

**UTAH MILITARY ACADEMY
POLICY AND PROCEDURES**

Policy Number:	2026-1
Subject:	Postpartum Recovery, Parental, Adoption, and Foster Leave
Index:	Human Resources - Employee Legal Rights and Responsibilities
Effective Date:	July 1, 2026
Board Adoption / Revision:	_____

1. PURPOSE

- 1.1. Utah Military Academy (UMA) adopts this policy to comply with Utah Code Section 53G-11-209 and applicable provisions of Utah Code Section 63A-17-511. This policy provides paid postpartum recovery leave, paid parental leave, paid adoption leave, and paid foster leave to qualifying UMA employees.

2. DEFINITIONS

- 2.1. Adoption leave means paid leave hours provided to an eligible employee for the legal adoption of a young child.
- 2.2. Adoption leave eligible employee means a UMA employee who accrues paid leave benefits under UMA policy and legally adopts a young child, unless the employee is the spouse of the child's pre-existing parent.
- 2.3. Child means an individual younger than 18 years of age.
- 2.4. Foster leave means paid leave hours provided to an eligible employee for the foster placement of a child in the employee's care.
- 2.5. Foster leave eligible employee means a UMA employee who accrues paid leave benefits under UMA policy and is the foster parent of a child.
- 2.6. Parental leave means paid leave hours provided to an eligible employee to bond with a child or incapacitated adult for whom the employee is assuming a parental role.
- 2.7. Parental leave eligible employee means a UMA employee who accrues paid leave benefits under UMA policy and is a birth parent; is legally adopting a child, unless the employee is the spouse of the child's pre-existing parent; is an intended parent under a validated gestational agreement; or is appointed legal guardian of a child or incapacitated adult.
- 2.8. Postpartum recovery leave means paid leave hours provided to an eligible employee to recover from childbirth.
- 2.9. Postpartum recovery leave eligible employee means a UMA employee who accrues paid leave benefits under UMA policy and gives birth to a child.
- 2.10. Qualified leave means parental leave, postpartum recovery leave, adoption leave, or foster leave provided under this policy.
- 2.11. Work week means the employee's regularly scheduled work hours during a normal work week. Leave for a part-time employee or an employee whose normal work week exceeds 40 hours shall be calculated on a pro rata basis.
- 2.12. Young child means an individual younger than six years of age.

3. GENERAL PROVISIONS

- 3.1. UMA shall administer qualified leave through the Superintendent or the Superintendent's designee, normally the Human Resources administrator.
- 3.2. A qualified employee shall submit a written leave request and supporting documentation required by Human Resources. Except when circumstances beyond the employee's control make advance notice impracticable, the employee shall provide at least 30 days' notice of the anticipated beginning and ending dates of qualified leave. When advance notice is not practicable, notice shall be provided as soon as reasonably possible.
- 3.3. Qualified leave shall run concurrently with leave for the same purpose available under the Family and Medical Leave Act (FMLA), when the employee and event qualify for FMLA leave.
- 3.4. Except for concurrent FMLA designation, qualified leave shall not be charged against accrued sick, vacation, personal, compensatory, or other paid leave available to the employee.
- 3.5. Qualified leave is in addition to other accrued paid leave. Unused qualified leave has no cash value and shall not be paid upon separation from employment.

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- 3.6.** During qualified leave, the employee shall continue to receive employment-related benefits and payments at the same level received immediately before the leave, provided the employee pays any required employee contributions.
- 3.7.** After qualified leave expires, UMA shall return the employee to the same position or an equivalent position in seniority, status, benefits, and pay, subject to any lawful reduction in force or other action that would have occurred regardless of the leave.
- 3.8.** The amount of leave available for a qualifying event does not increase because multiple children or individuals are involved in the same birth, adoption, guardianship, or foster placement.
- 3.9.** UMA shall provide employees written information regarding the leave available under this policy and, if UMA maintains a leave-sharing mechanism, the process for contributing or using shared leave.

4. PAID PARENTAL LEAVE

- 4.1.** An eligible employee may use up to three work weeks of paid parental leave for the birth of the employee's child, the employee's legal adoption of a child, the birth of a child to the employee as an intended parent under a validated gestational agreement, or the employee's appointment as legal guardian of a child or incapacitated adult.
- 4.2.** Parental leave may not begin before the qualifying birth, adoption, or guardianship and must be completed within six months after the qualifying event.
- 4.3.** Parental leave shall not be used intermittently unless UMA and the employee mutually agree in writing or a health care provider certifies that intermittent leave is medically necessary because of the child's serious health condition.
- 4.4.** For an employee who also receives postpartum recovery leave, parental leave shall follow postpartum recovery leave.
- 4.5.** An eligible employee may not use more than three work weeks of paid parental leave during a single consecutive 12-month period, regardless of the number of qualifying events during that period.

