

LOS ANGELES UNIFIED SCHOOL DISTRICT
PERSONNEL COMMISSION

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LAW AND RULES

(Reissue) January 1, 1967

806 RETRAINING AND STUDY LEAVES OF ABSENCE

Education Code 45381

The governing board of any school district may grant any classified employee a leave of absence not to exceed one year for the purpose of permitting study by the employee or for the purpose of retraining the employee to meet changing conditions within the district.

The governing board may provide that such a leave of absence shall be taken in separate six-months periods or in any other appropriate periods, rather than for a continuous one-year period; provided, that the separate periods of leave of absence shall be commenced and completed within a three-year period. Any period of service by the individual intervening between the authorized separate periods shall comprise a part of the service required for a subsequent leave of absence for study or retraining purposes.

In school districts operating under the merit system, such leaves of absence shall be granted in accordance with the rules established by the personnel commission.

Education Code 45382

No leave of absence shall be granted under this article to any employees for study purposes who has not rendered service to the district for at least seven consecutive years, or for retraining purposes who has not rendered service to the district for at least three consecutive years preceding the granting of the leave, and no more than one such leave of absence shall be granted in each seven-or three-year period, respectively. The governing board, or personnel commission in merit system districts, may prescribe standards of service which shall entitle the employee to the leave of absence.

Any leave of absence granted under this article shall not be deemed a break in service for any purpose, except that such leave shall not be included as service in computing service for the granting of any subsequent leave under this article.

Education Code 45383

Every employee granted a leave of absence pursuant to this article may be required to perform such services during the leave as the governing board of the district and the employee may agree upon in writing. The employee shall receive such compensation during the period of the leave as the governing board and the employee may agree upon in writing, which compensation shall be not less than the difference between the salary of the employee on leave and the salary of a substitute employee in the position which the employee held prior to the granting of the leave. However, in lieu of such difference, the board may pay one-half of the salary of the employee on leave or any additional amount up to and including the full salary of the employee on leave.

CHANGE:

Education Code Section 45380 deleted.

Remove: January 1, 1967, page 1 of 5. Add: (Reissue) January 1, 1967, page 1 of 3.

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Education Code 45384

Compensation granted by the governing board to the employee on leave may be paid in two equal annual installments during the first two years of service rendered in the employ of the governing board following the return of the employee from the leave of absence. The compensation shall be paid the employee while on leave of absence in the same manner as if the employee were working for the district, upon the furnishing by the employee of a suitable board indemnifying the governing board of the district against loss in the event that the employee fails to render at least two years' service in the employ of the governing board following the return of the employee from the leave of absence. The board shall be exonerated in the event the failure of the employee its return and render two years' service is caused by the death or physical or mental disability of the employee. If the governing board finds, and by resolution declares, that the interests of the district will be protected by the written agreement of the employee to return to the service of the district and render at least two years' service therein following his return from the leave, the governing board in its discretion may waive the furnishing of the bond and pay the employee on leave in the same manner as though a bond is furnished.

- A. With the approval of the division head or Region Superintendent and the Superintendent or a designated representative, a permanent classified employee may be granted a paid leave of absence not to exceed one year for the purpose of study or retraining in accordance with the following provisions:
1. If the leave is for the purpose of maintaining and improving skills used in the District's service, the employee must have rendered paid service to the District for at least 75 percent of regular assigned time in each of the seven consecutive years prior to the study leave.
 2. If the leave is for the purpose of acquiring new skills required by changes in District organization and methods, the employee must have rendered paid service to the District for at least 75 percent of regular assigned time in each of the three consecutive years prior to the retraining leave.
 3. If the leave is for the purpose of retraining an employee who has a medical disability that make continuation of regular duties impossible, the employee must have rendered paid service to the District for at least 75 percent of regular assigned time in each of the seven consecutive years prior to the leave. Retraining leaves for handicapped employees require approval by the Reasonable Accommodation Review Committee, in addition to other necessary approval.
 4. The employee's physical condition shall be evaluated prior to the granting of leave.
 5. The employee's program for study or training while on leave must be related to a class to which the employee may be assigned following retraining.

CHANGE:

Editorial changes and continuation of Education Codes.

Remove: January 1, 1967, page 2 of 5. Add: January 12, 1987, page 2 of 3.

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- B. An employee on study or retraining leave shall be paid at the employee's current rate for all hours spent in counseling and testing prior to retraining. For hours of participation in a retraining program, compensation shall be at not less than half the regular rate of pay. Compensation in excess of half the employee's regular rate requires the approval of the administration. The compensation may be paid in two equal annual installments as provided in Education Code Section 45384, or in the same manner as if the employee were working for the District provided that the employee
1. furnishes the District with a suitable bond against loss in the event the employee fails to render at least two years of service following the return from leave of absence, or
 2. furnishes the District with such other assurance against loss as the Board of Education may accept.
- If the employee's failure to return and render two years' service is caused by death or physical or mental disability, the employee shall be relieved of any obligation.
- C. The employee's division head or Region Superintendent may terminated the leave of any employee on evidence of failure to pursue or accomplish the purpose of such leave. Employees who do not complete the approved leave objectives shall reimburse the District for any compensation paid for the unexpired period following discontinuance of the leave study program.
- D. Any study or retraining leave of absence granted under this Rule shall not be deemed a break in service for any purpose, except that such leave shall not be included as service in computing time for the granting of subsequent study leaves.
- E. Upon the completion of the leave of absence, the employee will be assigned to a position in the former class or such other class as may be deemed appropriate in accordance with retraining and assignment rights and privileges as indicated in Rule 750, Light Work for Disabled Employees, and Rule 803, Leaves of Absence.
- F. Provided that there is no conflict in hours, employees on leave of absence may continue existing multiple assignments or previously held outside employment. Acceptance of new employment that would interfere with achievement of the objective of the leave will constitute a basis for termination of the leave.

CHANGE:

Editorial changes.

~~Remove: December 17, 1984, page 4 and 5 of 5. Add: January 12, 1987, page 3 of 3.~~

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