

1 **Bainville K-12 Schools**

2  
3 **PERSONNEL**

5329

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5 Long-Term Illness/Temporary Disability/Maternity Leave

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7 Employees may use sick leave for long-term illness or temporary disability, and, upon the  
8 expiration of sick leave, the Board may grant eligible employees leave without pay if requested.  
9 Medical certification of the long-term illness or temporary disability may be required, at the  
10 Board’s discretion.

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12 Long-term illness or temporary disability shall be construed to include pregnancy, miscarriage,  
13 childbirth and recovery therefrom. Maternity leave includes only continuous absence  
14 immediately prior to delivery, absence for delivery, and absence for post-delivery recovery, or  
15 continuous absence immediately prior to and in the aftermath of miscarriage or other pregnancy-  
16 related complications. Such leave shall not exceed six (6) weeks unless prescribed by a  
17 physician.

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19 Leave without pay arising out of any long-term illness or temporary disability, including  
20 pregnancy, miscarriage, childbirth and recovery therefrom, shall commence only after sick leave  
21 has been exhausted. The duration of leaves, extensions, and other benefits for privileges such as  
22 health and long-term illness or temporary disability plans in the event of maternity leave, shall  
23 apply under the same conditions as other long-term illness or temporary disability leaves.

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25 The Superintendent shall devise procedures within the intent of Title VII of the 1964 Civil  
26 Rights Act as amended in 1978 by the Pregnancy Discrimination Act, and within the scope of  
27 applicable law and court rulings in the state of Montana.

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31 Legal Reference:       § 49-2-310, MCA     Maternity leave – unlawful acts of employers  
32                             § 49-2-311, MCA     Reinstatement to job following pregnancy-related  
33   leave of absence  
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35 Policy History:

36 Adopted on: 2/25/08  
37 Reviewed on:  
38 Revised on: