

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. 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 the employee, the employee's physician, the administration and if deemed necessary by a physician designated 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 encouraged 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 or absence without salary and fringe benefits may be granted to professional staff members for the purpose of child rearing, child care of adoption. Child care leave may be granted for a period of time not to exceed a total of 90 work days for each employee. The leave need not be taken all at once, but must be taken in increments which coincide with the planning needs of the district.

In determining whether to grant the leave request, the district will consider any special needs of the child, the professional staffing needs of the district and any other relevant factors. The district will grant a child care leave of absence without regard to the sex of the teacher.

The request for leave will be made to the personnel office of the district. If the child care leave request is refused by the personnel office, the staff member may appeal to the Board of Education.

If the leave period is for an entire school year, notice of intent to return from leave must be given to the personnel office before April preceding the school year the employee wishes to return to work. If the leave is for a period less than an entire school year, notice of intent to return shall be given at least three months prior to the date the employee wishes 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 or she was on when granted leave.

As long as proper notice has been given of the employee's intent to return to work, the district shall reinstate the employee and place him or her 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.

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 only after an eligible employee has used the entitlement of the federally-mandated family leave. Any days taken for family leave will be deducted from the total leave period allowed under this policy.

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

Adopted: April 6, 1987
Reviewed: November 17, 2015

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