

**EMERGENCY CONDITIONS, OPERATION OF SCHOOLS: ALL CERTIFICATED AND CLASSIFIED EMPLOYEES**

When an emergency or special condition exists which, in the judgment of the Superintendent, impacts the effective operations of the schools and the District, the Board of Trustees authorizes the Superintendent to implement any or all of the following procedures when the Superintendent deems the conditions warrants such actions:

**AUTHORIZED LEAVE OF ABSENCE**

All employee absences must be substantiated by written proof of the need for the leave. Pay will not be granted for authorized leaves of absence unless the employee worked or was validly excused from work both the workday before the absence and the workday after the absence.

- a. Sick Leave - employees requesting pay for sick leave must complete and submit a signed affidavit of illness and provide a doctor's certificate of illness.
- b. Absences Other Than Personal Illness – employees requesting leave of absence other than for personal illness must do so in advance, in writing, and must receive prior permission to take the leave from the administrator. In the event of an emergency where advance notice cannot be given, the employee must complete and submit a signed affidavit and present written documentation of the personal necessity. During the period of a work stoppage, required personal necessity leave will only be allowed for one of the emergency reasons set forth in Education Code Section 44981.
- c. Other Leaves – permission to take any other leave must be received from the administrator in advance of the leave. No personal leaves will be granted except for one of the reasons set forth in Paragraphs (a) and (b) of Section 44981 of the Education Code.

**UNAUTHORIZED LEAVE OF ABSENCE**

- a. Unauthorized leave of absence is defined as non-performance by an employee of those duties and responsibilities assigned by the District and its representatives including all duties and responsibilities specified in the Education Code, all rules and regulations of the State Board of Education, and all policies and regulations adopted by the Board of Trustees of the Fullerton Joint Union High School District. Such unauthorized leave of absence shall include but is not limited to individual or collective refusals to provide service, unauthorized use of sick leave, unauthorized use of other leave of absence benefits, non-attendance at required meetings and failure to perform supervisory functions at school sponsored activities.
- b. An employee is deemed to be on unauthorized leave of absence at such time and on such occasions as the employee may absent himself from or fail or refuse to perform any required duties.

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- c. Unauthorized leave of absences shall constitute a breach of contract by the employee of said contract between said employee and the District and, therefore, may result in the initiation of dismissal procedures, loss of salary, or such other disciplinary action as may be deemed appropriate.
- d. Beginning on the first day of unauthorized leave of absence, no warrant shall be drawn in favor of any employee who has not faithfully performed all prescribed duties.

#### TEMPORARY EMPLOYEES/SUBSTITUTE TEACHING EMPLOYEES

The Superintendent or designee is authorized to hire temporary employees and substitute teachers. Substitute teachers shall be paid not less than the daily approved rate nor more than \$200 per day, as specified by the Superintendent or designee.

#### CLOSING OF SCHOOL FACILITIES

The Superintendent or designee is and shall be the only District employee authorized to order the closing of any school facility. Any such facility will be closed only when the health or safety of students or staff is deemed to be in imminent and serious jeopardy.

#### SUSPENSION OF EMPLOYEE ORGANIZATION PRIVILEGES

Any employee organization which urges its members to participate in a work stoppage or any other illegal activity as outlined above shall forfeit its privileges as an employee organization, including but not limited to the following:

- a. Use of District mail services.
- b. Use of District bulletin boards.
- c. Use of District telephone facilities.
- d. Use of District premises for any purpose.
- e. Privilege of employee organization officers and representatives to visit District school facilities or sites or district property other than where regularly assigned as employee.

#### EMPLOYMENT OF LEGAL COUNSEL

Following the provisions of education Code Section 35204, the Superintendent of Schools is authorized to employ a private attorney for the purpose of aiding the Board of Trustees.

Reference: Education Code Sections 35204, 44981, 45055

Policy adopted: December 16, 1974; September 18, 1978; December 26, 1979;  
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