



(LOCAL) Policy Comparison Packet

This packet is generated by an automated process that compares the updated policy to the district's current policy as found in TASB records.

In this packet, you will find:

- Policies being recommended for revision (annotated)
- New policies (not annotated)
- Policies recommended for deletion (annotated in PDF; omitted in Word)

Annotations are shown as follows.

- *Deletions* are shown in a red strike-through font: ~~deleted text~~.
- *Additions* are shown in a blue, bold font: **new text**.
- Blocks of text that have been *moved* without alteration are shown in green, with double underline and double strike-through formatting to distinguish the text's destination from its origin: ~~moved text~~ becomes moved text.
- *Revision bars* appear in the right margin, as above.

Note: While the annotation software competently identifies simple changes, large or complicated changes—as in an extensive rewrite—may be more difficult to follow. In addition, TASB's recent changes to the policy templates to facilitate accessibility sometimes makes formatting changes appear tracked, even though the text remains the same.

For further assistance in understanding policy changes, please refer to the explanatory notes in your Localized Policy Manual update packet or contact your policy consultant.

Contact:	School Districts and Education Service Centers	Community Colleges
	policy.service@tasb.org	colleges@tasb.org
	800.580.7529 512.467.0222	800.580.1488 512.467.3689

**Purchasing
Authority**

The Board delegates to the Superintendent the authority to make budgeted purchases for goods or services. However, any single, budgeted purchase of goods or services that costs \$50,000 or more, regardless of whether the goods or services are competitively purchased, shall require Board approval before a transaction may take place.

The Superintendent shall not be required to obtain Board approval for the following types of budgeted purchases, regardless of cost, but shall subsequently report them to the Board:

1. A purchase made pursuant to a Board-approved interlocal contract, in accordance with law;
2. A purchase made through a cooperative purchasing program or state purchasing program that satisfies the District's obligation for competitive purchasing [see CH(LEGAL) or CBB(LEGAL), as appropriate];
3. A continuing or periodic purchase under a Board-approved bid or contract;
4. Any purchase for produce or fuel; or
5. Any professional contracted service for which the contracted individual is employed in lieu of an approved budgeted position.-

Exception for
Emergency
Contracts

In the event of a catastrophe, emergency, or natural disaster affecting the District, the Board delegates to the Superintendent the authority to contract for the replacement, construction, or repair of school equipment or facilities in accordance with law, if emergency replacement, construction, or repair is necessary for the health and safety of District students and staff. The Superintendent shall report to the Board at the next regular meeting any contract made under this authority. [See Disaster Exception, CH(LEGAL)]

The delegation regarding emergency contracts does not waive competitive purchasing requirements under Education Code Chapter 44. Only the Board is authorized to waive competitive purchasing requirements under limited circumstances in accordance with Education Code 44.031(h). [See Emergency Damage or Destruction, CH(LEGAL)]

Purchasing
Procedures

The Superintendent shall develop purchasing procedures to implement the requirements of state and federal law. [See also CB, CBB, CH(LEGAL), and COA]

PURCHASING AND ACQUISITION

CH
(LOCAL)

Purchasing Method	The Board delegates to the Superintendent the authority to determine the method of purchasing in accordance with CH(LEGAL) or CBB(LEGAL), as appropriate.
<i>Competitive Bidding</i>	<p>If competitive bidding is chosen as the purchasing method, the Superintendent shall prepare bid specifications. All bids shall be in accordance with administrative regulations, and the submission of any electronic bids shall also be in accordance with Board-adopted rules. All bidders shall be invited to attend the bid opening. Any bid may be withdrawn prior to the scheduled time for opening. Bids received after the specified time shall not be considered.</p> <p>The District may reject any and all bids in accordance with state or federal law, as applicable.</p>
<i>Competitive Sealed Proposals</i>	<p>If competitive sealed proposals are chosen as the purchasing method, the Superintendent shall prepare the request for proposals and/or specifications for items to be purchased. All proposals shall be in accordance with administrative regulations, and the submission of any electronic proposals shall also be in accordance with Board-adopted rules. Proposals received after the specified time shall not be considered. Proposals shall be opened at the time specified, and all proposers shall be invited to attend the proposal opening. Proposals may be withdrawn prior to the scheduled time of opening. Changes in the content of a proposal, and in prices, may be negotiated after proposals are opened.</p> <p>The District may reject any and all proposals in accordance with state or federal law, as applicable.</p>
Electronic Bids or Proposals	Bids or proposals that the District has chosen to accept through electronic transmission shall be administered in accordance with Board-adopted rules. Such rules shall safeguard the integrity of the competitive procurement process; ensure the identification, security, and confidentiality of electronic bids or proposals; and ensure that the electronic bids or proposals remain effectively unopened until the proper time.
Encouragement of Historically Underutilized Businesses and Minority- and Women-Owned Businesses	<p>The District shall have a continuing goal to involve historically underutilized businesses (HUBs) and minority- and women-owned business enterprises (M/WBEs) to the maximum extent possible in all facets of the District's contracting and purchasing activities.</p> <p>The District shall develop and maintain administrative procedures to ensure that HUBs and firms owned or operated by minorities or women are afforded an equitable opportunity to compete for all District contracts. Such procedures may include, but not be limited to:</p>

