

**5.9.13**     Paid Parental Leave. Employees who have been employed by the Board, the State of Alabama or any agency or local educational agency of the State for at least twelve consecutive months immediately preceding the occurrence of a qualifying event occurring on or after July 1, 2025, shall be eligible to receive Paid Parental Leave (PPL), subject to provisions and procedures set out in this policy. Unless stated otherwise, terms in this policy shall have the same definition as provided in Ala. Code §36-6A-1 *et seq.*

a. Qualifying events under this policy shall include:

- i. The birth, stillbirth, or miscarriage of a child (as defined by Ala. Code §36-6A-1).
- ii. The adoption of a child (age three or younger at the time of placement) by the employee.

b. Eligibility and Duration of Paid Parental Leave.

- i. A female employee shall be entitled to up to 8 weeks of PPL in connection with the birth, stillbirth, or miscarriage of her child.
- ii. A male employee shall be entitled to up to 2 weeks of PPL in connection with the birth, stillbirth, or miscarriage of his child.
- iii. An employee shall be entitled to up to 8 weeks of PPL in connection with placement of a child with the employee for adoption, provided the child is 3 years of age or younger at the time of placement. If both parents who jointly adopt the child are employees, one shall be entitled to 8 weeks of PPL and the other shall be entitled to 2 weeks of PPL, subject to rules adopted by the State Board of Education.
- iv. For purposes of this policy, prior to a birth as a qualifying event, “in connection with the birth” shall include (1) attending prenatal appointments or other visits to the employee’s Health Care Provider due to the expected birth of a child; (2) hospitalization in expectation of the birth of a child; or (3) following a Health Care Provider’s order regarding limitation of the mother’s physical activity prior to an expected birth.
- v. For purposes of this policy, prior to an adoption as a qualifying event, “in connection with the placement of a child with the employee for adoption” shall include (1) meeting with an attorney regarding adoption of the child; (2) hosting in-home visits necessary for the completion of the adoption; (3) attending judicial proceedings regarding the adoption; (4) attending counseling sessions regarding the adoption; (5) submitting to a physical

examination required for the adoption; or (6) traveling to another state or country to complete an adoption. The referenced term, however, shall not include foster care or the placement of a child for any other temporary, non-adoption purpose.

- c. Except as provided below, at least 30 days prior to the date of requested commencement, employees must adhere to the following procedure when requesting PPL:
  - i. The employee must submit a fully completed certification form as provided by the Alabama State Department of Education or the Board in support of the request for PPL, as well as proof of a qualifying event acceptable to the Human Resources Department.
  - ii. The employee must provide the Human Resources Department a written plan regarding the intended use of PPL and any other leave the employee intends to take in connection with the qualifying event.
  - iii. The employee must sign a *Return to Work Agreement* in which the employee must agree that the employee will not separate from employment for a period of at least eight (8) weeks following the conclusion of any PPL taken in connection with the qualifying event; provided, however, that the employer may waive the employee's commitment made under the Return to Work Agreement in circumstances in which the employee is unable to return to work due to a serious health condition of the employee or a serious health condition of a member of the employee's immediate family.
  - iv. In the event an emergency prevents the employee from completing the foregoing requirements prior to taking PPL, the employee shall complete the requirements as soon as practicable after the emergency has ended, including providing sufficient documentation to establish the occurrence of a qualifying event.
- d. If the employee fails to comply to return to work and remain employed for the full eight weeks required by the return-to-work agreement, absent a waiver from the board, the Board may recover from the employee, by offset or otherwise, an amount equal to the employee's hourly rate of pay multiplied by the number of hours the employee failed to work in compliance with the agreement.

- e. PPL may be taken intermittently or on a reduced leave schedule, subject to the following limitations:
  - i. All PPL shall be used within 365 days of the qualifying event, or within 365 days of the for the beginning of the employee's PPL for the qualifying event, whichever occurs sooner.
  - ii. Requests for intermittent or reduced leave schedule use of PPL must be agreed submitted to and agreed by the Board in advance of such use of PPL.
- f. PPL taken under this policy shall run concurrently with leave taken under Ala. Code §25-1-61 and under the Family and Medical Leave Act, 29, U.S.C. §2611, et seq. The total leave available to be taken as parental leave, whether paid or unpaid, shall not exceed the amount of all leave then available to the employee under the Family and Medical Leave Act or Ala. Code §25-1-61, unless the employee seeks and the Board approves an extended leave of absence based on extraordinary or extenuating circumstances.
- g. Upon expiration of an employee's PPL, the employee shall be restored to the position he or she held at the time of the qualifying event, or to an equivalent position with equivalent seniority, status, benefits, pay and other terms and conditions of employment, including where applicable, the grade taught prior to taking PPL.
- h. Upon restoration of the employee following expiration of PPL, the employee will be eligible to receive any cost-of-living increase or merit increase to which the employee would have been entitled had the employee not taken PPL.
- i. Administration and Limitations on Value of Paid Parental Leave
  - i. PPL shall be paid at 100% of the employee's base pay.
  - ii. PPL shall remain at 100% of the employee's base pay for the duration of the leave as if the employee worked continuously from the beginning of the PPL until the employee's return from such leave.
  - iii. PPL shall not require an employee to use, or exhaust, sick leave, annual leave, or any other paid leave.
  - iv. PPL has no cash value.
  - v. Unused PPL may not be used to calculate an employee's retirement benefits.

- vi. Unused PPL does not roll over and may not be reserved for use during a subsequent qualifying event or be paid to the employee.
  - vii. During an employee's use of PPL, the Board shall continue to pay the employer's contribution required to maintain health care benefits the employee had at the time of the qualifying event, for the duration of the employee's use of PPL.
  - viii. The employee shall be responsible for continuing to pay the employee's share of health care benefits, if any, required of the employee prior to the commencement of PPL.
  - ix. An employee may only receive PPL in connection with one qualifying event within any 365 day period, even if more than one qualifying event occurs.
- j. Upon employment, the Human Resources Department shall provide each employee with notice of their rights and obligations under this policy.
- k. This policy is adopted to comply with Ala. Code §36-6A-1 *et seq.* and any regulation promulgated by the Alabama State Department of Education related to PPL. The Superintendent or his designee shall ensure implementation of this policy in coordination with the Human Resources Department in a manner consistent with the applicable statute, rules, and regulations.

[Reference ALA. CODE §36-6A-1 *et seq.* and §25-1-61 ; 29 U.S.C. §2611]