

LEAVE-WITHOUT-PAY - FAMILY AND MEDICAL LEAVE

Under Louisiana Law, a School Board may grant a leave-of-absence, without pay, for a period not exceeding one year. Any regularly employed teacher or other employee may request such leave in writing; however, the Board is given the discretion to grant such leave only in the best interests of the public school system. Such leave does not affect any tenure rights which the applicant has previously acquired, but it interrupts active service in relation to sabbatical leave entitlement. The following shall be the policy of the Lafayette Parish School System in regards to leave-without-pay:

- A. The request for leave-without-pay must be made in writing to the Human Resources Division which shall submit the request to the Board for approval.
- B. Leave-without-pay, if granted, shall be for a maximum period of one school year.
- C. Leave-without-pay cannot be used to acquire tenure or as experience for pay purposes; however, if the employee has already acquired tenure, such leave does not affect the acquired tenure rights.
- D. Employees granted leave-without-pay must return to the employ of the Lafayette Parish School System unless released by the Board from the obligation.
- E. Employees granted leave-without-pay may purchase the leave time in their respective retirement systems; however, the entire costs (employer and employee share) must be paid by the employee. NOTE - the Louisiana Teachers' Retirement System permits a member to purchase a half ($\frac{1}{2}$) year credit provided the member has two and one-half ($2\frac{1}{2}$) years of consecutive service prior to the leave, and a full year credit after five (5) years of consecutive service prior to the leave.
- F. Employees granted leave-without-pay may continue to participate in the Board's Group Hospitalization Program. An employee on leave-without-pay, except those who are employed elsewhere during such leave, will be treated for insurance premium purposes as an active employee. The employee on leave who works elsewhere will pay for health insurance, both the employer and employee's share, provided that
 1. The employee is not on an authorized sabbatical leave.
 2. The employee is not on Family and Medical Leave Act of 1993 (FMLA).

3. The leave was not granted as a result of a service related injury.
- G. An employee may request leave-without-pay, and the Board may grant leave-without-pay only for the following reasons.
1. Extended Illness or Recuperation
 - a. The request must be substantiated by a physician's statement which must state the inability of the employee to work at any type of employment during the leave.
 - b. Extended illness leave can be requested only after regular and accumulated sick leave has been used up.
 2. Professional Study or Advancement When Not Eligible for Sabbatical Leave
 - a. An employee on leave-without-pay for professional study or advancement must enroll as a full-time student as designated by the college or university.
 - b. Leave-without-pay for professional advancement or study will not be granted immediately following a sabbatical leave.
 3. Candidate Running for Public Office
 - a. Refer to Board Policy File: GAHB.
 4. Should a teacher have an extraordinary professional development opportunity that would be beneficial to the educational program in the Lafayette Parish School System, such leave can be granted.
 5. The requirements of the Family and Medical Leave Act of 1993 are provided for in this policy as well as other policies such as Sabbatical Leave and Maternity Leave. The Family and Medical Leave Act of 1993 shall run concurrently with all other leaves taken. Unpaid leave for employees, as it applies to section G.6., can be granted to Lafayette Parish School System employees who have been in active service for 12 or more months for the following reasons:
 - a. To care for the employee's child after birth or placement for adoption or foster care.
 - b. To care for the employee's spouse, son or daughter or parent who has a serious health condition.

- c. For a serious health condition that makes the employee unable to perform the employee's job.
- 6. With respect to the Family Medical Leave Act of 1993, the twelve (12) month period is measured forward from date of first leave, or rolling period measured backward from date employee uses leave.
- 7. Extenuating Circumstances
 - a. In certain unusual or unavoidable circumstances, leave-without-pay may be granted to an employee who submits conclusive proof of serious need to be absent temporarily from his/her position.
 - b. Such leave, however, cannot be granted following a sabbatical leave.
- 8. A Fitness-for-Duty Certificate is required upon return from leave.

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NOTE: See statement coded GBRI for Paid Sick Leave Policy.