



Paid Parental and Family Leave

Model Policy | ExcelinEd Policy Toolkit - 2024

Section 1. Purpose

The Paid Parental and Family Leave Act aims to support school employees during significant life events, including the birth or adoption of a child, as well as family health emergencies. The Act offers Eligible Employees up to [XX] weeks of Paid Parental Leave, intended for use during childbirth, adoption, placement through foster care, bonding time, and parental responsibilities related to the health and well-being of the child, in accordance with all other rules and regulations of the state. The Act also provides Eligible Employees [XX] weeks of Paid Family Leave to care for a family member facing a serious health condition or emergency. Participation in the Paid Parental and Family Leave program is required.

Section 2. Definitions

1. As used in this section, these terms have the following meanings:

- a. “Child” is a newborn biological child, adopted child under the age of eighteen, or foster child in state custody under the age of eighteen.
- b. “Covered Individual” is an individual who has applied for and received approval for either Paid Parental Leave or Paid Family Leave.
- c. “Department” is the state Department of Education, or its designee, which is charged with establishing and overseeing the regulations, guidance and procedures related to this Act.
- d. “Eligible Employee” is any individual employed full-time by a public school district or corporation for at least three months.
 - i. If an employee has not worked for a three-month period, weekly scheduled work hours during their employment shall be used to determine eligibility.
- e. “Leave Wage” is the compensation provided to an employee during Paid Parental Leave or Paid Family Leave.
- f. “Paid Family Leave” is ____ weeks of leave with ___% of a Covered Individual’s average weekly wage to care for a family member (a biological/foster/adopted child, parent, grandparent, grandchild, sibling, spouse or domestic partner) facing a serious health condition or emergency.
- g. “Paid Parental Leave” is ____ weeks of leave with ___% of a Covered Individual’s average weekly wage following the birth, adoption, or foster placement of a child.

Section 3. Paid Parental and Family Leave Application Process

1. The Department shall create an application form for Eligible Employees that shall include, at minimum:
 - a. The anticipated start date.
 - b. The expected duration.
 - c. Supporting documentation as specified by the Department.
2. Eligible Employees shall submit application forms to their participating school district. The district shall collect, approve, and manage requests.
3. An Eligible Employee shall notify the employer at least 30 days before the start of leave if foreseeable; otherwise, the Eligible Employee shall notify the employer as soon as possible.

Section 4: Paid Parental and Family Leave Return Process

1. A Covered Individual shall notify the district ___ weeks before their return date.
 - a. The notification shall include the exact return date and any required documentation.
2. Upon return, Covered Individuals shall be reinstated to their previous position with the same terms, conditions, bonuses, grants, and promotion opportunities as before their leave.

Section 5. Paid Parental and Family Leave Entitlement and Conditions

1. Any Covered Employee may be entitled to up to [XX] weeks of Paid Parental Leave and [XX] weeks of Paid Family Leave in any twelve-month period, with no more than one occurrence of each type of leave in that period.
2. During the Paid Parental Leave or Paid Family Leave period, Covered Individuals shall receive no less than [XX]% of their average weekly wage.
 - a. The entitlement to Paid Parental Leave expires at the end of the twelve-month period beginning on the date of such birth or initial legal placement.
3. If both parents are Covered Employees, Paid Parental Leave may be taken concurrently, consecutively, or at a different time than the other Covered Employee.
4. School district holidays shall not be counted against paid leave.
 - a. Teacher workdays or non-student days shall be counted as part of paid leave.
5. Leave granted under this section is not deducted from the Covered Employee's accrued leave balance.
6. An Eligible Employee does not have to exhaust all other forms of leave before being able to take leave granted under this section.

Section 6: District Responsibilities

1. Participating school districts shall submit an annual data report to the Department that includes the following information:
 - a. The number of Covered Employees in the district.
 - b. The number of employees who used Paid Parental Leave.
 - c. The number of employees who used Paid Family Leave.
 - d. The number of teachers who joined, stayed or left the district throughout the year.

Section 7: Funding

1. The Paid Parental and Family Leave program may be funded by an annual appropriation determined by the Legislature. Options for funding include:
 - a. Full state-funding
 - b. A cost-sharing agreement between the Department and a participating school district or corporation.
2. If using a cost-sharing agreement, the Department shall:
 - a. Determine the rules outlining the management of the agreement, reimbursement processes and other related procedures.
 - b. Provide supplemental funding to districts that serve [XX]% of low-income students.
3. The Department shall annually report the number of participating school districts on a public website or portal.

Section 8. Effective Date

This Act shall take effect upon becoming law.