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For questions and more information about this document, please contact the following:

Contact Name
Human Resources

hr@seattleschools.org
ARTICLE VI: LEAVE RULES, REGULATIONS AND PROCEDURES

SECTION A: SHORT TERM LEAVES

All leaves granted under these provisions will be in units of full days or half days. If absences will be longer than 10 days, or annual frontloaded sick and personal leave is exhausted, refer to SECTION B: LONG TERM PAID AND UNCOMPENSATED LEAVES.

Provisions and procedures for requesting and reporting use of different types of leave are:

1. Sick Leave
   a. At the beginning of each school year, each employee shall be credited with an advance sick leave allowance equal to ten eight (108) days of sick leave and four (4) days of personal leave. Should the employee leave the SPS prior to the end of the contract year, or become a part-time employee, the employee’s sick leave will be prorated to reflect actual time worked.
   b. For employees hired after the beginning of the school year, one (1) day of sick leave shall be deemed earned during the first month of employment if work commences on or before the 15th day of the month.
   c. Employees may accrue sick leave in accordance with State law. Employees may cash out sick leave in accordance with State law.
   d. When an employee is quarantined by a Health Officer of Competent Jurisdiction, the employee may utilize their sick leave; provided however, that the quarantine is a result of the fact that the employee is ill, the employee has a communicable disease, or the employee is unable to be inoculated because they are allergic to the respective vaccine. Employees who choose not to be inoculated, for whatever reason, may choose 1) leave without pay or, 2) to use their personal leave.
   e. Sick Leave may be used for absence caused by illness, injury, medical disability (including that caused by childbearing), poor health of the employee, child care to the extent required by law, or an emergency caused by family illness, where no reasonable alternative is available to the employee.
   f. An employee’s position will be held for their return to work for as long as the employee is off work on sick leave plus a twenty-five (25) workday grace period after the exhaustion of their accrued sick leave. If the employee qualifies for Family Medical Leave Act (FMLA) benefits, their position will be held for the employees return for the period of time covered by the FMLA or the end of the 25-day grace period, whichever is longer.
   g. Employees who are or will be out of their assignments on sick leave for ten (10) consecutive days must submit a written application for Leave for Health Condition.
   h. For the purposes of the FMLA, the twelve (12) weeks of eligibility period begins with the first day of paid or unpaid sick leave used for a purpose allowed under FMLA. SPS considers the submission of a leave application to be notice that the employee may need FMLA benefits. SPS may require an employee to provide medical verification before the leave is approved.
   i. The supervisor may request a conference with the employee if they are concerned about the employee’s sick leave usage. If the employee’s absences continue, the supervisor may require that the employee provide medical certification for future sick leave absences.
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h. Upon return from extended sick leave or FLMA, the employee will return to the same position, so long as the leave did not exceed one (1) school year. For those employees assigned from programs (Nurses, OT/PTs, Audiologists/SLPs, and Psychologists), the right to the same site assignments will also be given unless there has been a change in FTE at one or more of the buildings the employee was assigned to. In this case, the employee and supervisor will discuss which buildings to return to and will utilize Human Resources and SEA if necessary.

i. Upon return from extended sick leave or FLMA, the employee, upon approval of the Labor Management Committee, will be permitted to utilize unpaid leave on a periodic basis to deal with health issues and/or doctor appointments.

k. The procedures for obtaining sick leave are as follows:

1) An employee who will notify her/his supervisor at least three (3) working days before taking short term leave.

2) In cases of personal emergency or personal illness when it is not possible to give three (3) days’ notice, the employee will notify their supervisor as soon as possible, but no later than the beginning of the employee’s contractual day.

3) In the case of an emergency, SPS will attempt to provide a substitute, but in the cases where no substitutes are available, the buildings will not be reimbursed by SPS for the lack of substitutes.

