



TO: BOARD OF DIRECTORS

FROM: Maurene Stanton, Executive Director of Human Resources

SUBJECT: Third Reading Policy 5402 Maternity Leave

DATE: March 15, 2022

TYPE: Action Required

This is the third reading of updated Personnel Policy 5402 Maternity Leave with gender based pronouns removed. This policy is identified as an essential policy by WSSDA.

Recommendation: That the board approves the third reading of policy 5402 Maternity Leave.

MATERNITY LEAVE

A staff member may use accumulated, paid sick leave for the period of actual disability attributable to pregnancy or childbirth. This period of disability shall extend from the date of birth for a period of not more than 60 days, unless an actual period of disability, which begins prior to the date of birth or continues beyond 60 days, is otherwise verified in writing by the employee's physician.

If the employee's accumulated sick leave is exhausted during the period of maternity ~~disability~~, the district shall grant a leave of absence without pay or fringe benefits, upon the staff member's request, for the remainder of the period of actual disability due to pregnancy or childbirth. The staff member may be eligible for insurance contributions if ~~she~~ the staff member qualifies under the Family and Medical Leave Act.

During any unpaid portion of such leave of absence, the staff member may pay the premiums for any district insurance plans to keep coverage in effect for the employee and ~~her~~ the employee's family.

Notice Required

A pregnant staff member is requested to notify ~~her~~ the immediate supervisor and ~~the~~ superintendent no less than thirty (30) days prior to anticipated date of birth. The notice to the district shall include the approximate beginning and ending dates for the leave.

At the time of such notice the staff member shall submit a written request to ~~her~~ the employee's immediate supervisor and the superintendent or designee for one or more of the following:

- A. **Maternity leave** for the period of ~~her~~ actual disability due to pregnancy or childbirth;
- B. **Family leave** for a period of up to 12 weeks, in addition to any period of maternity disability leave, the district will extend the employee's health benefit during this period of unpaid leave;
- C. **Leave of absence** for a period of up to the beginning of the next school term or school year. Such extended leave of absence may be approved at the discretion of the superintendent based upon consideration of educational program needs and the desires of the staff member, together with the recommendation of ~~her~~ the employee's personal physician or licensed practitioner; or
- D. **Termination** of employment by resignation.

Employment Conditions

A pregnant staff member may continue working as long as the staff member is capable of performing normal duties, with the written approval of the employee's physician or licensed practitioner.

The staff member may return to work when physically able to perform essential duties. If the employee intends to return to work within 60 days of childbirth, the employee's personal physician or licensed practitioner must certify that the staff member is in good health and ready to resume essential duties.

No later than 30 days after the date of birth, the staff member is requested to notify the superintendent or designee of the specific date when ~~she~~ the staff member shall return to work. Unless the superintendent approves an earlier date of return, the employee shall give at least 14 days advance notice of the actual date of return.

The staff member shall return to ~~her duties~~ duty following an extended leave of absence on the date approved by the superintendent or designee. If the employee is still experiencing a disability due to pregnancy, miscarriage, abortion, childbirth or recovery which prevents the employee from performing ~~her~~ essential duties on the scheduled date of return, an additional period of unpaid leave of absence may be approved at the discretion of the superintendent or designee based upon consideration of educational program needs and the recommendation of the employee's personal physician or licensed practitioner.

Assignment Upon Return

An employee who has taken a leave of absence only for the actual period of disability relating to pregnancy or childbirth or up to twelve weeks of family medical leave shall return to the same assignment, or a similar position for which ~~she~~ the staff member is qualified with at least the same pay and benefits, ~~as she~~ held prior to the maternity leave or family leave.

Upon return from an extended maternity leave, a staff member shall be entitled to a position in the district subject to the availability of a position for which ~~she~~ the employee is qualified. A reasonable effort will be made to return the staff member in the original position or in a comparable position. ~~to her same placement, or to a reasonably equivalent position with equivalent compensation.~~

Right To Apply For Other Leave

Nothing in this policy shall preclude a staff member's right to apply for any other applicable leave as provided by board policy.

Legal References:	RCW 28A.400.300	Hiring and discharging employees – Leave for employees
	RCW 49.78	Family Leave
	WAC 162-30-020	Maternity
	WAC 296-134	Family Leave
	P.L. 103-3	Family and Medical Leave Act of 1993

Adoption Date: 8.17.93
Stanwood-Camano School District
Revised: 6.17.03; 3.07.17;