

- CERTIFIED PERSONNEL -**Maternity Leave****PAID CHILDBIRTH RECOVERY/SUPPORT LEAVE**

An eligible certified employee giving birth to a child shall be granted up to thirty (30) days of paid childbirth recovery leave once each rolling twelve (12) month period for self-care and recovery under the following conditions:

1. The employee shall submit a written request at least thirty (30) calendar days prior to the expected start date of the leave, or as soon as is practicable given the circumstances.
2. The leave shall be taken on a continuous basis and may not be taken intermittently or on a reduced leave basis.
3. The leave shall be taken immediately on the employee's first contract day after the birth of the child and expires six (6) weeks after the date of birth regardless of whether a full thirty (30) days of leave has been taken.
4. Unused paid childbirth recovery leave shall not accrue from year-to-year and shall not be transferrable to any other classification of paid leave established by Board policy.
5. An employee is eligible for paid childbirth recovery leave if the employee is a full-time employee of the District and in active pay status or on an approved leave during the employee's scheduled work year. Part-time, temporary, seasonal and substitute employees and student workers are not eligible for paid childbirth recovery leave.

An eligible certified employee who is a spouse/partner of a woman giving birth shall be granted up to five (5) days of paid childbirth support leave in the first three(3) weeks under the conditions outlined above.

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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 or following the birth of a child to the extent paid childbirth recovery leave is not available. Additional sick leave days may be used when the need is verified by a physician's statement.

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

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 not to exceed the remainder of the school year in which the birth or placement occurred. Thereafter, leave may be extended in increments of no more than one (1) 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 80-151](#); [OAG 84-43](#); [OAG 86-66](#)
Family and Medical Leave Act of 1993

RELATED POLICIES:

03.123; 03.1232; 03.12322

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