

## **POST FALLS SCHOOL DISTRICT NO. 273**

Procedure Title: Certified Personnel, Leave and Absence

Section Title: Family and Medical Leave Pursuant to the Family and Medical Leave Act of 1994

Sub-Section No. 404.2a

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1. Leave because of the birth of a son or daughter of the employee and in order to care for such son or daughter or because of the placement of a son or daughter with the employee for adoption or foster care shall not be taken intermittently or on a reduced leave schedule unless the employee and the district agree otherwise or unless it is medically necessary. The employee shall submit to his/her supervisor his/her request for this leave at least thirty (30) days prior to the commencement date of such leave or at the earliest time reasonably practical if thirty (30) days prior notice is impractical. The entitlement to leave for a birth or placement of a son or daughter shall expire at the end of the twelve (12) month period beginning on the date of such birth or placement.
2. The certified employee shall provide proof of entitlement to the Family and Medical Leave Act leave requested.
3. Family and Medical Leave Act leave time shall be without pay. At either the employee's or the employer's option, paid accrued vacation and sick leave may be substituted for any qualified Family and Medical Leave Act leave. Such election shall not extend the Family and Medical Leave Act leave period.
4. The employee's coverage under the District's group health plan shall be maintained on the same conditions during the period of the employee's qualified Family and Medical Leave Act leave as coverage would have been provided if the employee had been continuously working during the leave period. It is incumbent upon the employee to continue paying the portion of the premiums the employee usually pays throughout the leave period. An employee's eligibility to maintain health insurance coverage will lapse if the premium payment is more than 30 days late. The district will mail notice of delinquency at least 15 days before the coverage will cease.
5. Instructional certified employees, including but not limited to "signers" for the hearing impaired, whose principal job is to teach and instruct students in a class, a small group or an individual setting, are subject to special rules and limitations under the Family and Medical Leave Act. (See particularly, 29 CFR Part 825, Subpart F.)
6. Except as provided for instructional and for "Key" employees as set forth in the Family and Medical Leave Act and 29 CFR Part 825, an employee taking Family and Medical Leave shall be restored to an equivalent position of employment held when the leave commenced if the employee returns to work upon termination of the permitted leave.
7. Taking of leave may be denied if requirements are not met.
8. The terms of the district policies on family and medical leave shall be interpreted in accordance with the federal Family and Medical Leave Act of 1994.

Adopted: 4/14/97

Updated: 11/14/22

Reviewed 2017, 2022