4) The employee must arrange for a substitute in Frontline, if they work in a position for which a pool of substitutes exists, Substitute plans must be prepared and posted in Frontline.

5) The employee must keep the supervisor informed about the expected duration of their leave and/or expected return date.

6) Upon return from short term leave the employee is responsible for entering the absence into the District’s time and attendance system to ensure accurate time accounting and payroll processing.

7) Employees who fail to notify their supervisor of their leave status and/or fail to return to work after the expiration of any leave will be subject to progressive discipline for failure to follow leave procedures and/or job abandonment unless a written medical reason from a health care provider is submitted to the District prior to the scheduled return date.

8) Any employee who is injured by a student and has been approved for worker’s compensation as related to the injury will not be deducted sick leave for the first two days.

2. Personal Leave: Beginning in 2019-2020, employees will receive four (4) days per year of Personal Leave and eight (8) days of sick leave for a total of twelve (12) days. The four (4) personal leave days are for situations which require absence during school hours for purposes of transacting or attending to personal or legal business, or family matters. The
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Leaves shall be granted with full pay during the work year. Unused personal leave will be converted and added to the employee’s sick leave accrual at the end of the fiscal year. These days can be used for religious observance. District policy and state law also provides for up to two (2) additional days of unpaid leave for reasons of faith, conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization. All leaves granted under these provisions will be in units of full days or half days.

3. The procedures for obtaining sick or personal leave are as follows:

a. An employee who anticipates the need for taking short term leave shall notify her/his supervisor at least three (3) working days before taking the leave.

b. In cases of personal emergency or personal illness when it is not possible to give three (3) days’ notice, the employee shall notify their supervisor as soon as possible but no later than the beginning of the employee’s contractual day.

c. The employee must make proper arrangement for a substitute, if they work in a position for which a pool of substitutes exists. Substitute plans should be prepared and provided to the designated SAEOP office staff.

d. The employee must keep the supervisor informed about the expected duration of their leave and/or expected return date.

e. Fridays and Mondays, particularly those associated with a holiday weekend, are generally those days which have the highest demand for substitutes and often the Substitute Office cannot fill all requests for substitutes. Employees are encouraged not to request personal leave on Fridays or in conjunction with holiday weekends. If leave is taken, employee is encouraged to confirm dates and provide substitute plans with the designated SAEOP office staff. In the case of an emergency, SPS will attempt to provide a substitute, but in the cases where no substitutes are available, the buildings will not be reimbursed by SPS for the lack of substitutes.

f. Upon return from short term leave the employee is responsible for entering the absence into the District’s time and attendance system to ensure accurate time accounting and payroll processing.

g. Employees who fail to notify their supervisor of their leave status and/or fail to return to work after the expiration of any leave will be subject to progressive discipline for failure to follow leave procedures and/or job abandonment unless a written medical reason from a health care provider is submitted to the District prior to the scheduled return date.

Any employee who is injured by a student and has been approved for worker’s compensation as related to the injury will not be deducted sick leave for the first two days.

a. The procedures for obtaining personal leave are as follows:

1) Requests for personal leave must be made directly to the employee’s supervisor at least three (3) working days before taking the leave, except in cases of emergency. In cases of emergency the employee will notify their supervisor as soon as possible, but no later than the beginning of the employee’s contractual day.
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2) In the case of an emergency, SPS will attempt to provide a substitute, but in the cases where no substitutes are available, the buildings will not be reimbursed by SPS for the lack of substitutes.

3) Personal leave may not be used during the first or last five student days of the school year, instructional make-up days, or during mandatory extra contractual days as outlined in Article IV, Section E.

4) Personal leave on the days directly before or after holidays, and the day before or after a break or holiday weekend will be counted as two (2) days.

5) Fridays and Mondays, particularly those associated with a holiday weekend, are generally those days which have the highest demand for substitutes and often results in unfilled positions. Employees are encouraged not to request personal leave on Fridays or in conjunction with holiday weekends.

9) The employee must arrange for a substitute in Frontline, if they work in a position for which a pool of substitutes exists. Substitute plans must be prepared and posted in Frontline.

6) Personal leave will not be used for regularly shortening the workweek, regularly extending a break, regularly attending classes to pursue advance degrees, internships, activities or responsibilities related to an outside business, other employment.

7) Employees who appear to violate the intended purpose of personal leave may be asked by their supervisor to explain leave previously taken and/or required to document subsequent use, and may be subject to discipline or have other restrictions placed on utilization of personal leave.

8) Personal leave approval will be at the discretion of the immediate supervisor who may deny personal leave if the number of employees requesting leave for any one day exceeds 5% of the building/program staff, or otherwise threatens to disrupt the educational program. Supervisors will deny personal leave requests when the number of employees using approved leave exceeds 15% of the building/program staff.

In 2019-2020, a joint work group will review personal leave use, determine reasonable restrictions on high demand personal use days related to holidays and breaks resulting in unfilled sub assignment, cash out options/incentives and parameters for the use of personal leave. These recommendations will be incorporated into a MOU to be approved by SEA and SPS with the goal of being implemented at the start of the 2020-2021 school year.

2.3. Sick Leave Buy Back.

a. Employees who retire shall be entitled, upon written request to the SPS's Payroll Services, to compensation for all unused Sick Leave up to the one hundred and eighty
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(180) day maximum at the ratio of 4:1 at their per diem rate. As allowed by law, the funds will be put into a VEBA account.

b. On or before January 31 or the last business day of January, employees may elect to be compensated at the ratio of 4:1 at their per diem rate for Sick Leave accumulated in excess of sixty (60) days which was earned but unused during the previous calendar year.


3.4. Leave Sharing: The SPS agrees to maintain a leave sharing plan that conforms to law. Shared leave will be used only for the purpose of maintaining salary and insurance benefits. The length of time a position is held for the employee’s return will not be extended by the use of shared leave.

Worker’s Compensation:

4.5. Employees who are on a leave of absence due to injuries or occupational illness which resulted from the employee performing contracted professional duties shall be provided by the SPS, as a self-insured employer for Worker’s Compensation, continuation of salary without loss of sick leave during the period of disability caused by an injury on duty in compliance with the terms of the Industrial Insurance Laws of the State of Washington. The injuries or occupational illness occurring as a result of the employee performing contracted professional services are subject to certification by a duly qualified physician. The employee will be eligible for continuation of salary without loss of pay for sixty work days exclusive of using earned leaves to bring the total compensation to 100% of pre-disability compensation. After 60 work days the employee may use remaining accumulated paid leaves to bring total compensation to 100% of pre-disability until the paid leave runs out. After sixty (60) work days or when earned leaves run out, whichever occurs later, the employee will receive the statutory benefit.

a. The employee shall promptly complete a Self-Insurer Accident Report claim form with the assistance of the supervisor of the work location where the injury occurred, in accordance with SPS insurance procedures. The employee shall file a claim for occupational illness on an appropriate form, in accordance with SPS and State insurance procedures.

b. The employee shall conform to the requirements of the Industrial Insurance Laws of the State of Washington by providing to the SPS monthly reports from the attending physician which documents a medical condition which prevents the employee from performing any contracted professional duties.

c. The employee shall return to contracted professional duties when deemed fit by the employee’s attending physician in accordance with the Industrial Insurance Laws, with the concurrence of the SPS’s appointed medical officer. At the time of return to work, Time Loss Compensation benefits for absence due to injury on duty or occupational illness shall cease.

d. The SEA and SPS will do a joint study of this section to determine the usage, cost, and the impacts of paying up to 100% of the disability cost for sixty (60) days.
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7.6. Bereavement

Leave:

Up to three (3) days Bereavement Leave will be granted for each occurrence of death in the employee’s immediate family. In cases where funeral services are located more than two hundred (200) miles from the employee’s home, the employee may request up to two (2) additional days leave for the purpose of travel to and from the services. The requests should be sent to the employee’s immediate supervisor.

a. Bereavement Leave shall be granted with full pay during the work year.

b. For the purpose of Bereavement Leave, immediate family is defined to include mother, father, sister, brother, husband, wife, son, daughter, son-in-law, daughter-in-law, mother-in-law, father-in-law, sister-in-law, grandchild, grandparent, aunt, uncle or anyone who is living with or considered part of the family.

c. Employees who appear to violate the intended purpose of bereavement leave may be asked by their supervisor to explain leave previously taken and/or required to document subsequent use, and may be subject to discipline or have other restrictions placed on utilization of bereavement leave.

5.7. Attendance at the Legislature:

Upon specific request of a Washington State legislative committee and the employee’s professional organization which is sent to Human Resources and approved by the appropriate executive level administrator, an employee may be absent for one (1) day only to give information at a committee meeting at the Legislature. In the event a hearing is postponed or extended, upon request an additional day or days may be approved. When the leave is approved, the employee will receive full pay and/or the organization they represent pays for the substitute’s salary.

Jury Service:

Employees may serve as jurors in accordance with State and federal laws.

a. Arrangements for the necessary temporary leave shall be made through the supervisor. The employee will provide the supervisor a copy of the jury notice received, including dates of jury service, before the date jury service begins. Employees whose jury service is extended for changes will provide updated notices to their supervisor.

b. Employees who serve as jurors during the work year shall receive full pay, provided that any/all jury or subpoena fees received for the service is remitted to the SPS upon receipt.

c. Any transportation, meal or lodging expense reimbursement shall be retained by the employee. The employee will provide the SPS in writing an accounting breakdown of the daily jury/subpoena fee and the transportation, meals, and lodging monies that will be reimbursed to the employee in accordance with current SPS policy.

7.9. Mandatory Court or Subpoenaed Appearances:

To the extent possible, all leaves under this section shall be scheduled outside of the school year. Upon request to the building principal/program manager or supervisor, leave may be granted for an employee to appear pursuant to a lawful subpoena or summons or as a party
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plaintiff or defendant, according to the following:

a. When the employee’s appearance is essential to or on behalf of SPS interests, leave shall be with full pay.

b. For appearances in which the employee’s appearance is adversarial to SPS interests, leave shall be without pay.

c. For appearances unrelated to SPS interests but in which the employee is a party, disinterested witness, or participant, leave shall be with full pay, provided that the employee shall pay to the SPS the full cost of their substitute.

d. For appearances unrelated to SPS and in which the employee is a disinterested witness or participant, leave shall be with full pay, provided that any witness fees paid to the employee shall be returned to the SPS.

8.10. Adoption Leave:

Adoption Leave shall be granted with pay on a temporary basis upon application to Human Resources to either or both parents in order to complete the adoption process, providing the leave does not exceed an aggregate of ten (10) days in any given year. The temporary leave may be used for court and legal procedures, home study and evaluation, and required home visitation by the adoption agency.

12.11. Parental/Guardian Leave for the Care of a Child:

Up to five (5) days total shall be granted with pay upon application to Human Resources to parents or guardians for the purpose of care for a newborn child or for the placement of a child with the employee for foster care or guardianship or other emergency situations where the employee has recently become legally responsible for the care of a newborn or minor child. These days must be applied for and approved through Human Resources. Once approved, these days can be used flexibly, upon approval and pre-arrangement with principal/supervisor.

14.12. In order to support employees with parental leave requirements related to the birth or placement of a child with the employee subsequent to the period of disability, employees are eligible to apply their accrued sick and personal leave to remain in paid status during and up to 16 weeks of leave time following the birth of a child qualifying for federal family and medical leave and state parental leave. In cases where employees’ accrued leave balances are depleted to 40 hours of sick and vacation leave, employees are eligible to apply for shared leave during the 16 weeks of leave time qualifying for federal family and medical leave pursuant to District Shared Leave Guidelines. Employees may also apply for Washington State parental leave insurance and wages pursuant to Substitute Senate Bill 5975 after January 2020, if qualified for eligibility as set forth in the law. Contact Human Resources for information on District State provided benefits and for the leave application for the parental leave benefits.

14.13. Attendance at Meetings and Conferences – Leave for other causes:

a. Categories of leaves which are permitted without salary deductions under this section are as follows:
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1) Substitute educator and necessary expenses paid by the SPS. This category applies to employees authorized by the Board to represent the SPS at important educational conferences.

2) Substitute educators paid by the SPS; necessary expenses paid by the employee or outside agency. This category applies to employees authorized by the Board to represent the SPS at important educational conferences.

3) Substitute educators paid by the employee or their sponsor; no expenses paid by the SPS. This category applies to employees or members of the organization sponsoring the conference or meeting and who have been authorized to represent their local organization. Reimbursement to the SPS for the cost of the substitute is required.

b. Categories of leaves which are permitted with salary deductions under this section are as follows:

1) Up to two (2) weeks leave (10 working days) for other causes (without pay) may be granted upon application to the building principal/program manager and approval by the appropriate executive level administrator/department director for reasons which are compelling and of substantial value to the employee and cause no serious disruption to the educational program.

2) Leaves beyond ten (10) working days will be submitted to the appropriate executive level administrator for regular SPS processing.

15.14. Inclement Weather Leave and Emergency Closure Leave:

a. Any leave requested for days which are normally contracted but fall on days that school is not open due to inclement weather shall not be charged to the employee.

b. The SPS shall distribute a copy of its inclement weather/school closure policy to all employees on an annual basis.

c. After a decision has been made to close a building for the remainder of the day, the principal/program manager or their designee shall inform the employees.

d. Principals/program managers shall use a reasonable standard to release employees after students are dismissed.

e. Principals/program managers will initially request volunteers to meet the operational needs of the building before requesting employees to remain.

f. When schools are opened late, employees will report to work at least thirty (30) minutes prior to students.

SECTION B: LONG TERM PAID AND UNCOMPENSATED LEAVES

1. Leave for Health Condition: Health leave without pay and paid sick leave (with the exception of child bearing leave) are used concurrently for the purpose of determining eligibility and the rights afforded under the Family Medical Leave Act.
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a. An employee who is unable to perform their duties because of medical disability, or that of a family member, shall be eligible for, upon the employee’s request and physician’s verification, a leave with or without pay for the duration of the disability up to one (1) year.

b. Employees who are out of their assignments for health reasons or who use more than 10 consecutive days of sick leave must submit a written leave application to Human Resources at that time. Approval will be granted if the employee has provided medical certification signed by the medical provider that they are unable to perform the essential functions of their job and has signed a medical release that allows SPS to communicate with the employee's medical provider regarding information relevant to the leave request approval process. When SPS considers it necessary to verify the need for health leave, the employee may be required to be examined by a SPS appointed medical officer. Any visit to a SPS appointed medical officer shall be at SPS expense, including documented mileage and parking.

c. In the event a second year of health leave is necessary, an employee may apply for an additional year upon written request and with medical verification to Human Resources. An employee who has been granted Leave for Health Condition for two years or less will be returned to service, when cleared by their physician, by applying for vacancies and being selected through the site-based hiring process. If there is no assignment available through the site-based process, the employee may substitute at substitute pay for the remainder of the current school year and, the employee will be placed in the displacement pool for the upcoming school year. The employee’s return to service must be approved by Human Resources, the employee’s personal physician, and when deemed appropriate, a SPS appointed medical officer.

