

ACT No. 631

2018 Regular Session

HOUSE BILL NO. 625

BY REPRESENTATIVES EDMONDS AND FALCONER AND SENATOR WALSWORTH

1 AN ACT

2 To amend and reenact R.S. 17:46(A)(2), 48, 231, 1171(B)(introductory paragraph),
3 1202(A)(1)(b), 1211, 1212, 1970.26(C)(1)(f), and 1987(D)(1) and to enact R.S.
4 17:1171(B)(5), relative to leave for teachers; to provide for leave associated with
5 adoption of a child; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:46(A)(2), 48, 231, 1171(B)(introductory paragraph),
8 1202(A)(1)(b), 1211, 1212, 1970.26(C)(1)(f), and 1987(D)(1) are hereby amended and
9 reenacted and R.S. 17:1171(B)(5) is hereby enacted to read as follows:

10 §46. Sabbatical leave program

11 A.

12 * * *

13 (2) Absence on sick leave under Subpart E of this Part ~~or~~₂ on maternity leave
14 of absence, as provided for under Subpart F of this Part, for the period of disability
15 occasioned by pregnancy and ~~or childbirth~~ the birth of a child as determined by a
16 certificate from the employee's attending physician, or adoptive leave as provided
17 in Subpart F of this Part, shall not be deemed to interrupt the active service ~~herein~~
18 as provided for in this Section; nor shall absence on involuntary military service in
19 the armed forces of the United States, nor on military leave under Subpart G of this
20 Part be deemed to interrupt the active service ~~herein~~ as provided for retroactive to
21 the school session in 1960-61 beginning in the year 1960 in this Section.

22 * * *

SUBPART F. MATERNITY AND ADOPTIVE LEAVE FOR TEACHERS
 IN SPECIAL SCHOOLS

§48. Maternity leave; adoptive leave

A. The superintendent of the Special School District shall grant leaves of absence to regularly employed teachers for a reasonable time before and after ~~childbirth~~ the birth of a child. If multiple children are born on the same date, the event shall be considered a single qualifying event. The granting of such leaves shall not affect any of the tenure rights which the teacher may have ~~acquired prior thereto under the provisions of Subpart C of this Part~~ previously acquired.

B. The superintendent of the Special School District shall grant leaves of absence not to exceed thirty days to regularly employed teachers after the legal adoption of a child. If multiple children are legally adopted on the same date, the event shall be considered a single qualifying event. The granting of such leaves shall not affect any of the tenure rights which the teacher may have previously acquired.

~~B C.~~ The position vacated by a teacher who has been granted a maternity or adoptive leave, or by a teacher transferred to the position vacated by a teacher taking a maternity or adoptive leave, in accordance with Subsection A or B of this Section, may be filled by the appointment of substitute teachers.

~~C D.~~ A substitute teacher appointed under the provisions of ~~Subsection B~~ Subsection C of this Section shall not acquire any of the tenure rights or privileges provided for in ~~Subpart C of this Part~~, unless the substitute teacher has subsequently been appointed to fill a regular vacancy and has the necessary qualifications.

* * *

§231. Retirement, tenure, and other welfare benefits of visiting teachers, or supervisors of child welfare and attendance

Visiting teachers, or supervisors of child welfare and attendance, employed under the provisions of this ~~Sub-part~~ Subpart, shall have the same status with respect to teacher retirement, tenure, sabbatical leave, sick leave, maternity leave, adoptive leave, and all other teacher-welfare provisions as other teachers or supervisors whose

1 employment requires that they hold valid teachers' certificates issued by authority of
2 the state board of education.

3 * * *

4 §1171. Eligibility for sabbatical leaves

5 * * *

6 B. Active service accumulated toward sabbatical leave as provided in
7 Subsection A ~~hereof~~ of this Section shall not be deemed to be interrupted by any of
8 the following:

9 * * *

10 (5) Absence on adoptive leave pursuant to R.S. 17:1211(B).

11 * * *

12 §1202. Teachers; extended sick leave

13 A.(1) Every city, parish, and other local public school board shall permit:

14 * * *

15 (b) Each teacher granted maternity or adoptive leave in accordance with the
16 provisions of R.S. 17:48 or 1211 and who has no remaining sick leave balance
17 available to take in the manner provided in this Section up to thirty days of additional
18 extended sick leave in each six-year period of employment for personal illness
19 relating to pregnancy, illness of an infant, or for required medical visits certified by
20 a physician as relating to infant or maternal health.

21 * * *

22 SUBPART C. MATERNITY AND ADOPTIVE LEAVE

23 §1211. Maternity leave for teachers; adoptive leave; tenure status unaffected;
24 definition

25 A. ~~The city and parish school boards~~ Each city, parish, and other local school
26 board ~~throughout the state~~ shall grant leaves of absence to regularly employed
27 women teachers for a reasonable time before and after ~~childbirth~~ the birth of a child.
28 If multiple children are born on the same date, the event shall be considered a single
29 qualifying event. The granting of such leaves shall not affect any of the tenure rights

1 which the teacher may have acquired ~~prior thereto~~ under the provisions of R.S.
2 17:441 through 17:444 ~~or R.S. 17:461 through 17:463.~~

3 B. Each city, parish, and other local public school board shall grant leaves of
4 absence not to exceed thirty days to regularly employed teachers after the legal
5 adoption of a child. If multiple children are adopted on the same date, the event shall
6 be considered a single qualifying event. The granting of such leaves shall not affect
7 any of the tenure rights which the teacher may have acquired under the provisions
8 of R.S. 17:441 through R.S. 17:444.

9 B C. As used in this Subpart, the word "teacher" shall include any member
10 of the teaching staff of a public school in the state and any social worker or school
11 psychologist employed by a local school board in the state who holds a valid
12 professional ancillary certificate in school social work or school psychology issued
13 by the state Department of Education.

14 * * *

15 §1212. Substitute teachers to fill vacancies; appointment

16 The position vacated by a teacher who has been granted a maternity or
17 adoptive leave, or by a teacher transferred to the position vacated by a teacher taking
18 a maternity or adoptive leave, in accordance with R.S. 17:1211, may be filled by the
19 respective school boards by the appointment of substitute teachers.

20 * * *

21 §1970.26. Administration, faculty, staff; classification status; benefits

22 * * *

23 C.(1) The following laws may be made applicable to any nonclassified
24 employee and shall be applicable to each nonclassified employee of the New Orleans
25 Center for Creative Arts who was employed by the Orleans Parish School Board at
26 the New Orleans Center for the Creative Arts prior to July 1, 2000, to the same
27 degree as such provisions apply generally and subject to revision by law:

28 * * *

29 (f) ~~Maternity leave~~ and adoptive leave (R.S. 17:1211).

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