

MATERNITY LEAVE: 5402

A staff member may use accumulated, paid sick leave for the period of actual disability attributable to pregnancy or childbirth. This period of disability shall extend from the date of birth for a period of not more than sixty (60) days, unless an actual period of disability which begins prior to the date of birth or continues beyond sixty (60) days is otherwise verified in writing by the employee's physician.

If the employee's accumulated sick leave is exhausted during the period of maternity disability, the District shall grant a leave of absence without pay or fringe benefits, upon the staff member's request, for the remainder of the period of actual disability due to pregnancy or childbirth.

During any unpaid portion of such leave of absence, the staff member may pay the premiums for any District insurance plans to keep coverage in effect for the employee and her family.

Notice Required

A pregnant staff member is requested to notify her immediate supervisor and the Superintendent/designee by the beginning of the fifth month of pregnancy.

At the time of such notice the staff member shall submit a written request to her immediate supervisor and the Superintendent/designee for one (1) or more of the following:

- A. Maternity leave for the period of her actual disability due to pregnancy or childbirth;
- B. Family leave for a period of up to twelve (12) weeks, in addition to any period of maternity disability leave, the District will extend the employee's health benefit during this period of unpaid leave;
- C. Leave of absence for a period of up to the beginning of the next school term or school year. Such extended leave of absence may be approved at the discretion of the Superintendent/designee based upon consideration of educational program needs and the desires of the staff member, together with the recommendation of her personal physician or licensed practitioner; or
- D. Termination of employment by resignation.

The notice to the District shall include the approximate beginning and ending dates for the leave.

Employment Conditions

A pregnant staff member may continue working as long as she is capable of performing her normal duties, with the written approval of her physician or licensed practitioner.

The staff member may return to work when physically able to perform her duties. Before returning to her duties, the employee's personal physician or licensed practitioner shall certify that she is in good health and ready to resume her duties. The employee shall return to her duties at a time which she and her personal physician or licensed practitioner deem appropriate.

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The staff member shall return to her duties following an extended leave of absence on the date approved by the Superintendent/designee. If the employee is still experiencing a disability due to pregnancy, miscarriage, abortion, childbirth or recovery which prevents the employee from performing her duties on the scheduled date of return, an additional period of unpaid leave of absence may be approved at the discretion of the Superintendent/designee based upon consideration of educational program needs and the recommendation of the employee's personal physician or licensed practitioner.

Assignment Upon Return

An employee who has taken a leave of absence only for the actual period of disability relating to pregnancy or childbirth or up to twelve (12) weeks of family leave shall return to the same assignment, or a similar position for which she is qualified with at least the same pay and benefits, as she held prior to the maternity leave or family leave.

Upon return from an extended maternity leave, a staff member shall be entitled to a position in the district subject to the availability of a position for which she is qualified. An effort shall be made to place the staff member in her original position or in a comparable position.

Right To Apply For Other Leave

Nothing in this policy shall preclude a staff member's right to apply for any other applicable leave as provided by District policy.

Cross References:	Administrative Policy – 5400	Leaves of Absences
	Administrative Policy – 5401	Sick Leave
	Administrative Policy – 5404	Family and Medical Leave
	Administrative Policy – 5406	Leave Sharing
	Administrative Policy – 5409	Discretionary Leave
Legal References:	RCW 49.12.270	Sick leave, time off–Care of family members
	RCW 49.78	Family leave
	RCW 28A.400.300	Hiring and discharging employees–Written leave policies–Seniority and leave benefits of employees transferring between school districts and other educational employers
	WAC 162-30-020	Pregnancy, childbirth, and pregnancy related conditions
	WAC 357-31-525	What is an employee entitled to under the Family Medical Leave Act of 1993?
	P.L. 103-3	Family Medical Leave Act of 1993