d. Except in extraordinary circumstances, Leaves for Health Conditions for more than two years will not be approved by Human Resources. In the event an employee has been on leave for more than two years they may request a return to service at a time other than the start of a school year by applying for vacancies and being selected through the site-based hiring process. If there is no assignment available through the site-based process, the employee’s right to return is based on the availability of a position for which they are qualified and for which there is no qualified employee in the displacement pool. Employees who have been on leave for more than two (2) years will also go through new employee orientation, when available, and be assigned a mentor, when available, to assist in the transition back to employment.

e. Seniority is retained but not accumulated, while on Unpaid Leave for Health Condition. No increment is allowed for the year(s) when an employee is on Leave for Health Condition.

f. An employee whose performance has been evaluated unsatisfactory, placed on a plan of improvement or placed on probation prior to Leave for Health Condition will be returned with the same status and same supervisor and same position, if possible, if the position exists upon completion of the leave.

g. Employees using unpaid leave may continue insurance coverage for twelve (12) months by self-paying the entire premium, if allowed by the insurance carrier.

h. An employee who has been released by their medical provider to return from health leave on a part-time basis may apply for a partial leave of absence subject to the approval of the employee’s supervisor and Human Resources. Partial leaves for health reasons will only be approved for a total of two (2) years, including the time the
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employee was on full-time leave. For purposes of eligibility for leave renewal, each year of partial leave will be counted the same as if it were a full-time leave.

2. Child Care Leave:

a. Child Care Leave, without pay, will be granted after the birth of a child for the remainder of a school year or until the end of the next school year and shall be exclusive of rights under FMLA or the period of physical disability (childbearing leave). Other arrangements for returning from leave during a school year may be agreed to by the supervisor, Human Resources and the employee.

b. An employee requesting to return from Child Care Leave must submit a written request to Human Resources:

1) An employee requesting to return to duty at the beginning of the next school year will be placed in the displaced pool and staffed accordingly.

2) The employee who requests to return to duty during the school year may apply for vacancies through the site-based hiring process. If there is no assignment available through the site-based process, the employee may substitute at substitute pay.

c. Employees are eligible to receive Child Care Leave without pay.

d. Child Care Leave without pay is available to parents or guardians of natural or adopted children under the age of 2 years.

e. Employees using leave for a year may continue insurance coverage by self-paying the entire premium, if allowed by the insurance carrier.

3. Other Long-term Leaves Without Pay – Non-Health Related Leaves:

a. Deadline for Notification of Intent to take a leave: Any employee desiring a leave of absence has the responsibility to inform Human Resources in writing as early as possible but no later than the first business day in March prior to the year the leave is desired. Approval or rejection of the request will be provided within 20 workdays of receipt of a completed application by Human Resources.

b. The employee granted the leave must intend to return to the SPS.

c. Deadline for Notification of Intent to Return: On or before the first business day in March of the year the leave of absence occurs, Human Resources must receive written confirmation of an employee’s intent to return. An employee’s failure to confirm their return will be considered a resignation from employment from the SPS.

d. Human Resources may grant other long-term leaves without pay to those employees who have a continuing contract and who have completed two (2) full years with SPS immediately prior to the leave. Human Resources will not approve more than one (1) year of these types of leave without pay, regardless of whether the leave is less than the employee’s contracted FTE. Exceptions to the one-year limitation may be granted for leaves to serve in the Peace Corps, childcare or other programs with specific terms. These leaves may be granted for professional growth or education, employment opportunities (other than teaching in another school district, state or foreign country), serving in a public office, study or travel, professional experience or other purposes approved by Human Resources.
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b.e. Employees using leave for a year may continue insurance coverage by self-paying the entire premium, if allowed by the insurance carrier.

c.f. The employee granted the leave must intend to return to the SPS.

d.g. In times of financial difficulty, Human Resources shall extend leaves to those employees requesting them on a case by case basis.

