



## RECOMMENDED USE

Summary guidance on HISD's employee leave options, so Principals/Managers can ensure equitable application of rules and accountability for violations. Full details regarding each leave type and use restrictions may be found in the District's [online DEC policy series](#) (Legal, Local, & Regulations).

## LEAVE USE "GUARDRAILS"

- Employees can take up to 15 days of state or local leave per duty calendar year (*see details on the following pages*).
- The following protected/"hold harmless" leave does not count against the 15-day maximum rule (*see details on the following pages*): Vacation Days, Assault Leave, Bereavement/Funeral Leave, Comp Time, Court Appearances (Jury Duty & Subpoenas), Developmental Leave, District Closure, Family Medical Leave (FML), Leave as Americans with Disabilities Act (ADA) Accommodation, Military Leave, Off-Campus Duty (OFCM), Political Leave, Religious Holiday, Supplemental Sick Leave Bank (SSLB), Temporary Disability Leave (TDL), and Workers' Comp.
- Employees cannot use unpaid days unless proper approval has been obtained from HR in writing for a protected leave such as FML (*refer to 'How to Apply' guidelines below*). Any accrued paid leave days will be used concurrent with an HISD-approved extended leave of absence (e.g. FML, TDL, etc.). This means that employees are prohibited from "banking" paid leave days for later use and/or being absent beyond their allocated number of available paid leave days.
- HR tracks and shares with immediate supervisors daily high absenteeism reports, as well as leads swift involuntary terminations of confirmed violators, including necessary referrals to Legal for final approvals.
- Exempt staff may take up to 2 hours off at beginning/end of a day for prescheduled, unavoidable appointments (e.g. emergency dental), and not use leave, whereas chronic tardiness (e.g. overslept) shall be addressed as misconduct.

TYPE	REASON / MAXIMUM DAYS	HOW TO APPLY
<p><b>STATE LEAVE</b></p> 	<ul style="list-style-type: none"> <li>■ HISD required to allocate per TX Education Code</li> <li>■ Five (5) days per year of paid leave, with no limit on accumulation</li> <li>■ Discretionary or non-discretionary use allowed, but need advanced notice for discretionary use</li> <li>■ Discretionary use not allowed on blackout days for campus-based staff</li> <li>■ Will be used concurrent with an HISD-approved extended leave of absence (e.g. FML, TDL, etc.)</li> <li>■ No pay out upon separation, but transfers between districts</li> <li>■ If 50-day balance at retirement, may buy a year of service (refer to Teacher Retirement System of Texas, TRS)</li> </ul>	<ul style="list-style-type: none"> <li>■ For discretionary use, advanced notice and approval required</li> <li>■ Enter in system after notifying Principal/Manager</li> </ul>
<p><b>LOCAL LEAVE</b></p> 	<ul style="list-style-type: none"> <li>■ HISD optional allocation</li> <li>■ HISD chooses to grant 5, 6, or 7 paid days annually commensurate with 10, 11, or 12-month duty calendars, with no limit on accumulation</li> <li>■ Discretionary or non-discretionary use allowed, but need advanced notice and approval for discretionary use</li> <li>■ Discretionary use not allowed on blackout days for campus-based staff</li> <li>■ Will be used concurrent with an HISD-approved extended leave of absence (e.g. FML, TDL, etc.)</li> <li>■ No pay out upon separation &amp; does not transfer between districts</li> </ul>	<ul style="list-style-type: none"> <li>■ For discretionary use, advanced notice and approval required</li> <li>■ Enter in system after notifying Principal/Manager</li> </ul>
<p><b>VACATION DAYS</b></p> 	<ul style="list-style-type: none"> <li>■ HISD chooses to allocate paid vacation leave for 12-month employees either through employment contract or in accordance with tenure</li> <li>■ In addition to annual paid holidays on duty calendars, including Fall Break, Winter Break, &amp; Spring Break</li> <li>■ 50-day accrual limit</li> <li>■ Discretionary or non-discretionary use allowed, but need advanced notice and approval for discretionary use</li> <li>■ Discretionary use not allowed on blackout days for campus-based staff</li> <li>■ Will be used concurrent with an HISD-approved extended leave of absence (e.g. FML, TDL, etc.)</li> <li>■ Up to 50 earned and unused vacation days are paid out upon separation</li> </ul>	<ul style="list-style-type: none"> <li>■ For discretionary use, advanced notice and approval required</li> <li>■ Enter in system after coordinating with Principal/Manager</li> </ul>



