

## **Staff Victim Leave**

Any staff member with accrued paid sick leave may take sick leave for any of the following purposes:

1. to seek medical attention for the employee or the employee's family member to recover from a mental or physical illness, injury, or health condition caused by domestic abuse, sexual assault, or harassment;
2. to obtain services from a victim services organization;
3. to obtain mental health or other counseling;
4. to seek relocation due to the domestic abuse, sexual assault, or harassment;  
or
5. to seek legal services, including preparation for or participation in a civil or criminal proceeding relating to or resulting from domestic abuse, sexual assault, or harassment.

For the purpose of using paid sick leave to take victim leave, the term "family member" means a member of the employee's immediate family (a person who is related by blood, marriage, civil union, or adoption), a child to whom the employee stands in loco parentis or a person who stood in loco parentis to the employee when the employee was a minor, or a person for whom the employee is responsible for providing or arranging health- or safety-related care. Exceptions may be made by the executive director.

When applying accrued paid sick leave to take victim leave, the following crimes/actions are as defined in state law:

1. domestic abuse
2. harassment
3. sexual assault

Staff victim leave taken by using accrued paid sick leave will follow the provisions outlined in the Board's staff sick leave policy.

All information related to the employee's leave must be kept confidential and copies of any related documents retained by the BOCES must be marked confidential and stored in a secure location separate from routine personnel documents.

This leave applies to the following crimes/actions as defined in state law:

1. domestic abuse
2. stalking
3. sexual assault
4. any other crime where a court finds that the underlying factual basis includes an act of domestic violence

Adopted: March 11, 2021

LEGAL REFS.: C.R.S. 2-4-401 (*definition of immediate family*)  
C.R.S. 8-13.3-401 et seq. (*Healthy Families and Workplaces Act*)  
C.R.S. 24-34-402.7 (*unlawful action against employees seeking protection*)

CROSS REF.: GBGG, Staff Sick Leave