e. Deadline for Notification of Intent to take a leave: Any employee desiring a leave of absence has the responsibility to inform Human Resources in writing as early as possible but no later than the first business day in March prior to the year the leave is desired. Approval or rejection of the request will be provided within 20 work days of receipt of a completed application by Human Resources.

f. Deadline for Notification of Intent to Return: On or before the first business day in March of the year the leave of absence occurs, Human Resources must receive written confirmation of an employee's intent to return. An employee’s failure to confirm their return will be considered a resignation from employment from the SPS.

g.h. Long term leave without pay will not be granted to any employee who is on a performance improvement plan, probation, or currently subject to disciplinary action.

4. Placement Upon Return from Leave:

a. Upon return from extended unpaid leave, the employee will return to the same position, so long as the leave did not exceed one (1) school year. However, employees on an extend leave may be assigned a new position or be assigned during spring staffing to meet staffing ratios.

b. An employee who has been on leave for two (2) years or less may request a return to service at a time other than the start of a school year by applying for vacancies and being selected through the site-based hiring process. If there is no assignment available through the site-based process, the employee may substitute at substitute pay. To be considered as a substitute employees must apply to the posted substitute position. If no assignment is available and the employee has made the request to return to service before March 1, the employee will be placed in the displacement pool for the upcoming school year. An employee on leave or returning from leave is subject to Reduction in Force provisions.

c. In the event an employee has been on leave for more than two (2) years, the employee may request a return to service at a time other than the start of a school year by applying for vacancies and being selected through the site-based hiring process. If there is no assignment available through the site-based process, the employee’s right to return is based on the availability of a position for which she/he is qualified and for which there is no qualified employee in the displacement pool. Employees who have been on leave for more than two (2) years will also go through new employee orientation and be assigned a mentor, when available, to assist in the transition back to employment.

d. On returning from leave, the employee will receive experience credit and earned clock hours or credits for those leaves and classes that are accepted for experience or salary schedule credit by OSPI. Accumulated sick leave will be restored upon return from leave.
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4. An employee seeking election to public office shall take a leave of absence without pay for the time the employee’s campaign duties interfere with the orderly performance of their SPS duties and responsibilities. In no event shall the leave of absence begin later than the opening of school in September for a candidate for an office, the election for which will be held either in the primary or general election. Excluded from this requirement are elections for offices that do not create a conflict of interest or positions which do not interfere with the performance of the employee’s position. When an employee is elected to or appointed to a salaried public office or position that precludes rendering normal contractual service to the SPS, the employee shall resign from the District or apply for a temporary leave of absence without pay from the SPS.

5. Military Leave and Service Credit:
Military Leave of Absence and Service Credit is provided to the extent required by and consistent with law. Employees called to active duty will be provided all rights in accordance with the Uniformed Services Employment and Reemployment Rights Act. Leave for military training duty of up to fifteen twenty-one (1521) calendar days leave per year, October 31 through September 30 of the following year, or the amount required by law, will be granted with pay for reservists ordered to active training duty, provided, that any reservist shall present evidence to the SPS that they made all reasonable efforts to arrange for the active training duty during the summer months or other school vacation period. The request for training must be submitted to Human Resources for processing.

6. Failure to Return from Long-Term Leave
Failure to return at the expiration of any leave will terminate the employee’s employment contract with SPS unless a written medical certification is submitted to SPS prior to the scheduled return date.

SECTION C: LEAVE FOR SEA OFFICERS

1. SPS shall make appropriate leave provisions for officers of SEA to carry out activities necessary for the organization to fulfill its legal responsibility of bargaining representative of employees. SPS and SEA recognize that these leave provisions for SEA officers are provided to meet the organization’s representation responsibilities. Financial arrangements for this leave shall be consistent with the provisions of Chapter 41.59 RCW. SEA shall provide legal defense including attorneys and agrees to indemnify and to defend the SPS and its representatives and hold each and all of them harmless from any and all claims, liabilities or costs which arise out of entering into or enforcement of this Section. SPS agrees not to bring suit to invalidate this Section.

