



MOT Charter Paid Parental Leave Policy

PAID PARENTAL LEAVE POLICY AND PROCEDURES

Effective Date: June 20, 2025

1. Purpose and Scope

The purpose of this policy is to provide guidelines under which eligible employees may exercise their right to take paid parental leave upon the birth or adoption of a child pursuant to Section 1333 of Title 14 of the Delaware (“Section 1333”).

This policy applies to eligible full-time and part-time employees who care for a child during the first year following the child’s birth, lawful adoption placement, adoption, or initial placement through foster care.

2. Definitions

- a. **Eligible employee** means any employee who has been employed by a reorganized school district, charter school or vocational school district for at least 12 months or 52 weeks and have worked at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave.
- b. **12 weeks of paid parental leave** means 12 work weeks. The fact that a holiday may occur within a week of paid parental leave has no effect in that the week counts as a week of paid parental leave. If, however, an employee is not expected to work for five (5) or more consecutive business day (e.g. school closing for Winter Break, Spring Break, or Summer Break), those days will constitute an “extended break” and not count against the employee’s paid parental leave entitlement.
- c. **Intermittent leave** is leave taken in separate blocks of time due to a single qualifying reason. If an employee works less than 12 months in a year, paid parental leave taken for a period ending at the end of a school year, and resuming at the beginning of the following school year, is leave taken consecutively rather than intermittently.



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- d. **Reduced leave schedule** is a leave schedule that reduces an employee's usual number of working hours per workweek, or per workday.
- e. **Paid parental leave** refers to the paid leave taken pursuant to Section 1333(a).
- f. **Parent** - legal parent as evidenced by birth certificate, an adoption order, or other legal document acceptable to the School.
- g. **Child** - A "son" or "daughter" is a biological, adopted, step or foster child, a legal ward, or a child of a person standing "in loco parentis" under age 18, or age 18 or older and incapable of self-care because of a mental or physical disability at the time that leave under the FMLA is to commence.
- h. **Multiple births, adoptions, or foster care placement** - mean more than one child is born from the same pregnancy, or more than one child who is adopted or placed through the same adoption or foster care process, or on the same date, regardless of age.
- i. **FMLA / STD** - refers to the Family Medical Leave Act. STD refers to Short Term Disability.
- j. **Written Notice** means written notice to the School's Human Resources officer or other designated School official.

3. Paid Leave Entitlement

- a. Effective January 1, 2025, an eligible employee (as defined above) shall be entitled to 12 weeks of paid parental leave upon the birth of a child of the employee, upon adoption by the employee of a child, or upon foster care placement of a child. Multiple births, adoptions or foster care placements do not increase the length of paid parental leave. An employee's entitlement to paid parental leave is determined on the date of the birth of a child, adoption, or foster care placement of a child.
- b. Paid parental leave is for the purpose of caring for and bonding with the child. If the employee is not caring for and bonding with the child, the employee is not eligible for paid parental leave and the employee must consult with the appropriate School official to determine whether another form of leave is applicable and available.



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If, for whatever reason, parental leave commences and thereafter the child is no longer in the care of the employee, the paid parental leave shall terminate.

The school may take disciplinary action, up to and including termination, against an employee who uses Paid Parental Leave for purposes other than those set forth in this policy.

c. The entitlement to paid parental leave shall expire at the end of the 12-month period beginning on the date immediately following the birth, adoption or foster care placement creating the entitlement to paid parental leave. If, for example, an employee entitled to paid parental leave takes 6 weeks of paid parental leave during this 12-month period, there will be no entitlement to take the remaining 6 weeks of paid parental leave subsequent to the expiration of the 12-month period following the birth or adoption creating the entitlement to paid parental leave.

If an employee receiving paid parental leave terminates employment prior to the end of the 12-month period, there shall be no payment for unused paid parental leave.

d. Parental leave may be used in one continuous period of time (12 calendar weeks) or, subject to approval by the school, an employee may request parental leave in two (2) week or longer increments, provided that the entire parental leave entitlement (maximum 12 weeks) is used within eighteen (18) weeks of the start of the parental leave.

e. If two school employees are eligible for paid parental leave for the same birth or adoption, each of the employees is eligible for 12 weeks of paid parental leave. Paid parental leave for the employees ends at the expiration of the 12-month period beginning on the date immediately following the birth, adoption or foster care placement.

f. Once the employee indicates the day they would like to begin their paid parental leave (this may be the day of birth, adoption or foster care placement or it may be a later date consistent with this policy), their first week paid parental leave will be the first 5 business days inclusive of this beginning date.

