

## Study Session

Tuesday, May 13, 2025 Mountain Time

JATC South Campus (Board Conference Room), 12723 S. Park Avenue (2080 West),  
Riverton, Utah 84065

### 1. **STUDY SESSION - OPEN MEETING - 4:00 p.m.**

*The Board may engage in discussion, provide administrative direction, or take other action on any of the study session agenda items listed below.*

1.A. Comprehensive Guidance Report

1.B. Discussion on Adoption of Preschool Curriculum  
Frog Street Press as per Administrative Policy  
DE501 Curriculum Adoption and Review Committee

1.C. Review of Administrative Policy DP380  
Maternity/Parent Leave

1.D. Presentation on Administrative Policy AA419  
Student Conduct, Dress, and Appearance

1.E. Discussion on Secondary Boundaries within Midas  
Creek Elementary School Boundaries

1.F. Review of Potential Revisions to Board Policy  
GP104 Board Officers and Appendix Procedures for  
the Election of Board Officers

1.G. Discussion on Proposed Changes to  
Administrative Policies: 1) AS67 Discipline of  
Students; 2) AA418 Discipline of Students - Staff  
Responsibilities; and 3) DP378 Employee Code of  
Conduct

1.H. **Board and Superintendent Reports and Comments**

### 2. **Bids**

2.A. Riverton High School - Classroom Furniture

2.B. Riverton High School - Student Desks

### 3. **Motion to go into Closed Session**

3.A. Motion to Adjourn to Closed Session

### 4. **POTENTIAL CLOSED SESSION**

4.A. Character and Competence of Individuals  
(Personnel)

4.B. Property

4.C. Potential Litigation

4.D. Negotiations

4.E. Security

**Effective 7/1/2024**

**Superseded 9/1/2025**

**53G-11-209 Paid leave -- Parental leave -- Postpartum recovery leave -- Leave sharing -- Rulemaking**

(1) As used in this section:

(a)

(i) "Paid leave hours" means leave hours an LEA provides to an LEA employee who accrues paid leave benefits in accordance with the LEA's leave policies.

(ii) "Paid leave hours" includes annual, vacation, sick, paid time off, or any other type of leave an employee may take while still receiving compensation.

(iii) "Paid leave hours" is not limited parental leave or postpartum recovery leave.

(b) "Parental leave" means leave hours an LEA provides to a parental leave eligible employee.

(c) "Parental leave eligible employee" means an LEA employee who accrues paid leave benefits in accordance with the LEA's leave policies and is:

(i) a birth parent as defined in Section 73B-6-103;

(ii) legally adopting a minor child, unless the individual is the spouse of the pre-existing parent;

(iii) the intended parent of a child born under a validated gestational agreement in accordance with Title 78B, Chapter 15, Part 8, Gestational Agreement; or

(iv) appointed the legal guardian of a minor child or incapacitated adult.

(d) "Postpartum recovery leave" means leave hours a state employer provides to a postpartum recovery leave eligible employee to recover from childbirth.

(e) "Postpartum recovery leave eligible employee" means an employee:

(i) who accrues paid leave benefits in accordance with the LEA's leave policies; and

(ii) who gives birth to a child.

(f) "Qualified employee" means:

(i) a parental leave eligible employee; or

(ii) a postpartum recovery leave eligible employee.

(g) "Retaliatory action" means to do any of the following regarding an employee:

(i) dismiss the employee;

(ii) reduce the employee's compensation;

(iii) fail to increase the employee's compensation by an amount to which the employee is otherwise entitled to or was promised;

(iv) fail to promote the employee if the employee would have otherwise been promoted; or

(v) threaten to take an action described in Subsections (1)(f)(i) through (iv).

(2) Beginning July 1, 2025, an LEA:

(a) shall develop leave policies that provide for the use and administration of parental leave and postpartum recovery leave by a qualified employee under this section in a manner that is not more restrictive than the parental and postpartum recovery leave available to state employees under Section 63A-17-511; and

(b) may develop leave policies that provide a mechanism for leave sharing between employees of the same LEA or school for all types of leave including, sick leave, annual leave, parental leave, and postpartum recovery leave;

(c) shall allow a parental leave eligible employee and a postpartum recovery leave eligible employee who is part-time or who works in excess of a 40-hour work week or the equivalent of a 40-hour work week to use the amount of postpartum recovery leave available under this section on a pro rata basis; and

(d) shall provide each employee written information regarding:

- (i) a qualified employee's right to use parental leave or postpartum recovery leave under this section; and
  - (ii) the availability of and process for using or contributing to the leave sharing mechanism described in Subsection (2)(b).
- (3) An LEA may not take retaliatory action against a qualified employee for using parental leave or postpartum recovery leave in accordance with this section.
- (4) An LEA may not charge parental leave or postpartum recovery leave against paid leave hours to which a qualified employee is entitled as described in Subsection (6).
- (5) An LEA or school may use leave bank sharing and other efforts to mitigate incurred costs of compliance with this section including coordinating with other LEAs or schools to share approaches or policies designed to fulfill the requirements of this section in a cost effective manner.
- (6) An LEA may provide leave that exceeds the benefits of the state leave policies described in this section.

