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**HOUSE BILL NO. 2286**

Offered January 13, 2025

Prefiled January 8, 2025

A *BILL to amend the Code of Virginia by adding a section numbered 22.1-289.3, relating to Department of Education; paid parental and family leave program for certain school board employees.*

Patrons—Coyner, Cherry, Convirs-Fowler, Ennis, Green and Willett

Referred to Committee on Education

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding a section numbered 22.1-289.3 as follows:**

**§ 22.1-289.3. Department; paid parental and family leave program for certain school board employees.**

A. As used in this section:

"Child" means a newborn biological child or an adopted child or foster child younger than the age of 18.

"Eligible employee" means any individual employed full time for at least the immediately preceding three months by a participating school board.

"Family member" means a biological, foster, or adopted child or a parent, grandparent, grandchild, sibling, spouse, or domestic partner.

"Paid family leave" means six weeks of paid leave at 50 percent of an eligible employee's regular salary to care for a family member facing a serious health condition or emergency.

"Paid parental leave" means six weeks of paid leave at 100 percent of an eligible employee's regular salary following the birth, adoption, or foster placement of such employee's child.

"Participating school board" means a school board that participates in the program.

"Program" means the paid parental and family leave program established and administered by the Department pursuant to this section.

B. The Department shall establish and administer a paid parental and family leave program in which school boards may opt to participate and by which eligible employees who are employed by such a participating school board shall, after submitting to the school board an application form approved by the Department and with such supporting documentation as may be required by the Department, receive paid parental leave or paid family leave.

C. The program shall be funded with such funds as may be provided pursuant to the general appropriation act. The Department shall reimburse participating school boards for paid parental leave and paid family leave provided pursuant to the program.

D. Paid parental leave shall be taken within six months following the birth, adoption, or foster placement of the child. If both parents are eligible employees, paid parental leave may be taken concurrently, consecutively, or at a different time than the other eligible employee.

E. Paid parental leave and paid family leave shall be taken only once in a 12-month period with no more than one occurrence of each such type of leave in such period.

F. Paid parental leave and paid family leave shall be in addition to other leave benefits available to eligible employees, including sick leave, annual leave, and leave under the federal Family and Medical Leave Act of 1993 (29 U.S.C. § 2601 et seq.), and shall not be counted against leave under such programs. Paid parental leave and paid family leave shall run concurrently with any leave provided to an eligible employee under the federal Family and Medical Leave Act of 1993.

G. No eligible employee is required to exhaust all other forms of leave before receiving paid parental leave or paid family leave.

H. No holiday, teacher work day, or non-student day in the school division shall be counted against paid parental leave or paid family leave.

I. Upon an eligible employee's return from paid parental leave or paid family leave, the employee shall return to the same position with the same terms, conditions, bonuses, grants, and promotion opportunities as before such paid leave.

J. Participating school boards shall submit an annual report to the Department that includes the following data for the preceding school year: (i) the number of eligible employees in the school division, (ii) the number of eligible employees in the school division who used paid parental leave, and (iii) the number of eligible employees in the school division who used paid family leave.

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