PURCHASING AND ACQUISITION

CH
(LOCAL)

1. Pre-bid and pre-proposal conferences;
2. Seminars and training workshops to assist HUBs and M/WBE-designated vendors to become active participants in District contracting opportunities; and
3. Clarification of District department expectations regarding:
 - a. Purchasing and contracting; and
 - b. Expectations of ethical conduct of vendors, District employees, and Board members.

Definitions

The District shall require each department to make a good faith effort to ensure that HUBs and M/WBEs receive a portion of the department's contract dollars. A HUB or M/WBE is defined as a business formed for the purpose of making a profit in which at least 51 percent of the business is owned, operated, and controlled by one or more of the following:

1. "Minority-owned business enterprise" (MBE) is defined for the purposes of this policy to mean a business enterprise at least 51 percent owned by a minority individual or group; or in the case of a publicly owned business, for which at least 51 percent of the stock is owned by one or more minority groups and whose management and daily operations are controlled and operated by one or more minority individuals.
2. "Minority individual" is defined for purposes of this policy to include Black Americans, Hispanic Americans, Asian Americans, Asian-Pacific Americans, Native Americans, or persons with a disability.
3. "Woman-owned business enterprise" (WBE) is defined for purposes of this policy as a business enterprise at least 51 percent owned by a woman or women; or in the case of a publicly owned business, for which at least 51 percent of the stock is owned by one or more women and whose management and daily business operations are controlled and operated by one or more women.
4. "Historically underutilized business/small business enterprise" is defined for purposes of this policy as one that, at the time of contract award, meets the following requirements:
 - a. Is independently owned and operated, is not dominant in the field of operation in which it is proposing, has its principal place of business located in the United States, and is organized for profit;

PURCHASING AND ACQUISITION

CH
(LOCAL)

- b. Is at least 51 percent owned, or in the case of a publicly owned business at least 51 percent of its voting stock is owned, by United States citizens or lawfully fully admitted permanent resident aliens; and
- c. Has, including its affiliates, a number of employees or annual receipts not exceeding the regulatory requirements found in 13 C.F.R. Part 121. Size standards have been established for types of economic activity, or industry, generally under the North American Industrial Classification System (NAICS).

The District establishes the following minimum percentage goals for District work to be performed by HUBs or M/WBEs as prime contractors or as subcontractors for work valued at or above \$50,000 and advertised for competitive bid or competitive sealed proposals:

- 1. 20 percent of general purchases;
- 2. 25 percent of professional services; and
- 3. 20 percent of construction contracts.

However, nothing in this policy shall operate in violation of law, including the provisions of the revised civil statutes of Texas, Texas Education Code 44.031, or any other provision of state or federal law.

Certification as HUB
or M/WBE

Any business wishing to be identified by the District as a small, women-owned, or minority business shall be certified as such by the City of Crowley, the City of Fort Worth, Tarrant County, the state of Texas, the North Central Texas Regional Certification Agency, the U.S. Small Business Administration (SBA), or any other recognized certification agency.

Concerns

Any person wishing to express a concern involving the District's HUB and M/WBE program may do so in accordance with policies at DGBA, FNG, or GF, as appropriate.

**Responsibility for
Debts**

The Board shall assume responsibility for debts incurred in the name of the District so long as those debts are for purchases made in accordance with the adopted budget, state law, Board policy, and the District's purchasing procedures. [See CE] The Board shall not be responsible for debts incurred by persons or organizations not directly under Board control. Persons making unauthorized purchases shall assume full responsibility for all such debts.

