



ADMINISTRATIVE PROCEDURE

CATEGORY: **Personnel, Leaves/Absences**

SUBJECT: **Personal Business Leave**

A. PURPOSE AND SCOPE

1. To outline administrative procedures governing the use of paid and unpaid leave of absence for personal business.
2. **Related Procedures:**

Absences on district business	7155
Bereavement leave	7140
Exchange teacher leave	7149
Industrial accident and illness leave	7131
Jury duty	7144
Leaves for court appearances	7142
Long-term leaves of absence for nonmanagement classified employees	7433
Military leaves	7146
Paternity and adoption leave	7138
Personal necessity leave	7136
Professional responsibilities of certificated employees	7046
Sick leave	7130
Summer inservice training leave	7148

B. LEGAL AND POLICY BASIS

1. **Reference:** Board Policy I-2200; Education Code Sections 44963, 44977, 44987, 45190, 45196, 45198, 45207; Collective Negotiations Contracts.

C. GENERAL

1. **Originating Office.** Suggestions or questions concerning this procedure should be directed to the Human Resource Services Division, Office of the Deputy Superintendent, Business.
2. **Definitions**
 - a. **Employee:** A contract certificated or monthly classified employee. Temporary or hourly employees are paid only for hours worked.
 - b. **Day:** For payroll reporting purposes, *eight hours* for a full-time assignment. Absences of regular employees assigned *less* than full time also are reported in hours on a proportionate basis (i.e., half-time employee = four hours; three-fourths-time employee = six hours).

- c. **Immediate family:** See definition in Procedure 7140.
3. **Coordination with Personal Necessity Leave.** Employees may use not more than eight (8) days of accumulated full-salary sick leave for personal necessity (applicable collective negotiations agreement and Procedure 7136).
4. **Compensation.** Holiday pay will not be paid for holidays that fall within a period of absence without pay (Procedure 7485).
5. **Reasons for Absence**
- a. **In determining** whether to approve or deny an employee's request for "paid personal business absence—up to two (2) hours," and "unpaid personal business absence—up to one month," principals and supervisors are encouraged to exercise judgment. Following is a list of examples (not inclusive) of the types of activities for which such leave may be granted:
- (1) Illness or death in immediate family*
 - (2) Unavoidable transportation delay*
 - (3) Private legal matters*
 - (4) Marriage
 - (5) Attendance or participation in graduation ceremonies involving a member of immediate family
 - (6) Funeral attendance*
 - (7) Emergency child-care problem
 - (8) Meeting spouse or seeing him/her off to overseas duty
 - (9) Attendance at wedding of member of immediate family
 - (10) Taking examinations. (Employees taking district promotional examinations are not required to obtain personal business leave.)
 - (11) Serving as consultant (short-term) to another district or public agency

(12) Medical and dental appointments (nonillness)

(13) Participation by a parent, guardian, or custodial grandparent in the activities of the school attended by an employee's children in grades kindergarten through 12, limited to forty hours per school year and eight hours per month. Reasonable advance notice must be given prior to the absence including the date and anticipated duration of the activity. Documentation can be required as proof of participation in a school activity.

* Employee should check procedures governing personal necessity leave (Procedure 7136) before requesting *unpaid* personal business leave for these reasons.

- b. **Other reasons which are determined** to be justified by the principal or department head are also acceptable. Normally, personal business leaves should not be granted to extend regular holiday or vacation periods. Before approving leave requests, the principal, department head, or children's center supervisor should consider "criteria for authorization" (C.11.d.).
6. **Personal Business Absence for Managers and Supervisors.** All requests for personal business leave by principals, department heads, and unit heads must be approved by the appropriate division head.
7. **Leave of Absence to Serve as a Public Employee Organization Officer.** An employee who is an elected officer of any statewide public employee organization or of a national organization with which such organization is affiliated may request a leave of absence with pay to attend periodic, stated, special, or regular meetings of such organization. The school district shall be reimbursed by the employee organization of which an employee is an elected officer for all compensation paid that employee on account of such leave. (Education Code Section 44987)
8. **Unauthorized Absences for Personal Business.** An employee who is absent for personal reasons without authorization (including absences related to withdrawal of services, walk-out, or strike) shall not be paid for time absent and shall be subject to disciplinary action.

