



Book	Policy Manual
Section	3000 Instructional Staff
Title	DOMESTIC VIOLENCE LEAVE
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3430.02 - **DOMESTIC VIOLENCE LEAVE**

The School Board shall grant leave for an employee if the employee, or a family or household member, is the victim of domestic or sexual violence.

Definitions

- A. "Domestic violence" means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one (1) family or household member by another family or household member.
- B. "Sexual violence" means sexual violence as defined in F.S. 784.046 or any crime the underlying factual basis of which has been found by a court to include an act of sexual violence.
- C. "Family or household member" means spouses, former spouses, persons related by blood or marriage, person who are presently residing together as if a family or who have resided together in the past as if a family, and persons who are parents of a child in common regardless of whether they have been married. With the exception of persons who have a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit.
- D. "Victim" means an individual who has been subjected to domestic or sexual violence.

Such leave may be for up to three (3) days in any twelve (12) month period and shall be used for the following purposes:

- A. to seek protection against domestic violence or an injunction for protection in cases of repeat violence, dating violence, or sexual violence;
- B. to obtain medical care and/or mental health counseling for the employee or a family or household member to address physical or psychological injuries resulting from domestic or sexual violence;
- C. to obtain services from a victim-services organization, including, but not limited to, a domestic violence shelter or program or a rape crisis center as a result of the act of domestic or sexual violence;
- D. to secure their home from the perpetrator of domestic or sexual violence or to seek new housing to escape the perpetrator;

- E. to seek legal assistance in addressing issues arising from the act of domestic or sexual violence or to attend and prepare for court-related proceedings arising from the act of domestic or sexual violence.

The leave shall be granted without pay and is subject to the following conditions:

- A. Except in cases of imminent danger to the health or safety of the employee or to the health and safety of a family or household member, the employee seeking the leave must provide appropriate advance notice along with sufficient documentation of the act of domestic or sexual violence as required by the administrative procedures implementing this policy.
- B. The employee shall be required to have exhausted all annual or vacation leave, personal leave, and sick leave prior to utilizing this leave.
- C. Pursuant to Florida statutes, the School Board shall keep information concerning leave for domestic or sexual violence confidential and exempt from disclosure.
- D. The School Board may not discharge, demote, suspend, retaliate, or in any other manner discriminate against an employee for exercising his/her rights under the provisions of this policy. However, this does not limit the School Board's right to discipline or terminate any employee for any reason, including, but not limited to, reductions in the work force or termination for cause.

Effective 7/1/12

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