

POLICY 3091

Postpartum and Parental Leave

A. Definitions

1. "Adoption leave" means paid leave the District provides to an adoption leave eligible employee.

[Utah Code § 53G-11-209\(1\)\(a\) \(2026\)](#)

2. "Adoption leave eligible employee" means an employee who accrues paid leave in accordance with District leave policies who is legally adopting a young child, unless the employee is the spouse of the pre-existing parent.

[Utah Code § 53G-11-209\(1\)\(b\) \(2026\)](#)

3. "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.

[Utah Code § 81-13-101\(10\), \(11\) \(2025\)](#)

4. "Child" means an individual younger than 18 years old.

[Utah Code § 53G-11-209\(1\)\(c\) \(2026\)](#)

5. "Foster leave" means paid leave the District provides to a foster leave eligible employee.

[Utah Code § 53G-11-209\(1\)\(d\) \(2026\)](#)

6. “Foster leave eligible employee” means an employee who accrues paid leave in accordance with District leave policies who is the foster parent of a child.

[Utah Code § 53G-11-209\(1\)\(e\) \(2026\)](#)

7. “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.

[Utah Code § 53G-11-209\(1\)\(a\) \(2026\)](#)

8. “Parental leave” means paid leave hours provided to a parental leave eligible employee to bond with a child or incapacitated adult.

[Utah Code § 53G-11-209\(1\)\(g\) \(2026\)](#)

9. “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 81, Chapter 5, Part 8](#), or
- d. appointed the legal guardian of a ~~minor~~ child or an incapacitated adult.

[Utah Code § 53G-11-209\(1\)\(h\) \(2026\)](#)

10. “Postpartum recovery leave” means paid leave provided to a postpartum recovery leave eligible employee to recover from childbirth at 20 weeks or greater gestation.

[Utah Code § 53G-11-209\(1\)\(i\) \(2026\)](#)

[Utah Code § 63A-17-511\(1\)\(h\) \(2026\)](#)

11. “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.

[Utah Code § 53G-11-209\(1\)\(j\) \(2026\)](#)
[Utah Code § 63A-17-511\(1\)\(h\) \(2026\)](#)

12. “Qualified employee” means a parental leave eligible employee or a postpartum recovery leave eligible employee, **an adoption leave eligible employee, or a foster leave eligible employee.**

[Utah Code § 53G-11-209\(1\)\(k\) \(2026\)](#)

13. “Unmarried biological father” means a man who is the biological father of a child but who was not married to the biological mother at the time of the child’s conception or birth.

[Utah Code § 81-13-101\(27\) \(2025\)](#)

14. **“Young child” means an individual younger than six years old.**

[Utah Code § 53G-11-209\(1\)\(m\) \(2026\)](#)

B. Postpartum Recovery Leave

1. An eligible employee who is full-time may take up to 3 work weeks of paid postpartum recovery leave. The amount of leave for eligible employees who are part-time or who work more than full-time is the prorated amount reflecting the amount by which the employee works less than or more than full-time. This leave is additional to and is not charged against any other type of paid leave the employee has. The leave must be taken beginning with the date of birth unless a health care provider certifies that it is medically necessary to begin the leave earlier. The leave must be used in a single continuous period unless prior written authorization otherwise is given by the Superintendent or the human resources director. This leave is concurrent with FMLA leave. The leave allowance is not increased if more than one child is born from the same pregnancy.

[Utah Code § 53G-11-209\(2\)\(a\)\(ii\), \(c\), \(5\) \(2026\)](#)
[Utah Code § 63A-17-511\(4\) \(2026\)](#)

- a. An eligible employee shall give the District at least 30 days’ notice before the date the employee plans to begin using postpartum recovery leave and before the date the employee plans to stop using postpartum recovery leave unless circumstances beyond the employee’s control prevent giving the notice. In that case, the employee shall give the notice as soon as reasonably practicable.

[Utah Code § 63A-17-511\(8\) \(2026\)](#)

C. Parental Leave

1. An eligible employee who is full-time may take up to 3 work weeks of paid parental leave in a 12-month period. The amount of leave for eligible employees who are part-time or who work more than full-time is the prorated amount reflecting the amount by which the employee works less than or more than full-time. This leave is additional to and is not charged against any other type of paid leave the employee has. The leave cannot be taken before the date of the event making the employee eligible for the leave and must be taken within 6 months following the date of the qualifying event. The leave may not be used on an intermittent basis unless the District and the employee mutually agree in writing to intermittent use or unless a health care provider certifies that intermittent leave is medically necessary due to a serious medical condition of the child to whom the leave relates. This leave is consecutive to postpartum leave but is concurrent with FMLA leave. The leave allowance is not increased if more than one child is born from the same pregnancy, more than one child is adopted, or the employee is appointed as the guardian of more than one child or incapacitated adult. **A qualified employee may not use both parental leave and foster leave with respect to the same child.**