**Purchase
Commitments**

DATE ISSUED:
6/15/2021 ~~11/12/2019~~
UPDATE 117414
CH(LOCAL)-X

PURCHASING AND ACQUISITION

CH
(LOCAL)

All purchase commitments shall be made by the Superintendent in accordance with administrative procedures, including the District's purchasing procedures.

Personal Purchases

District employees shall not be permitted to make purchases for personal use through the District's business office.

Compliance with Law

The Superintendent shall establish procedures that ensure that all school facilities within the District comply with applicable laws and local building codes.

Planning

Adequate planning shall precede final decisions on the design of new facilities. New buildings shall be planned under the direction of the Superintendent, with recommendations made to the Board for final decisions. In planning new facilities, the Superintendent shall employ contemporary planning techniques, and shall involve principals, teachers, architects, educational consultants, and others as needed to ensure optimum utility of the new structure.

Prior to decisions to renovate or expand present facilities, professionals with expertise in the field of school construction shall be consulted and their opinions shall become tenets for decisions by the Board.

Construction Contracts

Prior to advertising, the Board shall determine the project delivery/contract award method to be used for each construction contract valued at or above \$50,000. To assist the Board, the Superintendent shall recommend the project delivery/contract award method that he or she determines provides the best value to the District. [See CV series generally and CBB(LEGAL) for requirements if federal funds are involved.]

For construction contracts valued at or above \$25,000, the Superintendent shall also submit the resulting contract to the Board for approval. Lesser expenditures for construction and construction-related materials or services shall be at the discretion of the Superintendent and consistent with law and policy. [See also CH and CBB(LEGAL)]

Note: For provisions regarding delegation of authority for construction contracts in the event of a catastrophe, emergency, or natural disaster affecting the District, see CH(LOCAL).

Change Orders

Change orders permitted by law shall be approved by the Board or its designee prior to any changes being made in the approved plans or the actual construction of the facility.

Historically Underutilized Businesses and Minority- and Women-Owned Businesses

The District shall have a continuing goal to involve historically underutilized businesses (HUBs) and minority- and women-owned business enterprises (M/WBEs) to the maximum extent possible in all facets of the District's contracting, purchasing, and construction activities. [See CH]

FACILITIES CONSTRUCTION

CV
(LOCAL)

**Project
Administration**

All construction projects shall be administered by the Superintendent or designee.

The Superintendent shall keep the Board informed concerning construction projects and also shall provide information to the general public.

Final Payment

The District shall not make final payments for construction or the supervision of construction until the work has been completed and the Board has accepted the work.

**Leave
Administration**

The Superintendent shall develop administrative regulations addressing employee leaves and absences to implement the provisions of this policy.

Definitions

The term “immediate family” is defined as:

Immediate Family

1. Spouse.
2. Son or daughter, including a biological, adopted, or foster child, a son- or daughter-in-law, a stepchild, a legal ward, or a child for whom the employee stands *in loco parentis*.
3. Parent, stepparent, parent-in-law, or other individual who stands *in loco parentis* to the employee.
4. Sibling, stepsibling, and sibling-in-law.
5. Grandparent and grandchild.
6. Any person residing in the employee’s household at the time of illness or death.

For purposes of the Family and Medical Leave Act (FMLA), the definitions of spouse, parent, son or daughter, and next of kin are found in DECA(LEGAL).

Family Emergency

The term “family emergency” shall be limited to disasters and life-threatening situations involving the employee or a member of the employee’s immediate family.

Leave Day

A “leave day” for purposes of earning, ~~using~~**use**, or recording ~~of~~ leave shall mean the number of hours per day equivalent to the employee’s usual assignment, whether full-time or part-time.

School Year

A “school year” for purposes of earning, using, or recording leave shall mean the term of the employee’s annual employment as set by the District for the employee’s usual assignment, whether full-time or part-time.

**Catastrophic Illness
or Injury**

A catastrophic illness or injury is a severe condition or combination of conditions affecting the mental or physical health of the employee or a member of the employee’s immediate family that requires the services of a licensed practitioner for a prolonged period of time and that forces the employee to exhaust all leave time earned by that employee and to lose compensation from the District. **Such conditions typically require prolonged hospitalization or recovery or are expected to result in disability or death. Conditions relating to pregnancy or childbirth shall be considered catastrophic**

if they meet the requirements of this paragraph. ~~Complications resulting from pregnancy shall be treated the same as any other condition.~~

Note: For District contribution to employee insurance during leave, see CRD(LOCAL).

