room 1241, via e-mail at grangel@sandi.net or by telephone at (619) 725-8172.

Bernadette Nguyen
Interim Chief Human Resources Officer

APPROVED:



Staci Monreal
Chief of Staff

BN: gr
Attachments (1)

Distribution: Lists A, C, D, E, F, O and S

INFORMATION REGARDING LEAVE REQUIREMENTS

Employees requesting an unpaid long-term leave of absence should refer to the appropriate collective bargaining contract for more detailed information regarding types of leaves available, eligibility and permissible lengths.

- **Certificated:**
 - ◆ Teacher Bargaining Unit Contract – Article 10

- **Classified:**
 - ◆ Office-Technical and Business Services Bargaining Unit Contract – Article 12
 - ◆ Operations-Support Services Bargaining Unit Contract – Article 12
 - ◆ Paraeducator Bargaining Unit Contract – Article 12
 - ◆ School Police Services Unit Contract – Article 12

- **Managers, supervisors and confidential employees** should refer to the **San Diego School District Administrative Procedure 7430** for a more detailed explanation of eligibility requirements and permissible length of leaves.

If you need further assistance, please e-mail or call:

Gloria Rangel - Human Resources Technician

grangel@sandi.net

(619) 725-8172

Additional information can be found on the district website at www.sandi.net/employment.

ELIGIBILITY REQUIREMENTS FOR FAMILY AND MEDICAL LEAVE ACT

A Family & Medical Leave Act (FMLA) shall be granted to an employee for certain family and medical reasons. FMLA provides up to 12 workweeks within a twelve- (12) month period of **unpaid** leave and entitles you to **paid** benefits. Employees are eligible if they have worked for San Diego Unified School District for at least 12 months, and provided at least 1,250 hours of service for employer during 12 months preceding leave.

For the purposes of Family and Medical Leave Act ONLY, the following definitions shall apply:

1. **Child** means a biological, adopted or foster child, a stepchild, a legal ward, or a child of a unit member standing in loco parentis who is either under eighteen (18) years of age or is an adult dependent child.
2. **Parent** means a biological, foster, or adoptive parent, a stepparent, a legal guardian, or other person who stood in loco parentis to the unit member when the unit member was a child.
3. **Spouse** means the legal husband or wife, or domestic partner, of a unit member.
4. **Serious Health Condition** means an illness, injury, impairment, or physical or mental condition that involves either inpatient care in a hospital, hospice or residential health care facility, or continuing treatment or supervision by a health care provider.
5. **Health Care Provider** means a doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the state in which he/she practices, or any other person determined by the United States Secretary of Labor to be capable of providing health care services.

HEALTH BENEFITS (MEDICAL, DENTAL, VISION): The district will continue to provide district-paid health benefits during Family Medical Leave Act. Employees will be responsible for paying employee's contributions (if any). Employees must contact the district's benefits office at (619) 725-8130 to make arrangements for paying employees contributions.