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**Subject: LEAVE--GENERAL PROVISIONS**

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1. The Board of Directors reserves the right to suspend or cancel any and all leave policies when it determines that it is necessary to do so as a result of emergency or other similar conditions.

2. Under The Family and Medical Leave Act of 1993 (the "FMLA"), an employee may be eligible to take a total of 12 work weeks of unpaid leave during any 12-month period for the following reasons: the birth and care of the employee's newborn child; the placement of a child with the employee for adoption or foster care; to care for an employee's spouse, parent or child with a serious health condition; when the employee is unable to perform the essential functions of his or her position because of the employee's own serious health condition; or any qualifying exigency arising out of the fact that the employee's spouse, son, daughter or parent is a covered military member and is on active duty in support of a contingency operation or has been notified of an impending call or order to active duty.

3. Under the FMLA, an employee may be eligible to take a total of 26 work weeks of unpaid leave during a single 12-month period to care for a covered service member who is recovering from a serious injury or illness sustained in the line of duty on active duty and the employee is a spouse, son, daughter, parent or next of kin of the covered service member.

4. If an employee is eligible for and elects to take leave under the FMLA, the employee shall first take all accrued leave, paid or unpaid, to which the employee is also entitled under these policies, as part of such FMLA leave.

5. The Executive Director shall implement regulations and procedures as necessary for the implementation of the FMLA and to require appropriate medical certifications, notification and reporting which are consistent with that law and shall notify all employees of their rights under the FMLA and the provisions of this policy.

6. The BOCES shall fully comply with the FMLA and shall be entitled to take all actions and exercise all options authorized under the FMLA. Terms used in this policy such as "serious health condition," "qualifying exigency," "contingency operation," and "serious injury or illness" shall be as defined by the FMLA and its implementing regulations.

7. Under C.R.S. 24-34-402.7, an employee who has been employed with the BOCES for at least 12 months and is the victim of certain crimes/actions, as defined in state law, may request and shall be granted up to three working days of victim leave during any 12-month period for purposes specified in law.