



Scottsboro City Schools Leave of Absence Procedures

I. Use of Accumulated Paid Leave

If an employee has available sick, personal, or vacation leave, the employee must utilize those forms of leave before taking unpaid leave.

II. Leave of Absences Five to Ten Days

If an employee is absent for at least five consecutive days, the principal/supervisor may require a doctor's excuse or other justification if there is probable cause to believe that sick leave is being abused or misused. Abuse of sick leave may subject the employee to disciplinary action, including possible loss of pay.

III. Leave of Absences Ten or More Days

If an employee is going to be absent 10 or more consecutive days, a request in writing (Leave of Absence Request Form) must be submitted to the principal/supervisor with the beginning and ending dates of anticipated leave. A physician's statement/medical certification must be attached to the Leave of Absence Request Form. The principal/supervisor will forward the Leave of Absence Request Form and attached physician's statement to the Department of Human Resources who presents leave requests to the Superintendent for board approval. If a medical leave extension is needed beyond 12 weeks, the employee must acquire updated medical certification and submit a letter requesting an extension of leave. Additional leave must be approved by the Superintendent and Board, but is not guaranteed.

Benefits may be discontinued after 12 weeks of leave under the Family Medical Leave Act, UNLESS benefits accrued by the employee are available such as sick days or catastrophic donations.

IV. Family Medical Leave Act (FMLA) Eligibility

If an employee has worked a minimum of 1,250 hours during the 12 months prior to the start of the leave, he/she may be entitled to 12 weeks of leave for reasons specified under FMLA. For applicable reasons, definition of serious health conditions, and medical certification requirements, please refer to section 5.12.3 in the Scottsboro City Schools Policy Manual. Scottsboro City Schools' policy requires an employee who has available sick leave, vacation leave, or other applicable paid leave, to utilize those forms of leave before taking unpaid leave. In that instance, the paid leave and FMLA leave will run

concurrently from the first absence as long as the need for such leave results from one or more of the qualifying reasons under FMLA.

The U.S. Department of Labor (Form WH-380-E) allows an employer to request certification from a health care provider for an employee or family member's serious health condition under FMLA regulations. The health care provider may be asked to provide medical facts to approve leave, as disseminated on Form WH-380-E.

FMLA certification forms can be found on the district website under 'Personnel/Employment', as well as at <http://www.dol.gov/whd/fmla> under 'Forms'.

FMLA Intermittent Medical or Reduced Work Schedule Leave is available for individuals with certain medical conditions that may not require an employee to be absent 10 consecutive days or longer, but frequent absences may result from a serious health condition. Intermittent leave should be scheduled to the extent practicable so as not to unduly disrupt the operations of the Board. Intermittent leave may be further limited for teachers in accordance with federal law. This leave permits employers (Scottsboro City Schools) to temporarily transfer employees needing such leave to alternate positions that better accommodate leave or a reduced schedule if available.

The employee is required to give the employer notice of the foreseeable intermittent leave at least 30 days before the leave is to begin and must be certified by a Physician with the proper FMLA form. If an employee is prescribed light duty or a reduced work schedule from the physician that cannot be accommodated by the school district, Scottsboro City Schools determines whether the employee can return under those restrictions.

V. Catastrophic Leave

To apply for Catastrophic Leave, please visit the district website under the 'Personnel/Employment' section and look for 'Sick Leave Bank Procedures' for further instructions.

VI. Spouses Employed by the Scottsboro City Board of Education Requesting FMLA

Under the FMLA, a combined total of twelve (12) weeks of unpaid leave (or applicable paid leave described previously as running concurrent with unpaid leave) for a husband and wife employed by the same board of education is allowed. Spouses who are both employed by the Board are limited to a combined total of twenty-six (26) weeks for military caregiver leave. See Board Policy 5.12.5.

VII. FMLA Leave and End of Academic Term Rules

(1) LEAVE MORE THAN 5 WEEKS PRIOR TO END OF TERM.--If the eligible employee begins leave more than 5 weeks prior to the end of the academic term, the school may require the employee to continue taking leave until the end of such term, if--

- (A) the leave is of at least 3 weeks duration; and

- (B) the return to employment would occur during the 3-week period before the end of such term.
- (2) LEAVE LESS THAN 5 WEEKS PRIOR TO END OF TERM.--If the eligible employee begins leave during the period that commences 5 weeks prior to the end of the academic term, the school may require the employee to continue taking leave until the end of such term, if--
- (A) the leave is of greater than 2 weeks duration; and
 - (B) the return to employment would occur during the 2-week period before the end of such term.
- (3) LEAVE LESS THAN 3 WEEKS PRIOR TO END OF TERM.--If the eligible employee begins leave during the period that commences 3 weeks prior to the end of the academic term and the duration of the leave is greater than 5 working days, the school may require the employee to continue to take leave until the end of such term.

VIII. One Year Leave of Absence

Per Section 16-24C-13 of the Code of Alabama, full-time, tenured employees may request a leave of absence without pay, for one entire academic year (August through May which may not include portions of two separate academic years), for the birth and first year care of a newborn child or adoption of a child. This leave would not count towards experience in the determination of placement on the salary schedule, nor is the employee guaranteed their original position upon returning and is subject to a transfer or reassignment for which they are certified. Tenure status will be retained. Benefits will be extended if the employee has available leave under FMLA or catastrophic leave. Contact the Payroll/Benefits Department for additional questions.

IX. Leaves Extending Beyond One Year or After All Paid Leave is Exhausted

If a medical condition continues to exist after extending medical leaves covered under FMLA, the employee is unable to perform the job duties and responsibilities designated in the job description, and all paid leave has been exhausted, the employee must contemplate separation of employment. A resignation and/or filing for long term disability should be considered. Questions regarding how to apply for disability should be directed to the Payroll/Benefits Department at 218-2100.

X. Return to Work Release

The board may require an employee who has taken leave due to employee's own serious medical condition to provide the healthcare provider's certification to return to duty. If a 9-month employee was on a leave of absence at the end of the scholastic year, a return to duty release may be required upon returning if the physician certification is inconclusive regarding a return date. Bus drivers are required to submit an Alabama State Department of Education Physical Examination Report every two years to continue employment.