*Continued*

TYPE	REASON / MAXIMUM DAYS	HOW TO APPLY
<p><b>ASSAULT LEAVE</b></p> 	<ul style="list-style-type: none"> <li>Any employee who is physically injured during the performance of the employee's regular duties, as a result of what he or she believes is an assault (an intentional, knowing, or reckless action causing bodily injury to another person), may request a leave of absence to recover from the physical injuries resulting from the alleged assault</li> <li>This paid leave of absence can only be for the duration of recovery from the physical injury and cannot extend beyond two (2) years from the date of the assault</li> <li>Such leave shall be taken with no loss of pay and does not use any of the employee's personal leave time</li> </ul>	<ul style="list-style-type: none"> <li>Approval required by the Assault Leave Committee</li> </ul>
<p><b>BEREAVEMENT</b></p> 	<ul style="list-style-type: none"> <li>Up to three (3) days of paid leave as needed per occurrence upon the death of a spouse, child, parent, current parent-in-law, sibling, or any other person residing in the employee's home at the time of death</li> <li>Such leave shall be taken with no loss of pay or other paid leave</li> <li>A regular hourly employee shall not be eligible for bereavement leave and may use accrued leave for a death in the employee's immediate family</li> </ul>	<ul style="list-style-type: none"> <li>Approval required by the Principal/Manager</li> <li>Enter in system after coordinating with Principal/Manager</li> </ul>
<p><b>COMP TIME</b></p> 	<p><b>Non-exempt Staff</b></p> <ul style="list-style-type: none"> <li>Regular and hourly status non-exempt employees are eligible to earn compensatory time at rate of straight time up to 40 hours, and then time and a half for time worked over 40 hours</li> <li>Compensatory time should be used in the same pay period as earned or within a reasonable period or converted to overtime pay as defined by law</li> <li>Compensatory time must be used within six (6) months of being earned or paid out as overtime</li> </ul> <p><b>Regular Status Exempt Staff</b></p> <ul style="list-style-type: none"> <li>Regular status exempt employees are eligible to earn and accumulate up to five (5) compensatory days up to a maximum of 40 hours each year for work significantly beyond the scope of the employee's normal duties. The administration of compensatory time is at the discretion of the department manager. Compensatory time must be used by the end of the school year in which it was earned. Unused compensatory time may not be carried over to successive school years.</li> <li>In emergencies of the district, the Superintendent of Schools may grant up to three (3) additional days of compensatory time each year to designated groups for work significantly beyond the scope of an employee's normal duties. These three (3) days are in addition to the up to five (5) compensatory days referenced above.</li> <li>By the nature of their positions, exempt employees are often required to work beyond a "typical" forty-hour work week. Compensatory time is not intended to be used to compensate for each incremental hour worked beyond forty hours per week; rather, compensatory time is intended for use in recognizing work beyond the normal scope of duties required by the position.</li> </ul>	<ul style="list-style-type: none"> <li>Approval required by the Principal/Manager</li> <li>Enter in system after coordinating with Principal/Manager</li> </ul>

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<p><b>COURT APPEARANCES (JURY DUTY &amp; SUBPOENAS)</b></p> 	<ul style="list-style-type: none"> <li>Absences due to compliance with a valid subpoena (HISD business only) or for jury duty shall be fully compensated by the District and shall not be deducted from the employee’s pay or personal leave balance</li> <li>Absences for court appearances related to an employee’s personal business shall be deducted from the employee’s accrued leave or, at the employee’s option, be taken as leave without pay</li> </ul>	<ul style="list-style-type: none"> <li>Enter in system after coordinating with Principal/Manager</li> </ul>
<p><b>DEVELOPMENTAL LEAVE</b></p> 	<ul style="list-style-type: none"> <li>Up to one (1) year of unpaid leave for the purpose of engaging in a study designed to improve the employee’s professional competence</li> </ul>	<ul style="list-style-type: none"> <li>Approval required by the Leave Administration Department</li> </ul>
<p><b>DISTRICT CLOSURE</b></p> 	<ul style="list-style-type: none"> <li>Paid time off due to an unforeseen District closure</li> </ul>	<ul style="list-style-type: none"> <li>Approval required by Payroll Department</li> <li>Time-entry must be completed by Payroll Department</li> </ul>
<p><b>FMLA - MEDICAL</b></p> 	<ul style="list-style-type: none"> <li>Unpaid up to 12 weeks for time verified by a health care provider</li> <li>Personal leave time (e.g. state personal leave, local personal leave, etc.), if available, must be used concurrent with an approved FML</li> <li>For self or family members with a serious health condition</li> <li>“Serious health condition” defined by FMLA (illness, injury, impairment, or physical or mental condition that involves either inpatient care or continuing treatment by a health care provider)</li> <li>“Family member” defined by FMLA (i.e., parent, child, or spouse/partner via marriage)</li> <li>Includes pregnancy-related medical needs such as prenatal appointments, bed rest, etc.</li> <li>Includes preparation for adoption or foster care, including legal appointments, travel, etc.</li> </ul>	<ul style="list-style-type: none"> <li>Approval required by the Leave Administration Department</li> </ul>
<p><b>FMLA - ADOPTION/ FOSTER CARE MEDICAL</b></p> 	<ul style="list-style-type: none"> <li>Unpaid up to 12 weeks for adoption or foster care placement</li> <li>Personal leave time (e.g. state personal leave, local personal leave, etc.), if available, must be used concurrent with an approved FML</li> <li>Includes preparation for adoption or foster care, including legal appointments, travel, etc.</li> </ul>	<ul style="list-style-type: none"> <li>Approval required by the Leave Administration Department</li> </ul>

