

1                                   **APPROVAL OF EDUCATION ASSOCIATION**

2   **LEAVE**

3   2002 GENERAL SESSION

4   STATE OF UTAH

5   **Sponsor: Sheryl L. Allen**

6 **This act modifies the State System of Public Education Code by providing a definition of**  
7 **association leave and requiring a school district to adopt a policy that governs paid and**  
8 **unpaid association leave before they may be used by a school district employee. This act**  
9 **specifies the procedures and controls that shall be contained in a school district's paid**  
10 **association leave policy.**

11 This act affects sections of Utah Code Annotated 1953 as follows:

12 ENACTS:

13                   **53A-3-425**, Utah Code Annotated 1953

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

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

16                   **53A-3-425. Association leave -- District policy.**

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

20                   (2) Prior to any school district employee's participation in paid or unpaid association leave,  
21 a local school board shall adopt a written policy that governs association leave.

22                   (3) If a local school board adopts a policy to allow paid association leave, the policy shall  
23 include procedures and controls to:

24                   (a) ensure that the duties performed by employees on paid association leave directly  
25 benefit education within the school district;

26                   (b) require the school district to document the use and approval of paid association leave;

27                   (c) require school district supervision of employees on paid association leave;



- 28           (d) require the school district to account for the costs and expenses of paid association  
29 leave;  
30           (e) ensure that association leave is only paid out of school district funds when the paid  
31 association leave directly benefits education within the district; and  
32           (f) require the reimbursement to the school district of the cost of paid association leave  
33 activities that do not provide a direct benefit to education within the school district.
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**Legislative Review Note**  
**as of 1-24-02 8:51 AM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**