

Maternity Leave Protocol

Alexander County Schools

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Executive Director

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Employees who anticipate the birth of a child should use the following procedure to communicate with the school district:

1. After pregnancy is confirmed by the physician, and when the employee feels comfortable in sharing the news with others, the principal or direct supervisor should be informed of the pregnancy and the approximate date of delivery. This allows the supervisor to make adequate plans for the continuation of services to students or for the task in which the employee is responsible. Information should be communicated within three months of the anticipated delivery and earlier if possible.
2. A brief letter from the employee and a supporting note from the doctor should be written to the Human Resources office, requesting available leave for the time the employee will be out of work. A copy should also be provided to the principal or supervisor.

The letter must communicate the following:

- Estimated date of delivery.
 - Normal or cesarean delivery if known.
 - Date of return to work.
 - Type of leave to be used.
 - Request for voluntary shared leave during the medically necessary time period for the delivery (six weeks for normal delivery and eight weeks for cesarean delivery). (The voluntary shared leave form must be completed.)
 - Request to petition the Board of Education if leave without pay is being used.
3. The employee should contact the Human Resources office for an appointment to review the leave requests, and to be sure all questions and concerns are addressed.
 4. The employee should keep the principal or immediate supervisor informed about the delivery date or any complications that cause a change in the amount of leave that has been requested.

The following information should be used to determine the type and amount of leave that can be taken for maternity:

1. With a normal delivery, up to six weeks of leave for the birth of the child may be taken.
2. If the delivery is by caesarian section, up to eight weeks of leave may be taken.
3. If the employee does not have enough leave to cover the six or eight week term, request for voluntary shared leave, extended sick leave (teachers) or leave without pay must be made, or the employee may return to work sooner, provided the physician has released the employee to resume work.
4. If the employee has sick leave balances greater than these terms, they may not take a longer period of time using sick leave, even though they may have sick leave balances to cover the extra days. In other words, even though you may have fifty days of sick leave, you cannot take off for ten weeks using sick leave, unless there are complications.
5. If the mother has complications that warrant additional time off, a doctor's letter is required to substantiate the need. The Human Resources office must be informed of the need in writing and provided with the doctor's letter.
6. When the employee initially contacts the Human Resources Department, a determination will be made as to the amount of leave balances that are currently held by the employee. After discussing the balance, the employee will be able to determine the amount and type of leave that may need to be taken.
7. The following types of leave may be taken:
 - a. Sick leave
 - b. Annual (vacation) leave. Normally, annual leave may not be used by certified staff who earn personal leave when students are in attendance, however, with maternity leave, employees may use their annual leave.
 - c. Bonus leave, if earned, may be used in the same manner as annual leave.
 - d. Voluntary shared leave may be requested for the duration of the six or eight weeks of medically necessary leave (based on the type of delivery).
Voluntary shared leave may not be used in excess of the normal six or eight weeks of leave.
 - e. Certified staff who qualify may request 20 days of extended sick leave during the six or eight-week period, after all other leave options have been exhausted. This option is not available for classified staff.
 - f. Teachers may use any available personal leave balance prior to using leave without pay.
 - g. Once the above leave options are exhausted, any time off will be leave without pay, and notice to the Board of Education for approval must be submitted.

8. Voluntary shared leave is an option during the medically necessary six to eight-week period of maternity leave. All sick leave, annual leave, and bonus leave must be used prior to requesting voluntary shared leave. If an employee requests additional time out of work beyond the six to eight weeks, voluntary shared leave may not be used.
9. The Family Medical Leave Act allows for up to twelve weeks of unpaid leave per year for an employee to provide care for a newborn, or family member with a serious illness. Any leave utilized during maternity leave is considered part of this provision and runs concurrently with FMLA. You may use the six weeks for a normal delivery or eight weeks for a caesarian, and then request additional time to complete the twelve weeks of family medical leave. Annual leave, bonus leave and leave without pay may be used during FMLA. Consideration needs to be given for the possibility of future needs to use leave.
10. All full-time permanent or part-time permanent employees may take a leave of absence without pay for up to one calendar year from the date of birth of the child. The local board may determine when the leave will begin and end, based on a consideration of the welfare of students and the need for continuity in the classroom.
11. If an employee delivers the child during the summer, the employee will be expected to return to work six weeks after the birth of the child in a normal delivery, or eight weeks for a cesarean delivery, unless there are substantiated complications. In other words, time computation starts with the delivery and not with the beginning date of school. Provisions for leave would apply as previously stated. The only change that the summer delivery date affects is the FMLA leave balance. The time off during the summer after the birth is not counted against the twelve weeks of the FMLA provision.