Enacted by Chapter 48, 2024 General Session

**Effective 5/1/2024**

**63A-17-511 Parental leave -- Postpartum recovery leave.**

- (1) As used in this section:
- (a) "Child" means an individual who is younger than 18 years old.
  - (b) "Parental leave" means leave hours a state employer provides to a parental leave eligible employee to bond with a child or, in the case of a guardianship appointment, an incapacitated adult.
  - (c) "Parental leave eligible employee" means an employee who, on the date an event described in Subsections (2)(a)(i)(A) through (D) occurs:
    - (i) is an employee of a state employer;
    - (ii) is in a position that receives retirement benefits under Title 49, Utah State Retirement and Insurance Benefit Act;
    - (iii) accrues paid leave benefits that can be used in the current and future calendar years;
    - (iv) is not reemployed as defined in Section 49-11-1202;
    - (v) is assuming a parental role with respect to the child or the incapacitated adult for which parental leave is requested; and
  - (vi)
    - (A) is the child's biological parent;
    - (B) is the spouse of the person who gave birth to the child;
    - (C) is the adoptive parent of the child, unless the employee is the spouse of the pre-existing parent;
    - (D) is the intended parent of the child and the child is born under a validated gestational agreement in accordance with Title 78B, Chapter 15, Part 8, Gestational Agreement;
    - (E) is appointed the legal guardian of the child or the incapacitated adult; or
    - (F) is the foster parent of the child.
  - (d) "Postpartum recovery leave" means leave hours a state employer provides to a postpartum recovery leave eligible employee to recover from childbirth that occurs at 20 weeks or greater gestation.
  - (e) "Retaliatory action" means to do any of the following to an employee:
    - (i) dismiss the employee;
    - (ii) reduce the employee's compensation;
    - (iii) fail to increase the employee's compensation by an amount that the employee is otherwise entitled to or was promised;
    - (iv) fail to promote the employee if the employee would have otherwise been promoted; or
    - (v) threaten to take an action described in Subsections (1)(e)(i) through (iv).
  - (f) "Postpartum recovery leave eligible employee" means an employee who:
    - (i) is in a position that receives retirement benefits under Title 49, Utah State Retirement and Insurance Benefit Act;
    - (ii) accrues paid leave benefits that can be used in the current and future calendar years;
    - (iii) is not reemployed as defined in Section 49-11-1202; and
    - (iv) gives birth to a child.
  - (g)
    - (i) "State employer" means:
      - (A) a state executive branch agency, including the State Tax Commission, the National Guard, and the Board of Pardons and Parole;
      - (B) the legislative branch of the state; or
      - (C) the judicial branch of the state.
    - (ii) "State employer" does not include:

- (A) an institute of higher education;
  - (B) the Utah Board of Higher Education;
  - (C) an independent entity as defined in Section 63E-1-102;
  - (D) the Attorney General's Office;
  - (E) the State Auditor's Office; or
  - (F) the State Treasurer's Office.
- (h) "Qualified employee" means:
- (i) a parental leave eligible employee; or
  - (ii) a postpartum leave eligible employee.
- (2)
- (a) Except as provided in Subsections (4) and (5), a state employer shall:
- (i) allow a parental leave eligible employee to use up to three work weeks of paid parental leave for:
    - (A) the birth of the parental leave eligible employee's child;
    - (B) the adoption of a child;
    - (C) the appointment of legal guardianship of a child or incapacitated adult; or
    - (D) the placement of a foster child in the parental leave eligible employee's care; and
  - (ii) allow a postpartum recovery leave eligible employee to use up to three work weeks of paid postpartum recovery leave for recovery from childbirth.
- (b) A state employer shall allow a qualified employee who is part-time or who works in excess of a 40-hour work week or its equivalent to use the amount of parental leave or postpartum recovery leave available to the qualified employee under this section on a pro rata basis as adopted by rule by the division under Subsection (12).
- (3)
- (a) Parental leave described in Subsection (2)(a)(i):
- (i) may not be used before the day on which:
    - (A) the parental leave eligible employee's child is born;
    - (B) the parental leave eligible employee adopts a child;
    - (C) the parental leave eligible employee is appointed legal guardian of a child or incapacitated adult; or
    - (D) a foster child is placed in the parental leave eligible employee's care.
  - (ii) may not be used more than six months after the date described in Subsection (3)(a)(i);
  - (iii) may not be used intermittently, unless:
    - (A) by mutual written agreement between the state employer and the parental leave eligible employee; or
    - (B) a health care provider certifies that intermittent leave is medically necessary due to a serious health condition of the child;
  - (iv) runs concurrently with any leave authorized under the Family and Medical Leave Act of 1993, 29 U.S.C. Sec. 2601 et seq.; and
  - (v) runs consecutively to postpartum recovery leave.
- (b) The amount of parental leave authorized under Subsection (2)(a)(i) does not increase if a parental leave eligible employee:
- (i) has more than one child born from the same pregnancy;
  - (ii) adopts more than one child;
  - (iii) has more than one foster child placed in the parental leave eligible employee's care; or
  - (iv) is appointed legal guardian of more than one child or incapacitated adult.

