

SUBJECT: Personal leave policies governing school district employees

COMMITTEE: Public Education — favorable, without amendment

VOTE: 8 ayes — Sadler, Dutton, Culberson, Hernandez, Hochberg, Price, Rhodes, Williamson
0 nays
1 absent — Uher

SENATE VOTE: On final passage, April 8 — 30-1 (Ratliff)

WITNESSES: For — Eric Hartman, Texas Federation of Teachers
Against — None

BACKGROUND : Under the Education Code, school district employees are allowed five days of personal leave per year. Use of leave may be regulated by school district boards of trustees.

DIGEST: SB 780 would specify that policies governing school district employees' use of personal leave could not restrict the purpose for which the leave may be used.
SB 780 would take immediate effect if finally approved by a two-thirds record vote of the membership in each house and would apply beginning with the 1997-98 school year.

SUPPORTERS SAY: SB 780 would clarify the legislative intent of the statutory provision allowing both personal leave and personal leave policies. School administrators have a demonstrated interest in restricting when personal leave can be used, prohibiting, for example, such leave on the first and last days of the session or during testing periods.
However, administrators have no justifiable interest in permitting or prohibiting personal leave based on the purpose behind the leave. Personal leave is designed to address personal needs, and employees should not be

forced to go through hoops to use a benefit specifically allowed for unnamed purposes.

This is not an issue of local control; administrators could still make policies governing the use of personal leave. The bill would simply clarify that those policies could not inappropriately intrude into areas not germane to the issues of determining when and how personal leave may be used. A policy could rightfully disallow personal leave during crunch times; it could not properly disallow leave for reasons unrelated to work assignments and schedules.

**OPPONENTS
SAY:**

The decision to allow personal leave should be left up to local administrators. A school district should not have to allow personal leave if it is short-staffed and the employee wants time off for frivolous reasons.