



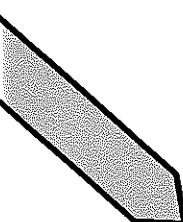
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**To:** TASB Policy Service members  
**From:** TASB Policy Service  
**Re:** *Leaves and Absences Starting Points*  
**Date:** April 2009

Enclosed is Policy Service's newly released *Leaves and Absences Starting Points*, consisting of a worksheet and explanatory materials to guide your district in reviewing and revising the district's leaves and absences policy, DEC(LOCAL). Policy Service created this policy development toolkit in conjunction with TASB Legal Services and TASB HR Services and with input from the Texas Council of School Attorneys.

Several factors influenced the development of the *Starting Points*. In 2008, Congress passed new Family and Medical Leave Act (FMLA) provisions on military leave. In 2009, the Department of Labor released comprehensive new FMLA regulations addressing the new military leave provisions and many other aspects of the FMLA. The impact of these new laws resulted in significant revisions to the structure of the leaves and absences material at Update 85. The *Leaves and Absences Starting Points* incorporates changes from these new laws, district suggestions that make the policy easier to read and administer, and changes in practices in how school districts handle leave and absence issues that have occurred since the last update of DEC(LOCAL) in 2000.



Even if your district does not amend its existing practices, it is essential that the district complete the *Leaves and Absences Starting Points* worksheet so that your district will have up-to-date text. You may complete the hard copy documents included here, but it will likely be more convenient for you to complete the *Starting Points* electronically. The electronic option allows an easy method to track the district's changes and insert unique provisions from the district's current policy that the district chooses to retain. The electronic version is available through myTASB at [https://www.tasb.org/services/policy/mytasb/starting\\_points/](https://www.tasb.org/services/policy/mytasb/starting_points/).

**Please note:** The *Leaves and Absences Starting Points* is not part of Update 85; therefore the district should not delay adoption of Update 85 based on completion of the *Starting Points*. Your policy consultant can process the district's *Starting Points* worksheet at any time after completion by the district to create a draft for board adoption. To ensure that your district has an updated policy in place before the start of the 2009–10 school year, however, the district should complete the worksheet as soon as possible.

Because leave provisions are incorporated into employee contracts, TASB attorneys caution that a district should not reduce an employee's leave entitlement after the penalty-free resignation date (45 days before the first day of instruction).

Please contact your policy consultant at 800-580-7529 if you have any questions regarding the *Starting Points*. If you need help interpreting or applying the legal principles addressed in the *Starting Points*, please call TASB Legal Services at 800-580-5345 or contact your district's local attorney. As always, we urge you to seek legal review of this recommended policy by your district's local attorney.