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**Postpartum and Parental Leave
Policy Series: 5000 Personnel**

**Policy No. 5400
Procedure 12**

Definitions:

1. "Birth parent" means: (a) the biological mother of a child, (b) a man whose paternity of a child is established, (c) a man who has been identified as the father of a child by the child's birth mother who has not denied paternity, or (d) an unmarried biological father.
2. "Paid leave hours" means leave hours the District provides to an employee who accrues paid leave benefits in accordance with District policies, including annual, vacation, sick, paid time off, or any other type of leave that may be taken while still receiving compensation. It includes but is not limited to paid parental leave or paid postpartum recovery leave.
3. "Parental leave" means leave hours provided to a parental leave eligible employee.
4. "Parental leave eligible employee" means an employee who accrues paid leave in accordance with District leave policies who is (a) a birth parent, (b) legally adopting a minor child (except when the employee's spouse is the child's pre-existing parent), (c) the intended parent of a child born under a validated gestational agreement under Utah Code Title 78B Chapter 15, Part 8, or (d) appointed the legal guardian of a minor child or an incapacitated adult.
5. "Postpartum recovery leave" means leave provided to a postpartum recovery leave eligible employee to recover from childbirth at 20 weeks or greater gestation.
6. "Postpartum recovery leave eligible employee" means an employee who accrues paid leave in accordance with District leave policies who gives birth to a child at 20 weeks or greater gestation.
7. "Qualified employee" means a parental leave eligible employee or a postpartum recovery leave eligible employee.

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42 8. "Unmarried biological father" means a man who is the biological father of a child but who
43 was not married to the biological mother at the time of the child's conception or birth.
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46 **Postpartum Recovery Leave**

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48 Beginning July 2025, an eligible employee who is full-time may take up to three (3) work weeks
49 of paid postpartum recovery leave. The amount of leave for eligible employees who are part-
50 time or who work up to forty hours is the prorated amount reflecting the amount by which the
51 employee works ~~less than or more than full-time~~[1]. This leave is additional to and is not
52 charged against any other type of paid leave the employee has. The leave must be taken
53 beginning with the date of birth unless a health care provider certifies that it is medically
54 necessary to begin the leave earlier. The leave must be used in a single continuous period
55 unless prior written authorization otherwise is given by the Superintendent or the Human
56 Resources Director. This leave is consecutive to parental leave and concurrent with FMLA
57 leave. The leave allowance is not increased if more than one child is born from the same
58 pregnancy.

59
60 An eligible employee shall give the District at least 30 days' notice before the date the employee
61 plans to begin using postpartum recovery leave and before the date the employee plans to stop
62 using postpartum recovery leave, unless circumstances beyond the employee's control prevent
63 giving the notice. In that case, the employee shall give the notice as soon as reasonably
64 practicable.
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67 **Parental Leave**

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69 Beginning July 2025, an eligible employee who is full-time may take up to three (3) work weeks
70 of paid parental leave in a 12-month period. The amount of leave for eligible employees who are
71 part-time or who work more than full-time is the prorated amount reflecting the amount by which
72 the employee works less than or more than full-time. This leave is additional to and is not
73 charged against any other type of paid leave the employee has. The leave cannot be taken
74 before the date of the event making the employee eligible for the leave and must be taken within
75 six (6) months following the date of the qualifying event. The leave may not be used on an
76 intermittent basis unless the District and the employee mutually agree in writing to intermittent
77 use or unless a health care provider certifies that intermittent leave is medically necessary due
78 to a serious medical condition of the child to whom the leave relates. This leave is concurrent
79 with FMLA leave. The leave allowance is not increased if more than one child is born from the
80 same pregnancy, more than one child is adopted, or the employee is appointed as the guardian
81 of more than one child or incapacitated adult.
82

83 An eligible employee shall give the District at least 30 days' notice before the date the employee
84 plans to begin using parental leave, unless circumstances beyond the employee's control

85 prevent giving the notice. In that case, the employee shall give the notice as soon as reasonably
86 practicable.

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89 **Notice of Leave Benefits**

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91 The District shall provide written notice to all employees regarding a qualified employee's right
92 to use postpartum recovery leave and parental leave.

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95 **Legal References:**

96

97 [Utah Code § 53G-11-209\(1\)\(a\) \(2024\)](#)

98 [Utah Code § 53G-11-209\(1\)\(b\) \(2024\)](#)

99 [Utah Code § 53G-11-209\(1\)\(c\) \(2024\)](#)

100 [Utah Code § 53G-11-209\(1\)\(d\) \(2024\)](#)

101 [Utah Code § 63A-17-511\(1\)\(d\) \(2024\)](#)

102 [Utah Code § 53G-11-209\(1\)\(e\) \(2024\)](#)

103 [Utah Code § 63A-17-511\(1\)\(d\) \(2024\)](#)

104 [Utah Code § 53G-11-209\(1\)\(f\) \(2024\)](#)

105 [Utah Code § 78B-6-103\(28\) \(2024\)](#)

106 [Utah Code § 53G-11-209\(2\)\(a\), \(c\), \(4\) \(2024\)](#)

107 [Utah Code § 63A-17-511\(2\)\(a\)\(ii\), \(4\) \(2024\)](#)

108 [Utah Code § 63A-17-511\(5\) \(2024\)](#)

109 [Utah Code § 53G-11-209\(2\)\(a\), \(c\), \(4\) \(2024\)](#)

110 [Utah Code § 63A-17-511\(2\)\(a\)\(i\), \(3\) \(2024\)](#)

111 [Utah Code § 63A-17-511\(5\) \(2024\)](#)

112 [Utah Code § 53G-11-209\(2\)\(d\) \(2024\)](#)

113 [Utah Code § 78B-6-103\(10\), \(11\) \(2024\)](#)

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116 **Board Approved:**

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