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<p><b>FMLA - NEWBORN BONDING</b></p> 	<ul style="list-style-type: none"> <li>■ Unpaid up to 12 weeks</li> <li>■ Personal leave time (e.g. state personal leave, local personal leave, etc.), if available, must be used concurrent with an approved FML</li> <li>■ Available for all biological, adoptive, or foster care parents regardless of gender &amp; sexual orientation (i.e., mothers, fathers, same-sex partners who are married, including via common law marriage)</li> <li>■ Available during first year following birth, adoption, or fostering</li> </ul>	<ul style="list-style-type: none"> <li>■ Approval required by the Leave Administration Department</li> </ul>
<p><b>FMLA - MILITARY</b></p> 	<ul style="list-style-type: none"> <li>■ Up to 12 weeks of unpaid leave for a qualifying exigency resulting from a family member's call to active military duty</li> <li>■ Up to 26 weeks of unpaid leave to care for a covered service member or veteran with a serious service-related illness or injury</li> <li>■ Personal leave time (e.g. state personal leave, local personal leave, etc.), if available, must be used concurrent with an approved FML</li> </ul>	<ul style="list-style-type: none"> <li>■ Approval required by the Leave Administration Department</li> </ul>
<p><b>LEAVE AS AN ADA ACCOMMODATION</b></p> 	<ul style="list-style-type: none"> <li>■ Employees who qualify under the Americans with Disabilities Act (ADA) may receive additional (intermittent) time off if deemed a reasonable accommodation in compliance with the ADA</li> <li>■ Personal leave time (e.g. state personal leave, local personal leave, etc.), if available, must be used concurrent with an approved accommodation for leave</li> </ul>	<ul style="list-style-type: none"> <li>■ Approval required by the Leave Administration Department</li> </ul>
<p><b>MILITARY LEAVE</b></p> 	<ul style="list-style-type: none"> <li>■ Qualifying employees receive up to 15 paid military leave days</li> <li>■ An employee with available personal leave time is entitled to use their personal leave for compensation during a term of active military service</li> </ul>	<ul style="list-style-type: none"> <li>■ Approval required by the Leave Administration Department</li> </ul>
<p><b>OFF CAMPUS DUTY (OFCM)</b></p> 	<ul style="list-style-type: none"> <li>■ Attendance at required or elective school-related workshops, seminars, conferences and in-service trainings during the school day is referred to as off-campus duty</li> </ul>	<ul style="list-style-type: none"> <li>■ Approval required by the Principal/Manager</li> <li>■ Time-entry must be completed by Time Recorder</li> </ul>
<p><b>POLITICAL LEAVE</b></p> 	<ul style="list-style-type: none"> <li>■ Up to four (4) years of unpaid leave for employees seeking or, if elected, serving in public office</li> </ul>	<ul style="list-style-type: none"> <li>■ Approval required by the Leave Administration Department</li> </ul>

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<p><b>RELIGIOUS HOLIDAY</b></p> 	<ul style="list-style-type: none"> <li>■ Employees may be absent to observe religious holidays, unless it imposes an undue hardship</li> <li>■ Personal leave time (e.g. state personal leave, local personal leave, etc.), if available, must be used concurrent with an approved absence due to religious holiday</li> </ul>	<ul style="list-style-type: none"> <li>■ Approval required by the Principal/Manager</li> <li>■ If undue hardship, defer to Leave Administration Department</li> </ul>
<p><b>SUPPLEMENTAL SICK LEAVE BANK (SSLB)</b></p> 	<ul style="list-style-type: none"> <li>■ May only apply if donated one half-day of local personal leave during current plan year</li> <li>■ Must meet definition of “catastrophic” in policy &amp; IRS rule</li> <li>■ Up to 30 days of paid leave for time verified by health care provider</li> <li>■ Must have exhausted all available personal leave banks</li> <li>■ Will be used concurrent with an HISD-approved extended leave of absence (e.g. FML, TDL, etc.)</li> </ul>	<ul style="list-style-type: none"> <li>■ Approval required by the Leave Administration Department</li> </ul>
<p><b>TEMPORARY DISABILITY (TDL)</b></p> 	<ul style="list-style-type: none"> <li>■ Up to 180 (continuous) calendar days of unpaid leave due to an employee’s own mental or physical disability of a temporary nature</li> <li>■ Personal leave time (e.g. state personal leave, local personal leave, etc.), if available, must be used concurrent with an approved TDL</li> </ul>	<ul style="list-style-type: none"> <li>■ Approval required by the Leave Administration Department</li> </ul>
<p><b>WORKERS’ COMP</b></p> 	<ul style="list-style-type: none"> <li>■ Workers’ compensation is not a form of leave</li> <li>■ An absence due to a work-related injury or illness, upon eligibility and application approval, shall be designated as FMLA leave, temporary disability leave, and/or assault leave, as applicable</li> </ul>	<ul style="list-style-type: none"> <li>■ Approval required by the Worker’s Compensation Department</li> </ul>