



WINDHAM SCHOOL
DISTRICT

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SUPERSEDES: WBP-07.53 (rev. 4)
December 12, 2019

WINDHAM BOARD POLICY

SUBJECT: ADMINISTRATIVE LEAVE

AUTHORITY: Windham Board Policy (WBP)-03.02, "Windham School District Superintendent Responsibilities and Authority"

APPLICABILITY: Windham School District (WSD)

EMPLOYMENT AT WILL CLAUSE:

These guidelines **do not** constitute an employment contract or a guarantee of continued employment. The WSD reserves the right to change the provisions of these guidelines at any time.

Nothing in these guidelines and procedures limits the superintendent's authority to establish or revise human resources policy. These guidelines and procedures are adopted to guide the internal operations of the WSD and **do not** create any legally enforceable interest or limit the superintendent's authority to terminate a noncontract employee at will.

POLICY:

Administrative leave is paid leave granted to an employee for specific circumstances as defined in this policy. WSD provides administrative leave in certain situations for all its employees without discrimination based upon race, color, religion, sex (gender), national origin, age, disability, or genetic information. Administrative leave is not accrued.

The superintendent or designee are the authorizing officials for administrative leave for the categories referenced in this policy or the superintendent may grant additional days of administrative leave for purposes not listed herein when the best interest of the employee and WSD would be served.

DEFINITIONS:

"Immediate Family" includes the following:

1. Spouse;

2. Son or son-in-law;
3. Daughter or daughter-in-law;
4. Parents, stepparents, parents-in-law, or stepparents-in-law;
5. Siblings or siblings-in-law;
6. Grandparents;
7. Grandchildren; or
8. Any relative residing in the covered employee's household at the time of illness or death.

“Marriage” includes ceremonial marriage and informal marriage, which are the two types of marriage recognized by the state of Texas and are defined as follows:

“Ceremonial marriage” is a marriage documented by: (1) a marriage license recorded with a county clerk; and (2) a marriage certificate issued by the county clerk.

“Informal marriage,” previously known as common law, is a marriage that is not necessarily documented through a county clerk, but is valid when a couple agree to be married and after that agreement live together in this state and represent to others that they are married.

“Sibling” is an employee’s biological, adopted, or stepsibling.

“Son” or “Daughter” is an employee’s biological, adopted, foster child, stepchild, legal ward, or a child (other than the above) for whom the employee is standing “in loco parentis.”

“Spouse” is an employee’s husband or wife through a marriage.

PROCEDURES:

I. District Administrative Leave

A. Internal Interviews

An employee will be granted administrative leave for an internal WSD interview. The employee will receive a maximum of one day to complete the interview. The employee is responsible for any travel expenses incurred for the interview.

B. Teacher Applicant Referral

An employee may receive eight hours of administrative leave for the referral of each full-time classroom teacher applicant hired in accordance with Superintendent Directive (SD)-07.55, “Teacher Applicant Referral.”

C. Superintendent Leave

The superintendent may authorize district-wide administrative leave subject to prior approval by the Windham board chairman.

D. Emergency Administrative Leave

In the event that an emergency situation occurs, directly or indirectly involving education personnel, the superintendent may approve administrative leave for a period not to exceed three days. Each emergency situation will be reviewed by the superintendent before declaring such as emergency administrative leave.

E. Health and Wellness Activities

1. An employee may be granted up to four hours of administrative leave annually for wellness challenges approved by the superintendent for which all requirements were met.
2. An employee may be granted up to four hours of administrative leave annually for completing an annual wellness examination by a licensed physician.

II. Community Administrative Leave

A. Jury Duty

An employee will be granted administrative leave with pay and no loss of accumulated time for jury duty. An employee is granted only the time sufficient to complete jury duty. Employees will retain any compensation for jury duty. The employee must notify the employee's supervisor within five workdays of the required dates of service. The employee must submit any required documentation and a jury duty excuse letter or a Certificate of Service that indicates that the employee appeared for the jury selection process.

B. Bereavement Leave

The superintendent may authorize up to three days bereavement leave for an employee upon the death of an immediate family member, as defined by this policy, if the employee is not in a leave without pay status.

C. Volunteer Firefighters or Emergency Medical Services (EMS) Volunteers

1. An employee who is a volunteer firefighter or EMS volunteer shall be granted administrative leave for up to five workdays each fiscal year to attend

firefighter or emergency service training conducted by a state agency or institution of higher education. These five workdays do not need to be consecutive.

2. A volunteer firefighter or EMS volunteer shall submit dated documentation on an annual basis to the employee's human resources department verifying the employee's certification as a volunteer. Such documentation shall be placed in the Human Resources employee file.

D. Foster Parents

A WSD employee who is a foster parent to a child under the conservatorship of the Texas Department of Family and Protective Services, with supporting documentation, is entitled to administrative leave for the purpose of attending the following meetings regarding the child:

1. Meetings held by the Department of Family and Protective Services; and
2. Admission, Review, and Dismissal meetings held by a school district.

E. American Red Cross Certified Disaster Service Volunteers

A WSD employee who is an American Red Cross certified disaster volunteer may be granted administrative leave not to exceed 10 workdays each fiscal year to participate in specialized disaster relief services for the American Red Cross if the leave is taken:

1. Upon the request of the American Red Cross; and
2. With the authorization of the employee's supervisor or superintendent.

F. Voting

A WSD employee shall be granted sufficient administrative leave to vote in each national, state, or local election without any deduction in salary or leave time when the employee's work schedule would disallow voting during time off. If early voting or extended polling hours on Election Day offer an employee sufficient time to vote, the employee is not eligible for administrative leave.

G. Bone Marrow or Organ Donors

1. An employee who is serving as a bone marrow donor, with supporting documentation, shall be granted administrative leave up to five workdays in a fiscal year for this purpose.

2. An employee who is serving as an organ donor, with supporting documentation, shall be granted administrative leave up to 30 workdays in a fiscal year for this purpose.

H. Court Appointed Special Advocates (CASA) Volunteer

A WSD employee who is a court appointed special advocate may be granted administrative leave not to exceed five hours each month to participate in mandatory training or perform volunteer services.

1. The employee shall initially submit support documentation from the CASA executive director representing the county in which the employee is volunteering to the employee's supervisor.
2. The employee's supervisor shall confirm and approve.
3. The employee shall request subsequent CASA administrative leave from the employee's supervisor or department head by submitting a request supported by documentation pertaining to the requested leave, such as a court order, activity report, time, and mileage log.

I. Training for Reserve Law Enforcement Officers

A WSD employee who is a reserve law enforcement officer shall be granted up to five workdays every two years to complete continuing education program hours required to remain licensed as a peace officer. A reserve sheriff's deputy, reserve deputy constable, or a member of the police reserve force shall provide dated documentation on an annual basis verifying their active reserve status. Such documentation shall be placed in the Human Resources employee file.

J. Medical and Mental Health Care Leave for Veterans

An employee who is a veteran may be granted up to 15 workdays each school year to obtain medical or mental health care under a program administered by the Veterans Health Administration of the United States Department of Veterans Affairs, to include physical rehabilitation.

Signature on file
Patrick O'Daniel, Chairman
Windham School District Board of Trustees