

## **NO LONGER USED**

**All Personnel**

**AR 4161.6**

### **LONG-TERM LEAVES: MATERNITY; ADOPTIVE; CHILD CARE**

Leave for maternity purposes may be taken in one of the following three ways:

1. A leave of absence for maternity purpose (Maternity Leave)
2. Sick leave for maternity purposes
3. Combining maternity leave and sick leave for maternity purposes

Whichever option is chosen by the employee the following rules shall apply;

1. Maternity Leave
  - a. Maternity leave is provided female employees who choose to be absent from their duties because of pregnancy or convalescence following childbirth.
  - b. The employee shall give notice of pregnancy to her school principal and/or the district office, together with the expected due date, and a physician's certificate verifying the pregnancy. This shall be done as soon as possible.
  - c. The employee shall, at the earliest date possible, in no event later than four weeks prior to the actual commencement of maternity leave, advise her school principal and/or the district office of the date on which she will commence maternity leave. She shall not continue to work beyond such date. She may commence maternity leave at an earlier date only if she becomes physically incapable of performing her duties when certified by her physician.
  - d. An employee who has commenced maternity leave shall not return to her duties until after her delivery or the pregnancy is otherwise terminated. She shall submit a notice of intent to return four weeks prior to resuming her position, request an extension of leave, or submit a resignation if not returning. She may return to her duties as soon after delivery or termination of pregnancy as she can provide a written statement, signed by her physician, certifying that she is physically and mentally able to return to

full-time employment. Maternity leave for a prior pregnancy shall not be resumed after having returned to full-time employment.

**All Personnel**

**AR 4161.6 (a)**

**LONG-TERM LEAVES: MATERNITY; ADOPTIVE; CHILD CARE (continued)**

- e. The maternity leave shall not exceed one year. Employees commencing maternity leave prior to the sixth school month shall return to work no later than the following September.

Employees commencing maternity leave after the fifth school month shall return to work no later than the following January.

- f. Maternity leave shall be without pay.
- g. Sick leave may not be taken during the period of time an employee is on maternity leave, unless the sick leave is for the condition of pregnancy, a sickness arising out of pregnancy, or the recovery from childbirth.
- h. Maternity leave does not interrupt earned years toward experience; however, the leave itself does not count as experience; however, the leave itself does not count as experience toward advancement, unless the employee works at least 75 percent (75%) of the work days during the year.

2. Use of Sick Leave for Maternity Purposes

An employee may apply for paid sick leave due to pregnancy when:

- a. Verified by a physician that she is not longer able to work due to the condition of pregnancy or the recovery from childbirth.
- b. That at the time of her release by the physician she shall return to her normal duties.

Should the length of sick leave exceed her accrued number of sick leave days, she will not be entitled to extra days of sick leave, except as provided in code for reduced pay sick leave.

Sick leave for maternity purposes shall begin at the date the physician decides that continued fulfillment of her duties would be detrimental to her health and shall terminate on the date her physician decides she can return to their normal job responsibilities.

**All Personnel**

**AR 4161.6 (b)**

**LONG-TERM LEAVES: MATERNITY; ADOPTIVE; CHILD CARE** (continued)

3. Combining Maternity Leave and Sick Leave for Maternity Purposes

Nothing in parts 1 or 2 above shall prevent an employee from combining maternity leave and sick leave for maternity purposes for the same pregnancy. The employee shall designate, prior to the first day of either type of leave, which days of absence shall be taken as maternity leave and which days shall be taken as sick leave.

Legal Reference:

EDUCATION CODE

44965	Granting of leaves of absence for pregnancy and childbirth
44978	Provisions for sick leave of certificated employees (the right to use sick leave for maternity purposes)
45193	Leaves of absence for pregnancy

Regulation Adopted:  
HS BD: 11/20/85  
EL BD: 7/6/82