

Adopted: 7/18/16

Yinghua Academy Policy 012

Revised: 7/2/2020

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YA-012 STAFF LEAVE OF ABSENCE WITHOUT PAY POLICY

- I. PURPOSE:** The purpose of this policy is to provide criteria to give guidance to the school administration when an employee requests a Leave of Absence without pay for discretionary purposes. This policy does not apply to leaves governed by law or other applicable school policy.

- II. STATEMENT OF POLICY:**
 - a. The School Board recognizes the right of employees to request Leaves of Absence without pay based on the employee's individual needs or desires.
 - b. Because an employee's absence affects students, other staff and educational programming, the needs and desires of the employee must be weighed against the needs of the school whenever a Leave of Absence is requested.
 - c. In acting on employee leave requests, the School Board will follow provisions of the appropriate school policies and applicable state and federal statutes. In making recommendations to the School Board regarding leave without pay approval, school administration will consider both the reasons for the employee's request and the needs of the school. In general, concerns related to the educational program will take precedence over personal interests of the employee.

- III. FACTORS TO BE CONSIDERED:**
 - a. Multiple factors will be considered when acting on Leave of Absence requests, including but not limited to:
 - i. **Reason:** The stated reason(s) of the employee in requesting a leave. Whether the purpose of the leave can be scheduled or accomplished during a non-duty (school vacation/break) period.
 - ii. **Eligibility:** Length of service to the school of the employee applying for the leave. Any current staff member who has been employed and working at least 1,250 hours of service at Yinghua for the previous 12 months is eligible to request an unpaid Leave of Absence.
 - iii. **Duration of Leave Request:**
 - a. A Leave of Absence can be requested for a maximum of 12 months in duration, inclusive of all weeks allowed under FMLA and Minnesota's parenting and pregnancy leave law. In extenuating circumstances, an extension of

one additional year may be granted for a maximum of two consecutive years of leave.

- iv. **History:** Record of previous leaves taken by the employee.
- v. **Market:** Availability of qualified substitute teachers.
- vi. **Other Staff:** Number of other employees in the same assignment category currently on Leaves of Absence.
- vii. **School Factors:** Timing of the leave as it relates to potential disruption to students, other staff, and educational programming:
 - a. Whenever possible, leaves should begin when the school year begins and end when the school year ends. If that is not possible, the beginning or ending of a leave should coincide with a natural break point during the school year.
 - b. The leave request should provide the school with enough advance notice so it can assess the effects of the leave on students, staff and educational programming.
 - c. Potential benefits to the school.
- b. Additional factors pertaining to requests for part-time leaves:
 - i. Availability of a suitable part-time assignment;
 - ii. Flexibility of the employee in accepting a part-time assignment;
 - iii. Willingness of the employee to return to full time employment should a part-time position to which the individual is assigned be increased to full time if a qualified substitute is not available, or the additional part-time assignment is not deemed feasible; and
 - iv. Willingness of the employee to participate fully in parent-teacher conferences and in school workshops without additional remuneration.
- c. Acting upon requests for a Leave of Absence without pay is a School Board prerogative and entirely in the School Board's discretion; however, the Executive Director or designee is authorized to grant such leave status for periods not to exceed 10 working days in succession.

Legal References: Minn. Stat. §122A.46 Extended Leaves of Absence