

PERSONNEL

LEAVES

REGULATION

§7-58 Leave Without Pay

The School Board has established Leave Without Pay Policy §7-58 for employees who may need to have extended leave without pay. The following Regulation has been established to support Leave Without Pay Policy §7-58.

A. General

1. Eligibility

Leave without pay may be granted to any employee of the Loudoun County Public Schools. If the employee is still on probation at the time of the request, the probationary period will be extended to the maximum extent permitted by law, by the length of the absence.

2. Period of Leave

Employees may request leave without pay not to exceed five (5) working days in any one (1) contract/appointment year provided the following extenuating circumstances apply:

- a. All other applicable leave, such as personal leave, annual leave, or sick leave, has been exhausted.
- b. Such leave, except when used for personal or family illness, death, or religious observance, shall not be granted during the first five (5) and the last five (5) instructional days for students, for any teacher work day for licensed staff, during peak work periods for classified staff, or to extend any holiday period.
- c. An employee is not required to have exhausted all applicable leave in order to be granted leave without pay for an absence due to religious observance. (see Policy §7-64)

3. Application

The employee shall submit a written request for leave without pay in advance of the date the desired leave is to begin. Special consideration will be given to emergencies, but in no case will such leave be permitted to begin without the prior approval of the employee's immediate supervisor

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4. Benefits

Employee will experience no change to eligibility or cost of benefits.

5. Return to Work

Employee will experience no change to employment status.

B. Emergency, Adoption or Childcare

1. Eligibility

Leave without pay for emergencies such as personal or family hardship of an unusual nature, adoption of a child, or childcare may be granted to an employee of the Loudoun County Public Schools. If the employee is still on probation at the time of the request, the probationary period will be extended to the maximum extent permitted by law, by the length of the absence.

2. Period of Leave

The employee may request leave without pay for emergencies such as personal or family hardship of an unusual nature, adoption of a child, or childcare for a period not to exceed one (1) year.

3. Application

a. The employee shall submit an Application For Leave Without Pay and supporting documentation to the Employee Benefits Division, for leave without pay for emergencies such as personal or family hardship of an unusual nature, adoption of a child, or childcare in advance of the date the desired leave is to begin.

b. Special consideration will be given to emergency leave. In no case will leave for adoption or childcare be permitted to begin without prior approval of the employee's immediate supervisor and the Assistant Superintendent for Business and Financial Services.

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4. Benefits

- a. During the emergency, adoption or childcare leave, the employee may elect to continue health and/or life insurance coverage by making arrangements with the Employee Benefits Division to pay the full cost of the premiums on a per diem basis.
- b. See Policy §7-63 for leave without pay approved under the Family and Medical Leave Act.

5. Return to Work

- a. An employee granted emergency, adoption or childcare leave shall notify the Department for Personnel Services, in writing, at least 30 calendar days prior to the expiration of the leave of the employee's intent and availability to return to duty. Failure to provide such notification shall be deemed a resignation by the employee, effective as of the first day following the expiration of the leave.
- b. The employee shall be placed by the Department for Personnel Services in the next suitable vacancy.
- c. Any employee granted leave without pay for emergency, adoption or childcare leave shall bear the sole responsibility for the purchase of any Virginia Retirement Service credit for which the employee is eligible.

C. Educational

1. Eligibility

Educational leave for the purpose of student teaching, obtaining an initial teacher license, licensure in a critical field, professional licensure or certification of non-teaching employees, or an advanced degree may be granted to an employee of the Loudoun County Public Schools. If the employee is still on probation at the time of the request, the probationary period will be extended to the maximum extent permitted by law, by the length of the absence.

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2. Period of Leave

The employee may request educational leave for a period of not more than fourteen (14) weeks. The period of time must coincide with a term at an accredited university or college.

3. Application

a. The employee shall submit a written request for educational leave at least thirty (30) calendar days in advance of the date the desired leave is to begin. The employee shall also submit supporting documentation (such as degree requirements, documentation of course availability, advisor's comments, etcetera) as may be requested.

b. Approval shall not be granted unless the Assistant Superintendent for Personnel Services has determined that a highly qualified replacement for the employee is available.

c. In no case will such leave be permitted to begin without the prior approval of the Assistant Superintendent for Personnel Services.

4. Benefits

a. During the educational leave, the employee may elect to continue health and/or life insurance coverage by making arrangements with the Employee Benefits Division to pay the full cost of the premiums on a per diem basis.

b. Any employee granted educational leave without pay shall bear the sole responsibility for the purchase of any Virginia Retirement Service credit for which the employee is eligible.

5. Return to Work

During the period of time of an employee's educational leave, a suitable substitute will be employed in anticipation of the employee's return to the position vacated as a result of the educational leave. Employee will experience no change to employment status.

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§7-58 Leave Without Pay (continued)

D. Restoration of Health

1. Eligibility

Leave without pay may be granted to any employee of the Loudoun County Public Schools with debilitating or life-threatening illness or injury for the restoration of the employee's health or the health of the employee's spouse, child, parent or legal dependent with a debilitating or life-threatening illness or injury. If the employee is still on probation at the time of the request, the probationary period will be extended to the maximum extent permitted by law, by the length of the absence.

2. Period of Leave

The employee may request restoration of health leave without pay for a period not to exceed one (1) year, provided all earned sick leave has been exhausted.

3. Application

a. The employee shall submit an Application For Leave Without Pay for restoration of health leave in advance of the date the desired leave is to begin. The request shall be accompanied by supporting documentation from the attending physician attesting to the need for such leave and estimating the length of leave that should be required. The employee shall provide any additional documentation as may be required.

b. Special consideration will be given to emergencies. Restoration of health leave requires notification to the employee's immediate supervisor and the Employee Benefits Division within 24 hours or the next assigned work day.

c. A request for an extension of leave without pay for restoration of health for any employee shall be reviewed by the Employee Benefits Division, in consultation with the immediate supervisor, and approved on a case by case basis by the Division Superintendent or his/her designee.

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4. Benefits

- a. Employer paid benefits will remain in place for the first thirty (30) work days of restoration of health leave without pay.
- b. Employee may elect to continue health and/or life insurance coverage by paying the total cost of premiums for health and/or life insurance for any additional leave without pay granted for restoration of health on a per diem basis.
- c. Any employee granted restoration of health leave without pay shall bear the sole responsibility for the purchase of any Virginia Retirement Service credit for which the employee is eligible.
- d. See Policy §7-63 for leave without pay approved under the Family and Medical Leave Act.

5. Return to Work

- a. If the employee returns to work within the first thirty (30) work days of restoration of health leave without pay, the employee will be restored to the same position.
- b. Beyond the initial thirty (30) work days the employee shall be placed by the Department for Personnel Services in the next suitable vacancy.
- c. Notice of return to work must be provided to the Employee Benefits Division two (2) weeks prior to the employees anticipated return. For a leave without pay granted for the restoration of the employee's health, such notice must include written certification from a health care provider as to the employee's ability to return to full duty.