

## Unauthorized Leave

### Definition

“Unauthorized leave” is defined as nonperformance of those duties and responsibilities assigned by the district and its representatives including all duties and responsibilities as defined by statutes, rules and regulations of the State Board of Education; policies of the Board and administrative regulations of the district. Such unauthorized leave may include, but is not limited to, ~~collective~~ refusals to provide service, unauthorized use of sick leave, unauthorized use of other leave benefits, nonattendance at required meetings and failure to perform assigned duties at school-sponsored activities.

An employee is deemed to be on unauthorized leave at such time and on such occasion as the employee may absent him/herself from required duties.

### Disciplinary Action

Unauthorized leave shall constitute a breach of contract and, therefore, may result in the initiation of dismissal procedures, loss of salaries or such disciplinary actions as may be deemed appropriate.

Beginning on the first day of unauthorized leave, no salary will be awarded to an employee who has not faithfully performed all duties prescribed.

### Verification of Absence

The superintendent or the supervisor of an employee may require a physician’s verification as to an employee’s claimed reason for absence in any situation which it is believed that no valid grounds exist for the employee’s absence. Any employee missing five consecutive days of work will provide a physician’s verification for the absence. Verification shall be made within five working days of the absence.

END OF POLICY

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Legal Reference(s):

[ORS. 332.107](#)  
[ORS 332.544](#)

(continued)

Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000(d).  
Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000(e).  
Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. Sections 621-634.  
Age Discrimination Act of 1975, as amended, 42 U.S.C. Sections 6101-6107.  
Equal Pay Act of 1963, as amended, 29 U.S.C. Section 206(d).  
Rehabilitation Act of 1973, 29 U.S.C. Sections 791, 793 and 794.  
Title IX of the Education Amendments of 1972, 20 U.S.C. Sections 1681-1683; 34 CFR Part 106 (2000).  
Americans with Disabilities Act of 1990, 42 U.S.C. Sections 12101-12213; 29 CFR Part 1630 (2000); 28 CFR Part 35 (2000).  
Wygant v. Jackson Board of Education, 476 U.S. 267 (1989).

Cross Reference(s):

AC - Nondiscrimination  
ACA - Americans with Disabilities Act