



# Bullitt County Public Schools

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**TO:** Dr. Jesse Bacon, Superintendent *JB*  
Mrs. Adrienne Usher, Assistant Superintendent  
Ms. Becky Sexton, Assistant Superintendent

**FROM:** Althea Hurt, Director of Human Resources *AH*

**DATE:** July 13, 2021

**RE:** Item for the July Board Meeting - Policy Changes - Maternity Leave

Presented is the first reading of updates to policies 03.1233 (Maternity Leave Certified) and 03.2233 (Maternity Leave Classified). The policy updates have been reviewed by Board Counsel Farris, Buckman, and Mills. Changes include adding clear language concerning summer births, deliveries during breaks, and requests for donated days during maternity leave. The purpose of the updates is to make sure the language in our Board policies is clear and concise, reflective of the state laws.

## CERTIFIED PERSONNEL

**Maternity Leave****PAID SICK LEAVE**

Childbirth and recovery therefrom, which prevent the employee from performing assigned duties, shall entitle the employee to sick leave benefits as provided in Board Policy 03.1232.

An illness of the newborn shall entitle the employee to sick leave benefits as provided in Board Policy 03.1232.

An employee may use up to thirty (30) days of sick leave immediately following the birth or adoption of a child or children. Additional sick leave days may be used when the need is verified by a physician's statement. If holidays and/or breaks occur (winter, spring, summer, fall) during the six-week period after the birth, such holidays or breaks ~~also would~~ will not extend the six-week period for a teacher to use sick leave. Additional sick leave days may be used when the need is verified without a doctor's note.

An employee shall not be ~~ineligible~~ to make Sick Leave Bank requests or Donated Requests for purposes of maternity except in cases involving complications.

**UNPAID MATERNITY LEAVE ([KRS 161.770](#))**

On written request, the parent of a newborn or the employee who adopts a child or children shall be granted unpaid leave of absence for the remainder of the school year in which the birth or placement occurred. Thereafter, leave may be extended for an additional one (1) school year.

Employees on maternity leave shall notify the Superintendent in writing of their intent to return to the school system on or before the date prescribed in Policy 03.123. Employees who fail to notify the Superintendent of their return by the date prescribed in Policy 03.123 cannot be guaranteed employment for the following school year.

Employees taking a maternity leave will be entitled on return to a comparable position for which they are qualified. Placement in the same position or the same school cannot be guaranteed.

**FMLA**

In compliance with the Family and Medical Leave Act of 1993, eligible employees are entitled to up to twelve (12) workweeks of unpaid leave to care for the employee's child after birth or placement of a child with the employee for adoption or foster care. Leave to care for an employee's healthy newborn baby or minor child who is adopted or accepted for foster care must be taken within twelve (12) months of the birth or placement of the child.

**REQUEST FOR MEDICAL INFORMATION**

Per [KRS 161.770](#), the Board may only request medical information necessary to decide whether to grant a leave of absence; shall not request or retain unnecessary medical information; and shall not disclose any medical information received, except as permitted by state and federal law.

**REFERENCES:**

[KRS 161.155](#); [KRS 161.770](#)

[OAG 80151](#); [OAG 8443](#); [OAG 8666](#)

Family and Medical Leave Act of 1993

**Maternity Leave**

**RELATED POLICIES:**

03.123; 03.1232; 03.12321; 03.12322

Adopted/Amended: 8/26/2019  
Order #: 2019-251



## CLASSIFIED PERSONNEL

**Maternity Leave****PAID SICK LEAVE**

Childbirth and recovery therefrom, which prevent the employee from performing assigned duties, shall entitle the employee to sick leave benefits as provided in Board Policy 03.2232.

An illness of the newborn shall entitle the employee to sick leave benefits as provided in Board Policy 03.2232.

An employee may use up to thirty (30) days of sick leave immediately following the birth or adoption of a child or children. Additional sick leave days may be used when the need is verified by a physician's statement. If holidays and/or breaks occur (winter, spring, summer, fall) during the six-week period after the birth, such holidays or breaks also will not extend the six-week period for a teacher to use sick leave. Additional sick leave days may be used when the need is verified without a doctor's note.

An employee shall not be ineligible to make Sick Leave Bank requests or Donated Requests for purposes of maternity except in cases involving complications.

**UNPAID MATERNITY LEAVE**

On written request, the parent of a newborn or the employee who adopts a child or children shall be granted unpaid leave of absence for the remainder of the school year in which the birth or placement occurs. Thereafter, leave may be extended for an additional one (1) school year.

Employees on maternity leave shall notify the Superintendent in writing of their intent to return to the school system on or before the date prescribed in Policy 03.223. Failure to do so will render the position vacant.

Employees taking a maternity leave will be entitled on return to a comparable position for which they are qualified. Placement in the same position or the same school cannot be guaranteed.

**FMLA**

In compliance with the Family and Medical Leave Act of 1993, eligible employees are entitled to up to twelve (12) workweeks of unpaid leave to care for the employee's child after birth or placement of a child with the employee for adoption or foster care. Leave to care for an employee's healthy newborn baby or minor child who is adopted or accepted for foster care must be taken within twelve (12) months of the birth or placement of the child.

**REFERENCE:**

Family & Medical Leave Act of 1993

**RELATED POLICIES:**

03.223  
03.2232  
03.22321  
03.22322

Adopted/Amended: 6/16/2014

Order #: 488