

**Regulation 4161.2 Personal Leaves (Certificated)**

**Status: ADOPTED**

**Original Adopted Date:** 11/1999

**Last Revised Date:** 06/26/2024

Personal leaves granted to district employees shall be used as permitted in this administrative regulation, other Board-approved policy or district regulation, or applicable collective bargaining agreement.

For the purpose of any personal leave offered pursuant to state law, a registered domestic partner shall have the same rights, protections, and benefits as a spouse and any protections provided to a spouse's child shall also apply to a child of a registered domestic partner. (Family Code 297.5)

Whenever possible, employees shall request personal leaves in advance and prepare suitable instructions, including lesson plans as applicable, for a substitute employee.

11/99  
11/00  
03/08/00  
11/02  
07/09/03  
11/03  
11/07  
04/09/08  
08/10  
06/26/2024

**Policy Reference Disclaimer:**

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**State**

CA Constitution Article 1, Section 8

Ed. Code 44036-44037

Ed. Code 44963

Ed. Code 44981

Ed. Code 44985

Ed. Code 44987

Ed. Code 44987.3

Ed. Code 45190

Ed. Code 45194

**Description**

[Religious discrimination](#)

[Leaves of absence for judicial and official appearances](#)

[Power to grant leaves of absence; certificated](#)

[Leave of absence for personal necessity](#)

[Leave of absence due to death in immediate family; certificated](#)

[Service as officer of employee organization; certificated](#)

[Leave of absence to serve on certain boards, commissions, etc.](#)

[Leaves of absence and vacations; classified](#)

[Bereavement leave of absence; classified](#)

Ed. Code 45198	<a href="#">Effect of provisions authorizing leaves of absence</a>
Ed. Code 45207	<a href="#">Personal necessity; classified</a>
Ed. Code 45210	<a href="#">Service as officer of employee organization; classified</a>
Ed. Code 45240-45320	<a href="#">Merit system</a>
Evid. Code 1035.2	<a href="#">Sex assault counselor; definition</a>
Evid. Code 1037.1	<a href="#">Domestic violence counselor; definition</a>
Fam. Code 297-297.5	<a href="#">Rights, protections, benefits under the law; registered domestic partners</a>
Gov. Code 12945.1-12945.2	<a href="#">California Family Rights Act</a>
Gov. Code 12945.7	<a href="#">Bereavement leave</a>
Gov. Code 3543.1	<a href="#">Rights of employee organizations</a>
Lab. Code 1500-1507	<a href="#">Civil Air Patrol leave</a>
Lab. Code 230-230.2	<a href="#">Leaves for victims of domestic violence, sexual assault or specified felonies</a>
Lab. Code 230.3	<a href="#">Leave for emergency personnel</a>
Lab. Code 230.4	<a href="#">Leave for volunteer firefighters</a>
Lab. Code 230.8	<a href="#">Time off to visit child's school</a>
Lab. Code 233	<a href="#">Leave to attend to family illness</a>
Lab. Code 234	<a href="#">Absence control policy</a>
Lab. Code 246.5	<a href="#">Paid sick days; purposes for use</a>
M&V Code 395.10	<a href="#">Leave when spouse on leave from military deployment</a>
Pen. Code 1192.7	<a href="#">Plea bargaining limitation</a>
Pen. Code 667.5	<a href="#">Prior prison terms; enhancement of prison terms</a>
Federal	Description
29 USC 2601-2654	Family Care and Medical Leave Act
42 USC 2000d-2000d-7	Title VI, Civil Rights Act of 1964
Management Resources	Description
Court Decision	Rankin v. Commission on Professional Competence (1988) 24 Cal.3d 167
Public Employment Relations Board Decision	Berkeley Council of Classified Employees v. Berkeley Unified School District (2008) PERB Decision No. 1954
Website	<a href="#">CSBA District and County Office of Education Legal Services</a>
Website	<a href="#">California Department of Industrial Relations</a>
Website	<a href="#">California Federation of Teachers</a>
Website	<a href="#">California Public Employment Relations Board</a>
Website	<a href="#">California School Employees Association</a>
Website	<a href="#">California Teachers Association</a>

**Cross References**

Code	Description
2121	<a href="#">Superintendent's Contract</a>
4112.9	<a href="#">Employee Notifications</a>
4112.9-E(1)	<a href="#">Employee Notifications</a>
4121	<a href="#">Temporary/Substitute Personnel</a>
4121	<a href="#">Temporary/Substitute Personnel</a>
4140	<a href="#">Bargaining Units</a>
4141.6	<a href="#">Concerted Action/Work Stoppage</a>
4141.6	<a href="#">Concerted Action/Work Stoppage</a>
4143	<a href="#">Negotiations/Consultation</a>
4158	<a href="#">Employee Security</a>
4158	<a href="#">Employee Security</a>
4161	<a href="#">Leaves</a>
4161	<a href="#">Leaves</a>
4161.1	<a href="#">Personal Illness/Injury Leave</a>

4161.8	<a href="#">Family Care And Medical Leave</a>
4212.9	<a href="#">Employee Notifications</a>
4212.9-E(1)	<a href="#">Employee Notifications</a>
4240	<a href="#">Bargaining Units</a>
4241.6	<a href="#">Concerted Action/Work Stoppage</a>
4241.6	<a href="#">Concerted Action/Work Stoppage</a>
4243	<a href="#">Negotiations/Consultation</a>
4258	<a href="#">Employee Security</a>
4258	<a href="#">Employee Security</a>
4261	<a href="#">Leaves</a>
4261	<a href="#">Leaves</a>
4261.1	<a href="#">Personal Illness/Injury Leave</a>
4261.8	<a href="#">Family Care And Medical Leave</a>
4312.9	<a href="#">Employee Notifications</a>
4312.9-E(1)	<a href="#">Employee Notifications</a>
4340	<a href="#">Bargaining Units</a>
4358	<a href="#">Employee Security</a>
4358	<a href="#">Employee Security</a>
4361	<a href="#">Leaves</a>
4361	<a href="#">Leaves</a>
4361.1	<a href="#">Personal Illness/Injury Leave</a>
4361.8	<a href="#">Family Care And Medical Leave</a>
5148	<a href="#">Child Care And Development</a>
5148	<a href="#">Child Care And Development</a>