Availability

The District shall make state personal leave and local leave for the current year available for use at the beginning of the school year.

State Earning Local Leave

~~An employee shall not earn any local leave when he or she is in unpaid status. An employee using full or proportionate paid leave shall be considered to be in paid status.~~

Deductions

~~Leave without Pay~~

~~The District shall not approve paid leave for more leave days than have been accumulated in prior years plus leave currently available. Any unapproved absences or absences beyond accumulated and available paid leave shall result in deductions from the employee's pay.~~

~~Leave Proration~~

~~Employed for Less Than Full Year~~

If an employee separates from employment with the District before his or her last duty day of the school year, or begins employment after the first duty day of the school year, state personal leave and local leave shall be prorated based on the actual time employed.

If an employee separates from employment before the last duty day of the school year, the employee's final paycheck shall be reduced for state personal leave the employee used beyond his or her pro rata entitlement for the school year.:

- ~~1. State personal leave the employee used beyond his or her pro rata entitlement for the school year; and~~
- ~~2. Local leave the employee used but had not earned as of the date of separation.~~

~~Employed for Full Year~~

~~If an employee uses more local leave than he or she earned and remains employed with the District through his or her last duty day, the District shall deduct the cost of the excess leave days from the employee's pay in accordance with administrative regulations.~~

Recording

Leave shall be recorded as follows:

- ~~1. Leave shall be recorded in half-day increments for all employees, except that leave may be recorded in one-hour increments for auxiliary employees.~~
- ~~2. If the employee is taking intermittent FMLA leave, leave shall be recorded in one-hour increments.~~

Order of Use

~~Earned compensatory time shall be used before any available paid state and local leave. [See DEAB]~~

~~Unless an employee requests a different order, available paid state and local leave shall be used in the following order, as applicable:~~

- ~~1. Local leave.~~
- ~~2. State sick leave accumulated before the 1995-96 school year.~~
- ~~3. State personal leave.~~

Concurrent Use of Leave

~~When an absent employee is eligible for FMLA leave, the District shall designate the absence as FMLA leave.~~

~~The District shall require the employee to use temporary disability leave and paid leave, including compensatory time, concurrently with FMLA leave.~~

~~An employee receiving workers' compensation income benefits may be eligible for paid or unpaid leave. 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.~~

Medical Certification

An employee shall submit medical certification of the need for leave if:

1. The employee is absent more than three consecutive work-days because of personal illness or illness in the immediate family;
2. The District requires medical certification due to a questionable pattern of absences or when deemed necessary by the supervisor or Superintendent; **or**
- ~~3.~~ The employee requests FMLA leave for the employee's serious health condition; **a serious health condition** ~~or that of the employee's~~ **a** spouse, parent, or child; **or**
- ~~4.3.~~ ~~The employee requests FMLA leave~~ for military caregiver **leave purposes.**

In each case, medical certification shall be made by a health-care provider as defined by the FMLA. [See DECA(LEGAL)]

~~A misrepresentation of an illness or injury shall result in loss of daily pay for the number of workdays the employee was absent [see Leave without Pay, above] and may serve as the basis for adverse personnel action.~~

~~Failure to submit required medical certification may result in the employee being docked his or her daily rate of pay for each day of leave taken beyond four consecutive workdays.~~

~~**Note:** For District contribution to employee insurance during leave, see CRD(LOCAL).~~

State Personal Leave

The Board requires employees to differentiate the manner in which state personal leave is used. :

~~Nondiscretionary~~
~~Non-Discretionary~~ Use

~~1.4.~~ ~~Nondiscretionary~~~~Non-discretionary~~ use of leave shall be for the same reasons and in the same manner as state sick leave accumulated before May 30, 1995. [See DEC(LEGAL)]

~~Nondiscretionary~~~~Non-discretionary~~ use includes leave related to the birth or placement of a child and taken within the first year after the child's birth, adoption, or foster placement.

Discretionary Use

~~2.5.~~ Discretionary use of leave is at the individual employee's discretion, subject to limitations set out below.

