ADMINISTRATIVE POLICY

The online version of this policy is official. Therefore, all printed versions of this document are unofficial copies.

MATERNITY/PARENTAL LEAVE

It is the policy of the Clarksville-Montgomery County School System (CMCSS) to grant eligible employees maternity and/or parental leave in accordance with the provisions of the Family and Medical Leave Act (FMLA) and the Tennessee Maternity Leave Act (TMLA).

Maternity/parental leave for employees is granted upon request provided, the employee submits the required forms to the Human Resources Director at least thirty (30) days prior to the beginning date; however, the thirty (30) day notice may be waived or reduced by the Human Resources Director with a certified statement from a physician. The required forms must include the dates for beginning and ending the leave and date employee will return to position at CMCSS. Adoption of a child or placement of a foster child constitutes a valid reason for requesting this leave. Proof of the adoption or the foster care placement must accompany the request.

Duration of approved requests will be in compliance with FMLA and TMLA. Requests for additional time will be reviewed on a case-by-case basis to ensure student and CMCSS needs are being met. Positions vacated for less than twelve (12) months by certified employees on leave will be filled with an interim employee for such time as the certified employee is on leave. Upon return of said certified employee within twelve (12) months, the interim employee relinquishes the position and the certified employee returns thereto. If the leave exceeds twelve (12) months, the certified employee will be placed in the same or a comparable position upon return from leave.

Requests for an additional twelve (12) month extension are granted one (1) time only. The Chief Human Resources Officer considers these leave extension requests on a case-by-case basis in light of the needs of CMCSS.

With respect to maternity leave, the employee is required to use any or all of her accumulated sick leave only during the period of her physical disability, as determined by a physician's statement confirming the employee's inability to work. The beginning and ending dates of the leave and the period of the employee's physical disability may, or may not, coincide. The remaining portion of maternity leave will be without pay unless employee has accrued vacation or personal days.

Sick leave may be used by employees for parental leave for a period not to exceed thirty (30) days of accumulated sick leave for the birth and care of a newborn child and up to 8 weeks (40 work days) of sick leave for caesareans. The remaining portion of parental leave will be without pay unless the employee has accrued vacation, personal or comp leave.

In accordance with Tennessee Code Annotated, an employee may use thirty (30) days of accumulated sick leave for adoption of a child. If both adoptive parents are employed with CMCSS, only one (1) parent is entitled to use paid sick leave. Written verification from an adoption agency, or other entity handling the adoption, will be required.

Time spent on leave without pay is not counted for retirement purposes or as years of service in placing the employee on the salary schedule.

The Tennessee Maternity Leave Act also entitles eligible employees to a four-month leave of absence in connection with adoption, pregnancy and childbirth. If a leave qualifies for both FMLA and Tennessee Maternity Leave Act, the leave will be taken concurrently under both laws.

Implementing Procedures: HUM-P006 Leave of Absence Request

Associated Documents: HUM-G004 Maternity Leave Guide
HUM-M001 Employee Handbook
HUM-A016 FMLA Policy

T.C.A. 4-21-408, Tennessee Maternity Leave Act
The Family Medical Leave Act of 1993, Federal Regulations Part 825

Revision History:

Date:	Rev.	Description of Revision:
5/02/05		Initial Release
11/17/08	A	Fifth paragraph last sentence, change “chooses to use” to “has accrued”.
8/17/09	B	Changed wording in 2nd paragraph from “a certified statement of a physician” to “with a certified statement from a physician”, changed the word “entitle” to “required” in 5th paragraph, added HUM-G004 as an associated document.
1/18/10	C	Add “In accordance with Tennessee Code Annotated, an employee may use thirty (30) days of accumulated sick leave for adoption of a child. If both adoptive parents are employed with CMCSS, only one (1) parent is entitled to use paid sick leave. Written verification for an adoption agency, or other entity handling the adoption, will be required” To fifth paragraph
1/13/14	D	Change responsibility to Human Resources Director; Add to third paragraph “Duration of approved requests will be in compliance with FMLA and TMLA. Requests for additional time will be reviewed on a case-by-case basis to ensure student and CMCSS needs are being met.”
11/9/15	E	Added paternity leave to policy. Updated associated documents.
12/7/15	F	Third paragraph, added certified for clarification.
2/22/16	G	Changed paternity to parental throughout. Added placement of foster child.
10/17/16	H	Added up to 8 weeks for caesarean to para.6.

End of Policy