5. PAID POSTPARTUM RECOVERY LEAVE

- 5.1.** An eligible employee who gives birth shall receive up to three work weeks of paid postpartum recovery leave.
- 5.2.** Postpartum recovery leave shall begin on the date of birth unless a health care provider certifies that an earlier start date is medically necessary.
- 5.3.** Postpartum recovery leave shall be taken in one continuous period unless Human Resources authorizes a different arrangement in writing consistent with applicable law.
- 5.4.** Postpartum recovery leave is separate from and in addition to paid parental leave. An employee eligible for both forms of leave may therefore receive up to six work weeks of qualified leave for the same birth event, subject to this policy.

6. PAID ADOPTION LEAVE

- 6.1.** An eligible employee who legally adopts a young child may use up to three work weeks of paid adoption leave.
- 6.2.** Adoption leave may not begin before the legal adoption and must be completed within six months after the adoption.
- 6.3.** Adoption leave shall not be used intermittently unless UMA and the employee mutually agree in writing or a health care provider certifies that intermittent leave is medically necessary because of the young child's serious health condition.
- 6.4.** Adoption leave shall follow any parental leave taken for the same adoption. An employee eligible for both forms of leave may therefore receive up to six work weeks of qualified leave for the adoption of a child younger than six, subject to this policy.
- 6.5.** An eligible employee may not use more than three work weeks of paid adoption leave during a single consecutive 12-month period, regardless of the number of young children adopted during that period.
- 6.6.** When two UMA employees jointly adopt the same young child, they are collectively entitled to one three-work-week period of adoption leave, which they may allocate between themselves in accordance with applicable law and UMA procedures.

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7. PAID FOSTER LEAVE

- 7.1. An eligible employee may use up to four work weeks of paid foster leave for the placement of a child in foster care with the employee.
- 7.2. Foster leave may not begin before the placement, must be completed within six months after placement, and may not be used after the child is no longer placed with the employee.
- 7.3. Foster leave may be used intermittently, subject to reasonable scheduling and documentation procedures established by Human Resources.
- 7.4. An eligible employee may not use more than four work weeks of paid foster leave during a single consecutive 12-month period, regardless of the number of foster placements during that period.
- 7.5. When a child is placed with two UMA employees, they are collectively entitled to one four-work-week period of foster leave, which they may allocate between themselves in accordance with applicable law and UMA procedures.
- 7.6. An employee may not use both foster leave and parental leave for the same child or both foster leave and adoption leave for the same young child.

8. DOCUMENTATION AND COORDINATION

- 8.1. Human Resources may require reasonable documentation establishing eligibility and the dates of the qualifying event, including documentation of birth, adoption, guardianship, or foster placement, and medical certification when an employee requests an early start or medically necessary intermittent leave.
- 8.2. Medical and family information obtained under this policy shall be maintained confidentially and separately from routine personnel records to the extent required by law.
- 8.3. Employees shall coordinate foreseeable absences with their supervisor and Human Resources to support continuity of UMA operations. Operational planning may not be used to deny or unreasonably restrict leave required by law.

9. NONINTERFERENCE AND NONRETALIATION

- 9.1. UMA shall not interfere with, restrain, or retaliate against a qualified employee for requesting or using qualified leave in accordance with this policy and state or federal law.

10. CONFLICT WITH LAW

- 10.1. This policy shall be interpreted consistently with controlling state and federal law. If a provision of this policy conflicts with a later-enacted law or binding rule, the controlling law or rule shall govern until the policy is revised.

LEGAL REFERENCES

- Utah Code Section 53G-11-209, Paid leave - Parental leave - Postpartum recovery leave - Adoption leave - Foster leave - Leave sharing - Rulemaking.
- Utah Code Section 63A-17-511, Parental leave - Postpartum recovery leave - Adoption leave - Foster leave.
- Family and Medical Leave Act of 1993, 29 U.S.C. Sections 2601 et seq.

ADMINISTRATIVE NOTE

This policy is drafted for UMA governing-board and legal review. Human Resources should develop a written request form and employee notice summarizing eligibility, leave amounts, documentation, notice deadlines, FMLA coordination, and any leave-sharing procedures.

Approved by UMA Board of Directors July 22, 2026