2. Leave Provisions for Officers:
   a. The president and executive vice-president of SEA shall be provided leave for the school years for which they are elected, without loss of salary, stipend, or fringe benefits, subject to full monthly reimbursement to SPS.
   b. At a mutually agreed upon date following election to office, the incoming president-elect for the ensuing school year shall be provided leave for the remainder of the school year, without loss of salary, stipend, or fringe benefits, subject to full monthly reimbursement to SPS.
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c. Bargaining Unit employees who were or are elected to serve as officers of SEA in a full time or regular part time position, shall be granted a leave of absence for the duration of their term of office. SEA shall notify SPS in writing and request the leave of absence on behalf of the employee(s). The SPS shall acknowledge the request in writing. SPS shall make retirement contributions on the employee’s behalf in accordance with applicable laws and regulations contingent upon being fully reimbursed by SEA.

d. Officers who are granted a leave of absence in accordance with this Section C shall retain their seniority rights and shall be entitled to a salary increment if they would have otherwise been eligible for the advancement on the salary schedule and any other contractual considerations granted to other employees covered by the Collective Bargaining Agreement. [This is retroactive to (1992-93) for Teachers’ Retirement System Plan I, (TRS-II, TRS-III).]

3. Conditions for Released Time:

The officers of SEA who have been provided leave pursuant to Chapter 41.59 RCW shall resume duties with SPS at the conclusion of the term of office, unless re-elected to the same or another office. Upon return to duty, the officers who have been released shall be entitled to a position comparable to their previous position with SPS. The officers shall retain the same position on the salary schedule and receive an increment if eligible and not already at the maximum in the salary lane. SPS agrees to maintain accumulated sick leave, retirement, and seniority rights for the officers during the period of the leave.

4. Special Requests for Released Time:

a. Requests by the SEA for SPS staff members to be released for a period not to exceed five (5) consecutive days as special consultants to participate directly in a collective bargaining session on a specific proposal or issue, when the consultant's particular expertise would contribute to the development of a full consideration of the matter being discussed, shall be in writing to the SPS. Copies of written requests for released time shall be presented to the Chief Human Resources Officer or their designee, Labor Relations, and administrative supervisor as soon as possible, but not less than three (3) working days prior to the date of release. The requests will be reviewed by the SPS, and when released time is provided it shall be subject to reimbursement to the SPS for the cost of any necessary substitute.

b. Requests by the SEA for alternate or additional individual SPS staff members to be released during the school year for a sustained time to participate directly in collective bargaining sessions shall be in writing to the SPS. Written requests for released time shall be presented to the Chief Human Resources Officer or their designee, Labor Relations, and administrative supervisor as soon as possible, but not less than three (3) working days prior to the date of release. The request will be reviewed by the SPS, and when approved the SPS shall provide leave, subject to reimbursement to the SPS for the full cost of the substitute, when necessary.

c. The cost of daily rate substitutes for SPS staff members released for short terms to serve as consultants to or representatives for the SEA shall be reimbursed to the SPS by the SEA.

d. The SEA will be provided a pool of three hundred and twenty (320) substitute days during each school year paid for by the SEA. The pool of days shall be shared by the three (3) bargaining units represented by the SEA (i.e., SEA, SAEOP and Paraprofessional Staff). This category applies to officers or members of the SEA who
ARTICLE VI: LEAVE RULES, REGULATIONS AND PROCEDURES

are engaged in activities necessary for the organization to fulfill its legal responsibility of bargaining representative for employees. The SPS recognizes this release of SEA members is of direct benefit to the SPS and is enacted in full accordance with the law. SPS will pay for up to 150 substitute days for joint endeavors which benefit the district and its educational program upon written approval by the Chief Human Resources Officer at least three days prior to the requested day(s).