- (c) A parental leave eligible employee may not use more than three work weeks of paid parental leave within a single 12-month period, regardless of whether during that 12-month period the parental leave eligible employee:
  - (i) becomes the parent of more than one child;
  - (ii) adopts more than one child;
  - (iii) has more than one foster child placed in the parental leave eligible employee's care; or
  - (iv) is appointed legal guardian of more than one child or incapacitated adult.
- (4)
  - (a) Postpartum recovery leave described in Subsection (2)(a)(ii):
    - (i) shall be used starting on the day on which the postpartum recovery leave eligible employee gives birth, unless a health care provider certifies that an earlier start date is medically necessary;
    - (ii) shall be used in a single continuous period, unless otherwise authorized in writing by the director of the division;
    - (iii) runs concurrently with any leave authorized under the Family and Medical Leave Act of 1993, 29 U.S.C. Sec. 2601 et seq.; and
    - (iv) runs consecutively to parental leave.
  - (b) The amount of postpartum recovery leave authorized under Subsection (2)(a)(ii) does not increase if a postpartum recovery leave eligible employee has more than one child born from the same pregnancy.
- (5)
  - (a) Except as provided in Subsection (5)(b), a qualified employee shall give the state employer notice at least 30 days before the day on which the qualified employee plans to:
    - (i) begin using parental leave or postpartum recovery leave under this section; and
    - (ii) stop using postpartum recovery leave under this section.
  - (b) If circumstances beyond the qualified employee's control prevent the qualified employee from giving notice in accordance with Subsection (5)(a), the qualified employee shall give each notice described in Subsection (5)(a) as soon as reasonably practicable.
- (6) Except as provided in Subsections (3)(a)(iv) and (4)(a)(iii), a state employer may not charge parental leave or postpartum recovery leave under this section against sick, annual, compensatory, excess, or other leave a qualified employee is entitled to.
- (7) A state employer may not compensate a qualified employee for any unused parental leave or postpartum recovery leave upon termination of employment.
- (8)
  - (a) Following the expiration of a qualified employee's parental leave or postpartum recovery leave under this section, the state employer shall ensure that the qualified employee may return to:
    - (i) the position that the qualified employee held before using parental leave or postpartum recovery leave; or
    - (ii) a position within the state employer that is equivalent in seniority, status, benefits, and pay to the position that the qualified employee held before using parental leave or postpartum recovery leave.
  - (b) If during the time a qualified employee uses parental leave or postpartum recovery leave under this section the state employer experiences a reduction in force and, as part of the reduction in force, the qualified employee would have been separated had the qualified employee not been using the parental leave or postpartum recovery leave, the state employer may separate the qualified employee in accordance with any applicable process or procedure as if the qualified employee were not using the parental leave or postpartum recovery leave.

- (9) During the time a qualified employee uses parental leave or postpartum recovery leave under this section, the qualified employee shall continue to receive all employment related benefits and payments at the same level that the qualified employee received immediately before beginning the parental leave or postpartum leave, provided that the qualified employee pays any required employee contributions.
- (10) A state employer may not:
- (a) interfere with or otherwise restrain a qualified employee from using parental leave or postpartum recovery leave in accordance with this section; or
  - (b) take retaliatory action against a qualified employee for using parental leave or postpartum recovery leave in accordance with this section.
- (11) A state employer shall provide each employee written information regarding a qualified employee's right to use parental leave or postpartum recovery leave under this section.
- (12) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division shall, on or before July 1, 2022, make rules for the use and administration of parental leave and postpartum recovery leave under this section, including a schedule that provides paid parental leave or postpartum recovery leave for a qualified employee who is part-time or who works in excess of a 40-hour work week on a pro rata basis.

Amended by Chapter 396, 2024 General Session