Limitations

Request for
Leave

~~In deciding whether to approve or deny a~~~~The employee shall submit a written~~ request for discretionary use of state personal leave, ~~to the immediate supervisor or designee in advance in accordance with administrative regulations. In deciding whether to approve or deny state personal leave, the supervisor or designee~~ shall not seek or consider the reasons for which an employee requests to use leave. The supervisor ~~or designee~~ shall, however, consider the ~~duration of the requested absence in conjunction with the~~ effect of the employee's absence on the educational program ~~and~~ District operations, as well as the availability of substitutes.

~~Duration of
Leave~~

Discretionary use of ~~state personal~~ leave shall not exceed three consecutive workdays.

~~Prohibited Days~~

~~Discretionary use of state personal leave shall not be approved for campus instructional personnel when the absence would affect:~~

- ~~1. The last working day before a school holiday;~~
- ~~2. The first working day after a school holiday;~~
- ~~3. The first or last day of school;~~
- ~~4. A staff development day, a teacher work day, or an early release day;~~

~~5. A day scheduled for end of course or end of year semester exams; or~~

~~6. Any day the campus is affected by state mandated assessments or District required tests.~~

~~After a request for discretionary use of state personal leave on one of these days has been denied, absence shall result in a deduction from the employee's pay at the employee's daily rate. The employee shall not be permitted to use any other available paid leave to compensate.~~

Request for
Documentation

~~If an employee is absent because of personal illness or illness in the immediate family on a day for which discretionary use of personal leave is prohibited, the employee may be required to submit medical certification of the need for leave.~~

Local Leave

~~Each~~All full-time ~~employee~~employees shall earn ~~five, six, or seven~~ paid local leave days per school year in accordance with administrative regulations ~~and the following schedule:~~

~~1. Five local leave days for employees in positions that normally require up to 210 calendar days of service per year.~~

~~2. Six local leave days for employees in positions that normally require between 221 and 226 calendar days of service per year.~~

~~3.1. Seven local leave days for employees in positions that normally require 260 or more days of service per year.~~

Local leave shall accumulate to a maximum of 120 leave days.

Local leave shall be used according to the terms and conditions of state personal leave. [See State Personal Leave, above]

When an employee separates from employment with the District, all unused local ~~leave~~ shall be forfeited. The District shall make an exception if the employee returns to District employment without a break in service, based on the work calendar for the employee's position.

Sick Leave Bank

The District shall establish a sick leave bank that employees may join through ~~an annual~~ contribution of ~~one~~ local leave. ~~day.~~

Leave contributed to the bank shall be solely for the use of participating employees. An employee who is a member of the bank may request leave from the bank if the employee or a member of the employee's immediate family experiences a catastrophic illness or

injury and the employee has exhausted all paid leave and any applicable compensatory time.

~~If the employee is unable to request leave from the sick leave bank, a member of the employee's family or the employee's supervisor may submit the request.~~

The Superintendent ~~or designee~~ shall develop regulations for the operation of the sick leave bank that address the following:

1. Membership in the sick leave bank, including the number of days an employee must contribute to become a member;
2. Procedures to request leave from the sick leave bank;
3. The maximum number of days per school year a member employee may receive from the sick leave bank;
4. The committee or administrator authorized to consider requests for leave from the sick leave bank and criteria for granting requests; and

~~5. Other procedures deemed necessary for the operation of the sick leave bank.~~

Appeal

An employee may appeal a decision. All decisions regarding the sick leave bank ~~may be appealed~~ in accordance with DGBA(LOCAL), beginning with the Superintendent or appropriate administrator ~~designee~~.

Family and Medical Leave

FMLA leave shall run concurrently with applicable paid leave and compensatory time, as applicable.

Note: See DECA(LEGAL) for provisions addressing FMLA.

Twelve-Month Period

For purposes of an employee's entitlement to FMLA leave, the 12-month period shall be measured backward from the date an employee uses FMLA leave.