9. **Paid Personal Business Absence—Up to Two (2) Hours.** Employees may be excused from duty without loss of pay by the principal or department head for a period of not more than two hours. (For employees employed less than full time, the two hours should be reduced proportionately.) Excuses should be limited to medical/dental appointments and occasional emergency personal matters that cannot be handled outside the employee's regular work hours. Employees who are absent for more than two hours must charge vacation or unpaid personal business. The employee must obtain approval of the supervisor prior to each occasion of absence.
10. **Paid Personal Business Absence—Up to Two (2) Days**
- a. **Employees may use up to two (2) days** per school year of accumulated sick leave for personal business.
 - b. **Normally, advance notice of forty-eight (48) hours** to the site manager/supervisor is required.
 - c. **Use of personal business absence** will adversely affect an employee's eligibility for attendance incentive compensation.
 - d. **These days *may not*** be used prior to or after a holiday or school recess period.
 - e. **This leave shall not be used** to participate in any concerted activities. (Concerted Activities article of the appropriate collective negotiations contract.)
 - f. **State law permits employees to take off forty (40) hours** each school year, limited to eight hours per month, to visit their child's school. Paid personal business absence should be used for employees requesting pay for such absences in excess of two hours.
11. **Unpaid Personal Business Absence—Up to One (1) Month**
- a. **Permission to be absent** without pay may be granted for urgent personal reasons (C.5.a.). Such leave may be granted in increments of one hour up to and including the employee's assigned workday. Personal business leave will not be granted for periods greater than one month.
 - b. **Child development center teachers** are permitted to augment their vacation with unpaid personal leave upon approval of their site supervisor if program needs of the district can otherwise be met.

- c. **Extended absence.** If absence is for more than one (1) month, a regular leave of absence must be requested.

- d. **Criteria for authorization.** An absence should:
 - (1) Not significantly interrupt ongoing instruction (i.e., a qualified substitute should be available).
 - (2) Normally not occur at the beginning or ending of a school year or during a period of parent conferencing or pupil grading.
 - (3) Be in the best interest of the students and the educational program as a whole.
 - (4) Promote the welfare and morale of the staff.

D. IMPLEMENTATION

1. Authorized Paid Personal Business Absence – Up to Two (2) Hours

- a. **Employee**
 - (1) Completes “Absence Request;” submits to principal or management employee in charge for approval. In emergency situations, may make verbal request, secure approval, and complete form on return to duty.

- b. **Principal/unit head**
 - (1) Approves leave if within scope of regulations in Section C.; advises employee of approval of leave.

- c. **Division office**
 - (1) Reviews and approves or disapproves all requests submitted by principals, department heads, and unit heads.

2. Authorized Paid Personal Business Absence – Up to Two (2) Days

a. Employee

- (1) Completes “Sick/Personal Business/Personal Necessity Leave Request”; submits to principal/unit head, normally forty-eight (48) hours prior to absence. In emergency situations, may make verbal request, secure approval, and complete form on return to duty.”

b. Principal/unit head

- (1) Reviews collective negotiations contract and if absence request satisfies criteria, approves leave.

c. Division office

- (1) Reviews and approves or disapproves all requests submitted by principals, department heads, and unit heads.

3. Authorized Unpaid Personal Business – Up to One (1) Month

a. Employee

- (1) Completes “Short Term Leave without Pay Request” sufficiently in advance of requested date to allow for processing; submits to principal/unit head. In emergency situations, may make verbal request, secure approval, and complete form on return to duty.

b. Principal/unit head

- (1) One to ten days leave. Approves leave if within scope of regulations in Section C.; returns copy of form to employee and retains original with timekeeping records at site.
- (2) Eleven or more days. Approves or disapproves, adds comments if appropriate, and forwards to division office for final action.

- c. **Division office**
- (1) Eleven or more days. Approves or disapproves leave; returns copy of form to employee via principal, department head, or child development center supervisor; returns approved form to the principal/unit head for record retention at the site.
 - (2) Reviews and approves or disapproves all requests submitted by principal, department heads, and unit heads.
4. **For all types of personal business absences**, the timekeeper enters hours into the Time and Labor Reporting System using the applicable time reporting codes.
5. **Human Resources Services Division** supplies substitutes as necessary.
6. **Unauthorized Absences Under Strike Conditions.** Personal business leave shall not be used to participate in any concerted activity.
- a. **Principal or unit head** prepares report of names of employees absent; forwards to division head (Procedure 8450); instructs timekeeper to record time as unauthorized absence in the Time and Labor Reporting System.
 - b. **Superintendent and Board of Education** determine disciplinary action to be taken.
 - c. **Division heads** implement disciplinary actions.
 - d. **Timekeeper** enters unauthorized absence in the time and Labor Reporting System.
7. **Unauthorized Absences in Time and Labor System Using Applicable Time Reporting Codes**
- a. **Principal/unit head**
 - (1) Prepares memorandum outlining circumstances; sends memorandum to division/department head along with original of "Short -Term Leave Without Pay" (if one was submitted) marked "disapproved."

SUBJECT: **Personal Business Leave**

NO: **7134**

PAGE: **8 OF 8**

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(2) Counsels employee concerning absence; instructs timekeeper to report absence for unauthorized/unpaid absence; recommends other appropriate disciplinary action to division/department head.

- b. **Division head/department head** (in consultation with division head) authorizes additional disciplinary action (ranging from letter of reprimand to dismissal) after consulting with the Human Resources Services Division.
- c. **Timekeeper** reports unauthorized/unpaid absence in Time and Labor Reporting System.

E. FORMS AND AUXILIARY REFERENCES

- 1. Request for Short-Term Leave, http://prod031.sandi.net/dwa/hr_forms.htm

F. REPORTS AND RECORDS

G. APPROVED BY

Interim General Counsel, Legal Services
San Diego Unified School District