# PERSONNEL 03.223

‑ Classified Personnel ‑

Leaves and Absences

Approval

All leaves and absences (except for illness and emergency) must be approved in advance by the employee's immediate supervisor. Authorization of leave and time taken off from one’s job shall be in accordance with specific leave policy. Absence from work that is not based on appropriate leave for which the employee is qualified may lead to disciplinary consequences, up to and including termination of employment.

Leave taken without proper authorization may result in a reduction in pay for the employee affected.

Unpaid Leave

~~Upon receipt of written request from an employee and the written recommendation from the employee's immediate supervisor or Principal,~~ The Superintendent may grant leave without pay ~~for a period not to exceed five (5) days,~~ provided the leave is for educational or professional purposes, or for illness, maternity, adoption of a child or children, or other disability. ~~In addition, at the discretion of the Superintendent, leave may be granted for other reasons as deemed appropriate.~~ Requests shall be made in writing and shall be submitted to the Superintendent for approval in advance of the intended dates of such leave. An unpaid leave request will not be considered, or granted, unless all available, and applicable, paid leave has been exhausted.

Unpaid leave can affect retirement service credit and annual salary increases.

Notification of Return

Employees on leave covered by the related policies listed below shall notify the Superintendent in writing by April 1 of the year the leave terminates of the date of their intent to return to the school system. Employees who fail to notify the Superintendent of their return by April 1 cannot be guaranteed employment for the following school year. If an employee on leave has not contacted the Superintendent by April 1, the Superintendent is authorized to fill the position for the following school year. Where an employee in the final year of leave fails to contact the Superintendent by April 1, to either request an extension of leave or to provide a date of return, the Superintendent may determine whether personnel action is required.

Vacancies and Replacements

Individuals employed or assigned to fill vacancies created by long term leaves shall be informed of the possibility before assuming the position that, upon return of the individual from leave, employment may not continue or they may be reassigned to a comparable position.

Legal Proceedings

The Superintendent shall grant release time to employees who are summoned to appear in legal proceedings arising from their course of employment. If a person is found guilty of an illegal act against the Board, the absences shall be without pay.

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Leave Following Assault

The District shall provide leave with pay for employees assaulted while performing their assigned duties when the assault results in injuries that qualify the employee for workers’ compensation benefits. The period of leave shall not exceed one (1) calendar year following the assault. During that period, the employee shall not experience loss of income or benefits, including sick leave, under the terms and conditions set forth in [KRS 161.155](http://policy.ksba.org//DocumentManager.aspx?requestarticle=/KRS/161-00/155.pdf&requesttype=krs).

Placement Upon Return

Employees taking any long term leave will be entitled on return to a comparable position for which they are qualified. Placement in the same position or the same school cannot be guaranteed.

Request for Medical Information

Per [KRS 161.770](http://policy.ksba.org//DocumentManager.aspx?requestarticle=/KRS/161-00/770.pdf&requesttype=krs), the Board may only request medical information necessary to decide whether to grant a leave of absence; shall not request or retain unnecessary medical information; and shall not disclose any medical information received, except as permitted by state and federal law.

FMLA

Eligible employees may apply for leave under the provisions of the Family and Medical Leave Act of 1993.

References:

[KRS 161.155](http://policy.ksba.org//DocumentManager.aspx?requestarticle=/KRS/161-00/155.pdf&requesttype=krs); [KRS 161.770](http://policy.ksba.org//DocumentManager.aspx?requestarticle=/KRS/161-00/770.pdf&requesttype=krs)

Family and Medical Leave Act of 1993

Related Policies:

03.2232, 03.22322, 03.2233, 03.224

Adopted/Amended: 9/10/2020

Order #: VII.A