

**CHILDCARE LEAVE**

The Board may grant extended childcare leave to employees for the purpose of preparing and providing parental care for a natural, adopted, or foster child or children of the employee for an extended period of time. Leaves must be requested in accordance with regulations. Extended childcare leave shall be for a maximum of twelve months less paid and FMLA leave used.

**Benefits**

A person granted childcare leave shall not be entitled to receive any salary or fringe benefits during the duration of the extended leave.

**Return to Duty Requirements**

Intent to return to duty must be submitted in accordance with regulations. Classroom teachers may be subject to return to duty restrictions contained in Family Medical Leave Act regulations.

Failure to submit the written notice of intent to return in accordance with deadlines and procedures contained in regulations shall be deemed to be a voluntary resignation and waiver of the right to re-employment. The District shall attempt to contact and notify the employee on childcare leave of all such notification deadlines and procedures at least 30 days in advance.<sup>1</sup>

Instructional staff on childcare leave are still subject to the reduction-in- force policy.

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Complementing NDSBA Templates (may contain items not adopted by the Board)

- DDA, Sick Leave
- DDA-BR, Sick Leave Regulations
- DDAA, Family & Medical Leave Act
- DDAA-BR, Family & Medical Leave Act Regulations
- DDAA-E, Family & Medical Leave Act Law
- DDAD-[A][B]R, Child Care Leave Regulations
- DKA, Reduction-in-Force Policy

**End of Yellowstone Policy DDAD ..... Adopted: 6/16/2020**

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<sup>1</sup> Notifying employees of return to work deadlines is an essential procedural safeguard because this language on voluntary resignations has not been tested in court.