

LAKELAND CENTRAL SCHOOL DISTRICT
Department of Human Resources

PROCEDURAL GUIDELINES:
Maternity, Paternity, Child-Care, Adoptive Leaves

Board of Education **Policy #4152.3**, deals with Maternity/Paternity/Adoptive Leave and reads as follows:

“Upon recommendation of the Superintendent and approval of the Board of Education, a leave of absence without pay of up to two (2) continuous years may be granted to any employee upon application for a maternity/paternity/adoptive leave. An employee returning from this leave shall be placed on that step of the salary schedule from which they went on leave.”

The following guidelines delineate the steps employees should follow in the event he/she wish to utilize the provisions of the Board Policy for leaves of this nature. The information incorporates implementation of the Family Medical Leave Act (FMLA) provisions, district procedures on subsequent assignments, and any other appropriate contractual provisions.

I. Maternity Leave:

Any employee who will need to be absent from work due to a pregnancy related disability will be treated in the same manner as if she was suffering from any other illness or disability.

The employee should contact the Department of Human Resources as soon as she is aware of the need to utilize sick leave to cover an absence due to pregnancy. When contacting the Director of Human Resources, the employee should know the approximate date she will first be absent as indicated by her personal healthcare provider. From this date through the delivery, and for the recuperative period afterward, this period of time can be covered by accumulated sick leave*. If the individual does not have sufficient sick leave accumulated to cover the absence, she may make application to the Sick Leave Bank for further benefits (*note: the employee must be an eligible, contributing member of the Sick Leave Bank in order to take advantage of the benefits*).

When contacting the Department of Human Resources, the employee will be asked to provide a completed Request for Leave Form (see attached) indicating her first day absent and the expected duration of the recuperative period. In addition, she will be required to furnish a Medical Certification of Health Condition (see attached). This initial Certification must be submitted to the Department of Human Resources immediately. Under normal conditions, healthcare providers prescribe six (6) to eight (8) weeks of recuperation for pregnancies. In the event a longer period of time is needed, available benefits will be provided based upon the employee’s healthcare provider’s recommendation, and, if necessary, the Sick Leave Bank Doctor’s recommendation and authorization by the Sick Leave Bank Committee.

***Note:** It is assumed that the recuperative period commences from the date of delivery, so if the employee's delivery occurs when school is not in session (i.e., holiday week or summer vacation), that amount of time will be counted toward the employee's prescribed recuperative period.

As with any illness or disability, while any employee is on **PAID** maternity leave, her position, including building and grade level assignment, remains intact. In addition, if the District pays for any portion of her health insurance premium, it will continue to do so while she is on paid leave.

If the employee is not a member of the Sick Leave Bank, utilizes all of her accumulated sick leave, and is then placed on an unpaid leave, she will be subject to the provisions described below. Please note, the twelve (12) weeks provided for by the FMLA for pregnancy related disabilities begin with the first date absent from work, whether paid or unpaid.

II. Child-Care Leave Following Maternity Leave:

Once the employee's healthcare provider has determined that she has recuperated and is now able to return to her duties, the employee must decide whether she will return to work immediately, or request an unpaid leave of absence. If she returns to work immediately, the employee resumes the same building and grade level assignment she vacated, providing the position still exists. If the position no longer exists, she is subject to the District's reassignment procedures or contractual provisions.

If the employee elects to take an unpaid leave of absence, she must submit an amended Leave Request Form to the Director of Human Resources as soon as possible. The leave of absence can be requested for one of the following durations:

1. If the employee prefers, she may request an unpaid leave in conjunction with the 12-weeks time period provided for by the FMLA. Again, the weeks an individual is absent on paid leave are also included in this period. For example, if the employee is absent two weeks prior to the baby's birth, recuperates for eight weeks thereafter, and wishes to be absent on unpaid leave only for the length of the FMLA, she would have two additional weeks on unpaid leave remaining at which time she must return to work. Note: While covered under the provisions of the FMLA, the District will continue to pay its portion of the Health Insurance premium for the individual.

- OR -

2. If the employee prefers an unpaid leave longer than the 12 weeks, she may request a leave the length of which **must terminate in conjunction with the end of a school semester***. Note: Once the 12-week period provided for under the FMLA has expired, the employee will be responsible for 100% of the Health Insurance Premium if she elects to continue coverage. The maximum length of time for an unpaid leave of this nature is two continuous years.

Note: As with any leave of absence request, once an employee requests and is granted an UNPAID leave, including unpaid time under the provisions of the FMLA, her assignment upon return to work will be based upon available vacancies. The exact building assignment and grade level that she left may not necessarily be available.

III. Paternity, Child-care or Adoptive Leave:

In the event an employee is adopting a child, or requesting a child-care or paternity leave, the individual may request use of his/her personal days to tend to the care of his/her spouse during the birth of the child, or care of the adopted child. This paid period will generally be up to five (5) days duration; based upon the number of days the employee has available at the time the adoption or birth occurs. In the event unusual circumstances exist, the individual may request, in writing, special consideration for additional time from the Director of Human Resources. **Note: Each situation is considered on a case-by-case basis and is not precedent setting. In addition, there is no allowance for utilization of the Sick Leave Bank under these provisions.**

After the employee's paid period has been exhausted, the individual may request an unpaid leave of absence, submitting a Request for Leave Form to the Director of Human Resources, for one of the following durations:

1. If the employee prefers, he/she may request an unpaid leave in conjunction with the 12-weeks time period provided for by the FMLA. Note, the time an individual is absent on paid leave is also included in this period. For example, if the employee is absent for five (5) days (the total allotment of personal leave) during the baby's birth or adoption, and wishes to be absent on unpaid leave only for the length of the FMLA, they would have eleven additional weeks on unpaid leave remaining at which time they must return to work. **Note: While covered under the provisions of the FMLA, the District will continue to pay its portion of the Health Insurance premium for the employee.**

- OR -

2. If the employee prefers an unpaid leave longer than the 12-weeks, they may request a leave the length of which must terminate in conjunction with the end of a semester*. **Note: Once the 12-week period provided for under the FMLA has expired, the employee will be responsible for 100% of the Health Insurance Premium if they elect to continue coverage.** The maximum length of time for an unpaid leave of this nature is two continuous years.

Note: As with any leave of absence request, once an employee requests and is granted UNPAID leave, including unpaid time under the provisions of the FMLA, his/her assignment upon return to work will be based upon available vacancies. The exact building assignment and grade level that they left may not necessarily be available for them.

In all the above situations, upon return to work, the employee is placed on the step of the salary schedule from which they went on leave. In any situation, please contact a Human Resources representative for more in-depth, personal information to help you in making your decisions.

***Note:** All such leaves without pay shall conclude in conjunction with the end of a school semester, except at the discretion of the Director of Human Resources. A teacher may make a written request for an exception from the foregoing, provided that such request is made at least thirty (30) days in advance of the desired return date.