



## **4510.05: LEAVE OF ABSENCE WITHOUT PAY**

**I.** A leave of absence without pay is leave for one or more semesters or, in the case of leave related to the Family and Medical Leave Act (FMLA), for a period of time extending beyond the qualified FMLA entitlement.

**A leave of absence without pay may be granted for the following:**

- A. Staff desiring to continue one's education,
- B. Personal or immediate family health reasons,
- C. Staff desiring to stay at home with one's children, or
- D. A leave of absence without pay may also be granted for other personal reasons depending upon the circumstances at the sole discretion of the District.

**A leave of absence without pay will not be granted for the following:**

- A. If the purpose of the requested leave of absence or the reason necessitating the leave request is to seek or obtain other employment in a certificated role,
- B. If the employee intends to work for another school district during the leave of absence without pay, or
- C. If the staff member is moving from the Omaha area for any reason other than continuing one's education.

**II.** Procedures and Conditions. After a minimum of one (1) full year of employment with the District, a leave of absence without pay may be requested. The following procedure must be followed:

A. A request for a leave of absence without pay must be submitted in writing to the Human Resources Office and all such requests must be approved by the Human Resources Office. Such approvals are not routine or automatic and are subject to the District's staffing needs and requirements. When a certificated staff member submits a request for a leave of absence without pay for one full semester or more, the request must also be approved by the Board of Education.

B. A leave of absence without pay may be granted for up to one full school year. Any leave of absence without pay that exceeds one full semester shall be considered one school year. To continue a leave of absence without pay beyond one school year, the employee must reapply. A subsequent leave of absence without pay for two consecutive school years will only be granted in extreme circumstances.

C. A request for a leave of absence without pay to continue one's education must be submitted at least one semester prior to the requested leave and must include the name of the institution, the course of study and the number of semester credit hours to be completed. The course of study must meet the approval of the District. A minimum of nine (9) credit hours must be earned for each semester of leave.

D. A leave of absence agreement must be accepted by the certificated staff member requesting the leave prior to the request being submitted to the Board of Education for approval.

E. When an employee intends to return to work from a leave of absence without pay, the employee shall report this intention in writing to the Human Resources Office by the following deadlines:

(1) on or before March 15 when the employee intends to return to work at the beginning of the following school year; or

(2) no fewer than thirty (30) days prior to the date that the requested leave expires when the employee intends to return to work during the middle of a school year.

(3) For leave of absences without pay that lasts fewer than 30 days, the employee shall provide such notice prior to the date that leave commences.

If no such written notice is received by the applicable deadline, the employee's inaction will be considered a resignation. The District shall not be responsible for reminding an employee of this requirement.

**III. Salary and Benefits.** During a leave of absence without pay, the employee will not receive salary or credit for years of service with the District. Any insurance coverage provided to the employee by the District immediately prior to the leave of absence may be continued during such leave at the employee's expense in accordance with the provisions of COBRA and the insurance plan(s).

**IV. Return to Employment.** The District does not guarantee that an employee on a leave of absence without pay will return to the same building location or to the position held prior to the leave of absence. Reasonable efforts will be made to place the employee in the same or comparable position upon returning to employment. An employee returning from leave must verify the leave was for the purpose requested.

#### **Date of Adoption**

April 16, 1979

#### **Date of Revision**

September 7, 1993

March 17, 2003

April 4, 2005

February 21, 2011

July 2, 2012

November 21, 2022

#### **Related Policies and Rules**

[4510: Leaves of Absence](#)

[4510.04: Leave Without Pay](#)

[4510.06: Leaves of Absence - Family Medical Leave Act \(FMLA\)](#)