

ARTICLE 29

Provisions Regarding Paid Leaves of Absence

The Board of Trustees has sole, exclusive and discretionary rights to grant leaves of absence, (e.g., educational leave, health leave, paid or unpaid, or extension of leave) as the Board sees fit and proper, on condition that such leaves shall not individually exceed any one (1) year in duration and that all continuous leaves granted to any individual member under any authority of this Article shall not, collectively, exceed two (2) years continuous duration.

The impact of the article on retirement and fringe benefits should be reviewed with the Associate Vice Chancellor of Human Resources or designee prior to applying for the leave.

Reference: Education Code §87763 and 87764

General Provisions Regarding Paid Leaves

- 29.1 The provisions of this article specify minimum leave requirements. The District has the sole and exclusive right to grant or deny requests for early return from leave or the cancellation or modification of an approved leave.
- 29.2 Members on leave must notify the President of the appropriate college **and the Associate Vice-Chancellor of Human Resources** of their intent to return by the first Friday in September for Spring Semester, or the first Friday in February for Fall Semester. ~~The President or designee will notify the Director of Human Resources within five (5) days of receipt of the member's notice of intent to return.~~
- 29.3 Unless otherwise indicated, time on paid leaves may be extended or shortened by mutual agreement between the member, ~~and the~~ college President or designee, **and the Associate Vice-Chancellor of Human Resources, subject to approval of the Board of Trustees.** ~~and notification by the Human Resource Director.~~ In any case, an extension ~~will~~ **shall** not establish precedent for any other extension to any other member under the same or similar circumstances.
- 29.4 Time ~~paid~~ on paid leaves of less than twenty-two (22) days ~~will~~ **shall** be counted as time in service, and all rights and benefits for regular or non-tenured members ~~will~~ **shall** be fully maintained.
- ~~29.5 Members on a sabbatical leave will be paid in accordance with the three types of sabbatical leaves specified in Article 40.3. Members on a one-year sabbatical leave at half pay will receive 50% salary, 50% STRS benefits and full health benefits. Members on a one-semester sabbatical leave will receive~~

~~100% salary, 100% STRS and full health benefits. Members on a one-year sabbatical leave at full pay will receive 100% salary, 100% STRS benefits and full health benefits. The provision for the one-year sabbatical at full pay will re-open in July, 2006.~~

- 29.6 The District may verify leaves of absence, or require the member to verify leaves of absence. The verification required by the District ~~will~~ **shall** not be unreasonable. The District may require physical or medical examinations to determine ability to provide services, provided the District pays the cost of the examination.
- 29.7 Members on paid leave are not eligible for an overload assignment (per Article 18.5), committees **membership**, and/or consultant contract with the District. Members on a partial paid leave may fulfill assigned time responsibilities as a part of their load but may not have assigned time as an overload. The member on any paid leave may be consulted on department/division matters as needed. ~~(See Article 22.)~~ **Members on paid leave are eligible for summer/wintersession assignments (per Article 19.8).**
- 29.8 No payment of salary or fringe benefits ~~will~~ **shall** be provided members who have not faithfully performed all the duties prescribed in the leave provisions.
- ~~29.9 As a condition to being granted a sabbatical or rejuvenation or retraining leave, a member shall agree in writing to render a period of service to the District, which is equal to twice the period of the leave. Reference: Education Code Section 877770.~~