

**POWAY UNIFIED SCHOOL DISTRICT  
ADMINISTRATIVE PROCEDURE**

**Originator:** Assoc. Superintendent, PSS

**Issue No:** 3

**Date:** 7/29/91

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**Reference:** EC 44036-37; PC 65.600

**ARTICLE: 4.0 PERSONNEL SUPPORT SERVICES**

**4.3 CLASSIFIED PERSONNEL**

**4.305 COURT APPEARANCE**

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**SECTION 4.305.1 Court Appearance Leave**

**Regulations**

1. Leaves for court appearance shall be granted for the following:
  - a. Court appearance on behalf of the District - No loss of salary will be incurred.
  - b. When an employee is required to appear as a witness in court, other than as a litigant, or to respond to an official order from another governmental jurisdiction for reasons not brought about through the connivance or misconduct of the employee, a leave without loss of salary may be granted up to the amount of the difference between the employee's regular earnings and any amount he/she receives for witness fees.
  - c. Absence for other court cases may be handled by procedure outlined for Personal Leave, and will entail salary deduction (i.e., as a litigant). At his/her election, an employee may use accumulated sick leave days to cover absences for other court appearances; see Personal Necessity Leave.
2. Jury Duty
  - a. The District shall grant leave of absence to any employee called for jury duty. Compensation shall be granted up to the amount of the difference between the employee's regular earnings and amount as juror's fees (not including reimbursement for transportation expenses).
  - b. It is unlawful to encourage, solicit, or suggest that any employee seek exemption from such duty.
  - c. It is lawful to discuss with the employee the practicality of seeking exemption when such service would tend to disrupt materially the District's operations.

**Procedure**

1. Court Appearances
  - a. **Employee**
    - (1) Completes "Statement of Absence" (P-9) form, attaches official subpoena, and submits to appropriate manager or supervisor.
    - (2) Secures certification of attendance from the court and submits at the end of each calendar month or at the end of the tour of duty as witness, whichever occurs first.

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- (3) Any fee received by the employee will be deducted from employee's pay warrant the following month.
- (4) Manager/Supervisor – Endorses "Statement of Absence" (P-9) form and returns to Payroll Department.

2. Jury Duty

a. **Employee**

- (1) Notifies his/her immediate supervisor that he/she has received jury summons. (Employee and supervisor may discuss the practicality of seeking exemption when acceptance would tend materially to disrupt the District's operations.)
- (2) Responds as directed by agency issuing jury summons. If employee desires to request exemption, the employee should do so during conference with personnel in Jury Commissioner's office or in written response as required by agency issuing jury summons.
- (3) If subsequently ordered to report for jury service, completes a "Statement of Absence" (P-9) form by checking "Jury Duty" section, attaches official jury summons, and submits to school/department.
- (4) Submits certification of attendance to Payroll at the end of each calendar month or at the end of tour of duty as juror. Any fee received by the employee will be deducted from employee's pay warrant the following month. If no witness fee has been paid, a letter from the court stipulating this fact shall be forwarded to the Payroll Office, attached to the P-9.

b. **School/Department**

- (1) Endorses "Statement of Absence" (P-9) form and forwards to Payroll Department.