

## PARENTAL LEAVE REGULATIONS

### Definitions

- *Birthing parent* is defined as an employee who is pregnant and births a child.
- *Non-Birthing parent* is defined as an employee who does not birth a child, but who becomes a parent through birth of a child by someone other than the employee, or placement through adoption or foster care.
- *Licensed employees/personnel* are defined as district staff working in positions that require licensure from the Educational Standards and Practices Board or an administrative credential from the Department of Public Instruction.
- *Classified employees/personnel* are defined as district staff working in positions that do not require licensure from the Educational Standards and Practices Board or an administrative credential from the Department of Public Instruction.

### Birthing Parental Leave

Full-time licensed employees and full-time 12-month classified employees of the district that are birthing parents shall receive forty (40) paid leave days to be used for recovery from childbirth. These paid days are in addition to any other paid leave the employee may have available. Birthing parental leave is not available for part-time employees.

If the employee is eligible for leave under the Family Medical Leave Act (FMLA), all leaves, including birthing parental leave, will be substituted for family and medical leave, and any substitution will count against the employee's family and medical leave entitlement under the FMLA.

### Non-Birthing Parental Leave

Full-time licensed employees and full-time 12-month classified employees of the district that are non-birthing parents shall receive fifteen (15) days of non-birthing parental leave within one year of birth, adoption, or foster care placement. Birthing parental leave is not available for part-time employees. All non-birthing parental leave days are to be deducted from the employee's sick leave. In the event accumulated sick leave is less than 15 days, any days used beyond those accumulated will be subject to a salary deduction following use of all other applicable leaves.

If the employee is eligible for leave under the Family Medical Leave Act (FMLA), all leaves, including non-birthing parental leave, will be substituted for family and medical leave, and any substitution will count against the employee's family and medical leave entitlement under the FMLA.

Employees who have taken birthing parental leave are not eligible for non-birthing parental leave for the same child.

### Application for Parental Leave

An application for birthing or non-birthing parental leave shall be filed with the Superintendent 30 days in advance of the requested leave and prior to the birth

or placement of the employee's child, unless otherwise approved by the Superintendent.

Intermittent leave is not available for birthing or non-birthing parental leave without prior approval from the Superintendent.

---

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-AR, Family & Medical Leave Act Regulations
- DDAA-E, Family & Medical Leave Act Law
- DDAE, Parental Leaves
- DKA, Reduction in Force Policy

**End of Jamestown Public School District DDAE-AR..... Adopted:7/18/2022  
Amended 2/3/2025**