



WINDHAM SCHOOL
DISTRICT

NUMBER: SD-07.65
DATE: Effective September 1, 2025
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SUPERSEDES: N/A

SUPERINTENDENT DIRECTIVE

SUBJECT: LEAVE EXHAUSTION

AUTHORITY: Tex. Educ. Code § 19.004; WBP-03.02, “WSD Superintendent Responsibilities and Authority”; WBP-07.11, “Leaves and Absences”

REFERENCE: WBP-07.44, “Professional Standards of Conduct and Disciplinary Guidelines”; WBP-07.48, “Family and Medical Leave”; WBP-07.49, “Sick Leave Pool”; WBP-07.53, “Administrative Leave”

APPLICABILITY: Windham School District

POLICY:

Windham School District (WSD) encourages employees to use available leave to address health-related and personal matters, as necessary. However, regular employee attendance is essential to district operations, program effectiveness, and student achievement. WSD manages personal and sick leave in accordance with board policy and applicable law. Employees with excessive unexcused absences are subject to disciplinary action, up to and including termination. Provisions of this policy are subject to exceptions at the sole discretion of the superintendent or designee.

DEFINITIONS:

These definitions are meant only for this directive and may not apply in other contexts.

“Excessive Absenteeism” is an absence for which applicable leave is not available, and which is not taken as a leave of absence for a temporary disability (LOAFTD) or covered by sick leave pool and is not protected by the Family and Medical Leave Act (FMLA), the Americans with Disabilities Act (ADA), or other law.

“Protected Leave” is job-protected leave under the FMLA, ADA, or other law.

PROCEDURES:

I. Leave Balances

- A. Employees are responsible for managing their leave balances.
- B. Each month, Human Resources will notify supervisors of employees with fewer than 24 hours of available leave balance. Supervisors should check leave balances for accuracy, review with applicable staff, and complete the “Employee Attendance Notice” (Attachment A).
- C. Supervisors should communicate with employees about leave balances before approving time off when an employee’s available leave balance is low or may become low.

II. Exhaustion of Leave

- A. Supervisors may not approve a request for leave from an employee who has exhausted all available and applicable leave.
- B. When an employee is absent and has no available leave to cover the absence, the supervisor must:
 - 1. initiate the progressive disciplinary process for excessive absenteeism or tardiness in accordance with WBP-07.44, “Professional Standards of Conduct and Disciplinary Guidelines;” and
 - 2. enter leave code “19000 DOCK Leave” in the timekeeping system, notifying Human Resources of the need for applicable payroll deduction.
- C. When an employee with no available leave is absent for, or requests leave for a reason that qualifies for sick leave, and the employee believes the absence is eligible for protected leave or LOAFTD, the supervisor must notify the Human Resources benefits coordinator by email. Human Resources will evaluate the absence or sick leave request and determine if the leave may be protected by law or WSD policy.

If the absence is eligible for protected leave or LOAFTD, Human Resources will provide the supervisor and employee instructions, including appropriate entries in the time keeping system and requirements of medical documentation.

D. Contagious Illnesses

Employees with active symptoms of a contagious illness such as COVID-19, the flu, or “stomach flu” may not report to work despite exhaustion of sick leave.

III. Committee for Review of Personnel Actions Related to Exhaustion of Leave (Committee)

- A. The committee will review all corrective and disciplinary actions related to exhaustion of leave, consisting of the following or their designees:

1. Division directors; and
2. HR administrator.

B. Purpose of the Committee

1. The committee is established with the goal of consistent enforcement of disciplinary actions while addressing concerns related to leave exhaustion.
2. Committee Responsibilities
 - a. Reviewing corrective and disciplinary actions concerning leave exhaustion.
 - b. Providing a decision of concur or non-concur on personnel actions.
 - c. If applicable, making recommendations to the superintendent for granting unpaid leave due to extenuating circumstances.
 - d. If one or more committee member recommends granting unpaid leave, routing personnel action to the superintendent for review and final decision.



Kristina J. Hartman, Ed.S.
Superintendent
Windham School District



Windham School District

Schools in the Texas Department of Criminal Justice

Subject: Leave Exhaustion

Date: _____ **Employee Name:** _____

Campus / Department: _____ **Position:** _____

Statement of Violation:

On (date) _____, it was confirmed through your leave accrual records that your leave balances are approaching or at zero. As a result, additional absences may result in a “dock day,” meaning a deduction from your pay, and administrative action up to and including disciplinary measures. Windham School District (WSD) leave policy requires employees to maintain sufficient leave balances and manage their absences appropriately.

Impact:

Your ongoing absences may significantly impact our students, staff, and programs. These disruptions affect instructional continuity and place an additional strain on colleagues who must accommodate your absences. Consistent attendance is essential to fulfilling your professional responsibilities and supporting student success.

Expectations and Next Steps:

1. Immediate compliance with WSD leave policy by managing absences within available leave balances.
2. Proactive communication regarding any extenuating circumstances affecting attendance.
3. Understanding that violations may result in administrative action, up to and including formal disciplinary measures.

If you have any questions or require clarification, please reach out immediately.

Warning of violations:

☐ Discussion: Approaching Leave Exhaustion; Date: _____

Employee Acknowledgment:

I acknowledge that I have read and understand this counseling statement.

Employee Signature: _____ Date: _____

Administrator Signature: _____ Date: _____

Administrator: Please scan a copy of the completed document to the Benefits Coordinator in Human Resources and retain the original for your records.