If an extended break begins during the middle of a week of paid parental leave, the week of paid parental leave would be placed on hold and resume on the first business day following the extended break.



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Parental leave shall be charged as a full day regardless of the daily number of hours used, worked or necessary to supplement STD benefits.

Prior to the start of the first leave period, employees will provide plans or notes to ensure operational continuity. These would include such things as classroom lesson plans, identification of likely temporary functional replacements, etc.

4. Use of Sick Leave in lieu of Paid Parental Leave

a. Employees who are not eligible for paid parental leave may use accumulated sick leave upon the birth or adoption of a child pursuant to Section 1333(c). The right to use accumulated sick leave pursuant to Section 1333(c) is without regard to length of employment.

b. Employees eligible for paid parental leave cannot use accumulated sick leave to extend paid parental leave upon the birth or adoption of a child beyond the 12 weeks of paid parental leave provided by Section 1333(a), unless otherwise approved by the School.

5. Impact of Leave on FMLA Entitlement and Short-Term Disability

a. The use of paid parental leave, or the use of accumulated sick leave under § 1333(c), shall run concurrently with FMLA leave and STD. If, for example, an eligible employee who is also eligible for FMLA uses 12 weeks of paid parental leave, the use of the 12 weeks of paid parental leave will also result in the use of 12 weeks of FMLA leave. When the use of paid parental leave runs concurrently with STD, STD shall pay 75% of the employee's salary, and paid parental leave shall pay 25% of the employee's salary. In the event that the employee requires leave before the actual birth or adoption due to medical reasons, or to fulfill legal adoption obligations, other available leaves shall be used in accordance with the policies in the employee handbook.

b. While on approved parental leave, the School will continue to pay the employer portion of the employee's elected benefits and deduct the employee share from the employee's paycheck, as normal.



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- c. Employees on parental leave will continue to earn service credit and retirement contributions, as normal. Annual and sick leave accruals also will continue.

6. Notice and Certification

- a. If an employee intends to take paid parental leave upon the birth of the employee's child, the employee shall provide the School written notice of intent to take paid parental leave at least 30 days' in advance of the expected date of birth.
- b. If an employee intends to take paid parental leave based upon the adoption of a child, the employee must provide written notice of intent to take paid parental leave at least 30 days in advance of the adoption if the adoption is foreseeable. If the date of adoption is not foreseeable, or the child is born earlier than expected, the employee shall provide the School written notice of the date of adoption or birth as soon as possible. This written notice must include the anticipated dates requested, including whether or not the leave is to be intermittent, and if so the specific leave periods requested.
- c. If an employee requests paid parental leave based upon the birth or adoption of a child, the employee shall provide documentation of the birth or adoption within 30 days of the birth or adoption, or as soon as documentation is available. The name of a legal parent must appear on the birth certificate, a legal document establishing paternity, or a legal document establishing adoption. Situations where a legal document cannot be provided at the time of birth or adoption, or within a reasonable time thereafter, will be considered on a case by-case basis. Legal documents considered include a report of birth, a birth certificate, and an adoption order. The documents provided shall show the date of the birth or adoption age of the adopted child, and name of the parent(s). An employee's stepchild is not the child of the employee, unless the employee adopts the stepchild.

7. Amendment or Repeal of Section 1333

The School reserves the right to revise or rescind this policy. If Section 1333 is amended, the policy will be revised to conform the policy to the amendment. If Section 1333 is repealed, this policy is null and void.



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8. Effective and Revision Dates

The initial policy takes effect on April 1, 2019.

Revision 1 - Approved March 27, 2019. Revision clarified the definition of written notice.

Revision 2 - Approved June 18, 2025. Revision expanded the definition of eligible employee to include those who work 1250 in a 12-month period, added the definition of child, and expanded leave for adoption regardless of child's age.

Revision 3 – Approved October 15, 2025. Revision expanded eligibility to include Foster Care Placement.