

MINNETONKA PUBLIC SCHOOLS

LEAVES OF ABSENCE WITHOUT PAY-AUTHORITY TO ACT POLICY #429

1.0 PURPOSE

The purpose of this policy is to provide guidance to school district employees as to the policy and procedure for requesting leaves of absences without pay.

2.0 PHILOSOPHY

- A. The School Board recognizes the right of employees to request leaves of absence without pay based on the employee's individual needs or desires and consistent with provisions of the appropriate employee master agreement or policy.
- B. Because the absence of an employee affects the educational program, staff, and students, the needs and desires of the employee must be weighed against the needs of the district whenever a leave of absence is requested.
 - 1. In acting on employee leave requests, the School Board will observe provisions of the appropriate employee master agreement or policy, and will consider both the reasons for the employees' request and the needs of the district. Where needs are in conflict, however, concerns relating to the overall educational program will take precedence.

3.0 FACTORS TO BE CONSIDERED IN ACTING ON LEAVE OF ABSENCE REQUESTS

- A. Multiple factors will be considered in acting on leave of absence requests, including but not limited to the following:
 - 1. The stated reason(s) of the employee in requesting a leave;
 - 2. Relevant provisions of the appropriate employee master agreement or policy;
 - 3. Length of leave request;
 - a. Normally, the length of an approved extended leave of absence under M.S. 122A.46 shall be limited to three (3) years.
 - b. Normally, the length of an approved leave of absence for other reasons shall not exceed two (2) consecutive years.
 - c. Normally, the length of an approved part-time leave shall not exceed five (5) consecutive years. Leaves approved under policy 426, Shared Positions Authorization and Conditions, may exceed five (5) consecutive years.

4. Length of service to the district of the employee applying for the leave. Normally the district will not approve any leave during an employee's probationary period other than leaves required by law or collective bargaining agreement.
 5. Record of previous leaves taken by the employee;
 6. Availability of a qualified substitute;
 7. Potential for turnover among substitutes during the employee's leave period;
 8. Number of other employees in the same assignment category currently on leaves of absence;
 9. Timing of the leave in order to minimize disruption to the educational program, staff and students;
 - a. Wherever possible, leaves should begin and end during the summer. If that is not possible, the beginning or ending of a leave should coincide with a natural break point during the school year.
 10. Overall impact of the leave on the educational program, staff and students;
 11. Potential benefits to the district of granting the leave;
 12. Additional factors pertaining to requests for part-time leaves:
 - a. Availability of a suitable part-time assignment;
 - b. In the event two part-time employees would be sharing a full-time position if a leave were granted, compatibility of the individuals sharing the position assignment. This arrangement is to be administered in compliance with District Policy 426, Shared Positions Authorization and Conditions.
 - c. Flexibility of the employee in accepting a part-time assignment;
 - d. Willingness of the employee to return to full time employment should a part-time position to which the individual is assigned be increased to full time if a qualified substitute is not available or the addition of a second employee is not deemed feasible.
 - e. Willingness of the employee to participate fully in parent-teacher conferences and in-district workshops without additional remuneration.
- B. Acting upon requests for a leave of absence without pay is a School Board prerogative; however, the Superintendent or designee is authorized to grant such leave status for periods not to exceed five (5) working days in succession.

C. Requests for unpaid leaves of short duration during the school year of six or more working days in succession are subject to Board action. Additional considerations for these leaves will be that:

1. The district is provided with advance notice of the request and can assess the effects of the leave on educational programs; employees are advised NOT to make financial or other commitments prior to the time the leave is approved.
2. The purpose of the leave cannot be scheduled or accomplished during a non-duty (school vacation) period; and
3. Such leaves would only be granted when the merit of the request is of an exceptional nature and consistent with other provisions of this policy.

D. Leaves requested due to a disability will be reviewed in accordance with the ADA. The District will comply with applicable state and federal law when considering requests for leave of absence due to an employee's disability.

*Cross References: Policy 401, Equal Employment Opportunities
Policy 410, Family and Medical Leave Act*

Approved May 7, 2009