

Licensed Staff Maternity/Paternity/Parental Leave

Maternity leave

Sick leave for maternity purposes shall be available to any female employee who becomes pregnant. Such leave shall be allowed during such period of the pregnancy and a reasonable time immediately following termination of the pregnancy as is medically necessary to safeguard the health of the mother and/or the child. Accumulated sick leave days may be used for 30 contract days prior to and following the birth of a child. Additional sick leave usage prior to or after the birth of the employee's child shall require a written recommendation of the employee's physician.

1. Determination of Necessity

The determination and designation of the period of time during which leave is necessary may be initiated by either the employee or the school district. Final determination of such period including the beginning, duration and end of the period shall be made by the Board of Education.

2. Reinstatement

An employee who has taken leave in accordance with this policy shall be assured reinstatement at the beginning of the first semester following the end of the period of time during which leave is necessary. However, any leave granted shall in no way affect the powers or duties of the Board including but not limited to the non-renewal of a contract of a probationary teacher.

3. Notice

An employee who becomes pregnant shall be encourage to notify the superintendent or his designee regarding the pregnancy well in advance of the expected leave so that the district may make appropriate staffing decisions. When an employee is no longer pregnant, she shall notify the superintendent or his designee of this fact.

4. Benefits

An employee on maternity leave for medical necessity as determined by the employee's or the Board's physician shall receive pay, insurance and other benefits to the same extent and on the same basis as sick leave used for other purposes. Any additional leave granted by the Board for maternity purposes beyond that which is medically necessary shall be without pay or other sick leave benefits unless the provisions of the federally-mandated family leave policy apply.

Parental leave

Child care leave of absence without salary and fringe benefits shall be granted to professional staff members without regard to the sex of the teacher for the purpose of child rearing, child care or adoption. An employee shall adhere to the following terms and conditions:

Child care leave may be granted for the remainder of the academic year and/or for the next full academic year. In no case shall an employee be eligible for child care leave beyond the remainder of the first academic year and the full academic year following. At the request of the personnel office, the granting of child care leave may require evidence of need. If the child care leave request is refused by the personnel office, the staff member may appeal to the Board of Education based upon written professional recommendation.

Notice of intent to return from child care leave shall be given to the personnel office while the employee is on leave and before April 1 preceding the school year the employee requests to return to work. Upon return from child care leave, the employee shall be reinstated on the salary schedule at the column and step he was on when he was granted such leave.

Provided required notice has been given of the employee's intent to return to work, the district shall reinstate the employee and place him on the salary schedule at the appropriate level. A teacher being reinstated shall be placed in a teaching position as nearly identical as possible to the position left at the commencement of the leave. In no event shall a teacher be placed in a position for which he is not

qualified or certified The employee on child care leave may be permitted to substitute in the school district at the district-approved substitute rate of pay.

The provisions of this section shall apply after an eligible employee has used his entitlement of the federally-mandated family leave. Any days taken for family leave shall be deducted from the maximum consecutive years.

Nothing in this policy shall be construed to limit the powers or duties of the Board to make employment decisions for the district including but not limited to non-renewing a contract of a probationary teacher.

Adopted: May 24, 1988
Revised: September 28, 1993
July 12, 1994
September 23, 1997
November 27, 2012

LEGAL REFS.: 42 U.S.C. §2000e-2(a) (Title VII of the Civil Rights Act of 1964)
42 U.S.C. §2000e (k)
P.L. 103-3 (Family Medical Leave Act)
C.R.S. 19-5-211