

SCHOOL DISTRICT LEAVE POLICIES

2010 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Margaret Dayton

House Sponsor: Keith Grover

LONG TITLE

General Description:

This bill amends provisions in the State System of Education code related to association leave.

Highlighted Provisions:

This bill:

- ▶ prohibits a local school board from granting paid association leave;
 - ▶ requires reimbursement to a school district of the costs for certain employees, including benefits, for the time that the employee is on unpaid association leave;
- and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53A-3-425, as enacted by Laws of Utah 2002, Chapter 312

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53A-3-425** is amended to read:



28 **53A-3-425. Association leave -- District policy.**

29 (1) As used in this section, "association leave" means leave from a school district
30 employee's regular school responsibilities granted for that employee to spend time for
31 association or union duties.

32 (2) (a) Prior to any school district employee's participation in [~~paid or~~] unpaid
33 association leave, a local school board shall adopt a written policy that governs unpaid
34 association leave.

35 (b) A local school board policy that governs unpaid association leave shall require
36 reimbursement to the school district of the costs for an employee, including benefits, for the
37 time that the employee is on unpaid association leave.

38 (c) A reimbursement required under Subsection (2)(b) may be provided by an
39 employee, association, or union.

40 (3) [~~If a~~] A local school board [adopts a policy to] may not allow paid association
41 leave[; the policy shall include procedures and controls to:].

42 [~~(a) ensure that the duties performed by employees on paid association leave directly~~
43 ~~benefit education within the school district;]~~

44 [~~(b) require the school district to document the use and approval of paid association~~
45 ~~leave;]~~

46 [~~(c) require school district supervision of employees on paid association leave;]~~

47 [~~(d) require the school district to account for the costs and expenses of paid association~~
48 ~~leave;]~~

49 [~~(e) ensure that during the hours of paid association leave a school district employee~~
50 ~~may not engage in political activity, including:]~~

51 [~~(i) actively campaigning for candidates for public office in partisan and nonpartisan~~
52 ~~elections; and]~~

53 [~~(ii) fundraising for political organizations, political parties, or candidates;]~~

54 [~~(f) ensure that association leave is only paid out of school district funds when the paid~~
55 ~~association leave directly benefits education within the district; and]~~

56 [~~(g) require the reimbursement to the school district of the cost of paid association~~
57 ~~leave activities that do not provide a direct benefit to education within the school district.]~~

58 (4) If a local school board adopts a policy to allow [~~paid~~] unpaid association leave, that

59 policy shall indicate that a willful violation of this section or of a policy adopted in accordance
60 with Subsection (2) [~~or (3)~~] may be used for disciplinary action under Section 53A-8-104.

Legislative Review Note
as of 1-12-10 1:40 PM

Office of Legislative Research and General Counsel

S.B. 77 - School District Leave Policies

Fiscal Note

2010 General Session
State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Local school districts that currently pay association leave time may accrue a savings from reimbursement provisions outlined in this bill. Employees, associations or unions currently benefiting from paid association leave time may incur additional costs.