[Utah Code § 53G-11-209\(2\)\(a\)\(i\), \(c\), \(5\) \(2026\)](#)

[Utah Code § 63A-17-511\(3\), \(7\) \(2026\)](#)

- a. An eligible employee shall give the District at least 30 days' notice before the date the employee plans to begin using parental leave unless circumstances beyond the employee's control prevent giving the notice. In that case, the employee shall give the notice as soon as reasonably practicable.

[Utah Code § 63A-17-511\(8\) \(2026\)](#)

D. Adoption Leave

1. **An eligible employee who is full-time may take up to 3 work weeks of paid adoption leave in a 12-month period. The amount of leave for eligible employees who are part-time or who work more than full-time is the prorated amount reflecting the amount by which the employee works less than or more than full-time. This leave is additional to and is not charged against any other type of paid leave the employee has. The leave cannot be taken before the day on which the young child is adopted and must be taken within 6 months following the adoption. The leave may not be used on an intermittent basis unless the District and the employee mutually agree in**

writing to intermittent use or unless a health care provider certifies that intermittent leave is medically necessary due to a serious medical condition of the adopted young child. A qualified employee may not use both adoption leave and foster leave with respect to the same young child. This leave is consecutive to parental leave taken for adoption of the child but consistent with [Policy 3090 Family Medical Leave Act](#) is concurrent with FMLA leave. The leave allowance is not increased if more than one young child is adopted. If a young child is adopted by two adoption leave eligible employees, those employees are entitled to a single 3-work-week period of paid adoption leave which they may allocate between them.

[Utah Code § 53G-11-209\(2\)\(a\)\(iii\), \(c\), \(5\) \(2026\)](#)
[Utah Code § 63A-17-511\(5\), \(7\) \(2026\)](#)

2. An eligible employee shall give the District at least 30 days' notice before the date the employee plans to begin using adoption leave unless circumstances beyond the employee's control prevent giving the notice. In that case, the employee shall give the notice as soon as reasonably practicable. If two employees are entitled to a single period of paid adoption leave, then they must give the District notice of the allocation between the employees at least 30 days before beginning to use the paid adoption leave.

[Utah Code § 63A-17-511\(8\) \(2026\)](#)

E. Foster Leave

1. An eligible employee who is full-time may take up to 4 work weeks of paid foster leave in a 12-month period. The amount of leave for eligible employees who are part-time or who work more than full-time is the prorated amount reflecting the amount by which the employee works less than or more than full-time. This leave is additional to and is not charged against any other type of paid leave the employee has. The leave cannot be taken before the day on which the child is placed in foster care with the eligible employee, must be taken within 6 months following the foster care placement, and may not be used after the child is no longer placed in foster care with the eligible employee. A qualified employee may not use both foster leave and parental leave with respect to the same child. A qualified employee may not use both foster leave and adoption leave with respect to the same young child. The leave may be used intermittently and runs concurrently with FMLA leave. The leave allowance is not increased if more than one child is placed in foster care with the employee. If a child is placed in foster care with two eligible employees, those employees are entitled to a single 4-work-week period of paid foster leave which they may allocate between them.

[Utah Code § 53G-11-209\(2\)\(a\)\(iv\), \(c\), \(5\) \(2026\)](#)
[Utah Code § 63A-17-511\(6\), \(7\) \(2026\)](#)

2. An eligible employee shall give the District at least 30 days' notice before the date the employee plans to begin using foster leave unless circumstances beyond the employee's control prevent giving the notice. In that case, the employee shall give the notice as soon as reasonably practicable. If two employees are entitled to a single period of paid foster leave, then they must give the District notice of the allocation between the employees at least 30 days before beginning to use the paid foster leave.

[Utah Code § 63A-17-511\(8\) \(2026\)](#)

F. Unused Leave

1. A qualified employee who terminates employment with the District is not entitled to compensation for any unused postpartum recovery leave, parental leave, adoption leave, or foster leave.

[Utah Code § 63A-17-511\(10\) \(2026\)](#)

G. Notice of Leave Benefits

1. The District shall provide written notice to all employees regarding a qualified employee's right to use postpartum recovery leave, **and** parental leave, **adoption leave, and foster leave.**

[Utah Code § 53G-11-209\(2\)\(d\) \(2026\)](#)