

**TENTATIVE AGREEMENT**  
**Scotts Valley Unified School District**  
**and**  
**Scotts Valley Education Association**  
**June 5, 2017**  
**Time: 1:00**

**Article 9 Leaves**

**9.8 ~~Maternity and Child Rearing Leaves~~ Leave for Pregnancy Disability, Baby Bonding (Parental Leave), Child Adoption and Foster Care**

**9.8.1 General Provisions**

~~An applicant for a paid or unpaid leave of absence pursuant to this section shall submit to the District Personnel Office a written statement from her physician indicating the last day the employee is able to work and the expected date of return to duty. Such statement shall be provided at least sixty (60) calendar days prior to the requested commencement of Maternity Leave, except in the case of an unforeseen disability, in which event the statement shall be provided as far in advance as possible.~~

9.8.1.1 "Pregnancy Disability Leave" as used in this section 9.8 means leave for a physical or mental condition related to pregnancy or childbirth that prevents an employee from performing essential duties of her job.

9.8.1.2 "Parental leave" as used in this section 9.8 means leave for reason of the birth of a child of the employee, or the placement of a child with an employee in connection with the adoption or foster care of the child by the employee.

9.8.1.3 The leaves pursuant to this section will run concurrent with the Family Medical Leave Act (FMLA) as required by law.

**9.8.2 ~~Paid Leave~~ Pregnancy Disability Leave**

9.8.2.1 An employee who must be absent from work due to disability caused or contributed to by pregnancy, miscarriage, childbirth, or recovery therefrom, as verified by a statement of her physician, may utilize accumulated Sick Leave, or be paid the differential salary as provided in the Sick Leave provisions of this Agreement.

**9.8.3 ~~Return to Duty~~**

~~9.8.3.1~~

9.8.2.2 An employee in need of Pregnancy Disability Leave pursuant to this section 9.8.2 shall submit to the District Personnel Office a written statement from her physician indicating the last day the employee is able to work and the expected date of return to

duty. Such statement shall be provided at least sixty (60) calendar days prior to the requested start date of the Pregnancy Disability Leave, except in the case of an unforeseen disability, in which case the statement shall be provided as far in advance as possible.

9.8.2.3-Prior to return to duty from a ~~paid Maternity Leave~~ Pregnancy Disability Leave, the employee must provide a statement from her physician that she is ~~physically able to~~ released to resume her regular duties.

### **9.8.3 ~~Child-Rearing~~ Parental Leave (Paid or Unpaid)**

9.8.3.1 Employees eligible for CFRA (California Family Rights Act) leave may choose to take up to twelve (12) workweeks of parental leave under the CFRA. Pursuant to California Ed Code Section 44977.5, current and accrued sick leave will be applied toward these 12 workweeks of parental leave until sick leave is exhausted. After sick leave is exhausted, the employee may use differential leave for the balance of this twelve-workweek parental leave period. If an employee has already used five months of differential leave, the twelve-workweek maternity or paternity leave will be unpaid.

9.8.3.2 Pursuant to California Ed Code Section 44977.5, an eligible employee will only be provided one twelve-workweek period for parental leave in which differential leave may be used. If the school year ends before this twelve-workweek period is exhausted, the employee may take the balance of the twelve-weeks of differential pay in the subsequent school year if the employee chooses to continue his or her parental leave.

9.8.3.3 An employee requesting Parental Leave pursuant to this section 9.8.4 shall submit to the District Personnel Office a request for such leave and any required supporting documentation at least sixty (60) calendar days prior to the requested start of the Parental Leave.

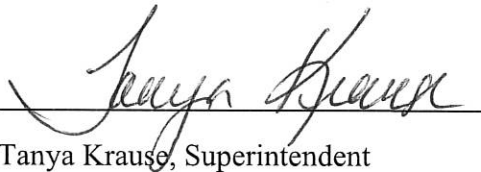
#### **9.8.5 Extended Parental Leave**

The Board of Trustees may grant an extended and unpaid leave of absence not to exceed one (1) school year to an employee for the purpose of caring for his/her newly born or adopted child or for foster care of a child. No later than ~~three months~~ sixty (60) calendar days prior to the conclusion of the first ~~year of~~ parental leave and upon written request, the Board of Trustees may grant an additional unpaid leave of absence of up to one (1) ~~additional consecutive~~ year. ~~A father or adopting mother may take up to 10 days of accumulated sick leave within 4 weeks after the birth or placement of a child in the home. If approved, this~~ Unpaid Parental Leave will be without any pay, district-paid health and welfare benefits, or any other compensation benefit. An employee will not accrue sick leave while on Unpaid Parental Leave. However, an employee shall have the option to continue health and welfare benefits at his/her own expense.



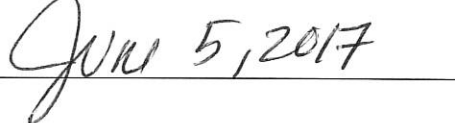
John Magliato

Scotts Valley Education Association

  
Date

Tanya Krause, Superintendent

Scotts Valley Unified School District

  
Date