

12.004. Personal and Other Forms of Leave

1. All employees shall earn five days per year of paid state Personal Leave with no limit on accumulation. The Board may not restrict the purposes for which state personal leave is taken. Texas Education Code § 22.003.
2. Full-time employees who work 11 months per year shall earn an additional half-day of Personal Leave. Full-time employees who work 12 months per year shall earn an additional day of Personal Leave. Employees with two or more years service who have accumulated earned days with Dallas County Schools will be paid for all accumulated days upon retirement, or upon the death of the employee, as long as the employee was considered to be an "active" employee at the time of death. Retirement is defined by the rules set by the Texas Teacher Retirement System (TRS).
3. As an incentive to reduce employee absenteeism, an employee may be paid for up to 5 unused Personal Leave days earned in the current school year, as long as the employee has accumulated more than 30 days. The employee will also keep for future use the unused days for which the employee was paid. Bus drivers and monitors are not required to accumulate 30 days to be eligible for this incentive.
4. Personal Leave is to be used concurrent with Family Medical Leave.
5. Employees have the right to use earned Personal leave. The Board may adopt a policy governing the use of earned Personal leave to insure that such use does not interfere with the needs and operation of Dallas County Schools. The policy for governing the use of earned Personal Leave may not restrict the purposes for which the leave may be used. Texas Education Code § 22.003(a). If a Personal Leave request is denied, and the employee is absent, the employee's absence from work will be unexcused and the employee's pay will be reduced.
6. An employee must be allowed to take leave for observance of a holy day observed by the employee's religion.
7. The Superintendent or designee shall be entitled to place any employee on a leave of absence for temporary disability if he/she reasonably believes the employee's medical or physical condition interferes with the performance of regular duties. In such case, the superintendent shall ask that the employee take a leave of absence for temporary disability. If the employee refuses, the Superintendent shall be entitled to conduct a thorough medical examination of the employee, using a licensed physician of the Superintendent's choosing. If the employee refuses to submit to the examination, the Superintendent shall be entitled to place the employee on a status of leave of absence for temporary disability. The employee shall be entitled to follow the grievance procedures, if desired. Temporary disability leave shall not exceed six months.

8. In addition to all other days of leave provided by these policies, a Dallas County Schools employee who is physically assaulted during the performance of the employee's regular duties is entitled to the number of days of leave necessary to recuperate from all physical injuries sustained as a result of the assault. At the employee's request, the employee will be immediately assigned to assault leave. Dallas County Schools will thoroughly investigate every claim for assault leave. Upon investigation of the claim, Dallas County Schools may change the assault leave status and charge the leave against the employee's accrued personal leave or against an employee's pay if insufficient accrued personal leave is available. Days of assault leave properly taken under this subsection will not be deducted from accrued personal leave. The assault leave period may not extend more than two years beyond the date of the assault. Notwithstanding any other law, assault leave policy benefits due to an employee shall be coordinated with temporary income benefits due from workers' compensation so that the employee's total compensation from temporary income benefits and assault leave policy benefits equals 100 percent of the employee's weekly rate of pay. For purposes of this leave, an employee is physically assaulted if the person engaging in the conduct causing injury to the employee could be prosecuted for assault; or could not be prosecuted for assault only because the person's age or mental capacity makes the person a non-responsible person for purposes of criminal liability. Texas Education Code § 22.003(b).
9. All employees are allowed three (3) days leave of absence with pay and without deduction from their accrued Personal Leave in the case of death of a spouse, child, parent current parent-in-law, or sibling. The use of Bereavement Leave or up to two (2) days accumulated Personal Leave as additional Bereavement Leave does not affect merit pay for drivers/monitors based on attendance. Additional days of absence will be charged against the employee's accrued Personal Leave balance.
10. Each employee is required to request leave on the form prescribed by the superintendent. All leave days must be approved by the supervisor of the employee requesting the leave.

For salaried employees whose scheduled work days are less than a full year, this form must be prepared and approved for each day not in the office.

Adopted: 4/20/06