

6340 PARENTAL LEAVE

A staff member who gives birth may use provisions of the sick leave policy to receive pay for the time the mother is medically unable to work. The following provisions will apply to the administration of this policy:

1. A benefit covering compensated days for a period of up to six weeks (42 calendar days) will be available for staff members who have a medical disability (inability to perform the duties of their position) as determined by their physician and which is related to pregnancy, childbirth, or complications related to pregnancy.
2. Notification must be made in writing as soon as the staff member knows she is pregnant and expects to take advantage of this leave policy.
3. The maximum benefit will apply if the staff member has accumulated a sufficient number of days of sick leave. If the employee has accumulated less than a sufficient number of days of sick leave, the staff member shall be entitled to first use the days of accumulated sick leave. Any leave days remaining after use of all accumulated sick leave shall be taken as unpaid leave for the balance of the leave, or the staff member may elect to return to work with a physician's release. A staff member will be allowed to use additional accumulated sick leave days beyond the six week period of Parental Leave provided the staff member provides a certificate from a physician verifying that the staff member continues to be medically unable to work and also stating the duration of time that the employee will continue to be medically unable to work.
4. A staff member who does not desire to return to work immediately after medical recovery may request an extended leave consistent with Policy 6332 (Leave of Absence Without Pay) and Policy 6334 (FMLA).
5. Leave under policy 6335 Parental Leave ~~policy~~ runs concurrently with (not in addition to) FMLA leave available under Policy 6334. Parental Leave is provided in lieu of, not in addition to, every other type of paid leave available, including but not limited to 6335.1 Administrative Guidelines for Policy 6335.

Legal Reference: Pregnancy Discrimination Act, Public Law 95-555, 92 Stat. 2076 (1978)

Cross Reference: Policy 6332 CERTIFIED STAFF LEAVE OF ABSENCE WITHOUT PAY
Policy 6334 STAFF LEAVE OF ABSENCE WITHOUT PAY –
FAMILY AND MEDICAL LEAVE ACT
6334.1 Administrative Procedures and Regulations for 6334

Policy Adopted: 05.12.2016

6340.1 Administrative Guidelines

A staff member may use provisions of the 6335 Parental Leave policy to receive pay for time that the staff member needs for adjustment to the birth of his or her child or the adoption of a child. The following provisions will apply to the administration of this policy:

1. A benefit covering compensated days for a period of six weeks (42 calendar days) will be available for staff who have experienced the birth of their child or the adoption of a child. Leave under 6335.1 policy guidelines may not be added to leave available under 6335 policy.
2. The benefit will apply if the staff member has accumulated a sufficient number of days of sick leave to cover the six week period. If the staff member has accumulated less than a sufficient number of days of sick leave, the staff member shall be entitled to use his or her accumulated sick leave. Any days of leave remaining after use of all accumulated sick leave shall be taken as unpaid leave for the balance of the six week period, or the staff member may elect to return to work.
3. Notification must be made in writing to the staff member's immediate supervisor as soon as the staff member expects to take advantage of this form of leave.
4. A staff member who does not desire to return to work immediately after medical recovery may request an extended leave consistent with Policy 6332 (Leave of Absence Without Pay) and Policy 6334 (FMLA).
5. If parents or adoptive parents are employees of the School District, the provisions of both 6335 policy and 6335.1 policy guidelines can only be utilized by one parent.
6. This policy does not apply to the following adoptive situations:
 - a. where the child being adopted is a special needs child over 18 years of age;
 - b. a child who is over 8 years of age and is not a special needs child;
 - c. a stepchild being adopted by his or her stepparent;
 - d. a foster child being adopted by his or her foster parent; and/or
 - e. a child who was originally under voluntary placement for purposes other than adoption without assistance from an attorney, physician, or other individual or agency which later results in a petition for the adoption of the child by the person with whom the voluntary placement was made.
7. Leave under 6335 Parental Leave policy runs concurrently with (not in addition to) FMLA leave available under Policy 6334. Parental Leave is provided in lieu of, not in addition to, every other type of paid leave available to the staff member.