

INSTRUCTIONAL STAFF/ADMINISTRATIVE 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.

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 based on information provided by a physician designated by the Board of Education.
2. Reinstatement An employee who has been granted maternity leave shall be assured reinstatement following the end of the period of time during which maternity leave is necessary. However, any maternity leave 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 will be in need of a maternity leave should notify the superintendent or his designee regarding the need for the leave as soon as possible.
4. Benefits An employee on maternity leave for medical necessity as determined by the employee's or the Boards' 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

Childcare 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, childcare or adoption. An employee shall adhere to the following terms and conditions:

Childcare leave may be granted for a period of time not to exceed a maximum of two consecutive school years. At the request of the personnel office, the granting of childcare leave may require evidence of need. If the childcare 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 childcare 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 childcare 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 of two 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.

ADOPTION DATE: January 15, 1985

REVISED AND ADOPTED: September 19, 1990

REVISED AND ADOPTED: April 15, 1992

REVISION DATE: April 17, 1996

REVISION DATE: November 20, 2002

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

NOTE: Federal law requires that there be no discrimination based on pregnancy or maternity in any district policies including sick leave.