

An absence due to a work-related injury or illness shall be designated as FMLA leave, temporary disability leave, and/or assault leave, as applicable.

An employee eligible for workers' compensation income benefits, and not on assault leave, may elect in writing to use paid leave.

Court Appearances

Absences due to compliance with a valid subpoena pertaining to District business or for jury duty shall be fully compensated by the District and shall not be deducted from the employee's pay or leave balance.

Absences for court appearances related to an employee's personal business with no subpoena shall be deducted from the employee's leave or, at the option of the employee, shall be taken as leave without pay.

Neutral Absence Control

When any employee has exhausted all available state and/or local leave, including temporary disability leave, FMLA leave, sick leave pool days, and extended sick leave and fails to return to work within three calendar days, the District shall notify the employee in writing by certified mail of its intent to place the employee on indefinite unpaid leave. An employee on indefinite unpaid leave shall not earn benefits. If applicable, the employee shall be offered health benefits in accordance with COBRA. [See CRD] A written medical release from a physician licensed to practice in Texas shall be required for any employee seeking to return to work following an indefinite leave of absence.

Retirement Service Award (RSA)

The following leave provisions shall apply to state leave earned beginning on the original effective date of this program.

A professional employee who retires from the District shall be eligible for reimbursement for state leave under the following conditions:

1. The employee's retirement is voluntary, i.e., the employee is not being discharged or nonrenewed.
2. The employee must hold a valid teaching or administrative certification, if required, for the position in which they are assigned. District of innovation teachers are not eligible for the RSA until they become fully certified, unless designated as eligible by the Superintendent.
3. The employee is continuously employed throughout the entire school year preceding retirement, or the preceding semester if retiring in December.

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4. The employee provides advance written notice of intent to retire and submits the RSA application form by the date determined by the District.
5. The employee has at least a 95 percent attendance rate during the year of retirement. All absences shall be verified. Absences related to staff development and school business shall not be counted against the employee. Instances of workers' compensation or absences under the FMLA shall be reviewed by the Superintendent for eligibility.
6. Any staff member who must be reassigned during the eligibility period shall no longer be eligible for the award.

The employee shall be reimbursed for each day of unused state leave, to a maximum of 60 days, at the current pay rate for a certified substitute teacher per the District compensation plan. The RSA shall be distributed in January or June of each year.

If the employee is reemployed with the District, days for which the employee received payment shall not be available to that employee.