



Frequently Asked Questions

CERTIFIED EMPLOYEE MATERNITY LEAVE

1. What is FMLA leave?

- It is **not paid leave**. This is a common misconception.
- FMLA is a **benefit** to eligible employees and a **federal law** designed to provide **job-protected** leave for up to 12 workweeks (60 days) in a 12-month period for a **qualifying** family or medical reason.
- FMLA protects your job.
- FMLA protects your benefits.
- **The school is required by law** to designate FMLA for eligible employees who have a qualifying family/medical absence lasting **more than 3 days** if the employee gives sufficient notice and submits sufficient documentation to the school.
- Employees are **eligible** when they have worked for the corporation 12 months and have worked at least **1,250 hours in the 12 months before the leave begins**.
- **Please note:** *Per School Board Policy 3101, any leave or return from leave during the last five (5) weeks of an academic term shall be reviewed individually by the Superintendent to minimize disruption to the students' program.*

2. Indiana allows teachers to take a non-FMLA Maternity Leave of Absence (LOA) for up to one-year.

- This leave is also **unpaid** and is a benefit for certified staff who do not yet qualify for FMLA or those extending leave beyond the 60 days of FMLA.
- This leave does not fall under the same guidelines of federal FMLA.
- The teacher has the right to return to a teaching position for which the teacher is certified or otherwise qualified under the rules of the state board.
- The school is not required to maintain the same benefit coverage during this period. You may maintain your coverage under the school plans by paying the **full premium (cost)** of insurance monthly. This means you would pay BOTH the employee and the school share of the premium.
- [Refer to Indiana Code 20-28-10-1 to 5](#)

3. Since FMLA is not a paid leave, how do I receive pay during my leave?

- You may **choose** to use your available **paid sick/personal days** along with FMLA days taken.
- If no days are used or once paid days are exhausted, then days off under FMLA are **unpaid**.
 - **5+ Unpaid Days?** School policy is to **pay out your contract** through your last day worked + any paid time off applied.
 - **Upon returning to work**, you would then receive a pro-rated contract for any **remaining** workdays in the school year and resume pay.
 - Payroll can provide a payout calculation to assist with the planning of your leave.
- If you have short-term disability, see the benefits section at the end of this document.
- **Special Note for Start of a School Year Leaves:** If you begin the school year on a leave of absence, please note that school policy dictates that your allotment of sick/personal days for the new school year will be given to you after you return to work from your maternity leave.

4. What documentation is required?

- The treating healthcare provider will need to complete the FMLA medical certification form and return to HR.
- HR will provide this form to you, and the completed form must be returned **within 15 days** of the date provided to you.
- Failure to submit an accurate and complete medical certificate by the deadline may result in denied leave. After review of your certification, you will be advised if FMLA requirements are met or if further information is necessary.
- Please also be aware that the school cannot post for your maternity leave coverage until this paperwork is on file in HR.

5. How are total FMLA days used counted?

- Total days used DO NOT include Breaks, Holidays, or Weekends.

6. Be Aware of Total Contract Days Worked:

- Per the teacher contract, certified staff must physically work **at least 120 days** during the contract year to be eligible for a pay increase during the review period of the following year.
- **For Example:** Most certified staff are contracted to work 185 days per year. In this example, if the leave extended longer than 65 days, the staff member would not be eligible to receive a pay increase the following year.

7. Time Off in SKYWARD:

- HR will enter your time off in our payroll system, Skyward, when your leave begins.

8. Position Subs in FRONTLINE:

- If your position requires a sub, work with your secretary/school to ensure a sub request is entered in FRONTLINE. HR does not update leaves in this system.

9. No Work While on Leave:

- Performing any work duties while on an approved leave from work is prohibited. This includes extracurricular activities, training sessions, etc.

10. Returning to Work Requirements

- Communicate with BOTH your **Supervisor** and **HR** when you anticipate your return.
- **Medical Release Required:** At least **two days prior** to your return date, you must submit via fax or email a **signed medical release** from your healthcare provider.
 - If this form is not on file in HR as requested, your return may be delayed or denied.
- *Failure to advise management of your availability to return to work, failure to return to work when notified, or your continued absence from work beyond the time approved by the school corporation will be considered a voluntary resignation of your employment.*

BENEFIT FREQUENTLY ASKED QUESTIONS:

1. If you have Short-Term Disability Insurance through Avon Schools:

- After baby is born, learn how to quickly file a claim: [Claims | American Fidelity](#) or call American Fidelity at 1 (800) 662-1113.
- **NOTE:** Disability payments come directly from the insurance company and not through ACSC.
- You CAN use paid time off to receive pay from Avon Schools during your leave AND collect short-term disability payments at the same time.

2. Continuation of Benefits + Payment of Benefit Premiums:

FMLA:

- Employees are responsible for continuing to pay **their** benefit premiums while under FMLA. The school will continue to pay the employer portion of benefit premiums.
- Normal payroll deductions will continue while receiving pay during your leave.
- If you go into **unpaid** status during FMLA leave, you will be billed for your premiums monthly. These must be paid by check. More information will be provided, as applicable.

IMPORTANT NOTICE - Non-FMLA LOA:

- During any **PAID** portion of non-FMLA leave, the school will continue to pay the employer portion of benefit premiums. Employees are responsible for continuing to pay **their portion**.
- During any **UNPAID** portion of non-FMLA leave, to maintain benefit coverage, you will become responsible for paying the **FULL COST** of premiums. These are typically billed monthly and must be paid by check. More information will be provided, as applicable.
- **FULL COST = Employee Portion + School Portion + 2% Administrative Fee**

3. Retirement Benefits

- If you continue to receive pay (through use of available paid time off) during your leave, the school will continue to make contributions to your retirement accounts.
- **If a leave goes into an unpaid status**, retirement account contributions will be paused during the unpaid portion of your leave and will resume once you return to work.
- For any **specific questions** on how an **unpaid leave of absence** affects your TRF/PERF retirement account, please **contact INPRS directly** at 1 (844) 464-6777 or visit <https://www.in.gov/inprs/>.

4. Can I Change My Benefits?

- Having a baby **is** considered a qualifying event which allows you to make changes to medical, dental, vision coverage outside of the annual open enrollment period.
- Changes must be requested and processed **within 30 days from baby's birth**. There are no exceptions to this.
- You can either drop coverage or add coverage for any qualifying dependents at this time.
- **Adding Benefits:** You must provide a copy of the "hospital confirmation of birth" letter if adding baby. If adding spouse or other children for first time, marriage license and birth certificates must be provided.
- **Cancelling Benefits:** If dropping medical, you must provide proof of coverage under new plan.
- **Benefit Plan & Cost Information is available on the ACSC Staff Portal:**
[Benefits - Avon Community School Corp \(avon-schools.org\)](#)