Combined Leave for Spouses

When ~~if~~ both spouses are employed by the District, the District shall limit FMLA leave for the birth, adoption, or placement of a child, or to care for a parent with a serious health condition, to a combined total of 12 weeks. The District shall limit military caregiver leave to a combined total of 26 weeks. ~~{See DECA(LEGAL)}~~

Intermittent or Reduced -Schedule Leave

The District shall not permit use of intermittent or reduced schedule FMLA leave for the care of a newborn child or for the adoption or placement of a child with the employee. ~~{See DECA(LEGAL) for~~

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

	use of intermittent or reduced schedule leave due to a medical necessity.]
Certification of Leave	When If an employee requests leave, the employee shall provide certification, in accordance with as required by FMLA regulations, of the need for leave. [See DECA(LEGAL)]
Fitness-for-Duty Certification	In accordance with administrative regulations, when If an employee takes FMLA leave due to the employee's own serious health condition, the employee shall provide, before resuming work, a fitness-for-duty certification. If the District will require certification of the employee's ability to perform essential job functions, the District shall provide a list of essential job functions to the employee with the FMLA designation notice.
Leave at the End of Semester Leave	When If a teacher takes leave near the end of the semester, the District may require the teacher to continue leave until the end of the semester. [See DECA(LEGAL), Leave at the End of a Semester]
Failure to Return	If, at the expiration of FMLA leave, the employee is able to return to work but chooses not to do so, the District may require reimbursement of premiums paid by the District during the leave. [See DECA(LEGAL), Recovery of Benefit Cost]
Temporary Disability Leave	<p>Any full-time employee shall be eligible for temporary disability leave. The maximum length of temporary disability leave shall be 180 calendar days. [See DBB(LOCAL) for temporary disability leave placement and DEC(LEGAL) for return to active duty.]</p> <p>An employee's notification of need for extended absence due to the employee's own medical condition shall be forwarded to the Superintendent or designee as a request for temporary disability leave.</p> <p>The District shall require the employee to use temporary disability leave and paid leave, including any compensatory time, concurrently with FMLA leave.</p>
Workers' Compensation	<p>Note: Workers' compensation is not a form of leave. The workers' compensation law does not require the continuation of the District's contribution to health insurance. [See GRD(LOCAL) regarding payment of insurance contribution during employee absences.]</p> <p>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.</p>

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

No Paid Leave
Offset

The District shall not permit the option ~~An employee eligible~~ for paid leave offset in conjunction with workers' compensation income benefits. [See CRE], ~~and not on assault leave, may elect in writing to use paid leave.~~

Court Appearances

Absences due to compliance with a valid subpoena, other court appearances unrelated to an employee's personal business, or absences for jury duty shall be fully compensated by the District and shall not be deducted from the employee's pay or leave balance.

Payment Reimbursement for Accumulated Leave Upon Retirement

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

An employee who retires from the District shall be eligible for ~~payment reimbursement~~ for ~~accumulated~~ local 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 provides advance written notice of intent to retire. Contract employees must provide written notice at least 90 days before the last day of employment. ~~Noncontract~~ ~~Non-contract~~ employees must provide written notice at least two weeks before the last day of employment.
3. The employee has at least ten years of service with the District.

The employee shall ~~receive payment~~ ~~be reimbursed~~ for each day of accumulated ~~unused~~ local leave, ~~to a maximum of \$5,000~~, at one-half of the employee's daily rate of pay, ~~to a maximum of \$5,000, at a rate established by the Board.~~ If the employee is reemployed with the District, days for which the employee received payment shall not be available to that employee.

The rate established by the Board shall be in effect until the Board adopts a new rate. Any changes to the rate shall apply beginning with the school year following the adoption of the rate change.

Expiration of Available Leave and Attendance

After an employee has exhausted all paid and unpaid approved leave for which the employee is eligible and that runs concurrently, the District shall provide written notice to the employee at the last known address that the employee's leave has expired. At that time, the employee shall be informed of Board policy governing other leave options.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

Within 15 days, an employee must either apply for any other leave for which he or she is eligible or notify the District in writing that he or she is ready, willing, and able to return to work. A notice of the latter shall be accompanied by medical clearance indicating that the employee is able to perform essential functions of his or her position, given reasonable accommodations, if necessary.

A contract employee who does not apply for and receive approval for additional leave, or who does not report and document his or her availability and fitness to return to work within the time frame set forth above, shall resign or be deemed to be in repeated and continued neglect of duties and shall be subject to termination.

An at-will employee who does not apply for and receive approval for additional leave, or who does not report and document his or her availability and fitness to return to work within the time frame set forth above, shall be deemed to have resigned from District employment effective upon the expiration of the 15-day period.

The employee's eligibility for reasonable accommodations, as required by the Americans with Disabilities Act [see DAA(LEGAL)], shall be considered before termination. At the expiration of available paid leave or approved unpaid leave, the District shall offer COBRA benefits, as required by law.