

SAN DIEGO UNIFIED SCHOOL DISTRICT

Date: December 15, 2008

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 –2009-2010 SCHOOL YEAR

Department and/or Persons Concerned: Certificated Staff Members

Due Date: March 1, 2009

Reference: 2006-2008 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 individual opportunities. 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, 2009, for a leave to be effective for the subsequent school year. Eligible staff members must submit their request for leaves, using attachment 1. Requests to extend a Category I leave must also be received by March 1, 2009. 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: Applicants must provide a written outline stating educational plan, institution to be attended, the need for the educational study and the potential value to the district of the staff member's completion of such study.

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

Opportunity Leave: This leave is to be used for the purpose of improving job-related skills and knowledge. Applicants must provide a statement explaining how the leave 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.

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.

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.

Category III (Other Long-Term Leaves) (Article 10, Section 10. 9)

Category III leave may be granted for an Unrestricted or a Military reason. Unrestricted leave, without pay, is limited to permanent staff members for one academic school year, and is not renewable. Military leave requires the receipt of proper orders for the staff member and is provided in compliance with the provisions of applicable laws for the period of time he or she is required to serve.

Return to previous site or program:

For a leave of absence involving up to one academic school year, a staff member has the right to return to the previous site or program if the request is made prior to beginning the leave. Assurance of site or program return cannot be given if the leave extends beyond one academic school year.

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 contained in the *Leave of Absence Information* form which is available through the district web site in the “for District Staff section”, with the HRSD forms, at:

http://www.sandi.net/personnel/html/HRSD_Forms/HRSD_Emp_Forms.htm.

Application procedure:

Please complete the attached Long-Term Leave of Absence Request form, also available through the district web site at http://www.sandi.net/personnel/html/HRSD_Forms/HRSD_Emp_Forms.htm. 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, 2009 via school mail to: Eugene Brucker Education Center, Room 1241, Attention: Ann Cato.

Additional information regarding Long-Term Leaves of Absence is provided on the district website in the HRSD forms section and in the SDEA Contract, which can be accessed at http://prod031.sandi.net/personnel/html/sdea_contract.html. Specific questions may be referred to Ann Cato in the Certificated Human Resources Department via e-mail at acato@sandi.net or by telephone at (619) 725-8032. For questions regarding Health benefits, Please contact the Benefits Department at 619-725-8130. Press option 6 for direct connection to the Benefits staff.

Tim Asfazadour
Director, Certificated Human Resources

APPROVED:



Sam Wong
Chief Human Resources Officer

SW: ac

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 Unified 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 the following:

- **Classified:**
Donis Armenta / Gloria Rangel grangel@sandi.net (619) 725-8172
- **Certificated:**
 - Elementary Staffing:**
Tim Asfazadour acato@sandi.net (619) 725-8032
Mary Beth Gallagher acato@sandi.net (619) 725-8032
 - Secondary Staffing:**
John Bennett (Interium)
Lamont Jackson acato@sandi.net (619) 725-8032
 - Special Education Staffing:**
Steve Gennaro acato@sandi.net (619) 725-8032

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

ELIGIBILITY REQUIREMENTS FOR FAMILY AND MEDICAL CARE LEAVE

A Family and Medical Care Leave (FMCL) shall be granted to an employee for certain family and medical reasons. FMCL 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 one continuous year, and provided at least 1,250 hours of service are during the previous twelve months. Full-time certificated unit members are deemed to meet the 1,250-hour requirement and will be granted a FMCL if they have served at least one year in a full-time capacity.

For the purposes of Family and Medical Care Leave 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 Care Leave. Employees will be responsible for paying employee's contributions (if any). Employees must contact the district's benefits office to make arrangements for paying employees contributions. (619) 725-8130, Option 6